



ANNUAL REPORT

OF

THE INDEPENDENT MONITORING BOARD

AT

HM YOUNG OFFENDERS INSTITUTION AYLESBURY

1 JULY 2010 TO 30 JUNE 2011

STATUTORY ROLE OF THE IMB

The Prisons Act 1952 and the Immigration and Asylum Act 1999 require every prison and IRC to be monitored by an independent Board appointed by the Justice Secretary from members of the community in which the prison or centre 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 authority as it 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 these have on those in its custody.

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

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Aylesbury Young Offenders Institution

1

Aylesbury Young Offenders Institution is housed in a mixture of buildings, whose ages range from Victorian to early twenty-first century! It holds the longest sentenced young adult males, aged between 18 and 21, in the English prison system and has a capacity of 443 when full, although for much of the year, the population averaged around 420. 52% of prisoners were of minority ethnic origin at the end of our reporting period, a reduction of 2% compared with last year. Prisoner intake covers most of England and Wales. Prisoners do not come direct from court, having begun their sentences at other Young Offender Institutions or the Juvenile estate. The prisoners are some of the most disruptive and challenging young men in the prison system. Not surprisingly many of these young men have been classified as Persistent and Prolific Offenders by the courts and have received indeterminate sentences. In June 2011, 22% of the prisoners had received an indeterminate or life sentence, a significant reduction on the previous year. (40% in 2009/10).

2

Unfortunately, the age of some of the buildings impacts the work of the prison. Some refurbishment has taken place, but more still needs to be done. We have commented before on the state of the entrance gate, which we understand is a listed building. It imposes significant restraints on visitors and staff alike, since it is used by both vehicles and pedestrians. If vehicles are entering or emerging, pedestrians are forced to stand to one side, in all weathers. Modern vehicles are of increasing length and it is sometimes impossible to keep both inner and outer gates closed while processing a vehicle. The same is also true of the Reception area which presents a uniformly gloomy and depressing entrance for all new prisoners. What can be achieved is shown by the new Segregation unit, opened during the period covered by this report.

3

The establishment has a total of 8 residential units of differing sizes and ages. The vast majority of cells are for single occupancy. The 3 oldest wings are of traditional Victorian pattern and have been heavily modernized over the years. The 2 which are the next oldest are showing greater signs of ageing, although they too have been modernized. The 3 newest units all date from the last quarter of the twentieth century, one of them being in what was built as the healthcare unit, but which is not now used for in-patients due to the ending of overnight nursing cover by the PCT in the new contract.

4

There are a number of buildings used for various Learning and Skills activities. These include the main education building housing the various classrooms. Additionally, there are various workshops, ranging from construction to motor mechanics. The latter is sponsored by a major manufacturer.

5

The IMB managed to increase numbers over the year. Members have a unique and privileged position within the establishment with access to observe the daily running of the prison and to feed back our observations and concerns to the management. Fortunately we have a good relationship within the prison where areas of concern can be, and are discussed openly.

6

During the period covered by this report, HM Inspectorate of Prisons conducted a follow-up to their previous inspection. It should be noted that although the Board offered time to meet the team, this offer was sadly not taken up, and the IMB had no opportunity to contribute to the final report.

7

Please note that there is a Glossary on the final page for acronyms used in this report.

Executive Summary

1 Unfortunately, there was one death in custody in 2010/11. The Board is very concerned that at the time of writing, there had been no inquest on the previous death in custody, dating back to December 2008, almost three years. The Board finds this totally unacceptable and inhumane for all concerned.

Section A Particular Issues Requiring a Response

Issues for the Ministry of Justice

- 2 a) **To ensure that adequate steps are taken to ensure that all inquests into deaths in custody are heard as quickly as possible, and certainly within a maximum of 12 months. (Page 9 para 1)**
- 3 b) **To ensure that better provision is made for both workshop and education facilities within the establishment so that every prisoner has the potential of productive work or education.**
- 4 c) **To ensure that the improvement noted in the last few months of the period covered by the report in terms of classroom and other cancellations is continued and further improved upon. (Page 7 para 4)**

Issue for the Ministry of Justice and the Prison Service

- 5 a) **We make no apology for returning to the issue raised last year regarding the technology for blocking the use of mobile phones. We would again ask that the highest level attention possible be given to ensuring that a robust technology for blocking or barring the use of such phones in prison, without impacting the neighbouring law-abiding population, is developed and implemented. (Page 9 para 5)**

