BEHIND CLOSED DOORS 2009

THE SECOND ANNUAL REPORT OF THE NATIONAL COUNCIL FOR INDEPENDENT MONITORING BOARDS
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**Glossary** 55
Last year saw the launch of the National Council’s first ever annual report. At that stage we needed to introduce ourselves, say something about the hopes that had brought the Council into being, and the journey we had travelled over the years of our existence. It proved a large task, and one that was immensely stimulating especially to those of us who had not been in at the beginning.

Having learned so much from a look at our history, we know what our roots are, and the value we are supposed to be adding. Our roots lie in 160 or so Independent Monitoring Boards, keeping watch over the fairness and respect which ought to characterise places of custody and, we are glad to say, generally do. IMBs usually tell us that the directors, governors and staff of the establishments they monitor behave well towards those for whom they are responsible.

But although we would often wish it to be so, our task cannot end with statements like that. Prisons and immigration custody establishments are not just freestanding institutions; they are also part of systems of custody which are there to fulfil public policy aims: they are to express society’s disapproval of unacceptable behaviour – in the case of prisons – and at the same time to encourage those who have committed offences to live useful and fulfilling lives instead of resorting to crime. The immigration detention estate is there to secure our borders, certainly, but at the same time to ensure that those who are not entitled to be in the UK are treated with humanity and respect during the processes leading to their deportation.

So this report, you will see, covers an enormous amount of ground, and has to. It considers the many ways in which the National Council has interacted with the custody systems that are established by law: to keep watch lest the need for budgetary savings gets in the way of the fulfilment of the policy of preventing re-offending; to ensure that creative solutions are sought to the undoubted fact that too many people with mental illnesses find their way inappropriately into the criminal justice system; to ensure that those who have served their sentences are not held a moment longer than need be and do not thereby carry out an additional period of captivity to which they were not sentenced.

These examples show that monitoring respect and fairness to those in custody takes us into wider concerns for the public good which flow directly from our statutory mandate. So far, it must be said, the ministers to whom we report and the agencies whose work we monitor have welcomed our interventions in these wider areas and recognised their connection with the roots of our work. This report is to enable its readers to form their own judgement as we present the immense variety of our work. We do so in deep gratitude to all those whose basic monitoring activity in places of custody provides our evidence and galvanises our energies.

President of the National Council
Monitoring fairness and respect for people in custody
Section 1

EXECUTIVE SUMMARY

The National Council was established in 2003 to help Independent Monitoring Boards to fulfil their statutory duty, protect their independence and provide them with a national voice.

The National Council was pleased to note a number of positive developments during 2009, for example:

• A growing recognition by transport providers of the need for safe and timely transportation of young people to prison. [Section 2]

• The gradual implementation of the Corston Report across the Women’s Estate. [Section 2]

• The introduction of IMBs to monitor immigration holding rooms and short term holding facilities. [Section 3]

• The commitment by Ministers and the Prison Service to reduce the delays in holding inquests following deaths in custody. [Section 5]

There were however a number of concerns and issues that remained unresolved and will continue to remain a high priority for IMBs and the National Council in 2010. These include,

• The management, treatment and care of prisoners who have gender dysphoria. [Section 2]

• The detention of families with children in Immigration Removal Centres. [Section 3]

• The detention in custody of people with mental health problems. [Section 4]

• The growing number of foreign national prisoners that still remain in custody following the expiry of their sentence. [Section 5]

• The refusal of UKBA to translate documentation issued to foreign nationals in custody. [Section 5]

• The fact that overcrowding, or over-population, has not diminished. [Section 5]

• The lack of mandatory instructions and guidance relating to elderly prisoners. [Section 5]

The National Council has a number of internal initiatives underway, such as the review of recruitment and retention and the review of working relationships between IMBs, the Secretariat, the National Council and Ministers [Section 7] and we expect to report on the outcomes of those reviews next year.

Finally, as we approach 2010 we are mindful of the difficult economic situation facing the country as a whole and will remain vigilant when monitoring the effect of this on the prison and immigration estates.
During 2009 the National Council has continued to encourage groups of IMBs from similar establishments to talk about common issues, share concerns and discuss good practice. These groups have proved an invaluable source of information to the National Council. By highlighting issues and identifying trends they ensure that our work is focused on the topics that matter to IMBs. The National Council can also help the groups to raise their concerns with senior managers and policy makers.

Special attention therefore continues to focus on: young people in prison (those aged 15 to 18); the women’s estate; and the contracted estate. This year also saw the setting up of a new special interest group for the High Security Estate.

**Juvenile Offenders**

*(Young People Aged 15 to 18)*

At the time of writing there were approximately 2,600 young men and around 70 young women in prison service custody. Most of the areas of concern that were highlighted in the last annual report remain. However, it is encouraging to report that senior officials from both the Prison Service and the Youth Justice Board have made considerable effort this year to meet with the National Chair Group and the National Council representative.

In last year’s report we highlighted the National Council’s concerns about the transportation of young people to prison. In particular: the considerable length of time that young people were spending on the road between court and the prison; the sharing of transport with adults; late arrival at the establishment; and the failure to record route and intermediate stops on Prisoner Escort Records. The National Council is pleased to report that the transport contractors responsible for the safe and timely delivery of young prisoners to prison have begun to acknowledge our concerns, which have been raised by Boards over a number of years. It cannot be said that the issues have been resolved, but there is a heartening recognition that the production of mere statistics in an attempt to persuade that all is well is an inadequate response to Board concerns.

It appears that transport providers are beginning to see their young charges as vulnerable human beings, rather than numbers for whom a 93% on-time delivery is sufficient, which represents considerable progress.

This is not to say that all is well and Boards will continue to press their case and be relentless in their monitoring of the situation.
Other areas of concern were:

• continued routine (as opposed to risk-assessed) strip searching. This group often includes very vulnerable young people, some of whom have known abuse, including sexual abuse, just a few years earlier. It is worth noting that routine strip-searching has now ended in the Women’s Estate, which, of course, includes female juveniles and the move has been a considerable success. The feared explosion in illicit drugs and articles has simply not materialised;

• lack of training in de-escalation techniques. This is essential when dealing with such a volatile group in order to reduce the need to use physical intervention. A young person acting wildly is more likely, on restraint, to hurt both themselves and those seeking to intervene;

• significant increase in the number of restraints in Young Offender Institutions, which were up 25% from 3409 in 2007 to 4274 in 2008. In Secure Training Centres and Local Authority Secure Homes, however, the trend was a reduction of 25%;

• limited or non-existent funding of Social Worker posts;

• reduction of payment of Education hours from 25 to 15 per week. On this latter point it should be noted that the cost of the 10 hours shortfall has passed to the Prison (whose budget is already overstretched) to provide personal development sessions. Whilst this move does not itself cause concern - and indeed there is a good argument for fewer classroom based and formal learning hours and more life skills provision – the matter of funding and actual provision within the prison is one to be watched with vigilance.

Women’s Estate

In December 2009 the number of women in prison in England and Wales stood at 4277. This was 121 fewer than in December 2008.

The effects of imprisonment on women are very different to those on men and the National Council has been determined that these differences are acknowledged and addressed.

The Corston Report was published in 2007 and outlined the need for a distinct, radically different, visibly led, strategic, woman-centred approach. In our view, the Corston Report is being implemented across the Women’s Estate, albeit very slowly.
The National Council representative for the women’s estate communicates regularly with the NOMs Women’s Team. The Chairs of IMBs in women’s prisons also meet twice a year to continue their discussions on the trends, issues and concerns that are specific to the female estate. In addition, they welcomed a presentation from WASP (Women Awareness Staff Programme). WASP is a course for all staff and volunteers working with women. The course covers why women come to prison, how staff can support women in prison, differences in working with women and men in prison, relationships in prison, self-harm, foreign nationals and parenting.

The National Council is pleased to report a key development for the Women’s Estate in 2009: the introduction in April of Gender Specific Standards, which required all prisons to treat women prisoners appropriately and provide specially designed services. Establishments have to meet the needs of women throughout their time in custody starting with services available at court prior to reception. The standards were set out in PSO 4800, which included critical baselines that Boards are being encouraged to monitor and report on in their Annual Reports. These baselines have been reproduced at Annex F. The National Council welcomes the Prison Service’s commitment to establishing appropriate and consistent standards for the treatment of women in prison and will continue work with Boards in the women’s estate to monitor how well these new guidelines are being met.

The Chairs of the IMBs in the women’s estate were grateful for the advice and guidance offered by the Prison Service’s Women’s Team and for their willingness to take up our concerns when they arose, in particular the number of mentally ill women in prison.

PSO 4800 reported that 15% of female prisoners have been so seriously mentally ill that they have previously been in a psychiatric hospital and 80% have had diagnosable mental health problems.

These are some of the most vulnerable and damaged women who, by nature of their poor start in life, abuse of drugs, and abuse by men are desperate for help. This is frequently demonstrated by self harm. Once in prison there are additional issues to be considered, such as whether the women are the primary carer for children, housing issues, and the break up of the family unit. Our work with the Women’s Team has improved our awareness of the work that was being undertaken, what they expected the outcomes to be and the likely timescale. We particularly welcomed new projects such as the Primrose Programme at HMP Low Newton, which works with female offenders who pose risk of serious harm as a result of severe personality disorder.

At the time of writing, a draft Prison Service Order on guidelines for the management, treatment and care of prisoners who have gender dysphoria was undergoing revision. This followed a court case in which the claimant, a pre-operative transgender prisoner, applied for the Judicial Review of a decision of the Secretary of State refusing to transfer her from a male prison to a female prison. The application was accepted and the outcome ruled in favour of the claimant. There were many instances this year where Boards raised concerns about this subject, which also highlighted broader issues around the security and safety of women in prison. The National Council hopes to report on this in more detail in 2010.
**High Security Estate**

The High Security Estate consists of eight establishments, all of which hold Category ‘A’ prisoners, however the number of such prisoners held varies between establishments. The Prison and Probation services in England and Wales are managed regionally by a Director of Offender Management (DOM), however the High Security prisons are managed nationally by the NOMS Director of High Security. Apart from HMP Manchester, the High Security prisons are all within the public sector. Manchester is currently operating under a commercial Service Level Agreement, the contract for which is due for renewal in 2010.

Reference is made later in this report to the National Council’s concerns about the overpopulation across the whole of the prison estate (and the subsequent impact on prisoner transfers between establishments). Transfers are particularly difficult to arrange for Category ‘A’ prisoners due to the fact that there are only eight establishments involved. Depending on their home location, visitors regularly have travel great distances in order to maintain family contacts. This impacts Category ‘A’ prisoners in a number of ways:

- being held long distances from their families means that they frequently have to go without visits;
- restricted use of the accumulated visits system; and
- limited access to permanent transfers, which would also minimise family travel.

