

**HM INSPECTORATE
OF PRISONS
FOR ENGLAND
AND WALES**

ANNUAL REPORT

of

HM Chief Inspector

of Prisons for England and Wales

Report of Her Majesty's Chief Inspector of Prisons April 1995 – March 1996

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**Report of Her Majesty's Chief Inspector of Prisons
April 1995 – March 1996**

**Home Office
50 Queen Anne's Gate
London SW1H 9AT**

October 1996

**To the Right Honourable Michael Howard QC, MP
Her Majesty's Principal Secretary of State for the Home Office**

Sir

I have the honour to submit the fifteenth Annual Report of HM Chief Inspector of Prisons for England and Wales, as required by section 5A of the Prison Act 1952, as amended.

I have the honour to be, Sir,

Your Obedient Servant



**DAVID RAMSBOTHAM
Her Majesty's Chief Inspector**

HER MAJESTY'S CHIEF INSPECTOR OF PRISONS
is required to inspect, or to arrange for the inspection of,
prisons in England and Wales and to report on them
to the Secretary of State,
in particular on the treatment of prisoners
and on conditions within prisons.

It is also the duty of the Chief Inspector of Prisons
to report to the Secretary of State on specific matters
as required, and to submit an annual report
to be laid before Parliament.



Photograph: Jamie Carstairs

*Sir David Ramsbotham, GCB, CBE
Her Majesty's Chief Inspector of Prisons*

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INTRODUCTION

'The establishment of an Inspectorate of Prisons, independent of the Prison Department, and the publication of its reports, are a vital part of the process of increasing public understanding of the prison system'.

'HM Chief Inspector also, however, draws attention – quite rightly – to the serious implications of some of the major problems facing the Prison Service such as overcrowding, the poor quality of the regime in local prisons in particular and the maintenance of the prison estate. All are direct consequences of the mismatch between the demands made upon the Prison Service and the resources available to it; a mismatch which the Government has acknowledged and which it is the aim of Government policy to correct'.

—The Rt Hon William Whitelaw CH, MC, MP, Secretary of State for the Home Department, in a foreword to the first report of Her Majesty's Chief Inspector of Prisons, March 1982, Cmnd 8532.

In presenting this, the fifteenth annual report of Her Majesty's Chief Inspector of Prisons, in the spirit of the then Home Secretary's foreword to the first, I am very conscious that the first eight months of the period were the responsibility of my distinguished predecessor, Sir Stephen Tumim. His eight years in office were marked by a continuous and fearless championing of the cause of improving the treatment of prisoners, and conditions within those prisons that Her Majesty's Chief Inspector is required to inspect. It would be wholly improper of me not to begin what is mainly a report on his activities, by paying due tribute to him.

I succeeded him, on 1 December 1995, at what was probably the lowest point in what might be termed an *annus horribilis* for the Prison Service. Two sensational and highly publicised escapes from high security prisons, Whitemoor and Parkhurst, had been followed by two hard hitting and censorious reports, by Sir John Woodcock and General Sir John Learmont, in which the Prison Service as a whole, and certain individuals within it, came in for detailed criticism for serious lapses in performance. These were followed by the very public and acrimonious sacking of the Director General of the Prison Service, Mr Derek Lewis, in a blaze of sensationalist publicity that dragged the Service into the heart of the party political arena. This was accompanied by the commitment of a large amount of public money to the

improvement of security arrangements in all prisons, in line with Sir John Woodcock's recommendations, which suggested to the uninitiated that little had been satisfactory until that date.

But the problems facing the Prison Service did not end there. At the same time that it was given additional funds to help with the cost of executing Sir John Woodcock's security recommendations, it was required to accept a cut in its annual funding, in line with other parts of the public sector, amounting to 13.5% over the next three years. A large part of this cut was to be achieved by Area Managers determining what percentage cuts were to be imposed on each establishment, exact implementation being left to individual Governors to achieve, according to their own choice. As Adjutant General during the period of 'Options for Change', I cannot help but observe that this is tantamount to the Navy, Army or Air Force Boards telling each ship, regiment or squadron to cut itself according to the wish of its Commanding Officer, rather than the Ministry of Defence examining and determining how the required amount of money should be saved from the defence budget as a whole.

Manpower is the largest item of expenditure in a prison's budget, amounting, on average, to about 70% of the whole, and therefore it was not surprising that a major manpower reduction formed the central part of each Governor's plan. A voluntary redundancy programme, or voluntary early retirement scheme (VERSE), was essential if this reduction was to be achieved, for which the Treasury offered help with funding, but made money available only in the first year. This forced Governors to cut manpower first, not to strengths that they thought that they needed to run their establishments, or manpower ceilings determined by the Prison Service, but to numbers that they could afford to pay. This is where I should leave manpower reductions, because that was the situation at the end of financial year 1995/96, and therefore the period covered by this report; Governors had made their plans, and individuals had been invited to volunteer for VERSE. But to do that would be to mislead you at the time that the report is published, and, to balance the story, I feel that I must say something about what has happened subsequently, when I discuss the morale of the Prison Service, later in the report.

But this was not all, because the size of the prison population was continuing to increase month by month. When I took office in December 1995, the population was 52,540, which dipped to 49,949 at Christmas, in line with traditional trends. By March 1996, and the end of the reporting period, it had reached 53,740. But the important point is that the overall, upward trend throughout 1995/96 was obvious and inexorable, and, what is most significant, the March 1996 figure put the population above the then recorded Certified Normal Accommodation (CNA) of 53,500. This signalled that overcrowding was once again threatening the Prison Service, at a time when resources of money and manpower were being reduced.

A Ministerial announcement was made in April 1996 that 'slopping out' had ended, and that every prisoner had access to night sanitation, either in his or her own cell, or on call. But this did not include a number of 'unsanitised' living blocks that had been 'mothballed', because cuts in capital availability meant that there was not enough money to refurbish them and install the necessary in-cell toilets and wash basins.

Thus, until money was made available to bring these blocks back into use, or build additional house blocks within existing prison compounds, or either of the new contract prisons at Bridgend and Fazakerly came on stream, the Prison Service would have to make emergency arrangements, which could only mean doubling up in existing single cells, and risk returning to the overcrowding that was highlighted by Lord Woolf as being one of the contributory factors to the disturbances of 1990.

Again that is where the story stops in March 1996, and those reading this report will know that, subsequently, the prison population has continued to rise and rise. As with Prison Service manpower, I shall return to population size later, conscious that even these comments could be out of date by the time this report is published, which I hope will not be at the same time that the public is reading that some of the dire predictions being made by various professional associations are being realised. Suffice it to say that the shortage of necessary funds has given rise to a very serious situation, and leave the reasons for that situation to those who have that responsibility.

I do not propose to expand on this snapshot of what I found when I took over as HMCIP. There has been much publicity and discussion of many aspects of the Criminal Justice system, and proposed alterations to the Criminal Justice Act, which have an impact on the prisons I am required to inspect, but upon which I am neither qualified, nor would it be appropriate for me, to comment. I include it by way of introduction because I think it essential that Parliament, and the public, should be aware of the position facing Her Majesty's Prison Service, and the problems as seen by its managers and staff as well as by HM Inspectorate, as background to the comments I shall now make about the Prison Service, prisons and the Inspectorate, in that order, which it is my annual duty to lay before you.

The message that I seek to leave with you is that, overall, the conditions and treatment of prisoners, as witnessed by the Inspectorate, are notably better than in the pre-Woolf era. Protecting the public requires a dual-track approach by the Prison Service, which must retain prisoners in custody, while using their sentence time to attempt to prevent re-offending, in parallel with the obligation on others, such as the Police, for trying to prevent offending in the first place. Security improvements have been mentioned already. Some of the tightening up of procedures, such as the introduction of Mandatory Drug Testing (MDT) and the recognition that bullying is a problem, are particularly welcome. However, again acknowledging that they involve other professional and voluntary agencies, sight of other crucial factors in tackling re-offending, such as preparing people for release, and the provision of post-release support, must not be lost.

The most severe problems facing the Prison Service are shortage of money, and the danger signs that overcrowding, and the associated evil of inactivity, are doing real damage to all the progress that has been made over the past 4-5 years. This is the background against which I shall now draw attention to some of the detail of these problems, responding to the encouragement given to that process by Lord Whitelaw, Home Secretary when the Inspectorate was formed.