Issue for the Prison Service

- 6 a) **The Board remains concerned at the length of time it can take to effectively answer complaints from prisoners who have been transferred from / to another establishment, especially where property issues are concerned. (Page 11 para 4)**

Section B Conclusion

1

Despite the very sad death in custody, the IMB is able to report that the governor and his staff continue to work hard to provide as safe and as caring an environment as they can within the resources provided by NOMS. As the report shows later, both use of force and also incidents of violence between prisoner and prisoner declined significantly (Page 9, para. 6). However, even more than with previous reports, this Board is concerned that such good work will cease to be possible as a result of the ongoing year on year “efficiency savings”. These savings have been enforced over a number of years, and while the impact to date has been limited, we are concerned that there will come a time when this will not be so. It is worrying that there has been an increase in the number of ACCT folders opened and also in the amount of self harm by prisoners (Page 9, para. 3)

2

We are satisfied, therefore, with the overall standard of the prison’s management, its treatment of prisoners and the facilities. The IMB would like to see further expenditure on the prison’s fabric to follow-on from the excellence of the new Segregation Unit. We have commented in the past on the outdated entrance facilities and especially the Reception area. The new Segregation building shows these up in an even worse light. Response to previous reports, including last year’s have suggested there are insufficient funds for more new-build work, but this will not preclude us from commenting. This is an issue that impacts all who come into the establishment whether they are prisoners, families or the staff who work there.

3

Our over-riding concern remains the performance of the Learning and Skills provider, The Manchester College. This is a particular problem with the age group of the prisoner population, since many will have experienced major issues during their formal education years and many will have been excluded at one time or another. We recognize that following our last report, steps were taken by the Skills Funding Agency to improve performance and this has to some extent happened. Partnership meetings have been held regularly and attention focused on the issues we commented on before. Changes to the function of the SFA may well have a negative impact on the positive changes made to date. However, far too many classes are still cancelled due to lack of staff. (Page 6 Para 4)

4

Equally importantly, it should also be noted, as we pointed out last year, whoever is the provider, there remain insufficient resources to provide work and education for all prisoners. As an example of this, education spaces are available for only about 50% of the prisoner population. This has not changed. (Page 6 Para 3)

5

In the reporting year, there was a significant reduction in the number of applications received from prisoners. Despite this, the number of applications concerned with property more than doubled. We have raised this as an issue for the Prison Service, not for the first time.

Individual Reporting Areas

Diversity

1 At the end of the reporting year in June 2011, 52% of prisoners at Aylesbury were classified as Black minority ethnic. This compares with 54% at the end of the previous reporting year. The Board has received no complaints of racially motivated behaviour by staff during the year. There is a robust process for managing Race and Equality matters, with bi-monthly meetings and separate meetings for prisoner representatives. The number of staff who are of BME origin remains slightly below the Prison Service target. The establishment had been able to run a series of Black Self Awareness courses, which were positively received by prisoners. Unfortunately, as these were reliant on external funding, when this ceased, so did the courses and the hiatus has continued.

Learning and Skills

2 In last year's report, the overarching concern of the Board was the provision of Offender education and training under the national OLASS 3 contract, managed by the SFA. Although the establishment has a population of 443, the maximum number of education spaces that are available through the current education provider, The Manchester College, was 121 in both morning and afternoon periods, a total of 242 per day. Last year we drew attention to the excessive number of cancelled classes caused by the provider. This year the average number cancelled was very marginally reduced to 19% of all possible classes (last year 20%), because of problems caused by the provider, often due to lack of staffing. It was noticeable following our report that much greater attention was paid to L & S provision, with regular meetings between the SFA/Tribal/The Manchester College and the establishment. The IMB attended a number of these and noted that there was additional recruitment and replacement of staff and the opening or re-opening of classes and especially workshops, that had been closed due to lack of staff. However, overall performance remains poor, in our opinion.

