



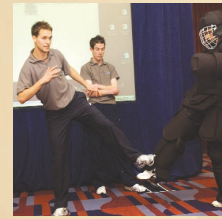
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New  
President



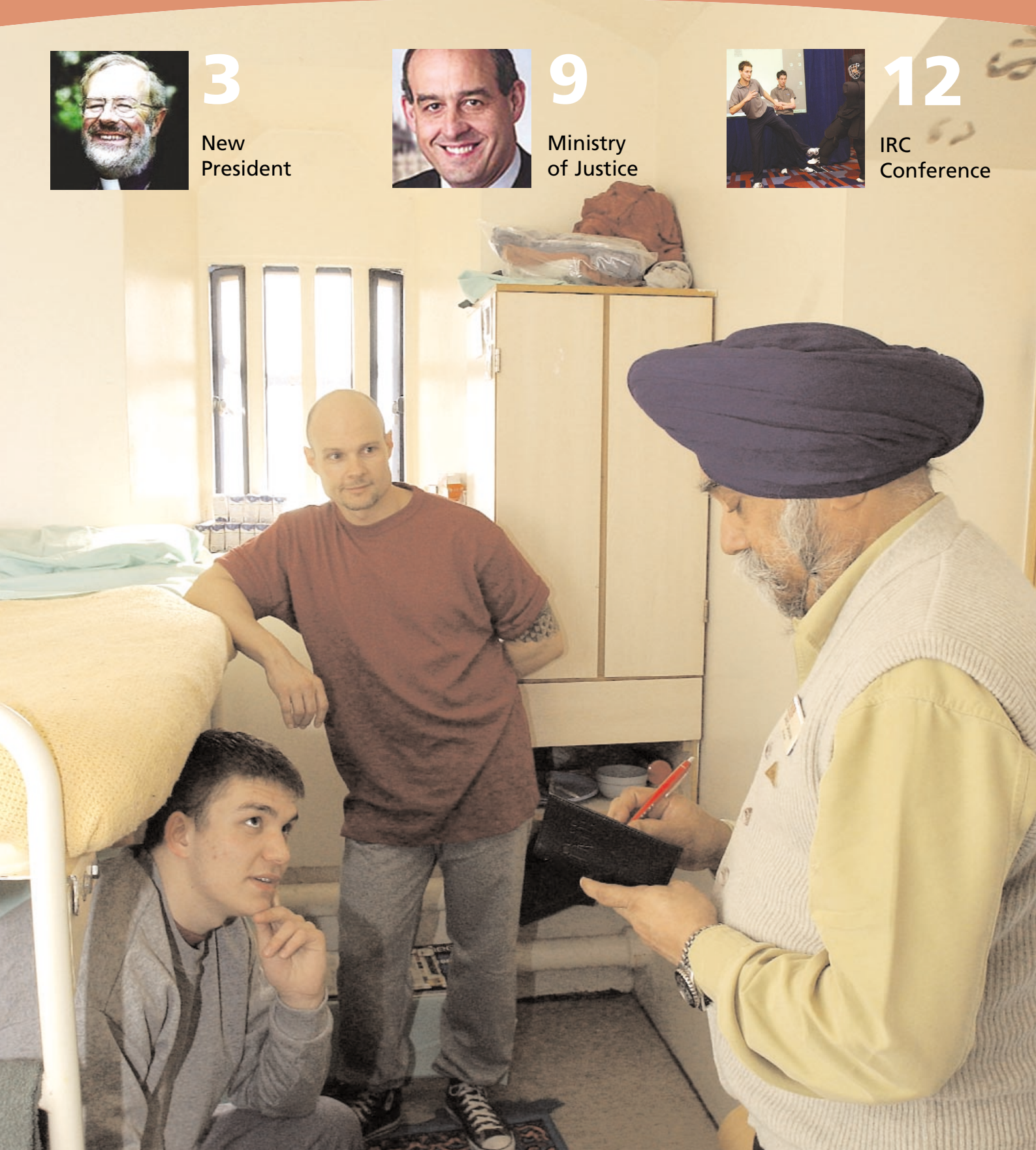
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Ministry  
of Justice



12

IRC  
Conference



# Editorial



First, an apology for the lengthy delay since our last edition, which is largely the result of the pressure of my own work, and a particular apology to those who supplied material which is now out-of-date.

It's been a time of great change since our last edition and there has scarcely been a day when one or other of prisons, foreign national prisoners and immigration has not been on the front page. We have seen prison numbers rise above 81,000, with the use of both police and court cells, and with attendant IMB concerns about the impact on decency, on the ability to achieve resettlement objectives, and on the criteria for allocation to

both open prisons and immigration removal centres. After lengthy resistance the government has now announced a programme of early releases and will also fund a further 1,500 new prison places in addition to the 8,000 already planned. At last we have a Ministry of Justice which means that prison matters are no longer dealt with in the same government department as the police.

By the time you read this, we shall also have a new Prime Minister and, possibly, new ministerial teams at both the Home Office and the MoJ.

On the domestic IMB front, we have a new President of the National Council, Dr Peter Selby, who takes up his post in January 2008, three new NC members, and the first of the Boards for immigration Short Term Holding Facilities. We also have a new Communications Manager, Laura Armstrong, who, amongst other things, is managing editor of IMB News. It also looks as though, finally, the government may have accepted an amendment which will legitimise the IMB name.

The most significant IMB development is the introduction of a standard template for Annual Reports. Once fully implemented, this will give us a powerful tool with which to focus ministerial and public attention on the issues that concern Boards. The standard framework means that issues can be clearly identified, both at the level of the individual Board and, importantly, across a number of Boards. In their introduction to the Guidance the Immigration and Prisons Ministers welcomed the standard format, which has also been well received by others who take a strong interest in our views, including the Ombudsman and the Chief Inspector.

The Annual Report template also brings with it important good practice guidance on some of the key activities which enable Boards to gather their evidence – rota visits, applications and visits to separation/segregation units.

Finally, the third round of National Council elections will take place in the autumn, completing the first cycle. Henceforth, all NC representatives will serve three years, with one-third of them standing down, or standing for re-election each year.

**Editor:** Jim Haines

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## Contributions

The IMB News editorial team is always keen to receive your comments, suggestions, contributions and letters.

Our contact details are printed on the final page of this newsletter, or you can send your correspondence via Laura Armstrong in the IMB Secretariat (laura.armstrong9@homeoffice.gsi.gov.uk).

# President of the National Council

■ **Anne-Marie Stephens**, *Secretary to the National Council*

You will have already seen the announcement made earlier this year that the new President of the National Council for Independent Monitoring Boards, with effect from 1st January 2008, will be The Right Revd Dr Peter Selby. He will be retiring from his post as Bishop of Worcester later this year.

The current National President, Sir Peter Lloyd, who has fulfilled the role since April 2003, was planning to step down at the end of July and the National Council and IMB Secretariat have been planning how to fill the post of President temporarily between the end of July and the end of December 2007.

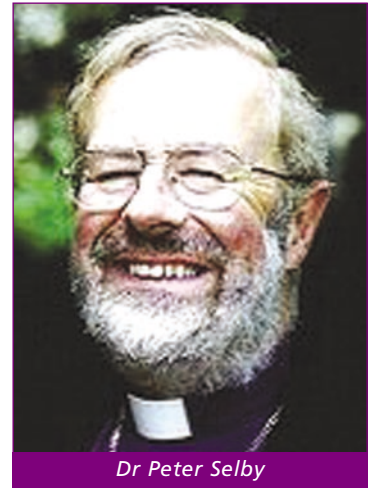


*Sir Peter Lloyd*

We are delighted to inform you that the outcome is that Sir Peter has very kindly agreed to continue as President until the end of the year, following which

Dr Selby takes up appointment.

This is very generous of Sir Peter and great news for the Council and for IMBs. His continued presence will ensure that there is no loss of momentum in the Council's business until the new President arrives.



*Dr Peter Selby*

Dr Selby has been Bishop of Worcester since 1997 and in 2001 was also appointed to Bishop of Prisons; Dr Selby's interest in prisons is long-standing.

He trained for the priesthood in the USA, where he did a three month placement at San Quentin and has maintained a close involvement with prisons throughout his ministry. We look forward to working with him when he takes up his post as President of the National Council.

## IMBs to be Legitimate

■ **Norman McLean**, *Head of IMB Secretariat*

Baroness Stern and Lord Ramsbotham have tabled an amendment to the Offender Management Bill to give statutory effect to the title Independent Monitoring Board and remove the title Board of Visitors. It will also remove the statutory need for two magistrates on each Board. Magistrates will, of course, still be able to continue on Boards in the same way as other members of the local community.

The amendment was formally tabled at Committee stage in the House of Lords on 12th June. In reply Lord Bassam indicated that the government was very willing to consider the amendment but that it would require some minor re-drafting.

When the re-drafted amendment was brought back at Report stage on 3rd July Baroness Scotland, speaking for the government, gave a very positive endorsement of the work of Boards and the commitment of Board members.

So, hopefully by the Summer, IMBs will be the statutory title for Boards.

"Some 1,800 board members – unpaid volunteers – appointed from the local community visit their designated establishments on a regular basis to monitor the care and treatment of those held in prison. Their commitment to this difficult, vital and highly responsible role is quite inspiring. When I was the Minister responsible for offender management and, therefore, prisons, I had the privilege of meeting a number of board members and I have never failed to be deeply impressed by their commitment and energy."