The transfer of Category ‘A’ prisoners from one establishment to another occurs at frequent intervals and is managed by the national Close Supervision Centre Management Committee (CSC MC). Since August 2009, an IMB member from the High Security Estate has attended the CSC MC as an observer in order to provide an opportunity for independent contribution and scrutiny.

Where transfer is facilitated, the IMBs in the High Security Estate have voiced their concern about the delays in the accompanying transfer of prisoner’s property. The variation from prison to prison within the High Security Estate of volumetric control of prisoner’s property is of continuing concern. Standardisation would avoid confusion and frustration for the prisoner, and reduce the difficulties faced by Reception staff, however the National Council is concerned that no definitive solution has been forthcoming.

Complaints have been made by several Boards from the High Security Estate regarding the provision of ‘Canteen’ for prisoners and the general supply of goods to prison kitchens. Of particular note is the supply of Halal meat where the certification offered has not been acceptable. Whitemoor IMB highlighted concerns about the obvious alterations made to ‘sell by’ and ‘use by’ dates on labels. Price alterations were also noted - involving amended price labels being stuck on packaging to conceal original special offers at reduced prices.

Although not a widespread issue, the National Council is concerned about the presence of terminally ill and elderly prisoners in the High Security Estate. Due to the limited numbers involved it would seem impracticable to form a specialised unit in any one establishment, however, questions of how best to manage and take care of this group of prisoners and whose responsibility is it do so, require some consideration. This will be a recurring issue for the National Council given the ageing population in the Estate.
In early 2009 the Minister for Justice personally intervened in the provision of certain educational courses, which were designed to enhance the self-esteem of prisoners. One such course was run by the Comedy School of London at HMP Whitemoor. This intervention was extremely misguided and resulted in the cancellation of a number of courses that had been running quite successfully up to that point. The effect of this intervention reverberated throughout the service, particularly the High Security Estate, and raised questions about the ethical nature of the political stance taken by the Minister.

**Should the decision regarding the suitability of any particular training or educational course be made by the professionals who are directly involved, or should the media (or the fear of media reaction) be the deciding factor?**

The IMB in the High Security Estate was concerned about the manner of the intervention and the resulting repercussions on the provision of suitable courses for Category ‘A’ prisoners. Many face long term sentences, during which time it is important to maintain a level of self-esteem and self-confidence in order to provide meaning to the routine of their daily life.

**Prisons in the Contracted Out / Service Level Agreement Estates**

This was an interesting year for the developing relationship between Contracted Out Prisons (COPs), prisons on full Service Level Agreements (SLA) and the Prison Service Estates. Issues were given a sharp focus by the announcement that two more prisons were being put out to tender, with the outcome expected in February 2010.

Ready access to vital information remained an issue for IMBs in COPs. At the time of writing, for example, COPs did not have direct access to the Prison Service Intranet. Information held there, including new PSIs, could only be accessed promptly through the Ministry of Justice Controller. COPs were provided with hard copy, but this could be some weeks or months later. This remained a significant concern for the National Council. It was expected that the introduction of P-NOMIS across all estates would ease the situation, although the National Council notes that the implementation plan for P-NOMIS put COPs at the end of the line.

**It is difficult to introduce working practices compliant with mandatory instructions when access to them is so problematical.**

In April 2009, the reorganisation of NOMS led to all estates becoming answerable to Regional Directors of Offender Management, led by the Director of Offender Management (DOM) with the support of the Regional Manager, Custodial Services. The National Council anticipates that this reorganisation will lead to an increasing parity for the operation and quality control of all establishments across the prison estate.

The Chairs of Boards in the COPs and SLA estate continued to meet biannually. The meetings welcomed the development of a NOMs structure that is attempting to bring the different prison organisations closer together.
Monitoring fairness and respect for people in custody

There was an improvement in the availability of operational and administrative recording systems common to all and the National Council representative will continue to monitor these small indicators of progress.

Similarities between COPs and Prison Service prisons far outweigh the differences between them. Both are based on the same foundation: all deal with prisoners – and there is no such thing as ‘a private prisoner’! All must operate within the same Prison Rules, PSOs, PSIs, Standing Orders, etc and increasingly the same criteria for quality control. However there are differences. These are not always easy to identify, and even when identified, it is not easy to make valid judgements of their outcomes. Some differences are attitudinal; some derive from the history of the systems – including both background and expectation. Others may relate to more transparent factors, for instance to the leaner staffing structures in COPs, or to flexibility of structure, or to a can-do attitude. However, all clearly belong within the overall philosophy and practice of the English/Welsh judicial and penal system.

Attitudes are notoriously difficult to change, but they are crucial to success. Without a shared acceptance of the validity of all establishments by everyone involved, progress will be stunted. Progress in this is being made. The National Council hopes it will lead to an increasingly embedded acceptance that all types of prison organisation are here to stay. It is essential that we – prisoners, staff and, not least, IMBs – all work together in harmony for the benefit of everyone involved in ensuring justice.
The past twelve months saw the further expansion of the Immigration Detention Estate (IDE). This was achieved partly by the conversion of under-utilised areas in existing removal centres into residential accommodation, but the most important development has been the opening of Brook House, the second and larger unit near Gatwick airport, which required the setting up of a new IMB. The current level of bed spaces stands over 3,100 and the re-build of Harmondsworth, after a major disturbance virtually destroyed two wings of the Centre, should be completed in 2010 with 364 more bed spaces. The UK Border Agency (UKBA) has also secured planning permission for two new Centres, near Bicester and near Bedford.

A notable feature of new-builds in the IDE, including Brook House and the re-build at Harmondsworth, was that they were being built to Category B prison standards. This was causing concern and unease among IMBs, although in the present climate, where large numbers of ex-prisoners had to be accommodated in Immigration Removal Centres (IRC) prior to removal, it had to be accepted that a stricter regime was required for some sections of the detainee population. IMBs were only too aware of the need to be vigilant to ensure that detainees were treated with dignity and respect under these circumstances.
In an ideal world, prisoners to be deported would be taken to their flights directly from prison at the end of their sentence. IRCs would no longer be expected to accommodate them, resulting in a return to a more relaxed regime. It is a matter of great regret that this is not likely to happen in the near future.

In our previous report we noted that the UKBA had recommended that the IMB remit should be extended to all 34 immigration holding rooms in the UK. After a successful pilot of monitoring holding rooms and short term holding facilities at Heathrow, a new Board was appointed to monitor these facilities at airports in the Midlands and the North of England. A similar Board was subsequently appointed in the Glasgow/Edinburgh region (unlike the prison system, the Immigration Detention Estate also covers Scotland).

There were several more holding rooms in airports and reporting centres across the country that were, at the time of writing, waiting to have IMBs established and it is expected that implementation will continue in 2010.

The challenges of monitoring holding rooms in airports and Immigration Reporting Centres are rather different from those in Prisons and IRCs since the period of detention there is often only a few hours (in holding rooms) or at most a few days (in short term holding facilities). The detainees might be passengers detained on arrival at the airport who are awaiting admission, or waiting for a flight back. Often they would have been brought from a place of detention prior to their removal from this country. Historically they have rarely made (or had the opportunity to make) any formal complaints. It will still be by chance that they would encounter an IMB member who happened to be on a rota visit at that time. Continuity of dealings with any particular detainee or their problems will not be possible. The most important part of the IMB monitoring role therefore becomes the checking of the systems in place to ensure the welfare and well being of the people held. For example:

- the kind of food offered,
- the periods of time detainees are held,
- the provision of sleeping facilities for those who are held overnight or for many hours after long flights,
- availability of toys, books, DVDs etc. suitable for children of different ages who might be held.
There were two serious incidents that were monitored by the IMB in 2009, one at Harmondsworth (Heathrow) and one at Brook House (Gatwick) when the Prison Service’s tornado teams were deployed, together with a minor incident at Campsfield House.

The frustrations of detention, especially indefinite lengths of detention, rather than the facilities offered in the Centres or their treatment within the Centres, are usually the major cause of the disturbances.

It is also creditable to all concerned that the disturbances were brought under control without any serious injury to any one.

Some Centres came under public scrutiny more than others. Yarl’s Wood, the largest Centre for the detention of families, was constantly in the eye of the media. The provision for children at Yarl’s Wood continued to be satisfactory in the circumstances with, for example, an excellent crèche and nursery.

However, the principle of detaining families with children, especially for long periods, is abhorrent to most people and alternatives to detention of (families with) children needs to be considered seriously and urgently.

UKBA ran a pilot in Kent with hostel accommodation as an alternative to detention; the lessons learned from that pilot are currently informing the trial of a second one in Scotland.

Oakington IRC attracted attention with a critical debate in the House of Commons in November. UKBA had a short-term lease on the property and, with the likelihood of the IRC having to be closed down at short notice, they were reluctant to spend the money necessary for refurbishment and the enhancement of facilities. The IMB at Oakington had for some time been expressing their serious concern about the lack of adequate facilities. The Immigration Minister stated in the Commons debate that the Centre would close by summer 2011.

The introduction of a new complaints procedure by UKBA at the end of 2008 has created serious difficulties for IMBs. Until then, all complaints (and details of their resolution) were available for IMBs to monitor, but a new centralised complaints logging system meant that complaints were no longer considered to be records held locally at the Centres. The legal advice to UKBA was that, under the Data Protection Act, IMBs could not be allowed access to them. This was contrary to tradition, common sense, and the legal advice provided to the IMB Secretariat. A speedy resolution of this situation is required and the National Council is pursuing the matter urgently.

Another area where the National Council and the Forum of Chairs of IMBs in the IDE were active this year was providing input to the revision of Detention Centre Rules that was being undertaken by the Home Office. New legislation was being drafted on immigration and nationality, which would tidy up the effects of various Acts passed since the Nineties. The associated new Rules for Detention Centres should be approved in spring 2010. The Short Term Holding Facilities Rules were also expected to come into force early in 2010, providing formal legal status to the IMB in those facilities.
Monitoring fairness and respect for people in custody
Healthcare Support Group

The National Council has continued to monitor the health care of prisoners, with a particular focus on mental health issues. The Health Care Support Group (HCSG) met on two occasions during the year to discuss areas of concern to Boards. These included the holding of those with severe mental health problems in segregation units, elderly prisoners, delays in the transfer of prisoners to mental health units, ‘Swine Flu’, and adequate provision of dental, optician and chiropody services. The chair of the HCSG continued to meet regularly with the Prison Service’s Offender Health Team and was able to bring to their attention issues that are concerning Boards.