3 The following tables show the number of classes cancelled each month, both from College related causes and also from Prison related causes, and also the number of prisoner education places scheduled per month and the number not actually provided. The Board has continued to raise its concerns with the prison service and also those attending the partnership meetings. We understand that a new contract is due for implementation in and can only hope that any such new contract pays greater attention to delivery and performance

IMB Aylesbury

Impact on prisoners of Class cancellations 2010 – 2011 IMB reporting Year

Year	Month	Classes Cancelled College	% Cancelled	Classes cancelled Prison	Scheduled Classes	Total L & S Capacity	Prisoners Attended All L&S	% Lost
2010	July	205	22	0	920	4719	1428	70
	August	200	22	12	920	4598	1159	75
	September	141	15	16	920	4840	1588	67
	October	264	29	0	920	4403	1651	63
	November	254	28	0	920	4760	1628	66
	December	325	35	6	920	4403	1379	69
2011	January	383	42	1	920	4284	1653	61
	February	383	42	4	920	4284	1639	62
	March	442	48	35	920	4998	2293	54
	April	333	36	33	920	5174	1987	62
	May	316	34	34	920	5656	2312	59
	June	330	36	38	920	6256	3042	51

1	<p>In addition to externally provided services, the establishment delivers various Offending Behaviour programmes. In our reporting year, these were, SOTP and Living Skills. In the year, 18 prisoners completed SOTP (1 more than 2010) and 94 completed Living Skills (16 fewer than ETS/CALM in 2010). There are always a limited number of places available each year and as mentioned in previous years, demand outstrips supply. Because there has been a significant reduction in the numbers of Indeterminate Sentence prisoners(50) and also mandatory lifers (45) there have been far fewer complaints from mandatory life sentence prisoners that priority is given to Indeterminate Sentence prisoners (ISPP's) for the courses they all need in order to be considered for parole or release. All such prisoners would spend a maximum of 4 years at a Young Offender Institution before moving on to the adult estate.</p>
2	<p>Healthcare and Drugs Strategy</p> <p>Healthcare provision in Aylesbury is managed by a private contractor, Care UK. This contract covers other establishments in the area. The contract includes nursing and GP provision, but not dentistry, which is organised separately. We have noted that under the contract, there is no night provision for nursing or medical staff, and this has to be covered by the local NHS out of hours service. This has, on at least one occasion, caused problems with the provision of night-time medication to a prisoner in the constant watch cell. The Board noted that the establishment organized a night cover agency nurse for a short period.</p>
3	<p>The healthcare unit also houses the single constant watch cell, which has been used on a number of occasions during the year, for prisoners adjudged to be at serious risk of self-harm. These have often proved to be the same prisoners who improved and are taken off constant watch, but whose state then declines again. Members of the Board have always visited such prisoners as a matter of course, and have commented on a number of occasions how well such situations (which are often challenging) have been handled by staff. There have been a small number of occasions where more than one prisoner at a time has required constant observation and this has meant the use of normal cell accommodation which is far from ideal, especially for the staff involved, since it involves staff permanently looking through the observation hatch. Out-patient clinics, both for GP and the dentist service, are the main usage of the building, and we have observed that such clinics run smoothly. Very few complaints have been made to the board about healthcare provision.</p>
4	<p>Drug Strategy</p> <p>The Board has for some time considered that Aylesbury YOI has an effective Drugs Strategy programme, under a management team which monitors the referrals to the CARATS team and the subsequent allocation of places on the accredited P/ASRO programme. During the Board's reporting year, 50 P/Asro programmes were completed, (48 2010).</p>
5	<p>However, as with many other Boards around the country, we are aware that serious attempts are made to get drugs into the prison, and throughout the year, there have been seizures of illicit substances, and particularly mobile phones, the use of which is often linked to trafficking of drugs. These seizures have either been before the items reached prisoners, or directly from prisoners. The establishment has, in common with all others, been unable to implement an effective policy of barring the use of phones within the prison, due to the lack of a technological solution that would not affect nearby housing. At the same time there seems to be little drive from the Ministry of Justice to achieve a solution. The inability to use mobile phones and other devices would have a major impact in the fight against illicit drug use. We have noted that the fitment of metal grills over all cell windows near to the perimeter wall has indeed had a major impact in reducing the number of items reaching prisoners. Not only that, but it has also led to a significant reduction in the amount of litter deposited outside the accommodation units.</p>

Safer Custody

1/. Suicide and self harm

1 Unfortunately, during the Board's reporting year, there was one death in custody. That this was, the first such event for a number of years is a tribute to the hard work of staff in identifying potential problems when young prisoners first arrive in the establishment. The Board, is however, very much concerned that an inquest is still awaited on the previous Death in Custody, back in December 2008. It is simply unacceptable for all concerned, family and staff to have to wait so long, and those responsible need to do far better.

2 During 2010/11, the number of Listeners (Samaritan-trained prisoners) inevitably varied month on month, however, at the end of June, the Board was pleased to note that there were 10. The presence of these prisoners does a great deal of good in the care of troubled prisoners. The existence and use of a "buddy suite" was also to be commended.

