



INDEPENDENT MONITORING BOARD

HMP WHITEMOOR

ANNUAL REPORT

2015

(1 June 2014 – 31 May 2015)

The Statutory Role of the IMB

The Prisons Act 1952 requires every prison to be monitored by an independent Board appointed by the (Justice Secretary) from members of the community in which the prison is situated.

The Board is specifically charged to:

- (1) Satisfy itself as to the humane and just treatment of those held in custody within its prison and the range and adequacy of the programmes preparing them for release.
- (2) Inform promptly the Secretary of State, or any official to whom he has delegated the authority as the Board judges appropriate, any concern it has.
- (3) Report annually to the Secretary of State on how well the prison has met the standards and requirements placed on it and what impact this has had on those in its custody.
- (4) To enable the Board to carry out these duties effectively its members have right of access to every prisoner and every part of the prison and also to the prison's records.

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1 Description of HMP Whitemoor

- 1.1.1 Her Majesty’s Prison (HMP) Whitemoor lies outside the Cambridgeshire town of March. Opened in 1992 as a maximum security prison for men in Categories A and B, it is one of eight prisons in England that form the High Security Estate (HSE). On 31 May 2015 the prison held 447 prisoners, against an operational capacity of 458. Just under one-third were Category A (141), and of them 14 were High Risk Category A.
- 1.1.2 All Whitemoor prisoners are accommodated in single cells with integral sanitation but separate showers. There are three main wings. In addition, the Fens Unit (D Wing), accommodates up to 70 prisoners diagnosed with a Dangerous and Severe Personality Disorder (DSPD). Whitemoor also holds up to ten prisoners in one of the three Close Supervision Centres (CSC), managed under a nationally coordinated strategy to provide a secure location for prisoners who consistently and violently disrupt normal wing life.

2 Executive Summary

- (a) Given heavily constrained resources, Whitemoor is generally well run and is led by a Governing Governor who looks, listens and thinks. But short-sighted cuts and relentless centralisation limit what can be done; together with recruitment deficits they have created pressures that leave some staff physically and mentally weary. Meanwhile the prison population is challenging in terms of both security and emotional welfare. We welcome signs that the Justice Secretary seeks to reverse centralisation and that he respects staff at all levels. (6.1.1-6.1.2)
- (b) About half the prisoners on Whitemoor's main wings are Muslim, profoundly affecting the social nature of the jail and – as noted in the 2012 study by Alison Liebling – disrupting established hierarchies. Work on equality action issues has become fragmented. Very much more needs to be done to improve the understanding of others' faiths. With imagination, Whitemoor could contribute to a national effort to create a more cohesive society. (5.1.1-5.1.3, 5.1.6-5.1.8)
- (c) Foreign nationals represent nearly one-quarter of the population. Their needs are under-supported. (5.1.4, 5.1.9)
- (d) The prison has improved prisoner participation. (5.1.10, 6.1.3)
- (e) Educational performance remains unsatisfactory, not least due to problems in recruiting and security-checking instructors, but the limited availability of supervisory uniformed staff exacerbated the problem. The system is structured so that the Governor has no control over education or its budget: Whitemoor is losing out to other prisons. Work opportunities remain relatively undemanding. (5.2.4-5.2.6)
- (f) Healthcare arrangements were being reorganised. Overall provision is reasonable but dentistry services have been less adequate. (5.3.1, 5.3.4)
- (g) Offender management remained below par, and centrally-imposed new management arrangements were too ambitious for a staffing situation that can only focus on essentials and has little time for training. The limited number of Category B prison space nationally seriously limited progression for at least 16 of Whitemoor's prisoners. (5.4.2, 5.4.6)
- (h) There were four deaths, one of which appeared to have been self-inflicted. By national standards violence levels are low. The safer custody team have coped: reorganisations continue. PAVA gas was used to restrain two prisoners, representing a new development. (5.5.1-5.5.5)
- (i) The Segregation Unit (Seg) remained at least 75% full for most of the year. At the beginning of April half the prisoners had transferred from Segs elsewhere; of the 27 in the Seg 11 had been segregated for three months or more, and 6 had been segregated for more than 6 months. At the end of the reporting year one prisoner had been segregated for 2.5 years. (5.6.7)
- (j) The Board had an average of 7 members a month available for rota duty, against a provision for 16; in August we had only 4. Recruitment should deliver 12 members by September. (7.1.1)

3 Issues for the Minister's attention, or on which a response from the Minister is requested

- 3.1.1 Would the Minister please bring to the attention of the Secretary of State our gratitude for the views expressed in his speech of 17 July to the Prisoners Learning Alliance.
- 3.1.2 Would he also please request him to consider the national benefits of Whitemoor fostering better relations with Muslim prisoners.