THE PRISON SERVICE

'This White Paper charts a course for the Prison Service for the rest of this century and beyond. The aim is to provide a better prison system. This will require more effective measures of security and control; a better and more constructive relationship between prisoners and staff; and more active, challenging and useful programmes for prisoners'

**—Introduction to 'Custody, Care and Justice' Cm 1647,
presented to Parliament by the Secretary of State for the
Home Department, September 1991.**

There are a number of separate headings under which I shall examine the Prison Service, which, except for the first, are listed in no order of priority.

Population increase and financial cuts.

The place of prisons within the Criminal Justice system is very similar to that of hospitals in the NHS. Both are the acute part, where the most important treatment takes place. Neither has any control of who is admitted, but each has to try to make better anyone who comes in. This cannot be done in isolation, nor completed during a prisoner or patient's stay in prison or hospital, but requires aftercare by other trained professionals, who continue what the acute staffs have started. Because of the multiplicity of individual problems, treatment must consist of diagnosis, and then the combined activities of a multi-disciplinary team, capable of looking after all requirements. There will be some spectacular failures; some people will prove to be incurable; some will have to come back for further treatment, or treatment for a further complication. Neither can predict precisely what money they will need in any one year, because of uncertainty – hospitals cannot know precisely what treatment will be required by how many, and prisons do not know precisely how many people will be committed to their custody. Therefore uncertainty about the exact size of the population is the first and ever present problem that faces the Prison Service, population trends notwithstanding.

Both hospitals and prisons, at present, believe that, in the words of the Minister of State, Miss Anne Widdecombe, MP, when addressing the Prison Service conference on 12 February 1996:

'We will not be able to afford to do all that we might want to do as quickly as we might want to do it'.

In other words, both lack the necessary money with which to be able to do all that they know that they can and would like to do for their patients/prisoners, which introduces the second problem facing the Prison Service – shortage of financial resources. The problems of overcrowding, regimes and the estate, mentioned by Lord Whitelaw in 1981, while different in degree, are, in general, equally true today.

Life in the Prison Service is totally dominated by money, or rather the lack of it and the effect of cut backs in the resources required to carry out the tasks outlined in *Custody, Care and Justice*. The cut back in capital availability has stopped virtually all prison strategic planning, discussed below; recruitment of new staff has ceased while the redundancy programme is implemented; a recent announcement by the Director General showed that 56% of all establishments had cut back their education programmes and 48% had cut back their probation officer complement. And this is only in year one of a three year programme, during a population explosion that looks certain to exceed the availability of new places, and staff, that have been funded in the two new prisons. The implications are obvious and serious, and have been pointed out to Inspectors not just by Governors but by the Chairmen of every Board of Visitors spoken with during inspections, and are passed on in the same spirit of concern.

However, when looking at the effects of the cuts, the observations of the Inspectorate support the Home Secretary's contention that there are areas of waste in the Prison Service, but suggest that not all of them are in establishments; bad planning is probably the biggest single contributor, but there are others. In his address to the Prison Service conference, the Home Secretary made particular mention of Prison Service Headquarters, which would not be excluded from cuts. I have mentioned already the high costs of implementing the Woodcock recommendations. When resources are tight, it must be wasteful to commit £6 million to improve security at HMP Parkhurst, immediately after the escape, only for its Category A status to then be removed. A large amount of money has been spent over the years to produce secure conditions for high risk Category A prisoners in HMP Brixton, where they are no longer held other than on overnight transfer. Savings are implicit in Lord Woolf's suggestion of community clusters of prisons – each community area having the capacity to hold all categories and types of prisoner, except high risk Category A – including a reduction in the immense amount of money spent in transporting prisoners around the country to available spaces. By keeping prisoners nearer their homes, advantage could be taken of all the local arrangements and facilities for supporting prison regimes, and there would be a dramatic reduction in the cost of funding visitors' travel, to which I return later. Different arrangements for prisoners, who have to go into NHS hospitals for treatment, might save many hundreds of hours of Prison Officer time, and therefore money, spent on 'bedwatch'. This, and many other aspects of health care, are included in an Inspectorate discussion document '*Prisoner or Patient?*', which was published in October 1996.

But, at present, short of a fundamental review to identify and quantify areas of waste, Prison Service Headquarters has no way of making the required PES (Public Expenditure Survey) cuts other than by passing them on to individual establishments, because it does not know the detailed cost of each of its regime activities and the maintenance of a healthy and safe environment for prisoners and staff. It is difficult

for it to provide the Home Secretary with detailed advice on the impact of any suggested cuts on many 'constructive and useful activities', because it has no mechanisms for making itself aware of these details, although considerable efforts are being made by some departments to rectify this. Therefore, confirming that there is waste in the system, and being concerned at the effects both of the proposed cuts and of the way in which they are being implemented, I suggest that it is essential that the Prison Service overhauls its management systems so that it has overall visibility, enabling it to make a detailed breakdown of all activity costs. Only in this way will it be able to identify waste, manage and introduce change and so be certain that it is providing value for money. There is an example of how this can be done in the way that contract prisons are run, which I discuss below.

Some three years ago, every prison Governor was asked, by the then Director General, to undertake a strategic planning exercise which amounted to a five year forecast of work to be done within their establishments, such as repairs and alterations to existing buildings, and changes to their management and manning structures, to make value for money savings, and to introduce best practice in tackling offending behaviour. Some of these plans, as, for example Brixton 2000, are very imaginative and innovatory, but all are currently held up for lack of funds.

Some Governors, having introduced tight management and good regimes, were already showing significant financial savings before the 1995/96 PES requirement was imposed. HMP Wayland, for example, was praised by the Inspectorate not only for sensible staff reductions and admirable offending behaviour regimes, but for innovative use of IT (Information Technology) to assist in staff management and other processes. Sadly there are a number of others, such as HMP Preston, and HMP Rochester, in which, quite clearly, neither the Prisons Board, nor Area Managers, have been pressing for anything like the same efficiencies. They have a great deal of catching up to do as far as making savings are concerned, because, over the last seven or eight years, not least, in some cases, for industrial relations reasons, they have not been required to pull in their belts as tightly as others and have, quite frankly, been allowed to get away with it.

Unfortunately therefore, while the currently employed method could probably save the required amount of money in the first year, it is at the risk of penalising the efficient, who have already made cuts, to the benefit of the inefficient, who have not. What is more, further cuts, in years two and three, by endangering the ability of Governors to continue all the positive things that they have been doing to prevent re-offending, could devastate the efficient, which seems poor reward for having done all the right things. It is high time that the Prisons Board tackled this issue head on, and took an overall strategic view on how cuts could be made. Current practices in some prisons can no longer be afforded.

Detailed financial information will be crucial for Prison Service Headquarters as it seeks to implement its published long term strategic estate plan, to which individual prison plans are to be related. Aggregation of individual prison plans should provide an indication of total financial requirement, including the cost of refurbishing existing buildings. But the key point is that such information is required to better inform the

estimating process in the annual PES round, and so help to mitigate the ravages of the uncertainties of population increase. But, as Lord Whitelaw pointed out, the success of all this depends upon Government resourcing.

The Director General

I must personalise my concern about the current situation, by commenting on the burden now placed on the Director General, Mr Richard Tilt. Mr Tilt is, at one and the same time, required to be Chairman of the Prisons Board, Chief Executive of the Prison Service Agency, principal adviser to Ministers and professional head of the Prison Service. Unfavourable comment about the composition of the Prisons Board and Prison Service Headquarters have been made in a number of recent reports on the Prison Service, notably those of Sir Raymond Lygo in 1991, and General Sir John Learmont in 1995. The current composition has not been helped by the fact that, when Mr Lewis was sacked, all but two of the essential non-executive Directors resigned, and have not been replaced. I say essential, because their skill and experience is an essential complement to that of the executive members, in running a multi-million pound Agency.

Uncertainty about the future, which pervades all ranks of the Prison Service, requires not just management from its professional head but *leadership*, which cannot just be given from a desk in Cleland House. Mr Tilt does not neglect this part of his task, but any time he spends out of London visiting prisons, as he should as professional head of the Prison Service, is bound to affect the time he has available for all his other responsibilities.