*Baroness Scotland, House of Lords, 3rd July 2007*

[www.publications.parliament.uk/pa/ld200607/ldhansrd/text/70703-0009.htm](http://www.publications.parliament.uk/pa/ld200607/ldhansrd/text/70703-0009.htm)

# National Council Issues

*John Weightman reports on recent developments and current concerns which are being addressed by the National Council.*

## 1. NC membership

Since the last edition of IMB News, elections have taken place in three NC Constituencies and new members have been elected for East Midlands (Jane Wright), Eastern (Sue Simkin) and South West (Richard Brown). You can read of their vision elsewhere in this Magazine. Warm tribute must be paid to the three retiring members: Sue Nicholas, David Graham and Simon Nieboer, all of whom have made a huge contribution to the work of the NC and to the function of Boards generally. We are all very grateful for their sterling efforts.

There are now two co-opted members on the National Council: Dencer Brown (Diversity) and Steve Reeves (Training). In addition, Bilkis Malek has been appointed as Diversity Consultant for a one year period to assist and advise the Secretariat and Boards, along with the Diversity Working Group led by Dencer Brown, in both the recruitment process and in monitoring diversity

## 2. Annual Reviews and Quinquennial Reappointments

One of the recommendations of the Lloyd review was the introduction of annual reviews and quinquennial reappointments in place of the triennial reviews in place at present. The NC have agreed proposals for their introduction, subject to ministerial approval, although there is further detailed work on procedures and processes to be done before finalising the proposals.

A 'Dear Board Member' letter will shortly be issued detailing procedures.

## 3. Priorities for 2007

The NC have identified the following areas as priorities for this year:

- Recruitment and Retention. At present, some

33% of members leave within their first year. It is vital that the causes of this are clarified and remedied in both recruitment and training.

- Training. Apart from new initiatives such as the probationary year it is essential that all training, both local and national, should deliver the needs of boards. Steve Reeves, the co-opted NC member with responsibility for Board training, is continuing the work begun by Simon Nieboer and exciting developments in this area can be anticipated.
- Website. The IMB website is now functioning and a small group consisting of Jo Jenkins, Steve Reeves and Steve Kilbey has been tasked with developing this to make it a really effective tool of communication, both to Boards and to the public and to stakeholders in the criminal justice area.
- It is hoped to complete an analysis of Annual Reports so that matters of wider concern can be identified and taken forward. Steve Kilbey in the Secretariat has already produced a database of key issues and this will be developed over the coming months, particularly as Annual Reports in the new format are available for study.

## 4. Support Groups

In addition to the Working Groups, there are now two main support groups whose activities are described elsewhere in these pages. These groups are:

Healthcare led by Sheila Royle

Learning and Skills led by John Weightman

## 5. Annual Report Template

This is now with Boards and it is hoped that reports based on this template will soon be appearing on the website following their submission to the Minister. This is the end product of a lot of work led by Sue Nicholas and it has been welcomed by colleagues in the Inspectorate and Ombudsman's Offices. The NC is grateful, too, to those Chairs who reviewed the document before issue and provided invaluable input.

Also issued with the Report Template were standardised Rota Report Forms and Applications Forms. One of the advantages of these forms is that they have been designed to assist the collation of information required for the Annual Reports.

## 6. Induction

Work is also being developed by the Communications Working group on induction material for prisoners/detainees.

## 7. Mubarek

A small group has been set up to look at implications for Boards following the report of the Mubarek Enquiry. This group comprises Jo Jenkins and Laura Armstrong and will include members of the Feltham Board.

## 8. Retention of Board Records

Consideration has been given by the NC to the length of time that Board records should be kept. This followed concerns about Inquiries many years after the event in the case of deaths in custody, in particular with juveniles. Guidance has been obtained and the NC agreed that six years should remain as the general rule for retention of records, but that papers relating to sensitive issues, such as deaths in custody, should be retained until such time as the matter is concluded.

## 9. Prisoners' Property

The NC are aware that whilst a large amount of their time and energy is spent necessarily on

strategic and policy matters, there are a number of issues which greatly exercise Boards in the contact with prisoners and detainees. It is important to recognise that everything that we do is ultimately to monitor the treatment of people held in the secure estate. With this in mind, Jane Wright, along with Sheila Royle, has been given the task of co-ordinating and progressing Boards' repeated concerns about prisoner' property. More details regarding this will be made available in due course.

## 10. Foreign Nationals

Sue Simkin has completed some major research into this complex area and its consequences within the custodial system generally and writes about it elsewhere in these pages.

## 11. Lifers and IPPs

John Weightman has recently been asked to begin some work in this area which is known to be of considerable concern to Boards. He writes about some initial findings elsewhere. A study amongst a sample of Boards to assess the implications of current policy is being developed.

## 12. Prison population

Alongside almost all the work we do today is the constant pressure of the impact of an increasing population. Almost every week sees a new level reached and still spaces are found for more. Jo Jenkins is looking at this specific problem. It is well observed, however, that it impacts on every other area of prison life.

# Looking back...and forwards

## ■ David Graham

When I retired from the National Council, well almost retired, but more of that later, I did so with mixed emotions. I had thoroughly enjoyed my three years, which in many ways passed quickly, but equally I cannot pretend that it was not tiring and I was looking forward to some respite at the end of my term. But if I had enjoyed it so much was I doing the right thing by choosing not to stand for a further three year term, as

allowed by the Constitution? Well, I still have no doubts at all that it was the right decision, for three main reasons. Firstly, the reason I had enjoyed it so much was because I learned so much, met so many interesting people and visited so many interesting places – a great opportunity which others should be able to experience. Secondly, just as with being an IMB member; it is possible to become stale, or past our

'sell-by-date' in different ways. This is not good for the individual but more importantly it is not good for the organisation, so best to go before this happens (others will know if I have managed this or not!). The new members will bring a fresh way of looking at what needs to be done now, which must be healthy for all of us. Lastly, though this is not a complaint, the description of "approximately two days per week NC work", as set out when the new National Council was to be formed, turned into almost a full-time job. So there is the selfish reason, I want a bit of time back to use in other ways.

So enough of looking back, let's look forward. What does the future hold for IMBs? Over the past three years I believe we, the NC and all those who worked with us, of whom there were many, have achieved quite a lot in a number of areas. I hope the work already completed will provide a solid foundation for what must come next. The majority of IMB members are, I believe, firmly committed to carrying out a professional role and wish others, especially the Government and the media to recognise our strengths and our unique insight into what is really happening within our prisons and Immigration Removal Centres. We are all privileged in having unrestricted access to the establishments and those who live and work there. But, privileges are usually accompanied by responsibilities

and it is vital that we all use the new tools such as the Annual Report template and make all our reports as meaningful as possible. The transformation will be noticeable as Ministers and all those who rely on our reports, actually receive only the information they need, in an easily recognisable, standard format, rather than in 1 of 150 different formats. Where our critical comments are focused and not accompanied by excuses – which others are more than capable of making for themselves. Of course our Independence is to be prized and guarded – but not from each other. Together we can make a real difference. Let's do our best to move the IMB forward. We have a good National Council but they need all of us to work with them. I wish my successor, Sue Simkin and her colleagues continuing success for the future.

As an interim measure Sir Peter and the NC have asked me to continue as the national lead on Safer Custody. I am happy to do this but need to ask for your continuing help please. If you have issues, or observe good practice which should be spread, please let me know about it. Further Ministerial Roundtable meetings which review much of this work are scheduled for July and November so if I am to represent you accurately and put forward the current status, I can only do so if you keep me informed. Thank you, for this; and to all those who have supported me over the past three years.

## Richard Brown, National Council representative for South West

I have been an IMB Member for six years at HMP Shepton Mallet, the first prison to hold life sentence prisoners only. During this period, I have served as Training Coordinator, Vice-Chairman and Chairman.

Since the inception of Independent Interviewers, I have served as an Independent Interviewer; the experience of visiting prisons other than one's own, I have found stimulating and interesting. It was also an opportunity to meet Members of other Boards, and to hear about good practice, which could be translated to our Board at Shepton Mallet.

My personal background outside of the IMB, is that of personnel and management, with some retail experience.

As the Member for the South West, it is my wish to represent the views of all the IMB Members in the area, and to respect and harness the undoubted goodwill that exists amongst the Members of the IMB in the South West.



# Joining the National Council – the first six months

■ **Sue Simkin**, NC representative for Eastern Area

I have been an IMB member for 14 years, serving on the same Board, HMP The Mount, throughout that time. I have seen the establishment and IMBs go through many changes and challenges during that time, as no doubt many members will have seen at their own establishments. In fact, I suspect that you don't need to have served very long at all on any Board to have seen changes. These changes and challenges are, for me, what makes the role of a Board member interesting and in itself constantly challenging.

To deal with those challenges we have to keep abreast with the changes. Members and Boards have to change both individually and collectively. We need to be trained and supported, in each case both locally and nationally. We also need to give ourselves a much clearer identity, both within the community and nationally so that we can ensure our concerns are taken seriously and acted upon by those with the responsibility for managing our prisons. I feel the National Council should be the spearhead of this change.

This requires the National Council to continue the work that the first generation of Area Representatives has begun. Progress has been made with huge effort and energy on the part of those initial seven members. The seeds have been well and truly sown and now the NC must push forward even harder to make Boards more efficient in getting their message across, to achieve recognition that we do our job well and enable us to be listened to and respected as independent monitors.