4 Last year's concerns

- 4.1.1 We said last year that we were not satisfied that we could meet the basic requirement of the Board set out for us in the Act, specifically:
Satisfy (ourselves) as to the humane and just treatment of those held in custody within (the) prison and the range and adequacy of the programmes preparing them for release.
- 4.1.2 Our reservations were on the grounds that mentally ill or otherwise highly vulnerable prisoners were held in solitary confinement for prolonged periods; that there were insufficient courses to address offences and hence help prepare prisoners for release; and that the Offender Management Unit (OMU) was operating sub-optimally.
- 4.1.3 This year there have been fewer mentally ill prisoners held in segregation for such long periods, and we are satisfied that the Governor and the Deputy Director of Custody for the High Security Estate are seeking to ameliorate the problem of long-term segregation, even though we see no easy solution with present resources. We also see modest signs of improvement in the provision of offence-related courses, but the OMU remains in flux.
- 4.1.4 One of the specific points we put to the Minister in our last Annual Report was the feeling that:
Ministers could do more to acknowledge and support the work Prison Service staff do, especially with rehabilitation.
- 4.1.5 We therefore note with gratitude that the new Justice Secretary, Michael Gove, gave extensive credit to prison staff at all levels in his speech of 17 July, in which he spoke much about ways of helping to improve rehabilitation. And we accepted as genuine his tribute to others who work with prisoners, including volunteers (which we took to include IMBs).

5 Mandatory areas

5.1 Equality and inclusion

- 5.1.1 Excluding the specialist Fens Unit, Muslims represented around half of Whitemoor's residents. The young were also dominant. At the end of the reporting year 63% of the prison's population were aged between 22 and 39 years; 45% of that age group were black; and 56% of that same population group were Muslim.
- 5.1.2 Not only were Muslims the largest religion, they were also the biggest power

bloc, displacing the greater multiplicity of gangs that had previously existed. Alison Liebling's 2012 study described a situation that still existed in 2014-15:

“There were some intimidating ‘heavy players’ among the Muslim population, who appeared to be orchestrating prison power dynamics rather than propagating or following the faith. Many physically powerful prisoners ‘re-established their outside identities’ as leaders in the prison and used their (newly acquired) faith status as a tool for establishing influence.”

- 5.1.3 Against this background we note that some prisoners and staff found the Muslim presence overwhelming, and compared to the UK outside it was.
- 5.1.4 Whitemoor also had a large number of Foreign Nationals (FNs), representing 23% of its population.
- 5.1.5 21% of prisoners declared they had a disability, although about half came under the “other” in terms of type of disability. (Part of the explanation was due for the need to declare a back problem in order to get a bed board.)
- 5.1.6 Given the nature of the prison it was unfortunate that Equality Action remained under-supported and fragmented. We highlighted in our 2012 and 2013 Annual Reports the consequences of breaking up what had been a model Equality Action Team, but we welcomed that the Governor was giving more attention to it last year. However, in March 2015 the three-yearly Governance and Operational Audit awarded Green scores in most areas but gave an Amber Red for Equalities. Alas, as Benchmarking and staff shortages kicked in, and in the absence of virtually any training, equalities work was in effect treated as marginal, relying on some kind of osmosis to transmit principles of equality and inclusion around the prison.
- 5.1.7 We have also repeatedly supported the Chief Inspector's recommendations to improve efforts to create a better understanding between Officers and Muslims, and between Muslims and other prisoners. Some good work was done with Faith Awareness training but it underestimated the huge distances to be covered. Two halves of the prison population and most prison officers lacked the information and the sensitisation to understand each other adequately.
- 5.1.8 On a negative note the social and religious fragmentation within Whitemoor potentially posed risks for discipline and hence safety. But on the positive side, the Prison Service had an opportunity to play a wider national role in trying to help the Muslim community and its neighbours to understand how they can live and work in a society richer for the understanding of what can be shared. Given the Secretary of State's background, we hope he can bring his thoughtful mind to the challenge.
- 5.1.9 Relatively little was done for Foreign Nationals (FN). It was helpful to have an Immigration Officer working in the OMU for an average of two days a week but by year-end the Foreign National Officer post had almost disappeared. Support such as photo events and Pin Phone Credits that mean so much to FNs were not available from the end of March.
- 5.1.10 Although there were weaknesses in dealing with some groups of prisoners, we note that on a general level the prison worked hard to improve prisoner