The House of Commons Home Affairs Select Committee is currently embarked on an examination of the management of the Prison Service, to which I have yet to give evidence. But all that I have seen, and all the observations of the Inspectorate during its programme over the past year, confirm the need for urgent and drastic reappraisal of the composition of the Prisons Board, and the management structure of the Prison Service, identified so strongly by General Sir John Learmont. The Director General must be better supported if he is to be able to exercise his responsibilities; in which connection we support examination of the role of Area Managers. I believe also that consideration must be given to the early appointment of Directors of the Women's and Young Offenders' estates, in line with the recently appointed Director of the Dispersal (or High Security) estate, to be responsible for co-ordination of procedures and regimes in these two fast-growing areas, whose prisoners have separate and different requirements from the adult male training estate, around which so many current practices appear to be designed. We do not want any more Holloways, which I believe a Director responsible for the Women's estate could have prevented. **As this is a report and not a paper, it would be inappropriate for me to go further than that, and use it as a vehicle to put forward ideas that are not based on observations of the Inspectorate. But as these observations confirm the need for urgent and considered improvements to the current situation – long term plans and not short term palliatives – I hope that they will be used as evidence by those charged with examining, recommending and introducing them.**

Contract (Private Sector) Prisons

I hope that I have explained why the Inspectorate sees an urgent requirement for qualitative as well as quantitative indicators of cost to be established. Hopefully this will be possible when the Prison Service's proposed new IT system comes on line. To be really successful, a public sector budgetary regime, subject though it may be to the fluctuations of Governmental public sector financing, must concentrate on outcomes, as does the private sector. *Flexibility, delegation and incentives*, the three words that best describe the ethos of private sector budgeting – which is focused on outcomes – are, and have proved to be, inimical to a centrally managed bureaucracy which, despite using these words to rally people to the budgetary cause, tends to honour them more in the breach. But outcomes must be the recognised measure.

When we inspected HMP Doncaster, a prison run on contract for HM Prison Service, we found that, in order to satisfy the details of their contract, Premier Prisons had installed an admirable financial management IT system, within which they can break down the exact cost of every activity. To help us evaluate this, we took with us two National Audit Office (NAO) inspectors, with responsibility for prisons. They confirmed that it is possible to produce a number of 'building blocks', detailing the costs associated with each activity, which could be applied to public sector prisons as well. This process could well be the key to satisfying the requirements of Prison Service Headquarters, the Home Secretary and the Treasury to know individual activity costs, mentioned above.

We found much excellent practice in HMP Doncaster, which we have passed on to the Prison Service. In this connection, we think it unfortunate that the successful in-house bid in the market test of HMP Manchester (Strangeways) has not been honoured. Instead of being allowed to deliver a new concept of a community prison, the Strangeways management team are being treated like that of any other public sector local prison. We suspect that that is against both the spirit and the letter of the Treasury rules for Market Testing. But there are two unfortunate side-effects to this episode. Firstly, by not honouring the service level agreement, the Prison Service has surrendered a priceless opportunity for pioneering new practice to the contract sector. Secondly, it has discredited the market testing process, and particularly in-house bids, in the eyes of the service. What is the point of putting in all that imaginative and hard work, only to have one's success disregarded? It is to be regretted that there were not more management successes, so that lessons could be learned and innovations introduced.

The NAO inspectors warned about making too optimistic claims for cost comparisons between public and contract prisons, because of the difficulty of being able to compare exact like with exact like. It is true that, because Prison Custody Officers are paid less than career Prison Officers, who are Civil Servants, per capita manpower costs will always be less in a prison run by the private sector on contract, but there are many other factors affecting costs such as geography and local conditions. It is unfortunate that the ethics, of a private sector company making a profit from keeping

people in custody, have been used as a reason for dragging the issue of so-called private sector prisons into the party political arena. They are not private sector prisons but HM Prisons being run on contract for the Prison Service by a private sector company. The key Prison Service figures in this process, as we found at HMP Doncaster and the other contracted out prisons that we have inspected, are the relevant Area Manager and the Prison Controller, who is appointed to monitor the contract, which must be tightly drawn because it details the Prison Service standards that are to be delivered. If they are not, the private sector company is penalised, which guards against cost-cutting. HM Inspectorate applies exactly the same expectations about conditions, including satisfactory staffing arrangements, in contract prisons as in public, drawing attention to any shortcomings. That may not satisfy all ethical objections, but it does protect Prison Service standards of conditions for prisoners.

Staff Training

In whatever type of prison, there cannot be a satisfactory regime for prisoners without well trained staff. Prison work is not something that anyone can just take up, as the experience of those recruited to work in contract prisons shows. General Sir John Learmont laid great emphasis on staff training, or rather the lack of it, in his report, and I endorse his every word. At present a notional 3.1%, or 6 days per year, of a Prison Officer's time is allowed for training, which is far too little. This has now been increased to 10, but without any extra resources, such as staff to enable officers to be released for training. In reality it is tight manning constraints that make it difficult for much staff training time to be included in a prison timetable, which it must be, even if prisoners have to remain locked up, for a short time, while staff training takes place; they will be the beneficiaries in the long run.

We applaud the introduction of 'Investors in People' programmes in many establishments, but are concerned that training is not given nearly a high enough profile in Prison Service Headquarters, where part comes under the Director of Personnel and part is left in the hands of comparatively junior officials in another Directorate, despite several recommendations to the contrary. Training is a key and continuous process, for all levels from recruit to governing Governor.

All training appears to be designed around the needs of those working in adult male prisons. Of course there must be a core curriculum, covering those things that all officers need to know. But there is far too much emphasis on centrally driven training, stifling and at the expense of essential specialist, or local, training needed for those working in, for example, women's prisons, or with young offenders, male and female. Such staff have very special training needs, in which connection we must applaud the association between the Prison Service and the Trust for the Study of Adolescence (TSA), who have developed admirable training packages for those working with young offenders, in conjunction with HMYOI Lancaster Farms (male) and HMP/YOI Drake Hall (female). We believe that everyone, of whatever rank, sent to work in women's prisons or YOIs should be required to undergo this training, so that they better understand the nature and needs of those for whom they are responsible. Focused training should be provided for all staff working with other particular groups

of prisoners such as those on remand, and long term prisoners, especially those serving life sentences. In fact, what all this suggests is that training needs and should enjoy the full attention and commitment of the Prisons Board, during and after close examination of the current unsatisfactory situation.

Key Performance Indicators (KPIs)

In recent years the Prison Service has introduced a number of KPIs, as an aid to measuring performance. But they must not be regarded as a 'catch-all' for measuring performance because of the danger that they will be used solely as a 'tick in the box' by staff, to demonstrate what they have done rather than how they have done it. The Inspectorate is pleased to note that KPIs are kept under constant review, because what they do do is to focus the attention of managers and staffs on output. In this connection there is a glaring need for a KPI covering Throughcare, which subject I mention below in the section on Prisons.

Morale

I am often asked about the state of Prison Service morale, in view of all the trials and tribulations with which staff are faced, some of which I have catalogued above. I would describe it as fragile, which is not to say that it is in imminent danger of breaking, because of the innate loyalty to the Service that is part of its ethos, but that it must be handled with care, and not taken for granted. There is a general feeling of uncertainty throughout the Service, about the present as much as the future, which must be acknowledged by all those who have any responsibility for its well being. There appear to be at least four contributing factors to this.

The first is the pace and amount of change, which began with FRESH START. This has been followed by a whole host of operational changes that have been forced on the service since the publication of the Woolf report, the great majority of which are to be welcomed. Flatter management structures and good managerial practice have been introduced into a minority, but nevertheless a significant number, of prisons. All this is new, most of it is good, and it is evolving all the time.