What is the reality and what have I been doing since January? I took over immediately from Simon Nieboer, who retired from the NC and IMB having done a really good job as the lead on Foreign Nationals. There are approximately 11,000 FNs held in prisons or IRCs, so this is something concerning most establishments. A visit was set up to the Criminal Casework Directorate in the Border and Immigration Agency (BIA, formerly IND) in February and some progress is being made. Very recently a contact email address was issued for

chasing up cases where the process is not going smoothly. A report was submitted to the Prisons Minister, Gerry Sutcliffe and the Immigration

Minister, Liam Byrne on 23 April 2007. This will shortly be published on the IMB web-site. It looks at the policies in place dealing with Foreign Nationals. HMCIP recently published a follow-up to the thematic on Foreign Nationals. I will write more on this subject soon.

I have taken on other responsibilities under the auspices of Jo Jenkins who plans to retire from the NC at the end of her term: amongst other things Conduct and Discipline; reviewing the prison rules to incorporate recent changes, including the name change; and I also attended the first conference on OPCAT, the UN Optional Protocol on the Convention against Torture (and other cruel and degrading treatment) of those held in places of detention. This is very interesting and again something which we will be hearing more about as countries signing up to the Convention look for role models as they set up monitoring bodies.



Sue Simkin

## Prison Population

The prison population seems to set new records every week. By mid-June the figure had reached 80,977. The Ministry of Justice was looking to increase the number of police cells, used as temporary jails, from 400 to 600. They were also planning to increase from six to eight the number of courts allocated for housing prisoners. The Ministry of Justice has now set up a compulsory rota of on-call Prison Service governors to oversee the court cells.

Press reports at the end of May indicated that Phil Wheatley was unlikely to be able to find any more places by doubling up single accommodation. Since 1997 the number of prisoners sharing cells intended for one person has risen from 9,500 to almost 18,000. A number of prisons, with Shrewsbury and Altcourse reportedly at the head of the list, have occupancy rates of more than 170%.

# A New Member to National Council

■ **Jane Wright**, NC representative for East Midlands



Jane Wright

"Hello, Jane? I have some news for you. I don't know if it's good or bad. You've been elected to National Council." Of course I was deeply pleased but, if I'm honest, I wasn't entirely sure if it was good or bad either.

I joined the IMB in a purpose-built prison that had opened a few months

earlier. I believe in the IMB purpose and the bonus is that the work is always fascinating.

A progression through various roles in IMB seemed natural. I was lucky enough to join the working group that transformed the old handbook into the reference and pocket books. It taught me a huge amount, not least it quickly became apparent I was working alongside members whose depth and breadth of knowledge was formidable.

In due course I became, and remain, Chair of my 'home' Board. The learning curve went on though less steeply than the one I've met in joining NC. This one is closer to a cliff face than a hill climb. It can be addressed only with the strength and help given by supportive colleagues. Throughout my time with IMB I have been aware of the teamwork necessary to be effective monitors. With NC, the support is outstanding. Just don't go on holiday or you return to what feels like an avalanche of emails!

So, if I take a deep breath and swallow hard, I am able to contemplate the demands of the role. I feel very comfortable with becoming the NC person linking with the reference book review group – after all, I'm already involved. I am pleased to have been asked to join in the work on how we review our contributions. I am also pleased to join the work on inter-board exchanges. Initially I wondered what this meant and had visions of the sort of map you see in old war films with pieces being pushed around by pretty girls in semi-darkness (fighters at one o'clock!) but thankfully

it isn't a bit like that. It's about how we can support one another better by forming networks of prisons with common interests. I hope such an opportunity to share experiences and challenges will prove useful and supportive to members.

Most of all I am delighted to have been asked to take up members' concerns about property. We have all experienced problems surrounding property – and the time spent on it. How frustrating it can be! If the NC can help, it will be of direct benefit to all members and prisoners.

The workload is huge, but I expected it to be. The support from everyone is tremendous: my own board, the East Midlands area boards, NC members past and present and the Secretariat.

Despite the excellent hand-over from my immediate predecessor, Sue Nicholas, there is still the impression of plates flying past me; initially they seemed to arrive without warning from thick fog, the fog is gradually thinning.

And was the news good or bad? Well, it looks better every day. I often don't know the answers but sometimes now I know someone who does!

## Congratulations

We offer our congratulations to the following IMB members who have been awarded the MBE in this year's New Year and Birthday Honours Lists.

### **New Year Honours List:**

Hazel Green, *HMP Wakefield*,  
Jo Jenkins, *HMP Parc and National Council*.  
Sheila Pollitt, *HMYOI Lancaster Farms*.

### **Birthday Honours List:**

Anne Grange, *HMP Leeds*.  
Kathleen Sexton, *HMP Hull*.  
Vernon Smith, *HMYOI Feltham*.

# Ministry of Justice

On 9th May responsibility for prisons passed from the Home Office to the Ministry of Justice (formerly the Department for Constitutional Affairs). Both Phil Wheatley, as Director General of the Prison Service, and Helen Edwards, Chief Executive of National Offender Management Service (NOMS), sit on the Departmental Management Board of the Ministry.

Because IMBs are part of NOMS, we too have moved across to the Ministry of Justice. This brings some logistical problems because responsibility for immigration, and therefore IRCs, has remained with the Home Office.



David Hanson

David Hanson has been appointed Minister of State with responsibility for oversight of Penal and Sentencing Policy, which includes prisons, probation and prisoner conditions. He was elected MP for the Welsh constituency of Delyn in 1992. His previous ministerial post was as Minister of State at the

Northern Ireland Office from 2005 to 2007. Before that he was Parliamentary Private Secretary to the Prime Minister. He was appointed to the Privy Council in February of this year.

With the change of Prime Minister, Jack Straw has now been appointed as Secretary of State and Maria Eagle as Parliamentary Under-Secretary of State with responsibility for prisons.

## *The Prison Estate*

The then Secretary of State for Justice, Lord Falconer, admitted that simply building more prison places will not provide a long-term solution to the present population crisis. In a statement during a visit to HMP Norwich at the end of May he said: *"There are some immediate plans to increase the capacity of the prison estate but clearly we cannot carry on building prisons indefinitely and we need to look at new approaches"*. He has appointed Lord Carter to look again at the problem and to map out a ten-year strategy for the Prison Service. Patrick Carter, as he then was, led the review of correctional services in 2003 which resulted in prison and probation services being merged under NOMS. It is reported that the review will not simply look at the need to provide enough prison places but will also look at a strategy to renew the prison estate.

Since 1997 the government has created 20,000 extra prison places. As IMB members know too many 'new' places have come from doubling-up existing accommodation. The Ministry of Justice has inherited the Home Office plans to provide a further 8,000 places by 2012.

## Independent Monitoring Board at HMP Kennet

Following a successful trawl amongst existing Board members in the Northwest a core Board has been appointed for HMP Kennet. The Board is chaired by Peter McFall from the IMB at HMP Liverpool.

Kennet is due to open shortly as a Category C prison and will provide approximately 350 places for convicted adult male prisoners. The prison is located in buildings leased from the Mersey Care NHS Trust on the East site of Ashworth Hospital.

# New Communications Manager at IMB Secretariat

Laura Armstrong has replaced Paul Laming as the new Communications Manager. Like Paul, she was selected by the Home Office to participate in its three year Intensive Development Programme, the IMB being her first placement. In addition, she is also working her way through a Masters degree (MBA).

Laura joined the IMB from the IT section of the Assets Recovery Agency where she worked as an Infrastructure Analyst. This was a varied role including Change Management, Project Management and user communication. In addition, Laura was trained as a diversity specialist and was a member of the recruitment and retention group.

Before the Assets Recovery Agency, Laura spent five years working in a secondary school as a Network Manager. She has also spent several years in the printing industry as a team leader in a typesetting and desktop publishing environment.

Laura is keen to continue the good work from Paul. In addition, later this year she will be working with Bilkis, the diversity consultant and Grainne, her Communications colleague, to raise the profile of the IMB with a national recruitment campaign.



Laura Armstrong

## Publications

*A selection of publications that you may find useful*

### **HMCIP Annual Report 2005-2006**

In January, Anne Owers published her Annual Report, based on inspection reports published in the year to August 2006. This was Anne's fifth annual report and she commented on the steady improvement in standards seen over that period. Some of those changes have been as a result of major policy decisions at national level, such as the changes to the way in which healthcare and education are delivered, but the report acknowledged that much of the progress had come as a result of implementation of change at local level in response to inspection recommendations.

In her report Anne also commented on a number of recent disturbing trends. She noted, in particular, that the reports published since April 2006 for the prisons most affected by overcrowding – adult male local, training and open prisons – showed less positive assessments against the Inspectorate's 4 tests than the prisons inspected in the previous 12 months.

All the Inspectorate's reports can be downloaded from: [http://inspectrates.homeoffice.gov.uk/hmiprison/inspection\\_reports/](http://inspectrates.homeoffice.gov.uk/hmiprison/inspection_reports/)

### **Adult Learning Inspectorate**

The final Annual Report from the Adult Learning Inspectorate (it's now been incorporated into a revamped Ofsted) was published in January and singled out learning and skills in prisons for particular praise.

The prisons section of the ALI Annual Report can be found at:

[www.ali.gov.uk/data.ali.gov.uk/ciar/ciar\\_0506/upload/section\\_pdfs/top/prisons.pdf](http://www.ali.gov.uk/data.ali.gov.uk/ciar/ciar_0506/upload/section_pdfs/top/prisons.pdf)

### **The Corston Report**

In March Baroness Corston published the report of her inquiry into the situation of vulnerable women in prison. The inquiry was commissioned by the government which welcomed the report and indicated that they anticipated issuing their response to the recommendations by the summer.