consultation mechanisms. The efforts were appreciated and made use of by prisoners' representatives.

5.2 Education, Learning and Skills, plus Purposeful Activities

- 5.2.1 We note with relief that in his speech of 17 July the Justice Secretary said:
- At the moment I fear that one of the biggest brakes on progress in our prisons is the lack of operational autonomy and genuine independence enjoyed by Governors. Whether in state or private prisons, there are very tight, centrally-set, criteria on how every aspect of prison life should be managed. Yet we know from other public services – from the success of foundation hospitals and academy schools – that operational freedom for good professionals drives innovation and improvement. So we should explore how to give Governors greater freedom – and one of the areas ripest for innovation must be prison education.*
- 5.2.2 The OFSTED inspection that formed part of the January 2014 Inspection of Whitemoor by HM Chief Inspector of Prisons required improvement in all aspects of education. Change was modest and slow. Prisoner Success, Retention and Achievement rates at 56% remained far too low.
- 5.2.3 Learning places on offer were curtailed by shortages of teachers. Further limits were imposed because a shortage of disciplinary officers capped the attendance in the main Education block to 30 prisoners for the latter part of the reporting year. These problems led to funds being permanently vired elsewhere.
- 5.2.4 Not only does the Governor have no control as envisaged by the Justice Secretary, he can only seek to influence those with decision-making authority. Whitemoor is part of a changing cluster of prisons with very different needs and a cluster manager located elsewhere. The Contractor for Learning and Skills, A4E, has been sold to another company and will be re-branded as People Plus. This adds another element of instability and uncertainty to the provision of education at Whitemoor; and yet another round of tendering for Learning and Skills is planned for July 2016
- 5.2.5 There were also difficulties with specific courses. The Picta courses on computer technology were closed for the whole of the reporting year due to security concerns from elsewhere in the prison system – now resolved. Gym Instructor training courses were abandoned because staff had to be redeployed to cover other tasks in the prison. The much-heralded Virtual Campus was hardly used. It is a national initiative to provide computer-based training and access to certain data, eg employment opportunities. The hardware was finally commissioned but its low use was partly because the workshop where it is located was not risk-assessed for the extra 15 prisoners that would be involved, and partly because not much of what was available was judged useful for Whitemoor. Its relocation to the Education block might allow greater use.
- 5.2.6 Work opportunities remained limited. Low skill work on destroying CDs and DVDs was constrained by a failure of one company, and there is little long-term future for that sector. We wonder whether it is simply a perception that private sector prisons are more successful or more imaginative in attracting a wider range of work.
- 5.2.7 Unless something happens along the lines envisaged in the Justice Secretary's

speech we see at Whitemoor a younger and younger population, serving longer and longer sentences, with few opportunities to progress, or to pass time in constructive ways. Punishing prisoners through incarceration and boredom is applauded by many in the UK but it does not make for stable and manageable prisons, let alone for sustainable reductions in reoffending.

5.3 Healthcare and Mental Health

- 5.3.1 At the end of the year under report Whitemoor's Healthcare provider was changed to Northamptonshire Healthcare NHS Foundation Trust. Most of the existing staff were transferred across. Staff numbers were budgeted to increase, but there were 16 vacancies approved for recruitment at all levels. Given a minimum of 6 months to serve notice and clear security, together with less than competitive salaries, the dependency on agency staff was likely to remain.
- 5.3.2 Dentistry was constrained by broken equipment and limited staffing but an increased number of days service was planned.
- 5.3.3 Whilst great promises were made for Telemedicine – with which consultants can monitor patients via a conference-type facility – few benefits were received.
- 5.3.4 Whitemoor performed satisfactorily on most points and – with the possible exception of dentistry – compared favourably with standards outside.