Integrated Drug Treatment System (IDTS)

The HSCG has closely monitored the Prison Service’s Drugs Strategy, and in particular the implementation of the Integrated Drug Treatment System (IDTS). According to the Prison Service (June 2009) on average 55% of prison entrants were classed as problematic drug users and some local prisons reported up to 80% of entrants testing positive for Class A drugs on reception. They estimated that there were similarly large numbers (around 40,000) of drug users under probation supervision in the community (although not all of these were problem drug-users). NOMS and the Department of Health have jointly developed IDTS, which is being provided to all establishments as part of a rolling programme.

The objective of IDTS is to expand the quantity and quality of drug treatment within HM Prisons by:

- increasing the range of treatment options available to those in prison, notably substitute prescribing
- integrating clinical and psychological treatment in prison into one system that works to the standards of Models of Care and the Treatment Effectiveness Strategy and works to one care plan
- integrating prison and community treatment to prevent damaging interruptions either on reception into custody or on release back home.

The HCSG is of that view that IDTS works to a degree, in that numbers of deaths from overdosing on release from prison are decreasing but the Prison Service does not automatically detox sentenced prisoners unless they request it. This subject will remain high on the National Council’s agenda.

During the summer of 2009 Boards became concerned about the outbreak of Swine Flu (H1N1). The HCSG recommended that Boards reacquaint themselves with the information issued in spring 2007 advising them of contingency plans in the event of a flu pandemic. A ‘Dear Chair’ letter was also issued in August 2009 reaffirming this advice and adding more practical advice to Boards. This was to ensure that Boards made arrangements to continue monitoring, even if some Board members were in a vulnerable group and would not be able to go into the establishment.
Mental Health

The Bradley Review of people with mental health problems and those with learning disabilities was launched in April and the HCSG was represented at the launch. This independent review was commissioned to examine the extent to which offenders with mental health problems or learning disabilities could, in appropriate cases, be diverted from prison to other services and the barriers to such diversion. The Review was well received by ministers and by the IMB and a delivery plan was announced by the Department of Health in November. The Plan acknowledged that, in order to succeed, there should be improved partnership-working between criminal justice, health and social care organisations at all levels, enabling effective and appropriate health, social care and criminal justice outcomes at every stage in the criminal justice process.

Health Records

By December 2010 all but three prisons will be on the SYSTEM1 Health Information IT system. This will be a single IT system operating throughout the service, including contracted out prisons. Many Boards have been concerned about the lack of medical records being received when a prisoner transfers to another prison and the HCSG therefore supports this development.

Learning & Skills Support

The Learning and Skills Support Group has produced its report: Opportunity or Not: A Report on the Availability and Range of Learning and Skills in Prisons in England and Wales by the Learning and Skills Support Group of the National Council for Independent Monitoring Boards. The report is based on a major survey amongst Boards on the provision of learning and skills in prisons. The report has been published and is available on the IMB website.

The key findings of this report were:

• There is evidence of much good practice but this is not uniform.

• Provision to address the needs of those with mental health and special educational needs is very patchy, often poorly identified and limited in range.

• There appears to be a lack of understanding of terminology such as ‘Mental Health’ and ‘Special Educational’
• Assessment processes are often informal leading to lack of consistency.

• There is limited prisoner engagement in the assessment process.

• There is little evidence of the ‘learner’s voice.’ However, there is some good practice but it is not universal.

• The historic distribution of resources is not necessarily linked to current needs.

• There is a feeling of endless assessment as a consequence of the various documentation and transfer mechanisms following prisoner movement.

• Churn (the frequent and often unplanned movement of prisoners throughout the system) results in courses not completed; records not following prisoners; courses not on offer at receiving prison.

• Mostly paper records compound records transfer difficulties. These are not always available to external education providers on release.

• There is little provision for those whose enthusiasm for the learning process is limited, following their deprivation in compulsory education.

• There is limited availability of access to courses above NVQ Level 2.

• Usually, classrooms work well and workshops are well equipped.

• There is a wide recognition of the contribution made by the educational voluntary sector.

The Learning and Skills group will continue their work through 2009/2010 focusing on the following:

• Developing written guidance for Boards

• Occasional production of newsletters

Continued vigilance will also be needed to monitor the effect that budget reduction has on resettlement programmes.

Training Strategy

The IMB Training Strategy is driven by the monitoring needs of Boards. The Training Strategy Group (TSG) continues to fulfil its responsibility for maintaining and developing the training provision for members serving on IMBs across the varied remits to which they are appointed.

The National Training Programme of nationally staged courses continues to be the mainstay of the National Council’s training provision – providing opportunities for hundreds of Board members to explore and develop their skills and knowledge.

Three Thematic Workshops were held in 2009 to provide an opportunity for those who have over four year’s service to explore specific themes in more depth. The three themes were Foreign National Prisoners; Death in Custody; and Mental Health. Each Thematic Workshop was supported by the National Council member with lead responsibility for the policy area. This partnership was crucial to the provision of in-depth and up-to-date exploration of specific issues. All three Workshops were fully subscribed and the TSG plans to provide the opportunity again in 2010.
This year, the TSG advertised for new members to join the National Training Team (NTT). The response to the advert from Board members was significant and eight people were appointed to the NTT. Once their induction and initial training is complete, this will bring the NTT’s complement up to the National Council mandated 20. A NTT of this size should enable the TSG to further extend its training support to individual Boards.

In June 2009, the TSG hosted a special day for a number of Chairs who had attended the New Chairs’ Course in 2008. This event provided valuable insight into the role of the Chair, the quality of the support they received and the nature of the training required. The issues raised have informed the planning for future training events and has contributed to the National Council’s wider discussion about the role of Board Chairs.

The TSG has a number of projects that link closely with other areas of National Council responsibility – most particularly relating to the induction and support of Board members in their first year of appointment. Research amongst Board members, and in the wider voluntary sector, indicates that appropriate support in the first year of involvement in an organisation is critical to the long term effectiveness and retention of volunteers. This work will continue over the coming year.

There has been one change to the membership of the TSG in this reporting period – with the election of a new National Council member to represent the Immigration Detention Estate. We are grateful for the work carried out by Peter Booth and welcome Anna Thomas-Betts to the team. A new TSG Chair will also be appointed with effect from 31st December 2009, following the end of the term of co-option for the current Chair.

The TSG looks forward to developing its work under the leadership of a new Chair and is grateful for the support provided by all past TSG members.

Communications Working Group

The Communications Working Group (CWG) meet three times a year as a full group. The CWG is also split into smaller focus groups, which meet more regularly to plan the activities necessary to meet the objectives of the CWG as a whole. The objectives of the CWG are:

- External Communications: Raise public awareness within local communities
- Internal Communications: Improve communication to IMB members and improve communication about IMBs within prisons, immigration removal centres and short-term holding facilities.

There are currently three focus groups working to meet these objectives. The focus groups are:

- Network of Speakers
- Media
- Internal Communications

Network of speakers

The Network of Speakers was formed in 2008 with the aim of raising the profile of the IMB within local communities. In the past year almost two hundred and fifty presentations were made to a diverse range of community groups, a range which is constantly being added to as the popularity of the speakers grows. In order that good practice may be shared a series of speaker networking events were held during 2009 in Leeds (April), Bristol (August), London (October) and Manchester (November).
**Media Group**

The media focus group has evaluated how Boards relate to and interact with the media. It is recognised that using the media for coverage of IMBs is an extremely cost effective way of raising public awareness at both national and local levels. In addition, there is a possibility that members, and particularly Board Chairs, may be asked for comments by the media, in relation to perhaps a serious incident or issues raised by their annual reports.

During August 2007, an exploratory workshop was held in Ashley House, where representatives from each of the London Boards were invited to share their experiences and voice their concerns in dealing with the media. Evaluation of this workshop demonstrated that the majority of members were reluctant to have any contact with the local media at all. Resource constraints and competing priorities meant that further work on this project was postponed until this year when the Media Focus Group agreed to run a second pilot media workshop in the Doncaster area. This workshop arose from the evaluation of the first workshop, and, while it was still run as a pilot, it incorporated a stronger element of training, designed to build on the training received by attendees on the New Chair’s course. The first ‘official’ Media Workshop took place in August at HMP Lindholme and was attended by representatives of fourteen Boards from the surrounding area. We were fortunate in obtaining the services of a journalist from BBC Radio Sheffield as a guest presenter. He was able to demonstrate that the media are keen to work in partnership with representatives from the local community, and was also able to forge direct links to fourteen local prisons via the Boards in his area.

For the future the group hope to repeat this model and run another workshop in the Gloucester area during March 2010.

**Internal communications**

**IMB News**

The CWG Internal Communications Group has responsibility for deciding on format and content of IMB News, which is published twice a year. The group agreed that there were enough resources to produce two copies a year, each to be published 2 or 3 months following both prison and IRC conferences. This would enable coverage of both IMB annual conferences to be shared with all IMB members. In addition, members of the focus group discuss topics and features, and seek opportunities for sharing articles of interest.
**Internal Posters**

In 2009 the group reviewed the current internal poster, i.e. the poster for use inside prisons and immigration detention estate to communicate the IMB to prisoners and detainees. Feedback about the existing poster had been critical with members commenting that it was unattractive, too formal and didn’t engage with prisoners or detainees. Following consultation with Board members and ex-offenders the internal poster has been redesigned and will be available for distribution early in 2010.

**Branded Materials**

The Internal Communications Focus Group has increased the availability of IMB branded materials. Lanyards, pens, notepaper and files have all been introduced to help Boards to raise their profile within their establishments. Branded ‘golf style’ umbrellas were also given to delegates at the annual conference to help raise the public awareness of IMBs.

**IMB Website**

The IMB website is kept up to date by members of the Secretariat Communications Team. There are current discussions within the Ministry of Justice which we hope will result in a more versatile website, enabling increased functionality and an improvement in the overall design.

**Diversity Working Group**

Understanding and valuing diversity is at the heart of what IMBs do. It’s about ensuring the experience of people in custody and those who care for them is fair, humane and just. The IMB definition of diversity is broad and inclusive. It encompasses all the differences protected under equalities legislation, such as age, gender, race, religion, disability and sexual orientation – but also those that cut across these categories, such as social background and literacy levels.