The second is the effect of the current financial cuts. To the Prison Service, the climate in which they are being introduced is one of rising population and reduced resources and therefore increasing demands on staff. Within this the greatest single factor affecting individuals, personally, and their future, is VERSE, the voluntary retirement scheme. It has had a very unfortunate introduction, with a number of changes to Treasury conditions, and the consequent, but understandable, inability of the Prison Service to explain what is happening to those affected. As a result, prison Governors cannot make plans for their establishments, nor can individuals make firm plans for their own future. This is thoroughly bad personnel management, for which, while I am sure there are bureaucratic explanations, there can be no excuses for appearing to ignore the effects on individuals performing a valuable public service. Again I am forced to compare this with the redundancy programme I was required to implement as Adjutant General. We knew the size and shape of the Army we

were trying to produce. The Prison Service does not know the size and shape of the numbers it needs to run prisons in the future, only the numbers that Governors feel that they have to cut, in order to meet financial limits, against a background of a rising prison population. Thus the vagaries and threats of VERSE are a very serious matter, contributing to an increasing amount of stress amongst staff, which, in turn, could impact on conditions in prisons. I hope that I make my concern clear.

A third is the attitude of much of the media. Of course public servants, guilty of any major lapse, deserve censure, but some newspapers in particular seem hell bent on sensationalising comparatively minor incidents, appearing to mount an unremitting attack on the Prison Service as a whole. I know how essential the media is in informing the public about what is going on in its prisons. But I am also aware of the harm that can be done by incessant and gratuitous critical generalisation, that brands the many with the sins of an individual. That is negative, and I am sure that no part of the media wishes to be described as that.

There will be those who wonder why I should be so concerned about this. My answer is that I have a responsibility for overseeing conditions in prisons, which includes the conditions in which staff have to work. I would be tempted to then ask the questioner, to assume that he or she were a Prison Officer, and consider how he or she would like to be on the receiving end of so much misrepresentation of the tasks that prison staffs are required to perform, and the service they provide on behalf of the public. Even the most irresponsible must know that, human nature being what it is, people perform much better if their performance is recognised, and credit given where it is due. For every one wrong doer, there are thousands of others who are giving of their best. There is no more difficult task than protecting the public by keeping prisoners in custody, and trying to prepare them for release in a way that will discourage them from re-offending, which is the requirement laid on the Prison Service by Parliament. Far too much of what is published makes the job of the Prison Service more difficult, because of its effect on innocent staff, thus, in fact, performing a public dis-service. Of course no-one is perfect. But I would ask Editors to question whether what they propose to publish is likely to help or hinder the Prison Service in its task, and, if hinder, desist. There must be more worthy opponents.

Finally is the concern that staff have about the strength of the commitment, support and understanding of Ministers, particularly in regard to provision of the resources that they know that they need to do their jobs. Prisoners have to be looked after whichever political party is in power, in prisons that are a national resource and responsibility. In logic, this includes long-term programmes to tackle re-offending, and morale would improve at once if staff felt that this part of their work enjoyed wide-spread political and public understanding, appreciation and support.

PRISONS AND PRISONERS

'Protecting the public is not only about ensuring that prisoners do not escape from prison, or escort, or offend while on temporary release. It is also about doing everything we can to make sure that prisoners do not re-offend on release.'

—Rt Hon Michael Howard QC, MP, Home Secretary, to the Prison Service conference, 13 February 1996.

When I took office in December 1995, I asked two questions, one of the Home Secretary about what sort of prisons he expected me to find, and what I should look for when inspecting them, and one of the Inner London Probation Service (ILPS) about what a cross-section of the criminal population looked like, at the moment of sentence, in terms of social background rather than offence.

The Home Secretary made it very clear to me that he expected prisons to be decent but austere – a word that has a multiplicity of definitions, but I have not found to be breached in any of the establishments I have inspected or visited, and which I shall not mention again – in which there was a positive programme for tackling re-offending, and opportunities for work and education. This mirrors precisely the statement in *'Custody, Care and Justice'*:

'Prisons should aim to provide decent but not lavish conditions. Conditions should be of a standard which fulfils the Prison Service's duty to provide humanely for prisoners and to preserve human dignity. They should provide an environment in which both prisoners and staff are motivated to work together positively to make the best use of a prisoner's time in prison. They should sustain prisoners; they should not degrade them'. Paragraph 6.1.

I shall expand on each of the four elements of the Home Secretary's very clear agenda, because they explain the direction prisons should take, and have been taking since the publication of *'Custody, Care and Justice'*, discussing decency first and then offending behaviour treatment, work and education.

The ILPS snapshot, albeit for 1994, was very interesting, and showed that, at the moment of sentence:

- 75% were unemployed.
- 46% had drink problems.
- 40% had previous custodial sentences.
- 35% had drug problems.

- 33% had been in care.
- 28% had chronic housing problems.
- 15% were mentally disordered.
- 10% had attempted to commit suicide.

Of course it is possible to argue up-to-date variations to these figures, which do not include any details of financial resources, and add others, but they give a pretty good impression of a disadvantaged section of society. When one adds to this list the possibility that anyone sentenced to imprisonment is likely to lose job and/or home and/or family relationships as a result, the importance of planned rehabilitation and resettlement at the end of a sentence, if a prisoner is to have any chance in the society to which he or she returns, is obvious.

Reading the so-called popular press one might imagine that every prisoner, far from being the unfortunate indicated by these figures, was a dangerous combination of serial killer, sex maniac, paedophile and arsonist, who should be locked away for ever, in solitary confinement. Of course that is an exaggeration, and so is the suggestion that everyone in prison is a chaotic and pathetic social inadequate. There are a few very disruptive and dangerous people at one end of the spectrum, for whom special arrangements have to be made, both to protect the public from them and their behaviour, and also to prevent them from infecting the vast majority of prisoners who, while rightly being punished for their misdemeanours, are also being prepared for their return to the society from whence they came, hopefully motivated and prepared not to re-offend. At the other end of the spectrum are a number of people who simply cannot cope with life, either inside or outside prison, who, when released, are likely to come back to what they see as its security over and over again, and a tragically large number with some form of mental health problem, whose future cannot so easily be predicted.

Since 1991, recognition that addressing the needs of this mix is what prisons are all about, has determined developments such as the introduction of offending behaviour treatment. There is no doubt that conditions in prisons are, as indicated earlier, better than they were, but they are threatened by financial cuts and there is no room for complacency.

Decency

The appallingly indecent conditions that we found in HMP Holloway, in December 1995, on my first inspection, have, thankfully, not even been approached in any of the other prisons seen by me, or seen by any member of the Inspectorate during the year. I would hope not, because, not only were they totally unacceptable by any standards, but it was disgraceful that a number of senior, responsible Prison Service staff should have allowed them to develop, let alone tolerate them, unchecked and unmitigated, over a period of months. That is not to say that Inspectors were satisfied by everything that they found in every other inspected establishment. The word 'unacceptable' has also been used to describe certain standards observed in HMP Aldington, HMP Coldingley and HMP Werrington.

Decency encourages self-respect, a vital factor that is to be encouraged and nurtured in every prisoner, who, with very few exceptions, will resume their place in the community on completion of sentence. If prisoners are allowed to serve their sentence in the sort of conditions we found at Hollóway, they will not be encouraged to raise their own above the chaotic, from which all too many come. There is absolutely no excuse for that, particularly as simple and obvious means of avoiding it, by using prisoners as cleaners, is already to hand. What is more, cleaning is productive use of prisoners' time, and, when linked to such activities as industrial cleaning courses, can have a positive impact on their chances of obtaining employment on leaving prison.

Until the Woolf report there was, in certain prisons such as the locals referred to by Lord Whitelaw, a culture which demeaned prisoners, exemplified by 'slopping out'. Despite the population pressures with which he is faced, the Director General has indicated that he is not prepared to be responsible for reintroducing this practice, whatever the emergency, which adds speed to the need to refurbish the 'mothballed' living blocks as quickly as possible.

But decency, as a concept, implies constructive use of prisoners' time, acknowledging the control that an ordered timetable brings to any establishment – ‘The devil finds work for idle hands!’. The better ordered prisons tend to be safer prisons for both prisoners and staffs, and all measures that increase control and order are to be applauded. Increasing the constructive use of prisoners' time is an ongoing achievement of the Prison Service, which is why any reduction in the current programme, that could result from financial cuts, is, as the Director General has emphasised to the Prison Service as a whole, to be guarded against.