5.4 Resettlement

- 5.4.1 We were glad that the offenders' programme Resolve was being made available more widely, including in Whitemoor. Whilst we might hope that the number of places can be increased quickly, given the huge backlog of prisoners whose progress depends critically on the course, there is little reason to hope that resources can be freed up to allow that.
- 5.4.2 In other respects we remained dispirited by Offender Management, despite the best efforts of its senior managers. Last year we reported changes about to be made, using Supervising Officers (SO) to take on some Offender Management in addition to their other roles. The changes were beginning to happen by the end of this reporting year but even by July 2015 only 6 of the 21 SOs had been fully trained in their new hybrid role. It was perhaps not therefore surprising that the new arrangements were subsequently suspended.
- 5.4.3 Whilst it might seem odd that such a widely-trialed system was so under-prepared, we believe that this is another example of how staffing levels are now so tight that there is no flexibility to accommodate to anything other than minor changes.
- 5.4.4 There were however distinct improvements in Offender Assessment System (OASys) reporting, catching up on earlier backlogs, albeit partly by redefining needs.
- 5.4.5 137 Cat A prisoners had their categorisation reviewed, with 10 recommended for downgrading to Cat B; 8 were accepted by the central Cat A Review Team. That compared favourably to 6 recommendations and 4 acceptances the year before.
- 5.4.6 More disappointingly, 313 RC1 reviews were conducted resulting in 42

progressive transfers out of the High Security Estate (HSE) being approved, but only 26 transfers happened, due mainly to the shortage of Cat B places. That compared to 41 transfers in reporting year 2013-14 and 123 in 2012-13. The Board very much hope that often mooted reconfigurations of the prison estate can be implemented.

- 5.4.7 551 Sentence Planning Boards were conducted, with 193 external Offender Managers participating.
- 5.4.8 We note with interest the proposal to develop a rehabilitative culture across the HSE. Taken seriously, such work ought to ensure that Whitemoor can take account of local circumstances and experience. In this respect we were dismayed that at the end of the year under report Governors were told that central support for the restorative justice Sycamore Tree and similar programmes had been withdrawn, and that Governors were instructed not to support them locally. Aside from losing demonstrably successful – and relatively inexpensive – programmes it was disappointing that there remained an insatiable wish to centralise and standardise everything. It is therefore with optimism we note that in his 17 July speech the Justice Secretary spoke of the importance of giving Governors space to explore different ways of supporting rehabilitation.

5.5 Safer Custody

- 5.5.1 During the year under report there was one death that appeared to be self-inflicted (inquest yet to be held) and three from natural causes. Whilst the Ombudsman was critical of staff unwillingness to make a solo entry into a cell we are more sympathetic about the potential risks.
- 5.5.2 In the year under report 134 ACCTs were opened (125 in 2013-14). There were 194 incidents of self-harm. 45% of ACCT documents opened were for prisoners on the Fens Unit, hugely distorting figures for the rest of the prison.
- 5.5.3 There were 44 recorded incidents of violence during the year (45 in the previous 12 months). Considering the nature of many of the prisoners held, the figure was low. By national standards Serious Incidents were also few. We note that PAVA gas (a spray similar in effects to CS gas) was used twice within the year to resolve incidents. On at least one of the occasions its use was driven by the needs of the regime rather than safety.
- 5.5.4 During the year the Safer Prisons team coped, largely through tenacity and by drawing disproportionately on the time of the Disabilities Liaison Officer; support on Race Relations was deemed by auditors to be wanting. An officer who played a key role in managing ACCTs resigned at the end of the reporting year and the future of the team seemed unclear. There were a number of changes to line management, including at Governor level.
- 5.5.5 Well-intended efforts to improve the effectiveness of the monthly Safer Prisons Meeting led to a larger and larger gathering of staff and the generation of a different mix of material, some of it of dubious tangible value. How to gauge the meeting's outputs was unclear but the costs were considerable. Meanwhile resource shortages meant that officers could not be released for safer-custody related training.