The Diversity Working Group leads the IMBs’ Diversity Strategy and comprises Board members and members of the Secretariat. The National Five Year Diversity Strategy and Action Plan comprises a large programme of work, with key delivery mechanisms and prioritised targets.

Tackling the widely held opinion that ‘diversity is just another name for race equality’ was a challenge. However, practical changes and new approaches have started having an impact. The DWG has begun to see an important and timely change in how IMBs recruit, train and develop members as well as monitor and report on diversity issues. Some notable achievements to date include:

- Development of new diversity modules for all IMB National Training Courses, including Chair and Vice-Chair training courses.
- Establishment of Joint Recruitment Campaigns (Clusters) in several regions to facilitate new approaches to recruitment.
- Organisation of several activities to raise the overall profile of IMBs via dedicated radio interviews and presentations to attract more applications from under-represented groups and skills.
- Development and publication of specialist papers on monitoring prisoners/detainees with hidden disabilities and monitoring elderly prisoners/detainees.

Promoting diversity and valuing ‘differences’ are at the heart of the DWG’s vision and values. As part of the IMB organisation, it aims to engender confidence in our ability to monitor and report on diversity issues.
Reference Book Review Group

It is essential for the credibility and effective functioning of IMBs that the Reference and Pocket Books that inform members of their role are kept up to date.

The Group’s mission in 2009 was to maintain both books in line with key developments. This year’s focus was the changes in NOMS and updates of key PSOs and PSIs. Re-writing of various sections was completed in Spring 2009 and included, among other updates, a new section on Diversity, Equality and Inclusion and additions to the Conflict of Interest section to clarify some of the roles that are not within the IMB remit.

Unfortunately, administrative delays beyond the Group’s control led to delays in printing and distributing the Reference Book to Boards. The revised sections of the IMB Reference Book were finally distributed in September and the renewed Pocket Book sections were distributed in October.

In April it was agreed that a copy of the Reference Book should be issued to each prison’s Governor/Director to assist them in understanding more fully the IMB remit and it is expected that the copies will be distributed in 2010.

Future tasks for the Group include a full review of all sections including segregated accommodation in the light of PSI 26/2009 (issued September 2009), which reinforces and clarifies PSO 1700.
Young Adults

Young Adults (age 18 – 21) continue to be a cause of concern. Young Adults (age 18 – 21) continue to be a cause of concern. Young Adults (age 18 – 21) continue to be a cause of concern. Young Adults (age 18 – 21) continue to be a cause of concern. Young Adults (age 18 – 21) continue to be a cause of concern. Young Adults (age 18 – 21) continue to be a cause of concern.

Whilst it is recognised that this age group – or at least an extended version of it, up to the age of 24 – is responsible for about one third of all crime and one third of all those sentenced to prison, despite only representing about one tenth of the population, they remain a largely unrecognised group with the prison system.

Some 90% of this group in prisons suffer from at least one of these conditions: personality disorder, psychosis, neurotic disorders or substance abuse. They have higher rates of self harm and suicide than do older prisoners and are more likely to have been in care (Barrow Cadbury Trust Lost in Transition: A Report on Young Adults and the Criminal Justice System, 2005).

Over half were unemployed on arrest and the fact of imprisonment reduces further their already meagre job prospects.

In the last Annual Report the National Council noted that so much provision ceased to available on the arbitrary basis of the passing a birthday rather than a proper assessment of need. The National Council continues to express concern about the very marked discrepancy between the provision for this age group and the juvenile (15 -18) group. The Council recognises those areas where such provision does exist and will continue to press for its wider availability.

Safer Custody

Inquests

The National Council’s previous report noted concerns about the delay in holding inquests. There were 70 inquests outstanding between January 2003 and December 2006. The matter was raised at the Ministerial Roundtable on Suicide in February and the Minister at the time asked that Safer Custody Offender Policy (SCOP) within NOMS arrange a meeting with interested parties to discuss the issues around inquests into prison deaths. A meeting was duly arranged in May and a National Council representative attended. The subject is now firmly on the Ministerial Agenda.

The Ministerial Roundtable on Suicide held its last meeting in February and was replaced by a Ministerial Board on Deaths in Custody in April 2009. It is jointly funded by the Ministry of Justice, Department of Health and the Home Office. This Board has much wider terms of reference and includes all types of death in custody (prison, approved premises, police, revenue and customs, immigration and psychiatric hospitals). It is a very large Board, which includes representation by the National Council and is jointly chaired by the Minister for Prisons and the Home Office Minister. The first meeting was held in July, at which it was reported that the number of outstanding inquests (between April 2003 and December 2006) had reduced to 43. There was much discussion about delays in inquests, with the
IMB’s concerns echoed by representatives of the Police. There is a second tier to the Board, an Independent Advisory Panel (IAP). The role of the IAP will be to provide independent advice and expertise to the Ministerial Board, guidance on policy and best practice across sectors and make recommendations to Ministers and heads of key agencies – the recommendations will be sent to the Ministerial Board for approval.

So overall is any progress being made with reducing delays in holding inquests? Are the new arrangements an improvement on the Ministerial Roundtable?

The National Council can report that our concerns have certainly been noted.

We are pleased to add that a representative from the National Council has been invited to sit on the Working Group on Cross-Sector Learning, which is chaired by Deborah Coles, Co-Director of Inquest. The Group’s Terms of Reference include: collecting data on the number of deaths in custody awaiting inquests (this includes deaths in police custody); the time between death and the conclusion of the investigation and inquest; and to undertake a short analysis of this data to ascertain the reasons for the delay. The Group’s work encompasses Article 2 of the European Convention of Human Rights and will take into consideration the impact of delays upon prison staff and bereaved families.

A themed Workshop for experienced IMB members on the subject of Deaths in Custody was held in July. It was well received and the speaker was Her Majesty’s Coroner for Birmingham and Solihull, Aidan Cotter. Some of his advice to Boards included ‘get to know your Coroner, invite them to a Board meeting and ask your local Coroner what is causing delays if you have specific concerns regarding an outstanding inquest’.

Deaths in Custody

At the time of preparing the report there had – fortunately - been no significant increase in self-inflicted deaths. Although most of the deaths were by use of a ligature there were four instances of self-inflicted deaths by lacerations and two by starving. There were no instances of these types of self-inflicted deaths in 2008. There were still however an unsatisfactory number of self-inflicted deaths in local prisons of prisoners in single cells on ACCT (Assessment, Care in Custody and Teamwork) documents.

Unfortunately there was a significant increase in the number of deaths by natural causes, which is indicative of an ageing prison population.

There were a worrying number of prisoners found ‘collapsed in their cells in the 40 to 50 age bracket. A post mortem will usually determine the cause of death, but details will not be disclosed until the inquest.

Some Governors were still asking IMB members to carry ‘cut down’ knives and the National Council has made it very clear that it is not appropriate for IMB members. IMB members do not have cell keys and, in any event, if a prisoner is found hanging two people are required – one to support the body and the other to cut the ligature. If the ligature is not cut correctly, more problems could result. Staff have training for ‘first on scene’ in the event of a self-inflicted death, including how to support the person/body, deal with the ligature and how to carry and take care of the cut-down knives. The National Council voiced its concerns to the Chief Operating Officer of NOMS and he passed on the request to Governors not to expect IMB members to carry cut-down knives to Governors.
Foreign National Prisoners

The National Council has continued to press UKBA and NOMS to endeavour to achieve fairness and respect for this group of prisoners and for the growing number of foreign nationals who, having served their sentence in full, remain detained in prison. Meetings have been held and regular communication takes place with UKBA and NOMS. Both the UKBA and NOMS are receptive to the National Council’s approaches but regrettably are not seen to be making an impact on the number of sentence expired foreign nationals.

The National Council wonders if the prisoners being detained past the end of their sentence were British whether it would take as long as it does to resolve the outstanding issues.

NOMS and UKBA entered into a Service Level Agreement in May to improve the processing of immigration papers and the subsequent deportation of Foreign Nationals from eight specified prisons (hubs) where the Foreign Nationals approaching the end of their sentence would be congregated.

Regrettably, the National Council is unable to report that there has been a significant improvement in the process or in the speed of the subsequent deportation of those prisoners whose sentences have expired.

Plans to roll out improved services in other establishments serviced by the hubs have not been implemented. Prisoners wanting to go back to the country of their nationality were still being detained without adequate reason or explanation beyond the end of their sentence. Repeated suggestions that work be started earlier in the prisoner’s sentence to ensure release/deportation at the end of sentence have not been heeded. Immigration officers in hubs still wait for caseworkers to progress files and make decisions in a timely manner.

The National Council continues to receive details of specific cases from Boards. Examples of foreign nationals who have remained in prison after their sentence has expired include:

- a prisoner sentenced to six months who was willing to go home but was still detained beyond the expiry of end of sentence;
- a prisoner who had fought in the British army, lived in the UK for several years, offering to return to his country of nationality but was still being detained after the end of his sentence.

The longest ‘sentence’ currently being served by a foreign national since the court-imposed sentence expired is approaching four years. The length of time being spent in prisons (at huge cost to the taxpayer) by those who have served their sentence in full but are being ‘processed’ by UKBA with a view to deportation has increased during 2009.

Other examples of poor treatment include:

- a man who had progressed from a category C to a category D establishment who was about to reach the end of his sentence and be released was told he was moving that day back to secure conditions as he was subject to deportation;
- a mentally ill person - unable to comprehend what was happening to him - being refused the protection afforded by the law and told he would be deported to a country he had not lived in since he was eight years old.

The National Council representative has met with the International Organisation for Migration to better understand the process of
assisting prisoners who wish to return to their country of nationality using the Prison Service’s Facilitated Return Scheme. The scheme has recently been improved and is more user-friendly in the receiving countries.

The National Council has also presented to a NOMS Foreign National conference, at which most establishments were present, explaining the IMB perspective on Foreign Nationals and their management.

The National Council wrote to the Minister for Immigration specifically on the refusal of UKBA to translate documentation handed to foreign nationals. A response was received from the Head of UKBA in August to the effect that it was not possible to translate all documentation, although the agency would be looking to translate some basic documents into the main languages. These translated documents have yet to be seen in establishments.

When much government documentation is translated into 16 plus languages it seems extraordinary that such important documentation is not translated, particularly when it is obvious that the document is being sent to those whose first language is not English.

Prison staff are very reluctant to use external translation services which are available on the grounds of cost. The National Council deplore this lack of provision.

The National Council has held training sessions and written to Boards to keep them updated on this important issue and will continue to press for change in 2010.