Home Leave and Temporary Licence

In the context of resettlement and the constructive use of time, the Inspectorate must register its concern at the massive curtailment of outside activities for prisoners, resulting from the changes to risk assessment procedures that accompanied changes to the Home Leave and Temporary Licence rules. There is no doubt that far too many breaches of both the rules, and common sense, had allowed too much inappropriate granting of leave, and that regulations needed both tightening and enforcing. It is unfortunate that, thanks to the media, the public equates such release with the highly publicised cases of young delinquents being sent on safari holidays at public expense, which were nothing to do with the Prison Service. The Prison Service used Home Leave and Temporary Licence as an essential part of preparing a prisoner for release. A prisoner had to earn either, which is absolutely right, and which must remain a cornerstone of the system.

In recommending a reconsideration, the Inspectorate strongly supports more rigorous risk assessment procedures, to help with which there is, in existence, plenty of evidence detailing the characteristics of prisoners and young offenders who failed on outside activities in the past on which to draw. The effects of the current curtailment are felt most acutely in those institutions where Home Leave and Temporary Licence were in greatest use – resettlement preparation, PE Departments, including challeng-

ing training for young offenders, and prison farms. It is also reflected in the cost of assisted visits by families who might otherwise have had a prisoner at home. It is unfortunate also that a large number of establishments, in which the privilege of being taken into the community on organised activities, or community work, was a prized part of their incentive scheme, have had these opportunities literally decimated by this curtailment. We have seen this marked most strongly in HMP Durham, HMP Holloway and HMP Werrington, and in a number of YOI establishments.

We do not believe that this curtailment is in the best interests of either prisons or the communities which they serve. Governors are accountable for risk assessments, and should be allowed to take decisions about what risks to take. Tighter risk assessment, and rigid application of the rules in establishments where such release is less appropriate, could allow the former advantages to be reintroduced in establishments where their value has been proved in the past.

Offending Behaviour Programmes

There is no doubt that multi-disciplinary group work, consisting of a number of offending behaviour programmes, is another burgeoning success story for the Prison Service. I have mentioned already the keenness of many staff for this kind of work, which is still in its infancy. There are, as yet, no firm figures by which success, or failure, can be measured, but evidence from cognitive skills/behaviour programmes, notably those in Canada, on which much of the Prison Service programmes are based, is positive. But what is undeniable is that they provide constructive use of a prisoner's time, and all that that does for control.

One problem, at present, is that cognitive skills courses tend to be available only to those serving long sentences, although the value of this type of training is equally applicable to short. In fact some of the best courses we have seen were at HMP Brixton. All must, however, be accredited, in the interest of ensuring best practice, and that they really work and are of value to prisoners.

Sex Offender Treatment (SOTP)

Of all the cognitive/behavioural programmes, sex offender treatment is probably the most emotive, because of the offences with which it is related, the fact that it is a mandatory requirement for all sex offenders, except those serving determinate sentences, before release, and because it carries with it the risk of a spectacular failure into media-charged society. Sex offender treatment in this country was pioneered in the therapeutic environment of HMP Grendon, but a totally separate SOTP has now been introduced into a growing number of prisons. It is multi-disciplinary, in that it involves psychologists, probation staff and Prison Officers working together, with the bulk of the tutoring being done by Prison Officers. I have to say that I have seen no more stressful or front line activity than sex offender tutoring.

But having said that, there is still a long way to go before the Prison Service sex offender treatment programme is complete. Firstly, although the SOTP itself has been accredited, every establishment in which it is conducted has to ensure that its

programme fulfils the accreditation criteria. Secondly, there is a need for co-ordinated planning to satisfy the requirements of all those who must successfully complete a treatment programme before release. Thirdly, a number of relapse prevention, or booster, programmes need to be established in selected prisons throughout the country, to ensure there has been no regression. Finally, there must be a sure way of ensuring that a sex offender's details are passed on to the Probation Service, so that supervision and treatment can be continued after release. But the Prison Service can draw much satisfaction from the progress made during the past year; another good thing that must not be threatened by cuts.

Drugs in prison

If the public believed much of what was alleged by the media, they could be forgiven for thinking that prisons, alone, were responsible for the amount of substance abuse in this country. The truth is far from this of course. All prisoners come from a society in which drugs are abundant, but, sadly, the drug culture that has been allowed to grow up in prisons, which includes bullying and debt, drags too many, including some who have previously avoided the habit, into its clutches. At last there has been a recognition that a prison sentence presents society with an opportunity for tackling this problem with all sentenced prisoners, that must be seized.

The practical effectiveness of Mandatory Drug Testing (MDT) in reducing the use of illicit drugs has yet to be evaluated, and it appears to differ from establishment to establishment, for a variety of reasons. But its introduction has made a very strong statement to prisoners that authority is no longer prepared to just wring its hands, and say that there is nothing that can be done about drug abuse.

The first requirement is to cut off the supply of drugs to prisoners as far as possible. Improved attempts to control this have been introduced, such as closed circuit television in visits areas, the increasing use of passive drug dogs, rub down searches for visitors and numerous other local arrangements which are undoubtedly raising the confidence of staff, and firing a shot across the bows of the smugglers. Sadly, and undoubtedly, a very large amount of drugs continues to get through, much of it brought in by visitors, many of whom do so under threat and pressure from prisoners. There are other ways in which drugs can be smuggled which require attention, and staff must be regularly searched to remove them from blame.

The Prison Service must also be applauded for the way in which the drug testing procedures that are being applied to prisoners have been introduced. There are three elements to any successful MDT regime. Firstly, there must be proper testing, based on a combination of random selection and good intelligence. Secondly, there must be 'drug free' wings, in which to accommodate those who declare themselves neither to be using nor intending to use drugs, with obvious advantages and privileges as well as obligations such as regular testing. Finally, there must be arrangements for the treatment of those who test 'positive'. This can vary from simple detoxification treatment to full scale programmes for addicted offenders. I am very pleased to report that there are a growing number of different treatment programmes in the

system; the one that has received most publicity being at HMP Downview, run by RAPT. But this is by no means the only one, which suggests that all programmes should be evaluated, so that the strengths, and weaknesses of each may be known. Those prisoners needing treatment can then be directed to the programme that best suits their needs, and/or is also located in their home area, so that continuity of treatment can be maintained after release.

But, again, financial resources come into the story. Prisons have been given money to carry out the actual testing, but aside from the pilot programmes, have to fund the remainder of their programmes from their own budgets. Drug free wings are not cost neutral, because there has to be frequent testing of all prisoners, and other practical arrangements to honour the voluntary commitment of prisoners to the demands of the regime. Voluntary agencies, who are responsible for much of the treatment, are also being forced to make a charge for their services. There is a very real danger that the whole MDT programme will be discredited if there is no follow up to testing, either reward or treatment. Therefore, for MDT to be successful, financial provision must be made for all three elements.

Attention is now being drawn to the possibility of successful testing for cannabis leading to an increasing amount of opiate abuse. If the Prison Service is to be really serious about tackling drug abuse, better testing procedures must be introduced so that opiates which dissipate in the system more quickly than cannabis can be more effectively detected. If even more stringent searching of visitors is required, then so be it; while so many continue to be caught bringing drugs into prison, despite all the warnings, bringing suspicion on all, they invite appropriate counter-action. In summary, now that it is committed to this stance, however inconvenient measures may be for both visitors and staff, the Prison Service must continue to see that, as far as possible, drugs are kept out of prison. The Inspectorate's Principal Psychologist was a member of the recent Government panel that reported on drug abuse, and we will continue to monitor MDT programmes closely, seeking to identify examples of best practice for others to follow.

Work and Education

These two are the cornerstones of purposeful 'out of cell' activity. We have been as impressed by the facilities and number of work places at establishments such as HMP Coldingley, the nearest establishment there is to an industrial prison, as we have been concerned at others where there is a high level of prisoner unemployment. But we believe that work, including that done on prison farms, needs to be conducted as a commercial as well as an occupational activity. More prisons should be encouraged to seek commercial work opportunities, in order to increase what can be done by prisoners, not only to earn them more realistic wages but, by being used as a training medium, to qualify them for a job when they leave prison, as well as to make money.