[www.homeoffice.gov.uk/documents/corston-report/](http://www.homeoffice.gov.uk/documents/corston-report/)

### **The Bromley Briefings – Prison Factfile**

I make no apology for drawing attention once again to the excellent Prison Factfiles produced and regularly updated by the Prison Reform Trust. The latest version (May 2007) can be downloaded from:

[www.prisonreformtrust.org.uk/uploads/documents/factfilemay2007.pdf](http://www.prisonreformtrust.org.uk/uploads/documents/factfilemay2007.pdf)

# Clustered Recruitment

Part of the National Council's strategy on diversity included the identification and setting up of small clusters of IMB's to provide assistance with diversifying Board membership.

A recent appeal had been made by several IMB's in the Kent area, so subsequently the Kent cluster was established as the pilot for this key aspect of the strategy.

Bilkis Malek, our Diversity Consultant, has been assisting the Kent cluster which commenced in March with an initial workshop. Five local Boards met up and did a gap analysis to identify minority groups that were under-represented within these Boards. These groups included women and young people as well as legal and media specialists.

A subsequent meeting was held where the group decided to implement a 'three-pronged' recruitment approach. This consisted of:

- Contacting local establishments to promote the IMB
- Newspaper advertisements
- Seeking volunteers from friends and acquaintances.

Three target organisations were chosen and a promotion campaign commenced with email and telephone contact. This is still in progress and one of the targets resulted in a meeting.

A review meeting was held in early June. These are some of the lessons learned so far:

- It is preferable to begin with only a few target organisations, e.g. between 3 and 5 as this is less time consuming.
- The objective has to be clear and concise to the target group.
- It helps to 'sell' the prison first and then mention the IMB.
- Support between group members is essential.

Here are comments from some of the Members involved in this pilot cluster:

"It is a good idea to understand the needs of other Boards and collaborate in order to obtain new Members." *Bill Bhatia, Cookham Wood.*

"Helps Boards to focus on strengths and weaknesses." *Cate Devereaux, Maidstone.*

"Good for people to interact and network and see the skills of others." *Lue Lynch, Cookham Wood.*

Five other clusters of IMBs have been identified in other parts of the country and will be contacted soon as part of the roll-out of this programme.

## IMB (Prisons) Annual Conference

The Annual Conference for Board members in prisons will be held at Keele University from 6th to 8th September. We hope that all Boards have been able to take up their two places. If you are one of the two firm delegates and you find that for some reason you are unable to attend, please try to give the Communications Team in the Secretariat, as much notice as possible so that the place can be

offered to someone else. Last year a number of places were left empty at the last minute.

Part of the focus this year will be on developing monitoring skills and the workshops will provide an opportunity to explore the new template for annual reports and the accompanying good practice guides.

# Annual Conference for IMBs in Immigration Removal Centres

■ **Ian Anderson**, Vice Chair at Haslar, gives a personal account of the annual Conference for members in Immigration Removal Centres which was held at Oxford from 15th to 17th March.

The Conference this year was held over three days in March. Unlike the prisons IMB Annual Conference, the size of the immigration estate means that a high proportion of IRC Board members were able to attend and enjoy the opportunity to share experiences with colleagues as well as participate in formal sessions. Hopefully the promised estate-based clusters will soon bring similar benefits to prison IMBs.

Unfortunately, the pressure of Government business meant that the Minister was again unable to attend. Delegates did, however, get an overview of the national picture from Brian Pollett, Director of Detention Services at the Border and Immigration Agency (BIA, formerly IND) and from Kevin Jones from the BIA College, whilst Jim Gomersall, Centre Manager at Harmondsworth, was able to look at current issues from the perspective of an individual removal centre.

This year's conference had a greater emphasis on panel sessions, giving more opportunity for delegates to raise their own issues of concern, and there were valuable contributions from the Ombudsman and the Inspectorate. Sir Peter Lloyd, Norman McLean and Peter Booth fielded the questions on national monitoring issues.

Like last year, the Conference ended with a lively demonstration from Andy Bowers. Last year his team focused on some control and restraint techniques, particularly those employed in effecting a safe removal from a cell. This year he demonstrated breakaway techniques.

Ian Anderson, the Vice Chair at Haslar, has provided a personal reflection on the Conference from a delegate's perspective.



IRC Conference

A totally comprehensive account of the Conference would be an impossibility, every Board member who attended will have carried away a unique set of recollections. The following thoughts are offered on a purely personal basis.

One of the many benefits of a Conference is the opportunity for delegates to keep abreast of change. After the “demise” (as it was called) of a Home Secretary and the radical restructuring of Government departments, it would have been surprising if we had not heard about plans for change such as schemes to deal with unacceptable practices in the workplaces of Government, to achieve effective border management and the speedier detention and removal of immigrants who have no entitlement to remain in the UK. We were forewarned that as ports expand to cope with ever-increasing passenger volumes, detention and removal will also be stepped up. Immigration rules will become easier to follow, but immigration authorities will have new powers to enforce them. More staff and financial resources will be allocated to effect change including biometric and other technologies, together with immigration crime partnerships which will improve the processes of identification and crime detection. An unfortunate consequence of political, legal and administrative upheaval was that as removal rates were becoming increasingly favourable, they were overshadowed by the urgent requirement for the detention estate to take in numerous ex-foreign national prisoners. The need for additional accommodation became a matter of even greater urgency than it was already. It will continue to remain a priority for some time and we heard that various options (including barges) are under consideration.

It is to be hoped, though, that solutions to the accommodation problems will be thought through carefully, in spite of the understandable urgency. Is it too much to expect that IMBs might have an input? If sufficient beds became available overnight, would they necessarily solve the problems of detention? Whatever is put into place in the foreseeable future will probably remain for years to come. The inadequacy of existing accommodation (some of it purpose-built) is readily acknowledged. On a superficial basis, the adverse psychological effects of an interior can be improved (as was the case when

Harmondsworth’s plain magnolia walls were modified by the application of detainees’ creative work). However, there appeared to be problems other than emotional responses to the detention environment. For instance, it was reported that (quite apart from the building’s poor construction) Harmondsworth’s layout prevented effective interaction between staff and detainees. It seems to have been fundamentally unfit for its purpose. If new accommodation also proves to be unsuitable, the tenacity of monitoring boards will be tested to the limit. We know how vulnerable – often volatile – detainees can be. They may have mental health problems. They may be suffering from stress, particularly if they are at a distance from friends and family. And if a removal centre is unsuitable for detainees, it is also likely that staff will be inhibited as they strive to provide high professional standards of care for their detainees. Will the provision of new IRCs keep pace with requirements? If not, monitoring boards will continue to encounter some distressing situations, including the disruptive effects of detainees being moved around the estate to achieve efficient use of bed space.

An enlarged immigration removal estate will create the need for more monitoring Boards. Effective recruitment and retention of new members (already a matter to which much attention is being given) will demand even greater efforts. Perhaps we agonise that our Boards consist only of people from a similar background, the wrong side of some notional age limit and are either all men or all women. Diversity, we were reminded, is relevant because of change, including the change to Britain’s ethnic makeup. Racial diversity may be difficult for many Boards to achieve, but this might be addressed over time. However, awareness was also identified as one of the keys to a successful Board; awareness of other people’s needs, recognition of their abilities and avoidance of exclusion. Whoever and whatever we are, we each have a personal contribution to make. We must adapt to change but not be swept along by it so that we neglect those things which do not change, such as human emotions and the need for someone to listen.

As we turned our attention to national monitoring needs, there was much emphasis on those essential

qualities of empathy, willingness to engage with staff and detainees and to draw out information by listening attentively. Our focus is on the humane and just treatment of those in detention and however exasperating it may be to deal with apparently trivial matters, we have to understand the frustration (often despair) of “not understanding” or “not knowing” – not understanding the reason for detention (particularly when there are language difficulties), not knowing when it will end, not knowing about friends and family and not knowing to whom you can turn.

It was an appropriate end to the Conference to see changes in breakaway techniques. It was useful to be reminded also, that running away is a very acceptable technique.

When contributors address a Conference, it is not unusual to be able to trace a “thread” linking one presentation to the next, even though there will have been no collaboration. The concept of change seemed to be prominent at Oxford and the corresponding challenges to IMBs were obvious. (Other members will certainly have identified alternative links between the sessions.) Weaving their way around the “thread” of change, however, were also some powerful thoughts about the importance of stability and the duty of boards to resist unreasonable pressures and continue to act independently and resolutely in the face of change and maintain their focus on the very simple but demanding requirements which collectively constitute the basis of monitoring.

## Immigration Short Term Holding Facilities

### *Independent Monitoring Boards*

The first of the Independent Monitoring Boards for Short Term Holding Facilities was appointed at Heathrow earlier this year with Lou Lockhart-Mummery as its Chair.

The appointment process took a little longer than originally anticipated because of the additional security clearance required. The trawl for members of the other proposed Boards is likely to begin soon.

### *Inspection*

The case for establishing Boards for these facilities has been highlighted by the findings of recent inspections carried out by HM Inspectorate of Prisons and was included as a specific recommendation from the Inspectorate in their reports.

Since the summer of 2004 there have been several inspections and unannounced follow-ups to STHFs, which have pointed to the generally austere conditions in which immigrants may be detained when they first enter the country or are held after being arrested. Problems include poor communication and healthcare

arrangements, the lack of information in appropriate languages and limited facilities to associate with other detainees. In a number of cases the lack of appropriate facilities for women and children is also identified.