3 There were 187 recorded incidents of self harm among prisoners during the reporting year. This compares with 157 the previous year, and is an increase of 19%. In the same period, a total of 170 ACCT self harm monitoring documents were opened. This also represents an increase over the previous year (132), this time of 29%. While the vast majority of ACCT's are usually closed again within a short period, when the need for monitoring has significantly reduced, the significant increase in both measures represents a worrying trend after a period of year on year reductions. We have found the care and support for these challenging prisoners to have been very good.

2/. Anti-Bullying

4 The Board has previously commented on the establishment's generally effective violence reduction policies. While it has been possible in previous years to report on the number of bullying incidents and referrals of alleged bullies to the various reduction programmes, unfortunately the reporting of such incidents changed during the year and from April it has not been possible to identify the number of individual incidents. However, in the period from July 2010 until April 2011, there were 225 such referrals, compared to 172 in the same period the previous reporting year. This shows a worrying increase of 53 or 31%. As with acts of self harm, another measure of Safer Custody, this is a significant change from the previous trend of year on year reductions.

3/. Assaults within the prison

5 The year saw a significant **reduction** in the number of assaults by prisoner on prisoner. The Board is aware that there are a number of different reasons for this. These range from changes in prisoner behaviour, and an increase in gang-related issues transferring in from other establishments or from the outside world. Active steps have been taken to try to reduce the impact of this. There is little doubt that a significant number of assaults have been mobile phone related. The reasons for this are several, but include non return or seizure of the phone by vigilant prison staff.

6 There were a total of 173 incidences of violence during the year, **down** 35% on 2009/10 (266). In addition, there were 29 incidents of serious assault (where medical attention in hospital is needed) in 2010/11 (27 in 2009/10). 8 of these were on staff, and of these 4 prosecutions resulted, all which resulted in a conviction. It also needs pointing out that there was a **reduction** of 33% in the use of force (247 incidents) by staff on prisoners compared with the previous year (368). In many incidents, we were pleased to note that staff were able to successfully de-escalate the situation.

1	<p>Where it was necessary to draw batons, the Board notes that there has been a downward trend over time. In the whole of 2010, the number of times batons were drawn was 33, but they were actually used on only 3 occasions. To act as a comparison to 2011, in the first 6 months of 2010, to the end of the IMB reporting period, batons were drawn on 25 occasions, but actually used only twice. In the same period of 2011, batons were drawn 12 times and used 4 times.</p> <p>Segregation</p>
2	<p>During the year, the new purpose built separation and care unit was opened. We are pleased to report that the change went smoothly, and the staff are to be commended for their positive approach over a difficult time. Prisoners located in the unit are always visited each week by the Board as part of its statutory duties.</p>
3	<p>During 2010/11, the Board attended 89 Segregation Review Boards (55 in 2009/10) for prisoners held under GOOD. This represents an increase of 62% year on year. Board policy is to attend all such reviews, whenever possible, including at weekends. As in previous years, it was noteworthy that a number of the 145 prisoners involved had several reviews, since they were held for extended periods of time, either because they were awaiting a police interview following a serious incident, or because they refused to be placed in a normal cell, demanding a transfer to another establishment. However, it was of note that in most cases, such prisoners were persuaded to return to normal prison accommodation. Very few prisoners were held under GOOD for their own protection, with most reviews being for prisoners held for the general good order of the establishment.</p> <p>10 Kitchen and Catering</p>
4	<p>As before, we have noted the high standard of food produced by the kitchens, which are managed by the prison itself, not an external caterer. The kitchen also provides a constant source of productive work and training. Demand for employment always outstrips supply. There were no complaints to the Board about food during the year. The Board ensures that it observes at meal servings and also tastes the food, which we have always found to be varied, hot and tasty. The supply of hot food for the period of Ramadan was as previously, well received by prisoners.</p> <p>The Work of the Board</p>
5	<p>During the year, the Board was pleased to be able to appoint 2 new probationer members to the Board. Unfortunately 1 member resigned from the IMB, for a variety of reasons. At the close of the reporting year, there were 10 members, the nominal complement of the IMB.</p>
6	<p>There were 12 Board meetings during the year, 75% being attended by all members. A number of the meetings were preceded by a training session for members. The Governing Governor, or on occasion, his deputy always attended for part of each meeting. The Board has certainly found the current Governor to be very open with the IMB, for which we thank him. The Board has also found a great degree of co-operation from staff generally in responding to our questions and enquiries, and for this we thank them.</p>