As regards money making, present regulations require that any profits made may not be absorbed into prison budgets but, as Appropriations in Aid, must be returned to the Treasury. Many people have tried many times to have these regulations rescinded, so that prisons can take advantage of any profits they generate, which, having

been estimated in advance, could be absorbed into annual budgets. This could allow the Prison Service to apply money thus saved to improve the facilities in other prisons, who do not have work opportunities, thus helping the annual prison budget to go further. In our view, because marketing is not a normal civil service activity, the Prisons Board will need to appoint an expert commercial and marketing Director to ensure that this is properly handled. It is, presumably, within the remit of the Prison Service as an Agency, to make such an appointment if it so wished.

Similarly we have been as impressed by the quality of some of the education provision that we have found, as we are concerned at the increasing evidence that, to preserve the minimum numbers of staff to run their prison, some Governors have chosen to reduce education hours in order to find their percentage of the cuts. The Director General announced in a Parliamentary Answer that 56% of establishments had made cuts in education, which is an alarmingly high number. We are particularly worried about cuts at YOIs, where we are additionally concerned at the effects of the increasing demands of statutory Compulsory School Leaving Age (CSLA) education for the rapidly growing juvenile population. Because prisoner numbers are so unpredictable, CSLA provision should be additional to normal education funding, so that it does not eat into education programmes provided for older young offenders. **On the subject of YOIs, we are also disturbed at the effect that cuts in the education budget are having on the number of evening classes and activities, that form such an essential part of a full day's activity. In our view there should be a laid down minimum, for which financial provision should be guaranteed.**

We look forward to the introduction of a core curriculum, and hope that it will include social as well as basic learning skills. There is no doubt, from the evidence that we have seen, that a very large numbers of prisoners, male and female, adult and YOI, need training in basic living skills – form completion, job application, parenting and so on – if they are not to return to the chaotic life-style from which they have come. All too many have tranted or been expelled from school long before the normal leaving age – we found one young offender who, having been evicted from his play-group, had not been allowed to attend primary let alone secondary school – and so had missed these skills, if they had been taught. This is another example of where prisons can make best use of time available, to better prepare prisoners to live life outside prison, and thus, hopefully to tackle re-offending.

In this connection we cannot over-emphasise the importance of arts subjects, not just because of what they do for regimes in prison, but also for individual prisoners by encouraging self-esteem as a result of personal achievement.

We have also been encouraged by the number of activities in prison which are based on and include the gaining of qualifications, such as NVQs, which can be used to demonstrate ability, and so help with job finding. It is very sad to find so many prisoners for whom a level 1 NVQ, or a certificate for reading and writing taught in prison, represents the first, tangible recognition of anything positive that they have ever received in their lives, and the Prison Service is to be applauded for the efforts it is making to increase this programme. But, again, resources are involved, because

NVQs have to be paid for, and we are beginning to hear evidence that they cannot be afforded. This subject, too, needs examination and quantification, so that the resource implications can be determined and suitable action taken to mitigate them.

Throughcare

The subjects discussed above amount to the main activities that form regimes aimed at tackling re-offending. But they depend on some essential prerequisites, which come under the heading of Throughcare, which, because they are judged by the Inspectorate to be unsatisfactorily conducted at present, must be highlighted as needing improvement.

Throughcare is the word used to describe all that is done with prisoners throughout their sentence: time spent in custody, which is the responsibility of the Prison Service, and time spent on licence, which is the responsibility of Probation Services. Both are governed by the 'National Framework' document 'for the Throughcare of offenders in custody to the completion of supervision in the community', which sets out the responsibilities of each Service. The Chairman of the Association of Chief Probation Officers has proposed the introduction of a Throughcare KPI, qualifying this by saying that she would like to see Throughcare renamed Resettlement, because that better describes the intention of all that is done for a prisoner, to rehabilitate him or her back into the community. Whatever it may be called in the future, it consists of a number of elements, each requiring comment – induction, sentence planning, the personal officer scheme and resettlement itself.

Induction

Induction is perhaps the most important part of any sentence, because, frequently, it determines a prisoner's attitude to imprisonment. It must contain not just a briefing about the routine in the prison concerned, but about all aspects of a prisoner's needs. It must also include a detailed 'needs assessment' for each prisoner, based on learning capability as well as offending behaviour problems.

At present the Prison Service is using a number of different programmes to establish learning capability, but experience at HMP Dartmoor suggests that this is not enough. We learned there that a number of prisoners, virtually written off as being disruptive and with severe personality problems, and so sent to HMP Dartmoor as a last resort, had, on being tested, been found to have IQ ratings of between 48 and 68. As an IQ of 80 is required to comprehend any of the programmes in use, it was hardly surprising that these people could not take in anything that they were being taught. This suggests that a prisoner's IQ should be tested as well, if there is any doubt about his or her learning ability, so that time and money are not wasted on wholly inappropriate activities. But, again, there will be a financial implication, because such testing costs money, but not much.

On the subject of special needs induction programmes, we are very interested in a Scottish Prison Service's initiative with the establishment of a National Induction Centre, to which all long term prisoners are sent for the first nine months or so of their

sentence. There are some programmes for lifers in England, but we believe that the whole subject of their management and treatment deserves more attention, and we shall consider making it the subject of a thematic study.

We firmly believe that all prisons must include a proper induction programme, that should last for weeks rather than days, conducted by trained staff, and not done on an ad hoc, opportunity basis as we have found all too often. Such programmes are more difficult to achieve in local prisons, because of the high turnover of prisoners. But there are no such excuses for training prisons, and we recommend that the Prison Service should draw up a set programme of what must be included, to which prisons may add, but from which they must not subtract. Evidence suggests that time spent on induction programmes is not wasted if it leads to better needs assessment, on which sentence planning and so best use of time available to tackle re-offending, can be based. Of course there are financial implications, but costly problems during a sentence could be pre-empted by proper preparation, which is what an induction programme provides.

Needs assessment must be followed by detailed sentence planning, a multi-disciplinary process, because it should include contributions from the Prison Service, probation, psychology, education, Healthcare and other staffs. We have found far too many cases where plans made in one prison are not passed on to another, as well as cases where sentence planning is virtually non-existent. It is difficult for local prisons, with their high turnover, to do much, but the least they can do is to pass on to the training prison any characteristics of a prisoner that they have noted, so that these can be taken into account in subsequent work.

Sentence Planning

Happily, the Prison and Probation Services have combined to produce new sentence planning procedures, which we have observed being piloted in HMP Featherstone amongst others. If these new procedures are implemented as intended, sentence planning will improve dramatically, and we look forward to seeing evidence of this in the future. We are pleased to note that there are separate procedures for adults and Young Offenders. We understand why there are separate procedures for adults serving between one and four years, and those serving more than four, but hope that those serving less than four years will not be forgotten. In many ways they are the most difficult part of the population for whom to cater, as well as being the most needy, because this population includes a large proportion of people who are, in one way or another, inadequate.

The Personal Officer Scheme

The key person in the implementation of any sentence plan is the prisoner's Personal Officer. Prison Service expectations are that every prisoner will have a nominated Personal Officer in every prison to which he is sent. This system is only working patchily. In a few prisons, not least because the Governor has had the good sense to realise that a proper Personal Officer scheme contributes greatly to control and dynamic security, it is taken very seriously, with officers being properly trained, and exercising a considerable influence on prisoners. We accept that in some it is not

possible but in others poor or non-existent schemes are blamed frequently on shortage of staff, which is not, to our minds, an acceptable excuse. It demonstrates a lack of commitment from management or staff, which is to be deplored, and we look for marked improvement during the year ahead.

Resettlement

Finally, resettlement, again a multi-disciplinary activity. It is quite clear that a home, a job and family relationships with wife/husband/partner are the three tangible factors that most determine whether or not an offender is likely to re-offend. A number of officers have been trained by NACRO to assist with resettlement; advising prisoners of what help in finding accommodation and jobs is available to them. But all too often we have found that those trained are unavailable when required because they are being employed on other duties. All prisoners, particularly the most dangerous, and those who have been serving long sentences, need very careful preparation for release, and we are disturbed at the number we find being sent straight out, without any assistance, with only the statutory £46 grant in their pocket, and no idea of where to go or start. These are the people most likely to reoffend and appear quickly back in prison, so there is an obvious price to be paid by the community into which individuals are to be released if Throughcare arrangements do not work. In this connection we must commend the excellent work undertaken by the Housing Officer at HMP Durham, where no prisoner had, for over a year, left prison without accommodation or home to go to, and whose wages had been paid for by savings in grants. Not least in the interests of protecting the public, it behoves everyone to take the issue of resettlement seriously. Much remains to be done, hopefully by the Prison and Probation Services working together.