5.6 Care and Separation, and Close Supervision

- 5.6.1 During the year under report, and taking a weekly sample, the average number of prisoners in the Segregation Unit (Seg) was 21.3, against a capacity of 28. Numbers dropped below 20 in only 15 weeks, with the lowest population being 15. The number located there for own protection averaged 3.3 and never exceeded 6, all others being there for Good Order or other disciplinary reasons.
- 5.6.2 The January 2014 Report by the Chief Inspector of Prisons provided the backdrop for our reporting year. That report had said that Whitemoor's segregation regime was very poor and relationships with some of the more challenging prisoners had deteriorated; they were also very concerned about a few cases of the use of force. Management changes greatly improved procedures and attitudes, with a renewed adherence to required standards; decision-making became more consistent. A continuously busy but under-staffed Unit was however often stretched to address all requirements, including for example in providing individual support plans for long-term or vulnerable residents. In that respect we note that Psychology never attended Segregation Review Boards.
- 5.6.3 We were also guided by HM Government's support for the UN Optional Protocol on Torture (OPCAT). The Protocol treats solitary confinement as torture, defining it as:
- The physical isolation of individuals who are confined to cells/rooms for more than twenty-two hours a day. Meaningful contact with others is reduced to a minimum and there is a quantitative or qualitative reduction in stimuli. Available stimuli and occasional social contacts are seldom freely chosen, generally monotonous and often not empathetic.*
- 5.6.4 Even when regimes were working normally most segregated prisoners were confined to their cells for more than 22 hours. The Seg seldom had many working radios; on average half the cells had a TV – although in theory one can be made available to prisoners not on Basic Incentives and Earnings Privileges (IEP) and on a level of unlock that does not pose safety risks to staff.
- 5.6.5 Although often faced with challenging prisoners, requiring officers to get into and out of personal protection equipment, on most days staff were able to offer a full regime. It was not however unusual for some curtailment to be necessary, meaning that residents might miss showers, corporate worship, phone calls and exercise. At its worst, for example on 10 occasions in April, the Seg had to be locked down. Thus, overall, the regime remained much the same as that observed by HM Inspectorate.
- 5.6.6 Inspectors were also concerned about the number of prisoners in the Seg on ACCTs. In the previous reporting year, 19 were opened for prisoners in segregation; this last year it was 14.
- 5.6.7 One reason why the Seg remained so full, and why it had so many prisoners whose behaviour required special treatment, was because of the numbers imported from elsewhere. PSO1700, under which prisoners are segregated, states that movement from Seg to Seg is a rare event. That is not so: it is instead now normal. On 1 April, 14 of the 27 prisoners in the Seg had been

- transferred in from other Segregation Units. By definition, most such prisoners were complex to manage, either in terms of compliance or in respect of getting them back onto mainstream accommodation. On that date, 11 of the 27 prisoners in segregation had been there for 3 months or more, and six of them had been segregated (including in other prisons) for more than 6 months. On 1 June there were 24 prisoners across the HSE who had been in continuous segregation for more than 6 months; 7 of them were in Whitemoor, and one had been segregated for 2.5 years.
- 5.6.8 We note that Whitemoor staff have done what they can to move long-term Seg residents back to normal locations. The Deputy Director of Custody (HSE) instructed that the figures could no longer be massaged by moving a prisoner every six months: the clock must be kept running, and he would personally interview all reaching a six month stay. He acknowledged that some kind of new accommodation would be necessary as not all long-term residents would ever be suitable for locating on main wings.
- 5.6.9 Finally, one of the other problems noted by Inspectors was the poor management arrangements for the Seg. Whilst there have been definite improvements, with greater adherence to procedures and standards, and consistency of decision-making, new prison-wide staffing arrangements meant that the Custody Manager responsible for the Seg was more frequently away from the Unit, for example acting as Orderly Officer, managing Detail or on nights. Inexperienced officers often had to be allocated to the Seg to cover for absences. We do not blame Whitemoor managers for this merry go-round, which results from centrally-imposed staffing norms.
- 5.6.10 HM Chief Inspector of Prisons conducted a thematic inspection of the Close Supervision Centres (CSC) in March 2015. Among the conclusions that strongly applied at Whitemoor was a criticism of rotating some CSC prisoners between mainline Segregation Units, where they had a poor and inappropriate regime. We had been concerned too that many such prisoners also disrupted life in Whitemoor's Seg by being very demanding – physically and mentally. We hope the report will lead to a more self-enclosed CSC.