1	<p>Members undertook 184 Rota visits during the reporting year, (180 in 2009/10). 139 applications were taken from prisoners, (228 in 2009/10). The Board policy is to attend as far as possible, all Segregation Review Boards as best practice, even when these took place at the week-end (staff would, however, where appropriate, bring these forward to the end of the previous week). As a result, 89 Review Boards were attended, (55 in 2009/10, an increase of 62%). In almost every week, members on Rota attended the new prisoner induction sessions, or visited new prisoners individually, in order to introduce the IMB to prisoners.</p>																																				
2	<p>Members of the IMB at 30/6/11</p> <p>Chair: Mr I Wilkinson Vice Chair: Mr J Lennon Board Development Officer: Mr D Carpenter Mrs P Allender Mr R Brewer Dr M Brimicombe Miss R Howard Mrs M Molton Mrs A Nicholson Mr M Panjwani</p>																																				
3	<p>Appendix</p> <p>Applications to the IMB</p> <p>In 2010/11, the Board notes that it received 139 applications from prisoners, 39% fewer than 2009/10 (228). In the same period, complaints made by prisoners through the establishments own complaints process dropped by 17%. The main areas of concern were as follows, with the 2009/10 equivalent also shown;</p> <table border="1" data-bbox="225 1189 1409 1592"> <thead> <tr> <th></th> <th>2010/11</th> <th>2009/10</th> </tr> </thead> <tbody> <tr> <td>Property</td> <td>39</td> <td>19</td> </tr> <tr> <td>General Complaints</td> <td>29</td> <td>38</td> </tr> <tr> <td>Transfer/Wing Move</td> <td>21</td> <td>46</td> </tr> <tr> <td>Post/Phone</td> <td>8</td> <td>4</td> </tr> <tr> <td>Adjudications/Security/GOOD</td> <td>7</td> <td>19</td> </tr> <tr> <td>Education/Gym/Work</td> <td>7</td> <td>34</td> </tr> <tr> <td>Monies</td> <td>3</td> <td>10</td> </tr> <tr> <td>Medical/Dental</td> <td>2</td> <td>7</td> </tr> <tr> <td>Confidential Access</td> <td>2</td> <td>4</td> </tr> <tr> <td>Categorisation/IEP</td> <td>1</td> <td>9</td> </tr> <tr> <td>Canteen/Argos</td> <td>1</td> <td>5</td> </tr> </tbody> </table>		2010/11	2009/10	Property	39	19	General Complaints	29	38	Transfer/Wing Move	21	46	Post/Phone	8	4	Adjudications/Security/GOOD	7	19	Education/Gym/Work	7	34	Monies	3	10	Medical/Dental	2	7	Confidential Access	2	4	Categorisation/IEP	1	9	Canteen/Argos	1	5
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4	<p>As can be seen, there were twice as many complaints about property-related issues in 2010/11 compared with the previous year. Many of these related to property failing to accompany a prisoner transferred in from other establishments. On the other hand, the number of times prisoners complained about the difficulty of getting transferred to another establishment or another Wing, halved.</p>																																				

Glossary.

ACCT: Assessment Care in Custody teamwork

BOSS: Body Orifice Security Scanner

BME: Black Minority Ethnic

CALM: Controlling Anger and Learning to Manage

CANTEEN: Prison shop.

CARATS: Counselling, assessment, referral advice and through care relating to drugs

CC: Cellular confinement- a punishment for breaking prison rules

CNA: Certified normal accommodation – the number of prisoners who can be accommodated without overcrowding

CPS: Crown Prosecution Service

ETS: Enhanced Thinking Skills

GOOD: Good Order or Discipline – prisoners segregated under prison rule 45 to achieve GOOD

IEP: Incentives and earned privileges

MAPPA: Multi Agency public protection arrangements – statutory framework for dealing with violent and sex offenders.

NOMS: National Offender Management Service

P/ASRO: Prisoners Addressing Substance Related Offending

P-NOMIS: Prison-National Offender management System – multi agency computer system (Replaced LIDS)

OASys: Offender assessment system

OLASS: Offender Learning and Skills Service

SFA: Skills Funding Agency (An agency of the Department of Business, Innovation and Skills and responsible for all Offender learning)

SOTP: Sex Offender Treatment Programme

YPDU: Young Prisoners Development Unit