The reports of follow-up inspections also appear to indicate that a significant proportion of previous recommendations have either not been achieved or only partially achieved. In some cases the logic for not implementing recommendations (e.g. availability of hot food, access to the open air) seems to be that detainees may only spend a few hours in these facilities. That ignores the fact that they may have already been held elsewhere before arriving at the facility and may be facing a lengthy journey to a removal centre, confined in an escort vehicle. The time spent in the STHF may be the only respite in a protracted and stressful process.

Interestingly, the one facility which has been identified as avoiding some of these problems is Colnbrook where the inspectors comment specifically on the fact that it benefits from being overseen by the managers and IMB at the adjoining Immigration Removal Centre.

# Lifer and IPP Prisoners

The term 'life sentence' or 'indeterminate sentence' refers to a number of different type of sentence. For all of the types listed below the common factor is that there is no fixed date for automatic release and, when release does take place, the individual will be on licence for the rest of his or her life. Various Court decisions have affected policy in England and Wales, and one main consequence of these decisions is that all life sentences are to be administered in the same way.

Whilst the actual sentencing arrangements are not of immediate concern to Board members, it is useful to have an overview of the various sentences either now available to courts or being served by prisoners.

These sentences are very briefly described as follows:

1. *Mandatory life sentence*  
This sentence is imposed automatically on adults convicted of murder.
2. *Custody for life*  
Imposed automatically on people convicted of murder aged 18-21 when the offence was committed.
3. *Her Majesty's pleasure*  
The sentence imposed on people convicted of murder who were under the age of 18 when the offence was committed.
4. *Discretionary life sentence*  
Following certain serious offences e.g. mainly serious sexual offences but also armed robbery, manslaughter. The judge has the discretion as to whether it should be imposed.
5. *Automatic life sentence*  
Ceased to be operative from 2005 and replaced by *indeterminate sentence imposed for public protection (IPP)*. Automatically imposed following a second conviction for a 'serious' offence. It is automatic because the judge has to impose it following the conviction unless there were exceptional circumstances which would justify a determinate sentence being imposed. There is much more to this sentence but our concern is

not in the sentencing but in the consequences within the prison.

6. *Indeterminate sentence for public protection (IPP)*  
The CJA 2003 introduced this sentence, replacing the automatic life sentence and as implemented on 4 April 2005. Section 225 of the new Act requires the court to impose this sentence in cases where the offence is one specified by schedule 15 of the Act and the court considers the person to pose a danger to the safety of the public. The list of serious offences specified in the schedule is far more extensive than those offences for which the automatic life sentence would be imposed. Sec 226 makes provision for the sentence to be imposed on juveniles. This sentence is administered in the same way as other life sentences with the exception that there is power to have the life licence cancelled after 12 years in appropriate cases.

## **Tariffs or Minimum Term**

The tariff is the part of the sentence that must be served before a lifer can be considered for release. It is, in effect, a minimum term, i.e. the shortest time he/she will spend in prison. Release does not automatically take place once this tariff has been served; rather, release cannot be considered until this time. The CJA 2003 stipulates that tariffs are set by the trial judge following conviction. (There are transitional arrangements for those whose tariffs were set under the old provisions by the Secretary of State.)

## **Sentence**

Lifers can be held in any prison. There are, however 60 prisons designated specifically to hold lifers. Adult males are usually sent to a local for the first few months. It is then normal practice to be sent to a lifer centre (Brixton, Gartree, Wormwood Scrubs, Swaleside plus High Security prisons at Long Lartin and Wakefield). Category A lifers are sent to Frankland, Whitemore, Full Sutton, Long Lartin and Wakefield. People with very short tariffs, especially automatic lifers, are often sent to Brixton or Swaleside. It is usual to spend 3 or 4 years at a main lifer centre before progressing through the system.

## Progress

All lifers should have a sentence plan which is reviewed each year by Prison Service staff (on form LSP 3B). The Lifer Unit conducts more formal reviews, usually at about 3 year intervals, although there is provision for these to be between 1 and 5 years. They are very similar to parole reviews but are conducted in the prison. Addressing Offending Behaviour is the main emphasis of a life sentence, usually through official courses (Substance Abuse, Alcohol Awareness, Relationship Skills, ETS, Cognitive Change, CALM, SOTP).

The courses are not compulsory but they are seen as the only reliable indicator of reduction of risk. One of the difficulties of reliance on these courses as tools for assessing risk is lack of available places. The Parole Board are reluctant to release a prisoner who has not taken a course deemed necessary, even when the fault lies with the Prison Service and not the prisoner.

## Recall

Licences can be revoked and the lifer can be recalled for many reasons such as further offences, failing to report, travelling abroad without permission, living at an address which has not been approved, or behaving in a manner which causes concern. An example might be someone with a history of drink related offences starting drinking again.

## The current issues

There is mounting pressure on the prison system caused by the substantial increase in indeterminate sentenced prisoners. The key issues are as follows:

- The total number of life sentenced and IPP prisoners is now above 9,000 (6,580 life sentenced prisoners and 2,500 IPP prisoners)
- The growth in the number of IPP and Lifer cases is substantial. IPP cases increased by 1,704 (212% in the year to April 2007; Lifers increased by 404 (7%). The number of IPP/Lifers in custody is projected to exceed 20,000 by 2011/2012.
- The current policy is that IPPs should be managed in accordance with the policy for life sentenced prisoners.
- Present systems and policies were put in place when the lifer population was less than 5,000 and

the growth in numbers means that current policies and arrangements cannot cope.

- The average tariff length for IPP cases is around 3 years 9 months. Tariffs have been as short as 6 months. In one instance, taking into account time spent on remand, the prisoner had completed his tariff on conviction.
- In order to be considered for release the Parole Board must be satisfied that release does not put the public at risk, and in order to determine this risk, regular assessment and intervention to address identified risk factors is required.
- The substantial growth in numbers of indeterminate prisoners has not been accompanied by a corresponding increase in resources for assessment and intervention. Consequently, many prisoners are progressing towards tariff dates without appropriate work being identified and undertaken. Prisoners recognise this and there is genuine cause for concern that there may well be, in the future, increased numbers of Judicial Reviews.
- The build up of indeterminate sentenced prisoners across the estate and in local prison in particular presents risk to order and control as lack of progress and inadequate resources impact on prisoners' prospects for release and increase their frustration.

A further factor raised by the IMBs at Garth and Gartree is that IPP prisoners are prioritised for interventions above other prisoners because of their tariff dates, creating tension and destabilising establishments. Population pressures have exacerbated the problems and the Contracted Estate has, I understand, refused to accept IPP cases in their Category B prisons without additional upfront funding.

NOMS have provided a further £3m for 2007/8. Public Sector training Prisons are accepting prisoners outside criteria without normal preparatory work being completed in the expectation that additional funding would become available.

The National Council are planning detailed studies to seek to identify the impact that these increases are having, particularly in any inability to deliver appropriate programmes and courses to prisoners that will fulfil their parole needs.

# Why Monitoring Diversity is not about “Political Correctness”

*Zephirine Barbarachild is a member of the IMB at Lancaster Farms and a member of the Diversity Working Group. She is writing here in a personal capacity.*

Some years ago, as many will recall, the Home Office delivered diversity training to its 1,850 Board of Visitor members in England and Wales, employing an “approved” diversity training outfit – which unfortunately had no knowledge of prison monitoring. This manifestly expensive disaster ensured that when the word “diversity” was mentioned, your average IMB switched off or reminisced bitterly about the diversity training they had been obliged to attend.

Diversity matters are commonly misinterpreted as an issue of “political correctness” – all too easily reducing our efforts to a box-ticking exercise; such initiatives are instinctively rejected by open-minded people as an instrument of control. Diversity issues are, however, not so much an ideology of political correctness as **an agenda of decency, respect, fairness, humanity and dignity for everyone** perfectly matching the agenda that IMBs understand and practise in prisons and immigration removal centres.<sup>1</sup> IMBs are already conversant with the principles underlying the philosophy of diversity: our embracing of the principles of the diversity agenda is already well underway.

Diversity has six broad headings: **gender, faith, race and ethnicity, age, sexual orientation and dis/ability**. Add “inclusivity” and additional sub-categories emerge in the specific context of each establishment. Monitoring diversity is a fascinating multi-layered way of seeing the world which can readily be integrated into prison monitoring work.

## Gender

Most establishments have a single-sex prisoner population, but gender issues affect both prisoners and staff. What is the male/female balance of prison officers and governors? Are male staff privileged over female staff, or vice versa? Is there gender-based bullying among staff? Are staff bullying prisoners? Be alert to inappropriate distasteful sexist language –

even when passed off as “only a joke”; it affects both the target of the insult and those overhearing it.

## Faith, Race and Ethnicity

Not easily separated, faith, race and ethnicity are grouped together here to encourage a holistic approach to understanding and monitoring diversity. It is commonly (but incorrectly) thought that faith matters are covered by a multi-faith room, an *imam* for Friday prayers, *halal* food for Muslim prisoners and vegetarian food for Rastafarians. While special dietary needs arise for reasons of both faith and ethnicity, a diverse inclusive approach can also include everyone in these “differences”. Food is key to sharing: Eid feast food enjoyed by Muslim prisoners can be on the main menu, and a recent imaginative example of good diversity practice was food served throughout last year’s football World Cup from the countries playing on a given day.