6 Other areas of the Prison

6.1 General impressions

- 6.1.1 The Board's impression remained that Whitemoor was staffed with dedicated, professionally sound and good-humoured personnel. It had a Governing Governor who looked and listened, and did what he could to run a regime that was sensitive to the needs of long-term prisoners, as well as seeking to do the best for his staff. We acknowledge too that the Deputy Director of Custody (DDC) in charge of the High Security Estate (HSE) was trying hard to address what was wrong.
- 6.1.2 But what could be done was constrained by unremitting, externally-imposed change, driven not by intended results but by short-sighted budgetary cuts and a craving for centralisation, as well as by a prison population that was more and more challenging in terms of both security and emotional welfare. We therefore welcomed that in his 17 July speech the Justice Secretary recognised the quality

of Prison Service staff, as well as wanting to learn from the beneficial experience of delegating more authority to schools and hospitals.

- 6.1.3 Meanwhile, even before benchmarking left so little wriggle room, problems, exacerbated by the need to release staff to help at HMP Woodhill, meant that Whitemoor ran for much of the year with about 40 officers short. This caused routine modifications to the regime. The prison's efforts to improve prisoner consultation – formally and informally – conspicuously helped mitigate some of the consequences. Prisoners were therefore tolerant for a good while but understandably became increasingly resentful, especially in view of the impact at weekends, when they were wanting to telephone their families and friends.
- 6.1.4 Our sense is that in the face of these pressures some staff were becoming physically and mentally weary; if they took justified sick leave they were harried to return to work; too many of them spent their duties shuffling from one job to another. In these circumstances there was a risk of safety being compromised, with too much depending on most prisoners being compliant. We note that staff asked for more training, but resources made it unlikely they could get more than token gestures.

7 The Work of the IMB at Whitemoor

7.1 The Board

- 7.1.1 Our complement of members is 16. We started the year with 6 active members, plus 4 on sabbatical. One of those on sabbatical subsequently resigned because of a new job out of the area. Three new members joined and one returned from sabbatical. We ended the year with 10 active members, plus 2 on sabbatical.
- 7.1.2 Throughout the year the Board struggled with an average of 7 members a month available for rota duty; in August that fell to 4. Despite our restricted numbers we always covered essential monitoring and met our statutory requirements, as well as providing a good service for prisoners. What suffered during the year was our individual knowledge of special areas and our ability to cover all meetings we would have preferred to attend. We have however now started to rectify that.
- 7.1.3 It was to the credit of the stalwart band of experienced members that we got through the year. All members did far more days than were theoretically expected of them, often stepping in at short notice to meet unforeseen needs. We were grateful too to staff at all levels, themselves under pressure, for seldom failing to help us in our work. From the Governing Governor down, managers were always ready to engage in discussion with us and to share information and ideas. The same can be said of the Deputy Director of Custody for the HSE, who used quarterly meetings with IMB HSE Chairs for a genuine dialogue.

7.2 Applications to the IMB

- 7.2.1 The Board dealt with 133 applications, compared to 147 the previous year.

Applications to IMB 2014-15			
A – Accommodation	1	H1 – Property within Whitemoor	5
B – Adjudications	2	H2 – Property from/ to outside	7
C – Equality/ Diversity	4	H3 – Canteen	2
D – Education/Employment	8	I – Sentence-related	2
E1 – Family, mail, telephone	22	J – Staff-prisoner relations and bullying	13
E2 – Finance and pay	6	K – Transfer	21
F – Food and kitchen	4	L - Miscellaneous	21
G – Health	15		
		Total	133

7.1 Board visits by members

7.1.1 Board members made 287 visits to the prison, compared with 398 in the previous year. 5 were for Serious Incidents. We attended all Segregation Review Boards.