**Prisoner Property**

Prisoner property remains the subject of the majority of prisoners’ applications to the IMB and is an issue that is of crucial importance to prisoners’ well-being. It is also immensely time consuming for the IMB – and others – and a source of frustration for all concerned. Situations can be misleading and obscure, often leading to considerable confusion.

**Improved transparency is urgently required but difficult to achieve and progress in improving the situation is slow.**

The collection of information and development of contact networks in this major area has continued and is on-going.

Disappointingly, some predicted and planned developments initiated within the Prison Service have halted. It is hoped this will be temporary. On the brighter side, new developments have begun at a range of levels, including improved links between the National Council representative and the NOMS group working on the Specification, Benchmarking and Costing Programme.

The National Council will continue to press for a new, more effective system for managing prisoners’ property in a decent and timely manner.
Segregation

In the National Council’s first Annual Report the revised PSO 1700 was mentioned. This was published in October 2009 and at the time of writing the National Council was drafting up to date guidance to Boards.

A National Council report was compiled and published in August entitled *A Prison Within a Prison*. It highlighted a number of issues regarding Segregation Units, which had been distilled from 25 recent IMB Annual Reports.

Unsurprisingly, the main issues were exactly those that were reported in the first Annual Report. Specifically, the lack of mandatory 24 hour notification of a prisoner being segregated, and short notice of 72 hour reviews, particularly when reviews are not held three times a week.

Another contentious issue was the lack of Healthcare representation at some reviews – again a mandatory requirement. Boards had raised these issues with the National Council time and time again over the past year.

The National Council provided the following advice to Boards regarding the lack of Healthcare representation – do not sign ‘agree’ on the paperwork and follow the appropriate process where there is disagreement with the Review Board’s decisions or where there are concerns about the process itself.

Hopefully the revised PSO will address some of these issues and the IMB and National Council will continue to monitor the situation closely.

Overcrowding

Overcrowding, or more to the point, over-population, has not diminished although there have been no instances of prisoners accommodated in police cells during the past year. The situation with London prisoners being transferred to West Midland prisons and West Midlands prisoners transferred to Liverpool prisons is still a problem, particularly with missing property, lack of contact with family and resettlement issues.

The number of prisoners recalled on Licence is also increasing and they remain in local prisons – all of this adds to the overpopulation.

IPP (Indeterminate Sentence for Public Protection) prisoners were still held in local prisons pending spaces in more appropriate establishments, frequently being held beyond their tariff because they have not been able to access the programmes required by the Parole Board.

We have evidence, for example, of a prisoner given an 18 month tariff which expired in August 2007 who is still being held in a local prison.

In September there were 162 prisoners with indeterminate sentences for public protection of less than two years. The National Council therefore wrote to the Secretary of State for Justice to ask that he takes urgent action to bring about the release of prisoners with IPP sentences whose tariffs mean that they would not have been sentenced under current legislation. A response was awaited at the time of writing and developments will be reported on more fully in next year’s report.
Elderly Prisoners

In Prison Service terms an elderly prisoner is someone of 55 or over. The National Council remains concerned that there were no plans for a Prison Service Order setting out the mandatory requirements for the increasing number of elderly prisoners. Some prisons are doing good work with local protocols, but the Council strongly believes that the subject of elderly prisoners should be formally addressed by a PSO with appropriate mandatory instructions and guidance.

Prisoners aged 50 and over as at June 2009:

<table>
<thead>
<tr>
<th>Age</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
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<td>50-59</td>
<td>4716</td>
<td>277</td>
<td>4993</td>
</tr>
<tr>
<td>60-69</td>
<td>1935</td>
<td>64</td>
<td>1999</td>
</tr>
<tr>
<td>70+</td>
<td>532</td>
<td>7</td>
<td>5369</td>
</tr>
</tbody>
</table>

Cost of Prisoners’ Telephone Calls

It is important that prisoners are able to keep in touch with their families and maintaining this contact is a strong factor in their successful rehabilitation. In October 2007 the National Council wrote to the Prisons Minister outlining its concerns about the high cost of telephone calls made by prisoners.

During 2008 the National Council’s concern was broached by the Prison Reform Trust, who contacted the National Consumer Council who in turn referred the matter to OFCOM. As a result a super-complaint on charges for payphone services from prisons was raised by the National Consumer Council.

The super-complaint highlighted questions about the persistently high cost of telephone calls made by prisoners. It confirmed the National Council’s point that in contrast domestic telephone charges had fallen by some 60% in recent years.

In April 2009 an agreement was reached between British Telecom and the Prison Service to reduce the cost of prisoner’s telephone calls by an average of 12%. This meant that the cost of calls was reduced from 11p per minute to 10p per minute to landlines and the cost to mobiles from 63p to 37.5p per minute.

The contract between British Telecom and the Prison Service expires in 2011 and initial work on the tender for a new contract from 2011 commenced in late 2009.

Whilst the National Council are unable to monitor matters that are subject to commercial confidentiality, we are committed to keeping the situation under constant review.
Prison Retail Project

The new Prison Retail Contract moved from Aramark to DHL/Booker in March 2009.

The contract aimed to make the operation of prison shops more efficient and effective. It also promised fairer prices for prisoners, with costs being ‘benchmarked’ against High Street outlets such as Somerfield, Budgens and Happy Shopper. Prices would not be individually compared to retailers such as Tesco, ASDA or the other major retailers, due to their immense buying power and high turnover.

There is now one National Product range and one set of pricing items in all public sector prisons. The National Product List contains 800 items and each establishment is free to choose 375 items most appropriate for their prisoner population. The range for each establishment can be changed and modified as required every thirteen weeks. This allows for the diverse requirements of individual establishments.

The National Council was consulted upon the setting up of the Retail Project Board, and a National Council Member served as a member of the Retail Project Board, until it completed its work and was disbanded in June 2009. The National Council was not involved in any awarding of contracts or any matter which involved any aspect of commercial confidentiality.

The National Council kept IMB members informed of the progress of the contract and was able to arrange a direct line of contact with the Head of Prison Retail, should there be any problem in any individual establishment.

There were some initial teething problems, but the new contract appears to be having a positive effect, despite it being a complicated undertaking.

Whilst the awarding of the new contract to DHL/Booker was a Prison Service matter, and subject to commercial confidentiality, the National Council will of course review the working of the contract to ensure fair and just cost to prisoners.

OPCAT

In April 2009 IMBs were designated as part of the UK’s National Preventive Mechanism (NPM) under the Optional Protocol to the UN Convention Against Torture and other cruel or inhuman and degrading treatment. Initially, HMCIP received funding to co-ordinate the 18 constituent parts of the NPM. At the time of writing, however, the National Council awaits further developments and looks forward to the reinforcement of the IMBs’ preventative role in prisons, which arises from their monitoring. Training will be rolled out to Board members in due course.

Prison Rules

The National Council continues to strive to monitor the proper enforcement of the Prison Rules, Prison Service Orders and Instruments. Meetings have been with the Prison Service to secure IMBs right of access to information (as provided in statute) without hindrance. The National Council appreciates the need to protect sensitive national security information but works to ensure that Board members can access the information gathered in establishments. This enables Board members to properly perform their role as monitors of systems relating to prisoners and their regimes and property.
Section 6

THEMES EMERGING FROM BOARDS’ ANNUAL REPORTS

It has long been recognised that Board Annual Reports, as well as fulfilling their primary purpose of addressing concerns and observations to the Secretary of State, provide a wealth of information which, if collated, would inform the National Council of areas of widespread concern and help identify trends which could then be taken forward and pursued at a national and strategic level.

The first thematic report has now been produced and was sent to ministers in July 2009. The report was written around Board observations and concerns about Segregation Units and was entitled A Prison within A Prison.

When analysing the most recent Annual Reports from 137 Boards the main concern reported was the number of prisoners who had some form of mental illness.

This was reflected across the estate, except for category D prisons where drug use by prisoners gave the highest cause for concern. This item was repeated in other reports but was not so prominent in High Security prisons and Young Offender institutions. Other matters reported on negatively were the condition of buildings, the number of foreign nationals in prison and prisoners’ property being mislaid. The last issue was responsible for more than half of the applications made by prisoners to see Board members.

The subject of healthcare provision was mentioned both positively and negatively in roughly equal proportion but the yearly trend indicates that healthcare provision in prisons is improving.

Further analysis of Annual Reports is developing, along with a more sophisticated database and more Thematic Reports can be expected in the future.
Work of the National Council

**Review of the National Council Constitution**

It is a tribute to those responsible, particularly Sir Peter Lloyd and his review group, that the constitution they framed in 2003 has served the National Council and the Independent Monitoring Boards so well. The National Council hopes they would recognise that some changes have become necessary as we have grown in experience and new challenges have presented themselves.

Constitutional change is not exactly the most exciting of our activities, but this year we decided to bring to our Annual Conference and to Ministers some proposals which were thoroughly worked over and designed to clarify where there was confusion, to remove some requirements which had proved excessively detailed and to ensure that the growing brief of the National Council was nonetheless subject to appropriate accountability.

The revised Constitution is reproduced at Annex B

**Working Relationships Between the National Council, Secretariat, Ministry of Justice and Home Office**

The recommendation of Sir Peter Lloyd’s review that the IMB Secretariat should be moved out of the Home Office was not accepted by Government. As a result, the Secretariat continued to be located, as an ‘arms length body’ within the Home Office and then, when many of the Home Office’s functions were removed to the new Ministry of Justice, the IMB Secretariat was located there.

Ensuring the independence of IMBs is a high priority for the National Council, for IMBs themselves, for the Secretariat and, it must be said, for Ministers and the agencies monitored by IMBs. The location of the Secretariat, geographically and structurally, within a government department does not present difficulties most of the time. There are however problems of presentation and there does exist the potential for a compromising of independence given that the Secretariat is line-managed by officials in the Ministry of Justice. This is particularly important as IMBs are - as stated earlier in this report - one of the National Preventive Mechanisms under the OPCAT.

Lately, therefore, work has begun on a review of the dual function of the Secretariat – supporting the National Council and offering advice to Ministers – in order to see whether some separation might be possible in the interests of clarity. We expect to be able to report on that review and any outcomes from it next year.
**Monitoring Transport**

It is a feature of the monitoring task that when it is carried out well it brings to light other areas where monitoring has not hitherto been arranged but where it is desirable to introduce it. An example of this arose from the discovery of a number of IMBs over some years that prisoners, and specifically young prisoners, were being brought from courts or other prisons to establishments far too late in the evening for proper reception to be conducted. This is particularly serious in the case of young offenders who can be - and often are - very vulnerable at that point.