Healthcare

So concerned are we about a number of aspects of Prison Healthcare, that we have conducted a separate study into it, publishing a discussion document, entitled '*Patient or Prisoner?*', with the terms of reference:

'To consider health care arrangements in Prison Service establishments in England and Wales with a view to ensuring that prisoners are given access to the same quality and range of health care services as the general public receives from the NHS.'

In recent years, a number of official reports have made similar recommendations, but little or no progress has been made. I must qualify that by pointing out that Healthcare staff in prisons are trying to do their best with the resources that they have. We are concerned in particular about the numbers of prisoners with mental health problems, whose condition prison is more likely to worsen than improve. This is, in itself, a huge subject, with considerable resource implications, and quite outside the ability of the Prison Service to resolve on its own. We have, therefore, launched a discussion document, conscious of the many issues to be considered, in the hope that it will stimulate debate with the NHS, who were closely involved in our research. As

far as money is concerned, we do not think that any true figures can be produced until the needs of the Prison Service have been examined and costed, which must include consideration of whether the current Healthcare service can be provided in a different way.

Any overview of Prison Service health care arrangements will show that, while much care and effort have been applied to the creation of a Prison Healthcare service separate from the National Health Service, and the application of policies that begin to reflect current standards in the community at large, there are a number of major deficiencies and problems in actual delivery that need to be addressed.

Firstly, it has to be said that, although many health care staff in prisons can demonstrate an ever wider range of qualifications, and flexibility in their work and working practices, the overall service provided across all establishments, does not match up to National Health Service standards, or satisfy the provisions of the Patients Charter. There is a shortage of health care managers with National Health Service experience. The standard of inpatient care requires improvement. **There is particularly urgent need for increased provision for the care of those with mental health problems, who make up a larger proportion of the prison population than they would of any other group in the community. What is more, unless proper care is provided, prison can exacerbate mental health problems, which has a long term impact on the individual concerned and the community into which he or she may be released.**

The range of problems faced by medical staffs in establishments differs from those in the rest of the community only in degree. There is less responsibility for care of the elderly, but, at the other end of the age scale, are an increasing number of young offenders with drug addiction and other substance abuse problems, as well as the general health problems that their life style creates. All these make increasing demands on increasingly scarce resources.

The National Health Service sets the standards required for public health care for the nation. It also provides resources and qualified staff. We believe, therefore, that it is fundamentally unsound for the Prison Service to continue to operate independently of the NHS. There is no need for two parallel systems. In open competition for the same limited resources, the smaller will always lose out to the larger. The Prison Healthcare Service has tried to guard against becoming professionally isolated, and being seen as a separate service, yet this has been the inevitable result of independence, and the reality must be accepted.

Therefore, we suggest, that the time has come for the NHS to step forward to assist the Prison Service. Prisoners are part of the community to which the vast majority will return on release. However obvious that statement may seem, it embodies a duty on the NHS to shoulder responsibility for the provision of health care in penal establishments during a time that a prisoner is temporarily removed from the community, which, inevitably, must be the subject of Ministerial agreement. It cannot just happen, which is why we suggest time for discussion and consultation before implementation.

Health and Safety

During our inspections we pay particular attention to the priority given to Health and Safety standards, including risk assessment, observance of COSHH standards, health and safety audits and fire inspection standards. Although the Home Office Health and Safety Inspectorate carries out health and safety inspections of establishments, sending reports to the Governor and the Area Manager, it is unfortunate that, in some establishments, the work of this Inspectorate is not given the importance that it merits. Too often we find that establishments are giving little attention, and devoting too few resources, to health and safety, and fire precautions; this we deplore. Again, resources come into the equation, but there must be no short cuts where people's lives are concerned.

Suicide awareness

The number of suicides in prison is far too high – one is too many. The Prison Service deserves praise for the excellent suicide prevention procedures that it has devised, but, as with so many excellent procedures they depend on people to implement them. Implementation can best be described as patchy. The best procedures we have found have been at HMP Doncaster, where staff are meticulous in reporting anyone who shows the slightest sign of being a potential suicide or self-harmer. But, even here, despite all the precautions, there have been unexpected tragedies, which reinforces the requirement for constant vigilance by all staff at all times. This requirement is endangered if staff numbers are reduced too far, which, under current arrangements, puts another constraint on Governors, who must decide what manpower they can afford. We believe that this is such an important and emotive matter that Area Managers should be required to check that suicide prevention procedures are understood and being implemented by staff, on their visits to establishments.

But, if suicide prevention procedures deserve praise, treatment of the relatives of a suicide deserve condemnation in all too many cases. Governors must always take their needs to heart, and deal with them, in their bereavement, sympathetically and humanely. There is excellent guidance to be obtained from a charity called 'Death on Remand', made up of relatives of victims of suicide, and some prisons should be ashamed of the way they have cold-shouldered the approaches that have been made to them. The way the needs of relatives are handled, after the trauma of a suicide, says much about the quality of managers and staff and the humanity of the Prison Service as a whole.

Bullying

Bullying is endemic in society, however much one may deplore it. But it is particularly pernicious in prison, where it undermines the safety of prisoners, and so menaces control. Some of the more obvious bullying that we have come across is in women's prisons and Young Offender Institutions. Some of the things women involved with drugs do to each other in prison are unspeakable, and the conditions in which they are forced to live in places such as HMP Holloway and HMP Risley, unless they are

supervised and managed properly, are nothing more than an enticement to bully. The same goes for Young Offender Institutions, where dormitories must be removed as a priority. While we accept that it is sensible to put a newly arrived prisoner in a cell with another on their first night in prison, it is essential that much more care is taken to determine who it is sensible to locate with whom.

Some prisons have devised sensible anti-bullying strategies, but too many have not. This is a subject that we believe must be managed better by the Prison Service particularly by passing best practice from one institution to another. The best practice that we have found was at HMYOI Lancaster Farms where the importance of tackling the bully outright had quickly permeated the whole culture of all the work that staff did with Young Offenders. Anti-bullying strategies depend on staff who can detect potential problems by constant contact with prisoners, whom they get to know, and by whom they are trusted. The only common thread that we have detected amongst bullies is that, sometime in their lives, they themselves have been bullied, which suggests that assessments carried out as part of Throughcare must also have a part to play in anti-bullying strategies.

Families, Food and Mail

Ask any prisoner what matters to them most, and, almost invariably they will reply, visits, mail and food. Each deserves a mention.

We are not satisfied that families are properly catered for in many establishments, in which connection we believe that the Prison Service should copy another Scottish Prison Service initiative, and introduce Family Contact Development Officers (FCDO)s into every prison. The tasks of these officers are the improvement of all aspects of family contact, including visit facilities, co-ordinating activities of involved voluntary agencies, preparing and updating information sheets for families, linking with family support groups and training prison staffs to develop their awareness of the needs of prisoners' families. There are too many highly unsatisfactory Visitors' Centres; some, such as that at HMP Brixton, where planned improvement programmes have been stalled by cuts in capital funding. Some prisons lack the facilities required to provide the increased numbers of visits that are part of Enhanced Regimes. Facilities for searching visitors are unsatisfactory in too many places – the list of problems associated with visiting is endless.

I have mentioned already the community cluster approach to prisons, which, if adopted, would have an enormous impact on families. In the first place it would cut down the expense both to families themselves, and to the Prison Service who have to fund the essential Assisted Prison Family Visits scheme, which applies to those who are in receipt of Social Security benefits. This need not cost so much if, for instance, Category D prisoners from Manchester could be kept closer to home than HMP Standford Hill, on the Isle of Sheppey. **This introduces another very serious consequence of overcrowding namely that, as prison places in one part of the country are filled, inevitably places have to be used in other parts of the country that are hundreds of miles away from families. Secondly it would enable families to be involved in offending behaviour programmes, as well as resettlement.**

Thirdly, I suspect that it could have an impact on the subject that is the most frequent cause of complaint from families – lack of information from the Prison Service about what is happening to a prisoner. This includes complaints about not knowing when a prisoner is moved between prisons, or is seriously ill, for example, but all of which could be made the responsibility of an FCDO.