The Chaplaincy is almost inevitably Christian-led while being sympathetic and open to other expressions of faith, including paganism – now recognized by the Prison Service – and Rastafarianism, which is not. In ensuring Islamic prisoners’ fair treatment, we should not be influenced by current prejudice. Sensitivities about Islam are currently heightened but the national debate is essentially about modernity vs. fundamentalism; our job is to encourage freedom of speech, not hatred.

Monitoring ethnicity is perhaps especially important in Immigration Removal Centres: is there adequate access to phone-calls, interpreters and reading materials in foreign nationals’ first language? Race issues are primarily about discriminatory language and bullying, whether among prisoners or from staff to prisoners: racially abusive language should always be regarded as offensive and reported.

<sup>1</sup>Wherever prisons/prisoners are mentioned, this includes IRCs/detainees.

## Age

Age issues cover the whole life-spectrum. In a Young Offenders' Institution 75% of detainees are barely literate: many are school-refusers, suspended or excluded from school, for whom access to all forms of literacy are crucial to effective rehabilitation, to reduce phenomenally high recidivism rates. Consider access to the prison library, what magazines and newspapers can be ordered through canteen, help with form-filling, requests and complaints, and what basic literacy classes Education offers.

Elderly prisoners often have age-related medical needs, and some may have spent many years deprived of their liberty while those convicted when older may struggle to acclimatize to prison.

## Sexual Orientation

Everyone has a sexual orientation. Can prisoners have conjugal visits (normally regarded as a heterosexual privilege – but it might equally extend to include same-sex partners)? Do prisoners have family visits with their children? How are the needs of transgendered prisoners accommodated and those undergoing gender reassignment? Does the Library carry gay magazines?

Juveniles and young offenders are exploring and/or questioning their sexuality; sexual relationships may occur in the custodial environment and prisoners are entitled to adequate protection from sexually transmitted infections: are health education and condoms available? Never assume all detainees are heterosexual, and consider whether gay and bisexual detainees fear bullying, or are being bullied.

Homophobic language from both staff and prisoners should not be tolerated.

## Dis/ability

Disability issues can affect both staff and prisoners, most visibly in physical access; older establishments may have very limited access for anyone with restricted mobility. Other disabilities are hearing and/or sight impairment, learning disabilities, autism, agoraphobia, bulimia and anorexia, and the gamut of mental health problems many establishments manage despite few mental healthcare-trained nursing staff. Consider disability issues both in the Healthcare context and the wider prison environment, remembering that many disabilities are invisible because prisoners are often reluctant to draw attention to their difficulties.

# Diversity Working Group (DWG)

## ■ Dencer Brown

The DWG was set up in 2005 to encourage IMBs to acknowledge the benefits of a diverse membership, and establish a co-ordinated approach to the management of diversity amongst IMBs. To drive forward its work, a Diversity Statement and Action Plan was developed. Subsequently, a Diversity Adviser was co-opted on to the National Council (NC) and a Diversity Consultant was also engaged to drive the activities forward.

The Diversity Consultant, Bilkis Malek, develops and delivers diversity training, organises activities regionally and liaises with the National Training Group (NTG) and DWG.

The Diversity Adviser – Dencer Brown – advises the NC on diversity matters and chairs the DWG which meets 6 weekly at the IMB secretariat – Ashley House, London.

The current members of the DWG are:

### Members

Edmond Yeo, *Wormwood Scrubs*  
 Hashi Syedain, *Harmondsworth IRC*  
 Henry Hendon, *Feltham IMB*  
 Zephyrine Barbarachild, *Lancaster Farms*  
 Peter Booth, *Dover IMB*  
 Norman McLean, *Head of IMB Secretariat*  
 Laura Armstrong, *Communications Manager, IMB Secretariat*  
 Bilkis Malek, *Diversity Consultant*

The Diversity Working Group has recently undertaken a trawl to refresh its membership. In conjunction with the Diversity Consultant, we are targeting key National networked organisations to promote IMBs and thereby attract more applications from individuals who are more diverse and from diverse backgrounds.

# Learning and Skills Support Group

## ■ John Weightman

Following a trawl for members of this group in September 2006, appointments were made in November and the first meeting took place in mid-January. The group consists of:

These applicants were selected from a very talented field and are very enthusiastic about the task.

At the first meeting, Terms of Reference were agreed which were broadly to research the provision and delivery of Learning and Skills in Prisons and Detention Centres and to advise Boards on how best to monitor this provision. They will also highlight areas of general concern and, through the National Council, raise matters with the appropriate body in a coordinated way. Areas of particular interest such as IT, Remand, Individual Learning Plans, Specific Learning difficulties and Essential Skills have been identified and allocated to members and more of this will be made generally known as work develops.

### Members

John Weightman, *National Council (Chair)*  
 Reg Cartner, *Moorland*  
 Gill Hind, *Chelmsford*  
 Mike Noddings, *Hull*  
 Sue Ash, *Birmingham*  
 Kate Beavi, *Manchester*  
 John Cooke, *Acklington*  
 Gordon Johnson, *Nottingham*  
 Jean Davies, *Parc*

In the long term, it is hoped that the product of research will be made available on the IMB website.

In the more immediate future some research will be done on the consequences for prisoners in terms of delivery of various courses, both educational and offence focussed, that overcrowding has brought about. Particular reference will be made to Lifers and IPPs.

# IT Scoping Group

## ■ Jo Jenkins, National Council

### Remit of the group

The IT Scoping group grew out of a recognition that the National Council needed to understand what information prisons held about prisoners and detainees and what information IMB members need to access in order to allow them to monitor effectively. As its title suggests the group was set up to scope the issues and to report its findings to the National Council.

The group met for the first time in September 2006. Since then it has met on numerous occasions and has examined a wide variety of issues and spoken with many people including front line practitioners from different types of prisons, the Probation Service and HM Courts' Services. The group has looked at many different systems and issues, the main ones being:

- OASys (Offender Assessment Systems);
- C-NOMIS (the shared offender management database for HMPS and the National Probation Service);

### Members

Jo Jenkins, *National Council (Chair)*  
 David Hawes, *IMB Secretariat*  
 Jeff Kibby, *HMP & YOI Parc*  
 Keith Barnfield, *HMP Blakenhurst*  
 Roger Starkie, *HMP Long Lartin*  
 Simon Nieboer (*to 31st December 2006*),  
*NC representative South West*

- MAPPA (Multi Agency Public Protection Arrangements);
- the Zahid Mubarek recommendations on 'the flow and use of information';
- Offender Management;
- the Government Secure Intranet (GSI), within which OASys sits;
- Quantum; and
- difficulties faced by the contracted estate.

The IT Scoping Group concluded its work in May. It will report to the July meeting of the National Council.

# Healthcare Support Group

■ **Sheila Royle**, National Council

The Healthcare Support Group (HSG) was recruited during the summer of 2006 and held its inaugural meeting in September. Over 50 Board members had put their names forward so it was a difficult task to choose a manageable group out of the excellent applicants. The members selected all have a variety of professional expertise in the healthcare and mental health field, which greatly aids the collection of information to be disseminated to Boards to inform effective monitoring of these difficult areas. They represent many categories of establishments over a wide geographical spread and the HSG is committed to considering the needs and concerns of Boards operating in all prisons and detention centres in England and Wales. The National Council member with responsibility for healthcare chairs this support group and reports directly to the NC.

The overarching agreed Terms of Reference are:

*To research all the strands of Healthcare provision in Prisons and IRCs, use the information gathered to help Boards to monitor healthcare more effectively, and raise corporate areas of concern where appropriate.*

To progress this work the HSG identified areas of special responsibility for small teams of members including:

- **Working in Partnership** with all healthcare and other interested agencies, including Prison Health, PALS/ICAS, Healthcare Commission, Prison Health Research Network, HMIP, Prisons Ombudsman etc.
- **Mental Health** issues.
- **Primary Care**, including initial health screening, outpatient care, access and availability to services etc.
- **Secondary Care**, including in-patient treatment and care, access to hospital care and services, escorts and bedwatches.
- **Health Promotion**, including diets and nutrition, smoking cessation, well man/woman clinics, viral disease management etc.
- **Drug/Substance Abuse** strategies.
- **H/C Policies in Progress**, including performance standards, flu pandemic contingency plans,

## Members

Sheila Royle, (*Chair*)  
*National Council,*  
 Judith Anstice  
*HMP Dorchester*  
 Doug Johnston  
*HMP Peterborough*  
 Jenny Kretz  
*HMP Guy's Marsh*  
 Sally Murch  
*HMP Swaleside*  
 Trish Phillips  
*HMP Norwich*  
 Bob Thomson  
*HMP Kirklevington Grange*

medication under restraint, integrated drug treatment, disability discrimination/care of the elderly, transgender dysphoria etc.

The contact details for each of these areas are given in the first of our Healthcare Bulletins which was sent out with DC10/07 and IMM07/07.

Progress is already being made in the following identified areas:

- Research in all identified policy areas is ongoing and this will produce information for the HSG, the NC, and, ultimately, for Boards. We have recently launched a quarterly information bulletin relating to Healthcare matters for all Boards.
- A bibliography of healthcare related information is to be assembled which will be available to all Boards seeking help and advice.
- When published, the revised Prison Service Performance Standard relating to Healthcare will be compared with relevant NHS healthcare standards and advice offered to Boards concerning the monitoring role.
- A survey of prisons and IRCs is being conducted to establish the level of GP and dental care available to prisoners and detainees.