Thanks to the assiduous work of a number of IMBs, figures for late arrivals were collected, and after some years of no improvement, the National Council took this up with Ministers. As a result, Ministers responded by requesting an audit.

The Prison Service Transport Contracts are being re-tendered and the National Council has been invited to comment on the proposals.

Prisoner Escorts Management (PEM) recently informed the National Council that the Youth Justice Board were seeking a juvenile escort function as part of the new contracts. PEM confirmed they would be examining what could be done to reduce the number of prisoner journeys, journey times, length of time spent at court, earlier returns to establishments and improved utilisation of prison to court video links. There is the hope that proper official supervision of transport contractors will be undertaken with a resulting improvement to arrival times.

This has raised the issue of gaps in the monitoring of transport across all types of establishment. There was, for example, no system for the monitoring of the transport of Category ‘A’ prisoners, nor the transport of detainees. Two further pieces of work have therefore been undertaken by the National Council:

- Prisoners’ transport (other than Category ‘A’) is the responsibility of the Lay Observers who operate under the auspices of NOMS. We have therefore begun conversations with the Lay Observers so that, in covering transportation monitoring in areas for which they are not responsible, we can learn from and build on their experience. We have every hope that a closer relationship with the Lay Observers will be possible and fruitful.

- The Forum of Chairs of the IMBs who monitor IRCs and STHFs has undertaken work in order to fulfil the request of the Borders and Immigration Minister that we should undertake the monitoring of the transport of detainees.

A good deal of work has already been achieved on both these issues, and we are confident that we shall have good progress to report next year.
Review of Recruitment and Retention

The National Council and the Secretariat have embarked on a joint project to review all aspects of the recruitment of IMBs for the Prison and Immigration Detention Estate.

Some of the obvious weaknesses of the existing system were:

• **The Appointment Process was too long** – often it took months after the interview took place before candidates were appointed by the Minister, and in this time many potential candidates lost interest or found other voluntary opportunities. The major delay in the process was waiting for security clearance before submitting the papers to the Minister, which was beyond the control of the Secretariat. Both the Immigration and Prison Minister were asked to consider whether appointments could be made subject to security clearance. Unfortunately, at the time of writing, only the Prisons Minister had indicated that this was an acceptable way forward. The Appointments Team in the Secretariat have established an effective tracking system for applications which has been in operation since January. The number of outstanding cases has been reduced considerably as a result.

• **The paper work involved was confusing** – and often completed incorrectly, which added to the process time. In January 70% of applications sent by Boards to the Secretariat had to be returned as the forms were not completed correctly. A comprehensive review of the application pack is planned to make the forms easier to complete and therefore reduce the number of mistakes.

• **Many Boards did not have a wide profile of members.** The Minister was keen to see a Board profile more reflective of the local community. For instance, nearly 70% of all IMB members were over the age of 60 with less than 2.5% under the age of 40. Although it is appreciated that retired people probably have the most time to spare for voluntary activities, it is also important to make sure that any recruitment campaign reaches out to people of all ages and backgrounds. With the help of the Diversity Consultant, more Joint Recruitment Campaigns (formerly known as ‘clustered recruitment’) were set up. Joint Recruitment Campaigns receive training and guidance on fulfilling a ‘seven step’ process to help attract new members who will widen and strengthen the skills of the existing Boards. If Boards are located near to each other, work on recruitment could be duplicated which is a waste of both resources and individuals’ goodwill and energy. By encouraging Boards to work together, ultimately through Joint Recruitment, duplication should be minimised while transfer of knowledge and contacts maximised. All National Council members have also been asked to place recruitment on the Quarterly Chairs Meeting so that there is an efficient flow of information between Boards. The Secretariat is working to provide a clear framework of support to existing recruitment groups with the aim of expanding the project once this is established.

• **There was a notable turnover of new members** – with many suggesting the role was ‘not as they expected’ as a reason for leaving. The review will therefore develop an application pack which more clearly defines the role. Parallel to this, the Core Competencies for new members have been analysed and updated to reflect the changing skills required as an IMB member. The Recruitment Review team, with the help of the Communications Working Group, will be analysing how the work of the IMB can be conveyed more effectively and therefore encourage more people to consider applying. Retention of existing members will be examined, along with tenure of appointment.
Monitoring fairness and respect for people in custody

• The use of Independent Interviewers and the interview process — are both pivotal parts of the recruitment process but need strengthening. The Review will examine the existing framework and skills of the Independent Interviewers to identify how their potential can be maximised further. An IMB member has been identified to lead in this area of work and it is intended to have a trawl for more Independent Interviewers in 2010 to address geographical shortages and to widen the diversity. In addition, the suggested questions at interview have been reviewed and rewritten to reflect the new set of Core Competencies.

The Steering Group are planning to share the findings of the Review with the National Council in summer 2010 when it is hoped the recruitment process for IMB members will be re-launched.

Clustering/Merging of Prisons

Over the past two years there have been a number of cases of prisons and IRCs being clustered and merged in an attempt to share management and resources. There have been several requests by Boards to National Council for both clarification and guidance on the subject. As a result, a working group was formed consisting of National Council members and members of IMBs which had already undergone substantial restructuring. A suggested framework was developed, with the aim of helping IMBs who were facing merging or clustering to achieve a successful outcome.

It is important to distinguish the difference between merging and clustering. The former, merging, occurs when two or more establishments are re-modeled as a ‘One Prison’ entity. Examples of this are the recently formed HMP Hewell and HMP Isle of Wight. The latter, clustering, takes place when two or more sites share services and/or senior management, but each prison or IRC retains its own name and identity.

If prisons merge and become a single entity, often on multiple sites, legislation provides for only one Independent Monitoring Board. Both the National Council and the Secretariat have worked closely with the Boards facing this scenario while adjustments take place and the Boards themselves merge into one, single Board. This has now been achieved at Hewell. On the Isle of Wight the process is well underway with the first Chair of the new IMB for HMP Isle of Wight elected in December 2009.

More and more establishments are being clustered and now share services, Senior Management Teams and/or Governors. There is no set framework regarding how these sites should be monitored but the National Council believe it is important to review existing practices to see if approaches need to be adapted to ensure the most effective monitoring is taking place. To assist Boards, an article was placed in the IMB News outlining the steps to be taken if establishments move to a clustered framework.

Collaborative working between such Boards is recommended, with shared meetings and exchange of information and best practice encouraged.

The working group will continue to monitor the development of further merged and clustered prisons. Support and guidance will be provided to Boards as and when the need arises.
Secure Email

In April 2009, a Criminal Justice Secure Email (CJSM) account was created for every IMB Chair. Each Board had its own CJSM email domain (for example, @imbwandsworth) and Boards were asked to manage the administration for all members on their Boards. This included creating new accounts, deleting old accounts and resetting passwords. Each Board had a generic ‘Chair’ account and throughout 2009 the majority of Boards activated this account and created separate accounts for each member. From November 2009, information including ‘Dear Chair’ and ‘Dear Board Member’ letters and National Council updates have been sent to the generic ‘Chair’ account. This enabled Chairs to easily distribute such communications from the Secretariat and the National Council to the rest of their members.

Annual Conference For Prison IMBs

The 2009 Conference for IMBs in prison establishments was held at the University of Keele in September and the theme of the Conference was ‘Perceptions’.

The Conference was opened by the President of the IMB Dr Peter Selby, who introduced the Parliamentary under Secretary of State for Justice Claire Ward. The Minister mentioned that the prison population was at its highest figure ever. She announced that an additional forty million pounds was to be allocated to the Probation Service to assist in the reduction of the prison population. Most importantly she acknowledged that prison was not the place for the mentally ill. The Minster’s speech was of a short duration, and she left the conference as soon as it was completed. Delegates were disappointed and concerned that the Minister had not taken the time to answer questions from the floor before she left.

As usual, the Conference was addressed by a variety of interesting and informative speakers, including Baroness Vivien Stern, The President of the Prison Governor’s Association Paul Tidball and Tim Robertson from the Koestler Trust.
It is not our choice that we should be operating in a growing area of work, but that is without question how it is. Custody is still society’s default and growing response both to criminality and to unlawful immigration, despite calls on the part of many to reduce the numbers being held.

It will be important to distinguish in this connection ‘overcrowding’, the presence of more persons than there is basic cell provision for; and ‘overpopulation’, the presence within the system of more people than we can creatively relate to for their good and that of society.

As a result of that growth in numbers and the resulting pressure on regimes, we can expect an increased requirement for the setting up of IMBs to monitor respect and fairness for those held there. That in turn will require recruitment and training to be provided for a growing number of members so that the professionalism and independence of our work continue to command credibility.

But it would be wrong to represent the growth of custody as simply a problem for the administration and resourcing of IMBs. It is also, and from the point of view of the task of IMBs, a problem of resourcing the custody establishments themselves, the regimes within them, and the possibility of providing humane and creative activities for those who are held there. That need comes alongside the pressures on public expenditure generally, from which an unpopular area such as the criminal justice system will certainly not be immune.

IMBs, and their National Council, will need to learn increased vigilance in the face of the real possibility of a general decline in standards within the systems of custody, a loss of purposeful activity, and a discouraging of precisely the imaginative new provisions which have pioneered new and better ways of responding to the needs of detainees and prisoners – and therefore of the public too. It would be a serious tragedy if the ground that has been gained over the centuries of the modern prison service, for instance, were lost, replaced by a grey conformity to benchmarks.
conceived not as a way of raising standards but as a minimum – and minimalist – provision.

Boards in their reports are alerting us to this possibility with increased frequency, and the National Council will work with others to ensure that such retrenchment, when it occurs, is made known.

The section on ‘the year ahead’ has to begin with that sombre reflection. But we have other challenges to meet as well. Custody is a remedy skewed in the direction of the more deprived communities in our society, and for that reason if for no other the issues of diversity will always be high on our agenda, both as something we monitor within the custody establishments – it is a mandatory reporting area – and in the recruitment and training of IMB members. This is a challenging matter for IMBs, and we expect our Diversity Working Group and our Recruitment Review to put before us a number of initiatives during the coming year.

If there is a difficult economic situation, and if as well there are major challenges for us to meet as IMBs, we are not at all without resources. It is a privilege to represent and serve our 1800+ members, valuing their discoveries, adding value to their work, and giving voice to their hopes. It is also a privilege, in undertaking that task, to be supported and assisted by a Secretariat staff who bring energy and commitment to their work. These are resources we shall continue to seek to enhance in the year ahead, in the hope that respect and fairness for people in custody, our core value and task, will become constantly higher on the agenda of society at large.
Annex A

UPDATED PRISON AND IMMIGRATION RULES

UPDATED PRISON RULE* 

It is the duty of each IMB

1) 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.

2) to inform promptly the Secretary of State, or any official to whom he has delegated authority as it judges appropriate, any concern it has.

3) to 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.

UPDATED IMMIGRATION RULE* 

It is the duty of each IMB

4) to satisfy itself as to the humane and just treatment of those held in immigration removal centres.

5) to inform promptly the Secretary of State, or any official to whom he has delegated authority as it judges appropriate, any concern it has.

6) to report annually to the Secretary of State on how far the immigration removal centre has met the standards and requirements placed on it and what impact these have on those held in the centre.

Explanatory Statement (to apply to both prison and IRC IMBs)

1) In fulfilling these duties any matter which directly or indirectly affect an individual held in custody or detention, or affect the prospects for his successful resettlement on release, is of relevance to the Board. That includes the state of the establishment’s buildings and the efficiency of the administration where they have an impact on prisoners or detainees.

2) Although Boards have no comparable responsibilities for staff, staff problems which affect those held in custody or detention are the Board’s proper concern. It is also important for Boards to build a professional relationship with staff and where they can assist in resolving any difficulties a member of staff may have, the Board, where it judges appropriate, should do so.
(3) Board members should regularly engage with prisoners or detainees and staff and do so with a courtesy and interest which earns their trust and draws out their hopes and concerns. Members should note the quality of the interaction between staff and those held in custody or detention. They should be conscious at all times that their own demeanour and approach can have an important impact on the atmosphere of the establishment and the readiness of prisoners or detainees and staff to confide in them.

(4) To be able to carry out their monitoring and reporting duties effectively, Boards must have a wide knowledge of what is expected of their prison or removal centre in all its activities. This includes familiarity with the rights of prisoners and detainees and established standards for their welfare and treatment. It also includes a sound appreciation of what those responsible for the quality of the various aspects of the regime and associated services regard as good practice. It is this knowledge which enables Boards to report confidently and accurately when establishments are falling short of what is required of them or, just as importantly, where they are reaching high standards.

(5) Knowing how, when and with whom Boards should raise their concerns is crucial to their ultimate effectiveness. Where Boards are critical, the matter should be raised as soon as it arises with those to whom authority for that aspect of the regime has been delegated. In reporting to the Secretary of State, Boards should ensure that the issues they highlight are sufficiently explained so that not only Ministers but other interested parties can fully appreciate their significance.

(6) Most importantly, the Board’s duty is not only to report on how well an establishment is measuring up to accepted standards but to look with clear and fresh eyes at the prisoner’s or detainee’s total experience of custody or detention and preparation for release or removal. Boards should also express, where they judge necessary or desirable, their commonsense opinion on the humanity and utility of the policies and practices that the establishment is obliged to follow.

* The updated rules were endorsed by Ministers with immediate effect in 2004. The updated Rules will be put to Parliament when there is a suitable legislative opportunity.
Annex B NATIONAL COUNCIL CONSTITUTION

Rule No 1 – Name
The name of the council shall be “The National Council for Independent Monitoring Boards”.

Rule No 2 – Purpose and role
The National Council’s primary purpose is to provide leadership, guidance, training and quality control to boards and to help them fulfil their statutory and other duties. The National Council is required by the Secretary of State, through and on the advice of the Secretariat, to ensure boards work in accordance with policies and good practices where it is considered necessary for standard procedures to be operated by all boards. The Secretary of State also requires the National Council to protect the independence of boards in making their proper enquiries and reporting fully the conclusions they reach.

The National Council shall, in cooperation with the Secretariat:-
(i) Give leadership to boards by providing members with clear direction where necessary and comprehensive advice, and by devising and monitoring effective operating standards.
(ii) Provide support to boards and individual members to enable them to work as effectively as possible.
(iii) Meet at regular intervals with the prison service, UK Border Agency, NOMS, YJB and other organisations/agencies to raise issues of concern to boards, to influence central policy making and to keep boards up to date with developments in all parts of the prison and immigration detention systems.
(iv) Promote the interests of the IMB organisation and ensure as far as possible that its work and concerns are properly and widely understood.
(v) Develop and implement policy on membership recruitment through national and local advertising, and work with individual boards or clusters of boards to build membership levels.
(vi) Develop and implement a suitable and focused training policy for boards and individual members, and ensure that members undertake training which is agreed by the Council to be mandatory.
(vii) Develop and implement effective policies and procedures for measuring and monitoring the performance of boards and members of boards.
(viii) Develop and implement effective procedures for ensuring that disputes involving board members and complaints against members are resolved with fairness and despatch.
(ix) Discuss with the Head of Secretariat the allocation of the annual budget for IMBs.
(x) Ensure that Council members liaise closely and regularly with the boards in their constituencies by attendance at board and area chairs’ meetings and from time to time at the meetings of individual boards, by telephone, correspondence and other means of communication.
(xi) Raise with the Secretary of State issues of concern at a national level relating to the prison service and immigration detention estates, and within its discretion develop policies in areas requested by the Secretary of State.
(xii) Publish an Annual Report.
(xiii) Organise an Annual Conference giving the opportunity for IMBs to propose motions to be addressed.
Rule No 3 – Membership

(i) The membership of the Council shall be:

(a) A President, appointed by the Secretary of State, to carry out the functions listed in 3a below, and any other functions to which the Council may agree. The Secretary of State shall make the appointment, or any extension to the appointment, taking into account the views of the National Council which shall be represented in the appointment process.

(b) Eight members elected to represent prison IMBs elected by and from the IMB members in the regions of England and Wales designated under 3(i)(d).

(c) One member elected to represent the IMBs in Immigration Removal Centres and Short-term Holding Facilities, elected by and from the IMB members in those establishments.

(d) The National Council shall set regional boundaries for the purposes of IMB area representation and may reconsider and change these boundaries from time to time and after consultation with IMBs in the areas affected.

(e) Not more than three members co-opted by the Council to assist in specialist areas.

(f) Any person elected under paragraphs (b) and (c) above who ceases to be an appointed member of an IMB shall immediately cease to be a member of the National Council.

(ii) The President may appoint a Vice-President from within the National Council membership for a specified period subject to the advice and consent of the Council.

(iii) The term of office of the President and Members of the National Council elected under 3(i)(a), (b) and (c) above shall be three years.

(iv) No member may be re-elected for a third term.

(v) A person holding the office of Vice-President at a time when the Presidency becomes vacant shall continue in office and act as President until a new President is appointed. If no person has been appointed Vice-President when the Presidency falls vacant the Council shall elect an interim President from among its membership to hold office until a new President is appointed.

(vi) Vacancies which arise within twelve months, but not less than six months, of the end of a term will be filled by election and the elected member shall serve for the balance of the term and the next full term of three years.

(vii) Vacancies which arise more than twelve months before the end of the term will be filled by election and the elected member serve the balance of the term.

(viii) Cover for vacancies which arise within six months of the end of a term or as a result of an elected member’s absence will be provided other members of the Council.

(ix) Co-options to the Council shall be appointed following agreement by the Council on the purpose of the appointment and expected outcomes and the seeking of applications by advertisement. Co-opted members shall serve for a term to be stated in the particulars of the post and not to exceed three years.

(x) No person may serve as a member of the Council at the same time as holding an office which could involve a conflict of interest; in cases of doubt whether such a conflict could arise the decision shall be made by the National Council, subject to a right of appeal to the Secretary of State, whose decision shall be final.
Rule 3a The President

The role of the President shall be to set forward the work of the Council in particular by:

(i) Chairing the meetings of the National Council, except where he invites another member of the National Council to do so;

(ii) Bringing business to the Council;

(iii) Setting the agenda for meetings of the Council;

(iv) Organising the business of the Council in an orderly and efficient manner;

(v) Harnessing the skills of the membership of the Council and ensure that all members of the Council are involved appropriately in the work of the Council;

(vi) Ensuring that work is dealt with in a way which will enable the Secretariat to implement decisions.

(vii) Taking the lead in representing the Council in its relations with the Secretariat.

(viii) Taking the lead in representing the Council in its dealings with Ministers and government departments and agencies.

Rule No 5 – Nominations

(i) Nominations for National Council membership shall be submitted in writing by the specified date to the official or agent appointed by the Secretary of State to oversee the election. Valid nominations will be distributed to boards at least 30 days prior to the closure of the ballot.

(ii) Each candidate for nomination shall be a serving board member and shall have completed a probationary period, where applicable, and shall be nominated by at least two board members, one of whom shall be from a different board in the same Council region from the one on which the candidate is serving.

(iii) Nominations will be from board members; one member as proposer, and one other member as seconder. The written consent of the nominee must be obtained before a nomination is valid.

(iv) If there is no candidate at the close of nominations, the National Council shall give a second opportunity for nominations to be received. If there is no candidate at the end of this second nomination period the National Council may co-opt a member to represent the relevant Council region.

Rule No 4 – Election of National Council

(i) The election of the members of the National Council shall take place by secret ballot of all members of boards in relevant areas as designated under 3 (i)(d). The elections shall be supervised by officials or agents appointed by the Secretary of State.

(ii) The newly elected members of the National Council shall take office at the beginning of the year following the election.
Rule No 6 – Management and organisation

(i) The National Council shall meet not less than six times each calendar year, and such meetings shall normally be attended by the Head of the IMB Secretariat.

(ii) There shall be a secretary to the National Council appointed by the Head of the IMB Secretariat with the agreement of the National Council.

(iii) A quorum of any meeting of the National Council shall consist of a majority of voting members eligible to attend the meeting.

(iv) In the event of failure to reach agreement, the President shall put the proposal to the vote; in the event of an equality of votes the proposal shall be deemed lost.

(v) Minutes shall be kept of meetings of the National Council.

(vi) Minutes of the National Council meetings shall be distributed by the Head of the IMB Secretariat to all chairs of boards, for the information of board members.

(vii) The National Council may in its discretion shall establish any sub-committee that the Council determines as necessary for the efficient and effective conduct of work.

Rule No 7 – Amendments to this constitution

(i) Proposals for amendments to this constitution may be submitted for debate at the annual conference by individual boards, or the National Council, in the form of motions.

(ii) A majority of two thirds of those voting at the annual conference will be required to put forward for consideration by the Secretary of State a proposed amendment to this constitution.

(iii) The Secretary of State may make such amendment to this constitution as he sees fit.