- The Group is seeking a better understanding of the mental health issues faced by the prison and detainee population and the measures being taken to address these issues.
- Guidance for IMB members in the event of a flu pandemic to be produced.
- With the support of the Director of Prison Health, efforts are being made to raise awareness amongst NHS personnel working in prisons about the role of the IMB to aid a mutual understanding of respective roles.
- IMB Boards are encouraged to attend Prison/PCT Partnership Board meetings to ensure that NHS cuts do not compromise the agreed contracts with the prison and to support the governor/director to resist any reduction in service.

As part of the commitment to working in partnership

with other agencies, the HSG supported the decision to ask IMBs to help prisoners to have a voice in the survey of current healthcare services available to prisoners located in a segregated setting. Over 300 service-user questionnaires were submitted via IMBs which will augment and inform the 'bigger picture' of what is actually happening, help to improve healthcare services, and identify training needs, particularly mental health awareness training needs, for all staff who work with segregated prisoners. The co-operation of Boards in this important research is greatly appreciated.

Our major aim is to help all Boards to effectively monitor the changing face of healthcare provision in prisons and detention centres and raise any concerns when appropriate. If Boards have healthcare information to share with other IMB colleagues, ideas for research, or concerns to raise, please contact us.

## Communications Working Group

■ **Jane King**, who chairs the group, gives an update on progress so far and planned further developments.

The Group was set up in March 2005, initially chaired by David Graham from the NC, with six IMB Board members and three members of the Secretariat staff. Jane King joined the group in January 2006 with Tina, Howard, Frank and Ian joining in April 2007. Jane took over as Chair when David Graham left the National Council. The original CWG identified certain key objectives:

1. To raise awareness and understanding of IMBs amongst the general public
2. To improve the recruitment and retention of IMB members
3. To improve awareness and understanding of IMBs amongst prison and immigration removal centre staff
4. To improve awareness and understanding of IMBs amongst prisoners and detainees
5. To improve awareness and understanding of IMBs amongst other organisations
6. To improve communication with existing IMB members

A great deal has been done towards achieving those objectives including:

- New recruitment posters and leaflet
- New poster for internal use within establishments and the IRC estate
- Branding of all stationery
- IMB Strapline 'Monitoring fairness and respect for people in custody' for use on all stationery and promotional material
- Key message Cards which outline the main functions of IMB members, available for handing out to staff/prisoners/detainees/ and the general public
- IMB display stand
- Draft press releases sent to Chairs for use following new appointments on Boards
- Articles published in local and national publications

- Ongoing development of the IMB website
- Development of a PR Toolkit to assist Boards with external communication to be piloted shortly
- A revised application pack in use since December 2006
- A Recruitment and Retention Working Group to be established shortly
- Discussion on IMB input into staff training
- Information leaflet for prisoners/detainees now available, soon to be produced in other languages
- Database of e-mail addresses of all Chairs, managed by Laura at the Secretariat
- Library of photographs suitable for use in articles about prisons/IRCs

Board members will have already seen the products of several of those developments.

A number of small working groups have now been set up to look again at all the objectives to see what more can be done and how this can be achieved. They are looking at:

- Evaluation of the material produced so far
- How to encourage Boards to appoint a Communications Liaison Officer (CLO)
- Media Training to support Chairs and CLOs
- How to encourage Boards to establish a relationship with their local media
- How to encourage Boards to hold press conferences when they publish their annual reports
- Pilot use of the PR Toolkit
- How to encourage Boards to give talks about the work of IMBs in their communities
- Maximising publicity when Dr Selby, President-elect of the National Council, takes up office in January 2008
- Training/induction videos
- Designing posters for specific groups, eg young offenders, juveniles, holding rooms at airports
- Development of a staff information leaflet

## Members

Norman McLean,

*Head of the Secretariat*

Laura Armstrong,

*Communications Manager Secretariat*

Grainne Stephens,

*Communications Officer Secretariat*

Jane King,

*National Council (Chair)*

Paul Tuddenham,

*HMP Ranby*

Frank Blake,

*HMP Wealstun*

Peter Johnson,

*HMP Portland*

Angela Clay,

*HMP East Sutton Park*

Mike Davis,

*HMP Hindley*

Tina Bytheway,

*HMP Send*

Howard Whitham,

*HMP Gartree*

Frank McLaughlin,

*HMP Lancaster Farms*

Ian Anderson,

*Haslar IRC*

# PSOs and PSIs

I give below a summary of the key issues in some recent Prison Service Instructions which may be of interest to Board colleagues. Although these are Prison Service Instructions, PSI 21 will also be of relevance to colleagues in IRCs.

## **Immigration and Foreign Nationals in Prison PSI 21/2007**

This Prison Service Instruction contains a number of

significant amendments to procedures for dealing with foreign national prisoners. In particular, it updates the criteria for determining where prisoners should be held once they reach their release date if they are subject to deportation and cannot be removed immediately. As a result this instruction will be of interest not simply to colleagues on prison Boards who have a particular responsibility for foreign prisoners but also to all colleagues in Immigration Removal Centres since it sets the criteria for transfer to IRCs. The relevant criteria are:

Population Management Section liaises with the Immigration Service population managers (DEPMU) to determine the most appropriate location for the detainee to be held after expiry of a custodial sentence, should immediate removal not be possible. A protocol is in place between NOMS and IS Detention Services which sets out the criteria for allocation.

In general terms, Immigration Detainees will only normally be held in prison accommodation in the following circumstances:

- National Security – where there is specific (verified) information that a person is a member of a terrorist group or has been engaged in terrorist activities.
- Criminality – those detainees who have been involved in the importation of Class A drugs, committed serious offences involving violence, or committed a serious sexual offence requiring registration on the sex offenders' register.
- Security – where the detainee has escaped prison or immigration custody, or planned or assisted others to do so.
- Control – engagement in serious disorder, arson, violence or damage, or planning or assisting others to so engage.

The above criteria is an initial guide to indicate the suitability of detainees for the IRC estate. It must be recognised that the behaviour of ex-FNP detainees will be the key factor as some who would be excluded by the above criteria may be sufficiently well behaved to merit transfer.

It must be assumed that regardless of the guidelines any ex-prisoner who had been deemed suitable as a Cat. D will be acceptable for the IRC estate.

When a detainee meets the above criteria they should be referred to PMU who will consider their allocation to a prison.

## **Smoking**

*PSI 09/2007 and PSI 09/2007 W (Wales)*

The new regulations on smoking in public buildings came into effect in Wales from 2nd April and will

apply in England from 1st July. As you will know there has been lengthy discussion as to how this would affect prisons and, in particular, the position with regard to smoking in cells.

Broadly, the new regulations require all indoor areas to be smoke free. It has been agreed, however, that cells have the status of private living spaces and, as such, are not covered by the full ban. Prison Service Instruction 09/2007 sets out the circumstances in which smoking will be permitted in cells:

- Governors must designate all cells holding up to four persons as places where smoking is permitted when the cell is occupied solely by smokers.
- The information must be recorded in writing on the cell certificate.
- Cells/dormitories holding more than four persons cannot be designated as smoking areas.
- To avoid the dangers of passive smoking cell doors must be kept closed during and after smoking.
- If cells have a ventilation system (other than the door) which opens onto another part of the building, they cannot be designated as smoking areas.
- Units designated for persons under 18 must be entirely smoke free and smoking is not permitted anywhere inside the buildings.

The law requires that no other part of the buildings can be designated as a smoking area, which means that adult prisoners can only smoke in their cells and no-one else can smoke anywhere inside the buildings. The PSI makes it clear that staff are not permitted to smoke in prisoners' cells.

The PSI gives Governors the discretion to introduce smoke free landings or wings (i.e. all cells non-smoking) after consultation with prisoners and staff but, for now, Prison Service policy is to allow adult prisoners to smoke in their cells.

Non-smokers cannot be required to share a cell with a smoker which means that, in future, reception staff will have to establish whether a prisoner is a smoker or not.

Any IMB members who use snuff or chewing tobacco will be delighted to know that the regulations do not apply to these products since they are only deemed to be harmful to the user!

## **Booking Social and Legal Visits**

*Functional Mailboxes (PSIs 04/2007, 38/2006, 37/2006, 34/2006)*

There's a recent cluster of PSIs whose titles at first glance don't look terribly exciting (to be honest, they don't look terribly exciting at second glance, either!) but they contain information on some important developments.

Much internal prison communication these days is by email which has major disadvantages if the target of the email is away. These PSIs relate to the development of a series of Functional Mailboxes. The main purpose is to allow relevant emails to be sent to a generic address – Security, Finance, Social Visits, Legal Visits, etc. – so that they can be accessed by anyone in a designated team. The benefit of this will be that emails sent to these mailboxes won't sit unanswered as they might if they were sent to a named individual who happened to be away.

Most of these new mailboxes will be of significance to staff communicating with, Security, Finance and MDT teams but one has potential benefits for outside users. PSI 04/2007 proposes that in future visitors should be able to request a visit by sending an email to a generic address. This would offer an alternative to what is, at present, the often frustrating process of booking visits by telephone or letter. By having a generic mailbox it means that emails are more likely to get a quick response. From a staff point of view, it prevents the abuse of the system that might arise if individual staff email addresses were being used.

## **Maximising Occupancy in the Open Estate**

*PSI 17/2007, 23/2007 and 24/2007*

IMB colleagues in prisons in the open estate, and especially resettlement prisons, expressed concern at the 2006 Annual Conference about the changes in criteria for allocation of prisoners to open prisons. The Prison Service has recently issued three Instructions (PSIs 17, 23 and 24) setting out current criteria for mandatory review of eligibility of short sentence prisoners for open conditions.