Rule No 8 – Interpretation of the Rules

(i) The President shall interpret the meaning of this constitution subject to a right of appeal to the Secretary of State whose decision shall be final.

October 2009
Annex C

IMB NATIONAL COUNCIL REPRESENTATIVES

**Eastern Area**
Sue Simkin, 2007 – 2009

**East Midlands**

**London & South East 2**
Lesley Harvey, 2008 – 2010

**South East I**
Amy Bushell, 2009 – 2011

**Immigration Removal Centres**
Anna Thomas-Betts, 2009 – 2011

**Co-Opted Members**
Dencer Brown, co-opted to lead on Diversity, 2007 – 2009
Steve Reeves, co-opted to lead on Training, 2007 – 2009

**South West**

**Wales & West Midlands**
Barbara Bradbury, 2008 – 2010

**North East, Yorkshire & Humberside**

**North West**
Mike Davis, 2008 – 2010
Annex D

AREAS OF NATIONAL COUNCIL INVOLVEMENT

**AMIMB Liaison**
Mike Davis until 2009, then Lesley Harvey

**Annual Conference**
Richard Brown, Mike Davis

**Annual Reports**
John Weightman, Jane Wright

**Clustering/Merging**
Lesley Harvey, Amy Bushell

**Communications**
Mike Davis

**Conduct and Discipline**
Sue Simkin

**Conflicts of Interest**
Sue Simkin

**Contracted Estate**
Jane Wright

**Cost of Prisoner Phone Calls**
Richard Brown

**Deportation with Assurances**
Sue Simkin

**Diversity**
Dencer Brown

**Elderly Prisoners**
Barbara Bradbury

**Foreign National Prisoners**
Sue Simkin, Amy Bushell

**Health Care, Including Mental Health**
Lesley Harvey

**High Security Estate**
Mike Davis

**Juveniles & YOIs**
John Weightman

**Learning & Skills**
John Weightman

**OPCAT**
Sue Simkin

**Overcrowding**
Barbara Bradbury

**Performance Reviews for IMB Members**
Amy Bushell

**Prison Retail Project**
Richard Brown

**Prisoner Property**
Jane Wright

**Probationary Year**
Amy Bushell

**Recruitment**
Amy Bushell

**Reference Book**
Jane Wright

**Safer Custody**
Barbara Bradbury

**Segregation**
Lesley Harvey, Barbara Bradbury

**Short Term Holding Facilities**
Anna Thomas-Betts

**Titans**
Peter Selby, Barbara Bradbury
Annex E

AREAS OF NATIONAL COUNCIL INVOLVEMENT

**Healthcare Support Group**
- **Lesley Harvey** IMB HMP/YOI Holloway
  January 2008 to present
  [Chair and National Council representative]
- **Jenny Kretz** IMB HMP /YOI Guys Marsh
  September 2006 to present
- **Sally Murch** IMB HMP Swaleside
  September 2006 to present
- **Patricia Phillips** IMB HMP/YOI Norwich
  September 2006 to present
- **Sheila Royle** IMB HMP Altcourse
  September 2006 to present
  [Chair and National Council Representative, September 2006 - January 2008]
- **Bob Thomson** IMB HMP Kirklevington
  September 2006 to present

**Learning and Skills Support Group**
- **Suzanne Ash** IMB HMP Birmingham
  December 2006 to October 2009
- **Reg Cartner** IMB HMP/YOI Moorland
  December 2006 to present
- **John Cooke** IMB HMP Acklington
  December 2006 to present
- **Gill Hinds** IMB HMP/YOI Chelmsford
  December 2006 to present
- **Mike Noddings** IMB HMP/YOI Hull
  December 2006 to present
- **John Weightman** IMB HMYOI Castington
  December 2006 to present
  [Chair and National Council representative]

**Communications Working Group**
- **Ian Anderson** IMB IRC Haslar
  May 2007 to present
- **Mike Davis** IMB HMP Manchester
  March 2005 to present
  [Chair and National Council representative]
- **Gail O’Flaherty** IMB HMP Coldingley
  January 2008 to present
- **David Shaw** IMB HMP Bristol
  January 2008 to present
- **Neil Waterston** IMB HMP Whatton
  January 2008 to present
- **John Webster** IMB HMP Lincoln
  January 2008 to present
- **Howard Whitham** IMB HMP Gartree
  May 2007 to present
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<td>Shabaz Ahmed</td>
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<td>January 2008</td>
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<td>David Blythe</td>
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<td>Anne Grange</td>
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<td>Doug Merriman</td>
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<td>Jane Wright</td>
<td>IMB HMP Rye Hill</td>
<td>June 2004</td>
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</tbody>
</table>
## CRITICAL BASELINES FOR PSO 4800 – WOMEN PRISONERS

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<table>
<thead>
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<tbody>
<tr>
<td>2</td>
<td>Maximum use is made by prisons of video links to enable women to avoid unnecessary journeys to court (prisons with a local function only).</td>
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<tr>
<td>5</td>
<td>The reception environment is clean, bright and pleasant. There is appropriate reading matter available.</td>
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<tr>
<td>11</td>
<td>A personal officer scheme exists to facilitate the high levels of support that many women will need to help them cope with daily life in prison, as well as to support Offender Management.</td>
</tr>
<tr>
<td>13</td>
<td>A regime is provided which keeps women busy, particularly those with vulnerabilities and offers specific interventions which are likely to contribute to a reduction in self-harm.</td>
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<tr>
<td>17</td>
<td>Women are provided with the necessary means and provisions to maintain their own hygiene and personal care.</td>
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<tr>
<td>29</td>
<td>Segregated women, including women placed on ‘Constant Observations’ are provided with an appropriate and individualised regime.</td>
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<tr>
<td>30</td>
<td>A women prisoner who has mental health problems, is at risk of self-harm, or has other vulnerabilities, is only segregated if no other option at that time to keep her, or others, safe exists.</td>
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<tr>
<td>31</td>
<td>Women are not segregated while undergoing detoxification except in exceptional circumstances and with additional safeguards put into place (which is outlined on the Segregation Safety Algorithm).</td>
</tr>
<tr>
<td>33</td>
<td>Women Prisoners are able to access support and advice to help them manage family issues – particularly those around children.</td>
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<tr>
<td>35</td>
<td>Staff, particularly those working on visits, have a good awareness of child-safeguarding issues, including how to handle disclosure and know the action they need to take if necessary</td>
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<tr>
<td>36</td>
<td>There are well-equipped, safe children’s areas in Visitor’s Centres and visits areas</td>
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<tr>
<td>39</td>
<td>Women prisoners who have been abused or subject to domestic violence are able to access appropriate support and advice</td>
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<tr>
<td>40</td>
<td>Women who have been involved in prostitution are able to access appropriate help and advice to stay healthy and safe on release and if they wish, build a new life away from prostitution</td>
</tr>
<tr>
<td>41</td>
<td>Activities, regimes and programmes designed for women prisoners are provided in prisons where they are located. This includes provision for young women aged 18 – 21</td>
</tr>
<tr>
<td>42</td>
<td>Activities, regimes and programmes designed for women prisoners are provided in prisons where they are located. This includes provision for older women aged 50+</td>
</tr>
<tr>
<td>43</td>
<td>Activities, regimes and programmes designed for women prisoners are provided in prisons where they are located. This includes provision for prisoners from BME groups.</td>
</tr>
<tr>
<td>44</td>
<td>Activities, regimes and programmes designed for women prisoners are provided in prisons where they are located. This includes provision for Foreign National Prisoners.</td>
</tr>
<tr>
<td>50</td>
<td>Training and advice appropriate to the prison is provided for staff and volunteers to equip them to work with women prisoners.</td>
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## Glossary

<table>
<thead>
<tr>
<th>ACCT</th>
<th>Assessment, Care in Custody and Teamwork</th>
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</thead>
<tbody>
<tr>
<td>BDO</td>
<td>Board Development Officer</td>
</tr>
<tr>
<td>COP</td>
<td>Contracted Out Prison</td>
</tr>
<tr>
<td>CSC</td>
<td>Close Supervision Centre</td>
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<tr>
<td>CWG</td>
<td>Communications Working Group</td>
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<tr>
<td>DoH</td>
<td>Department of Health</td>
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<tr>
<td>DOM</td>
<td>Director of Offender Management</td>
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<tr>
<td>DWG</td>
<td>Diversity Working Group</td>
</tr>
<tr>
<td>FN/FNP</td>
<td>Foreign National/Foreign National Prisoners</td>
</tr>
<tr>
<td>HSE</td>
<td>High Security Estate</td>
</tr>
<tr>
<td>HCSG</td>
<td>Health Care Support Group</td>
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<tr>
<td>IAG</td>
<td>Information, Advice &amp; Guidance</td>
</tr>
<tr>
<td>IDE</td>
<td>Immigration Detention Estate</td>
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<tr>
<td>IMB</td>
<td>Independent Monitoring Board</td>
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<tr>
<td>IDTS</td>
<td>Integrated Drug Treatment System</td>
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<tr>
<td>IPP</td>
<td>Indeterminate Sentence for Public Protection</td>
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<tr>
<td>IRC</td>
<td>Immigration Removal Centre</td>
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<tr>
<td>LASH</td>
<td>Local Authority Secure Home</td>
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<tr>
<td>LSSG</td>
<td>Learning &amp; Skills Support Group</td>
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<tr>
<td>NC</td>
<td>National Council</td>
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<tr>
<td>NOMS</td>
<td>National Offender Management Service</td>
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<tr>
<td>OCP</td>
<td>Office of Contracted Prisons</td>
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<tr>
<td>P&amp;PO</td>
<td>Prisons &amp; Probation Ombudsman</td>
</tr>
<tr>
<td>PCT</td>
<td>Primary Care Trust</td>
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<tr>
<td>PEM</td>
<td>Prisoner Escorts Management (previously Prisoner Escorts and Custody Group)</td>
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<tr>
<td>PSI</td>
<td>Prison Service Instruction</td>
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<tr>
<td>PSO</td>
<td>Prison Service Order</td>
</tr>
<tr>
<td>SEN</td>
<td>Special Educational Needs</td>
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<tr>
<td>SLA</td>
<td>Service Level Agreement</td>
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<tr>
<td>STC</td>
<td>Secure Training Centre</td>
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<tr>
<td>STHF</td>
<td>Short Term Holding Facilities</td>
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<tr>
<td>TSG</td>
<td>Training Strategy Group</td>
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<tr>
<td>UKBA</td>
<td>United Kingdom Borders Agency</td>
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<tr>
<td>YJB</td>
<td>Youth Justice Board</td>
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