**PSI 17/2007** introduced arrangements for allocating short sentenced prisoners (i.e. less than twelve

months) to open conditions for the last 28 days of sentence, subject to certain exclusions and a streamlined risk assessment. Those not eligible under these arrangements include:

- Prisoners who are currently serving a sentence for, or have previously been convicted of, a sex offence
- Prisoners currently serving a sentence for an offence of violence
- Prisoners who need to be retained at their current location for medical reasons (i.e. those undergoing detox, on methadone or subutex programmes, who otherwise require 24-hour healthcare cover, or who have forthcoming medical appointments either from a visiting medical professional or at an outside hospital and which would have to be cancelled if they were transferred)
- Prisoners who have been classified medium or high risk on a cell sharing risk assessment
- Prisoners who are MAPPA level 2 or 3
- Prisoners with further charges pending
- Prisoners with any other factors indicating that the prisoner is likely to present a danger or a high risk of harm to the public if placed in open conditions.

**PSI 23/2007** extended these arrangements to the last 56 days of sentence for anyone serving a sentence of

less than twelve months.

In spite of these changes, occupancy in the open estate has still fallen below 90% at times. The Prison Service has now issued a further instruction with effect from 12th June.

**PSI 24/2007** sets a mandatory requirement that all prisoners with a determinate sentence of between 12 months and four years should have a re-categorisation review three months before their release date in order to determine their suitability for open conditions.

Where assessed as suitable, they should be transferred for the last 56 days of their sentence. The exclusions set out in PSI 17/2007 do not apply to this group of prisoners since they will be covered by the normal process of re-categorisation risk assessment.

### ***OASys and the Life Sentence Plan***

*PSI 13/2007*

From 30th September at the latest, risk assessment for all newly-sentenced lifer and IPP prisoners must be carried out using OASys 2 and a new form, OASys 7. This replaces the parts of the Life Sentence Plan (LSPO2A and LSP2B) which have been used until now to risk assess indeterminate-sentenced prisoners. The change is designed to ensure that all prisoners are assessed using the same tools and to avoid duplication.

## Upcoming IMB Training Courses

### **New Chairs' Course (IMBs in Prisons and IRCs)**

- 29 November – 01 December (Southampton)

### **New Members' Courses (IMBs in Prisons)**

- 10 – 11 August (Bath)
- 28 – 29 September (Waltham Abbey)
- 26 – 27 October (York) (N.B. – Venue Change)

### **New Members' Courses (IMBs in IRCs)**

- 6 October (London) (N.B. – Course runs 08:45 – 17:00)

### **Experienced Members' Course (IMBs in Prisons)**

- 13 – 14 July (York)
- 12 – 13 October (Southampton)
- 9 – 10 November (Manchester)

### **Experienced Members' Course (IMBs in IRCs)**

- 30 – 31 October (London)

For more information on the above courses please see DBM 05/05, visit the existing members' section of the IMB website ([www.imb.gov.uk](http://www.imb.gov.uk)) or contact Rodney Bowles in the IMB Secretariat on 020 7035 2257.

## Letters to Chairs and Board Members

### Letters (to Chairs of IMBs in Prisons & IRCs)

DC	IMM	Title
DC 25/06	IMM 23/06	National Council Minutes 7 – 8 November 2006
DC 26/06	IMM 24/06	Letter from Sir Peter Lloyd re: Standing Down April 2007
DC 27/06	IMM 25/06	National Council Election Results 2006
DC 28/06		HMCIP De-Brief after prisons inspected
DC 29/06	IMM 26/06	Annual Report Template & Guidance
DC 01/07		Financial Loss Allowance
DC 02/07	IMM 01/07	National Council Minutes 5 – 6 December 2006
DC 03/07	IMM 02/07	Guidance for IMB Members in event of flu pandemic
DC 04/07		Timetable for 2006 (Prison) Annual Reports
DC 05/07	IMM 03/07	National Council Minutes 7 February 2007
DC 06/07	IMM 04/07	New President of the National Council
DC 07/07		Invitation to National Conference at Keele 6 – 8 September
DC 08/07	IMM 05/07	IMBs and the Ministry of Justice
DC 09/07	IMM 06/07	National Council Minutes 3 – 4 April 2007
DC 10/07	IMM 07/07	Healthcare Support Group – Bulletin & Questionnaire
DC 11/07	IMM 08/07	Triennial Review of IMBs 2007

### DBM Letters (to all IMB Members)

DBM 09/06	IRC Conference 2007: Invitation to Clerks and Board Members
DBM 01/07	Application to join Communications Working Group
DBM 02/07	Membership of the National Training Team
DBM 03/07	Application to join Diversity Working Group

You can now view DC letters online – visit [www.imb.gov.uk](http://www.imb.gov.uk) and select the section for existing IMB members. This will be updated shortly.

## Prison Service Instructions

Here is the full list of Prison Service Instructions which have been issued since September 2006. The gaps in the sequence are either unissued or not available on the public internet. Full copies of the listed PSIs can be downloaded from the Prison Service website at: [www.hmprisonservice.gov.uk/resourcecentre/psispsos/listpsis/](http://www.hmprisonservice.gov.uk/resourcecentre/psispsos/listpsis/)

24/2007	Maximising occupancy in the open estate	13/2007	OASys life sentence plan
23/2007	Maximising occupancy in the open estate	12/2007	Producer responsibility arrangements
22/2007	Communication with embassies	11/2007	Mandatory Drug Testing Contract Arrangements
21/2007	Immigration and foreign nationals in prison	10/2007	Process for Closing or Re-designating Industrial Workshops
19/2007	Amendment to PSO3801	09/2007 W	Smoke free legislation (Welsh prisons)
17/2007	Maximising occupancy in the open estate	09/2007	Smoke free legislation
16/2007	(replaced by 21/2007)	08/2007	Hard charging of Quantum IT and telephony costs
15/2007	Financial year end procedures		
14/2007	Freedom of Information additional procedures		

06/2007	Withdrawal of Health and Safety PSOs/PSIs and replacement with guidance notes	34/2006	MDT functional mailbox
04/2007	Use of visits functional mailboxes	33/2006	Drug treatment functional mailbox
03/2007	Flags on Prison Service buildings	32/2006	Cut down tools
02/2007	MAPPA levels and OASys/ASSET Risk of Serious Harm Assessments	31/2006	Home detention curfew update
01/2007	Early removal scheme for foreign nationals	30/2006	Operation Safeguard
38/2006	Use of finance functional mailboxes	29/2006	Pandemic influenza contingency planning
37/2006	Use of security functional mailboxes	28/2006	Foreign national prisoners
36/2006	Implementation of Mubarek recommendations	27/2006	Prisoner induction healthcare
35/2006	Religious festival dates 2007	25/2006	LIDS data entry
		24/2006	Amendments to PSO3601 – Mandatory Drug Testing

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# The IMB National Council

NC Member	Constituency	Areas of Special Interest
 <b>Sheila Royle</b>	North West	Healthcare (including Mental Health) Segregation Lead on Performance reviews of IMB members (including Probationary Year, Annual Reviews, Quinquennial Reappointments) Prisoner Property
 <b>Jo Jenkins</b>	Wales & West Midlands	Contracted prisons Lead on Conduct & Discipline Data Protection & Freedom of Information NOMS IT (including OASYS & CNomis) Mubarek Inquiry Lead on IMB Website Deportation with Assurances Lead on PSOs
 <b>Richard Gully</b>	Thames Valley, Hampshire & Isle of Wight, London	Cat Cs and Locals Boards in need of assistance High Security Estate Board members' expenses Board Budgets Tenure
 <b>John Weightman</b>	North East, Yorkshire & Humberside	Juvenile and YOI Estate Prison Education & Training including Learning & Skills Support Group IMB News Annual Reports
 <b>Peter Booth</b>	IRCs	IMBs in IRCs including IRC Forum Immigration Holding Centres Training Policy Training Strategy Group Foreign Nationals Lead on Recruitment
 <b>Jane King</b>	Kent, Surrey & Sussex	AMIMB, Women's Estate Communications Working Group Lead on Annual Conference IMB Website
 <b>Sue Simkin</b>	Eastern	Lead on Foreign Nationals Conduct and Discipline PSOs Link with David Graham (IMB member of Ministerial Round Table on Suicide Prevention and liaison with Safer Custody Group)
 <b>Richard Brown</b>	South West	Recruitment Annual Conference
 <b>Jane Wright</b>	East Midlands	Inter Board Exchange Good Practice Performance reviews of IMB members (including Probationary Year, Annual Reviews, Quinquennial Reappointments) Liaison with Reference Book editorial team Lead on Prisoner Property
 <b>Dencer Brown</b>	Diversity Representative	Diversity Working Group Recruitment Training Policy
 <b>Steve Reeves</b>	Training Representative	Lead on Training Policy Training Strategy Group IMB Website

## IMB Key Messages

1. We monitor to ensure that people in custody are treated fairly and humanely.
2. We operate independently of the Prison and Immigration Services.
3. We are volunteers appointed by the Home Secretary to report on closed establishments on behalf of the community.
4. We have unrestricted access to prisons and immigration removal centres.
5. We listen to prisoners' and detainees' requests and complaints, privately and in confidence.
6. In prisons, we monitor the range and adequacy of programmes preparing prisoners for release.
7. We don't make the rules governing prisoners or detainees, but we see that these are properly applied.
8. We continually challenge things we are not satisfied with and take our concerns to the Home Secretary where necessary.

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