As family relationships and a home are major contributors to the tackling of re-offending, it is important that they are taken seriously, so that those who maintain them for a prisoner are not alienated by the system. Families are victims, and should not be further victimised because of what a relative has done. This is a Prison Service responsibility, and must be an accepted Prison Service role, to which the Voluntary Sector has a vital contribution to make, and not the other way round.

Mail comes under the same degree of suspicion as visitors in the fight against drugs, and censorship will always be a relevant issue in prisons. However, we have been concerned at the number of complaints about undue delays in the delivery of mail to prisoners.

At present the food allowance per prisoner per day is £1.38, compared with £1.50 per prisoner per day in Scotland. Prisons are required to spend 26% of this on produce from Prisons Farms and Gardens. Prisons Farms and Gardens are justified by the Prison Service because of the work for prisoners they generate, but we question the validity of this in value for money terms. On value for money we also question this mandatory 26% expenditure, because many catering staffs tell us that they could buy what they are forced to buy far cheaper from their normal contractors, and thus make the £1.38 go further.

Two other aspects of food concern us. Firstly, we believe that all prisons should adopt the pre-booking menu system that is cutting waste and reducing complaints in the prisons into which it has been introduced. Secondly, we are aware that reductions in staff may impact on prisoner meal times, although we are pleased to find that most establishments now serve lunch after midday and tea not before 5pm.

Victim Support

We are very conscious that, human nature being what it is, the public is attracted more by notions of revenge on the criminal than on what is done in prison to correct the evil of his ways. Both these emotions tend to ignore the victim of the crime, to whom sympathy tends to be extended in emotional rather than practical terms. We therefore applaud the production of the Victims Charter, and welcome its implications on prisons, which we shall monitor in future.

On the positive side, some offending behaviour treatments contain a module devoted to making a criminal face up to the implication of the crime on the victim. But there, all too often, what is a rather impersonal, however relevant, process stops. There is a so-called Prison Service ‘helpline’ for victims to use, but it is regarded as useless by ‘Victim Support’, the voluntary agency with whom we have been in touch over their

needs. **We do not think that the Prison Service is sufficiently attuned to the needs of victims, or the need to respond to requests for information about the associated criminal and their treatment and progress, and believe that it should commit itself to them positively and publicly.** In future, statutory account must be taken of victims' wishes when the time comes for a prisoner to be released, which will require the closest liaison between the Prison and Probation Services. We look forward to being able to comment on this further in next year's report.

HM INSPECTORATE 1995/96

'The Prisons Inspectorate was reconstituted in 1981. It is headed by [an] independent figure, who is assisted by experienced professional advisers. It has right of access to all prisons, and to the Home Secretary, to whom it reports its conclusions and recommendations. Its reports are published and available to Parliament. The Government will ensure that the Prisons Inspectorate remains strong and independent in the future'.

—Raising the Standard, The Citizen's Charter, July 1991, Cmnd 1599.

Inspection Programme and Method

Attached at Annexe 1 is a list of those programmed and unannounced inspections carried out by HM Inspectorate during the financial year 1995/96, together with their dates and the date of the publication of the report. This identifies two of the changes that I believe need to be made to the way in which the Inspectorate exercises its statutory function.

No-one inspects more frequently than the Armed Forces, all inspections having the purpose of ensuring that those inspected are fit and ready to carry out their operational tasks. Military inspections are both critical and helpful in nature; words are not minced about things that are wrong, but the aim is to help those being inspected to raise their operational standards. I believe that exactly the same applies to the way HM Inspectorate should approach inspections of prisons, the requirement in whose terms of reference are:

'To inspect, or arrange for the inspection of, prisons in England and Wales, and to report on them to the Secretary of State, in particular on the treatment of prisoners and on conditions within prisons.

It is also the duty of the Chief Inspector of Prisons to report to the Secretary on specific matters as required, and to submit an annual report to be laid before Parliament.'

In so reporting HM Inspectorate must point out how things might be better done, in order to raise operational standards. If problems or shortcomings are outside the prison's ability to solve, or due to circumstances outside their control, this must be pointed out too, so that those who are able to solve, or who control the means with which problems can be solved, can see clearly where their responsibilities lie.

The Annexe demonstrates the appallingly long time between inspection and report publication, for which delay the Inspectorate is partly to blame, because of the time it takes to pass completed reports to the Home Secretary. Steps have now been taken to speed this up. Delay is no help to either the prison concerned, which has action to take, or the Prison Service, which will almost certainly have work to do. But, at present, the Prison Service reports in detail what it has done about the recommendations in the report, in the form of a separate press notice that accompanies the press notice about the report itself, which firstly takes time, and secondly makes something of a mockery of the report. By debriefing the prison staff on major findings, before concluding an inspection, and by instituting an automatic procedure whereby an inspection is followed up by an unannounced inspection within a given period after its completion, to monitor progress on recommendation implementation, I believe that we can remove the need for detailed Prison Service comment, and speed up the time of publication by about six months.

Secondly, it will be noticed that 20 programmed inspections were carried out, in line with the original requirement in 1981 of inspecting all prisons every five years. But there are now 135 prisons, and therefore we need to carry out 27 inspections per year to satisfy our statutory remit. To do this we need extra inspectors because, at present, full inspections take a week to complete, which, with preparation and report writing time added, explains why the demand on each of the two teams remains the one programmed inspection per month for each of ten months in a year, as it was when the Inspectorate was established in 1981. The remaining time is taken up with short unannounced-announced inspections, an activity that I believe ought to be increased, because they enable us to follow up recommendations made in previous inspections, and maintain a feel for what is going on in, and what are the problems facing a very wide cross-section of the prison estate every year. I hope to be able to report to Parliament next year that we have been able to increase the numbers of both types of inspection.

Thematic reports

But those are not all the activities of the Inspectorate on which I should report. Firstly we have identified a number of subjects on which I believe it would be sensible for us to quantify our experiences and recommendations, and present these in the form of a thematic report, which has been done in the past. I would like to trail three of these, because they all arise out of our experiences in 1995/96, although they were not published in that year. I have mentioned the first already '*Patient or Prisoner?*', our discussion document on Healthcare.

The second arises from our inspection of HMP Holloway, which indicated to us that massive improvement is needed in the way women were treated in prison, at a time when the female population in prison is rising faster than any other group. Not only are there not enough places to cope with this increase, but women's prisons are not well distributed around the country. HMP Holloway, for example, serves 240 courts, taking in women from almost everywhere south of the Wash; all high security women are held in HMP Durham, which is by no means adjacent to the homes of the vast

majority of those prisoners; HMP East Sutton Park cannot possibly cope with the numbers of women from the south of England who are in open conditions, so many of them have to be sent, at very short notice, to HMP Drake Hall in Staffordshire. The situation for female Young Offenders is even worse.

To say that women are not men may seem like a facile statement. But the Prison Service does not appear to be structured to acknowledge this in terms of meeting the needs of women as opposed to men. Therefore, we shall be publishing a thematic review of Women in Prison, suggesting ways in which their particular needs can be better catered for, as a complementary document to the Prison Service's own strategic review of the estate, which acknowledges the need to improve the geographical spread of women's prisons throughout the country. We shall concentrate on what the elements of Throughcare for women should be, as well as identify such essentials as the appropriate level of representation of the needs of women in prison in Prison Service Headquarters, and the need for special training for all staff working in women's prisons, particularly those working with female Young Offenders.

In parallel with this, our inspection of HMYOI Werrington, highlighted the need to do the same for Young Offenders generally. No part of the prison system has depressed me more, as I have gone around, than the juvenile element in YOIs. Their past histories and their attitudes about the present, let alone their future, are a stain on our society, of which no-one should feel proud. This is not a political point, suggesting that blame can be pointed in any one direction – it is a stark, inalienable fact, and one about which anyone who cares about our national future, of which these young people are part, should be concerned. Consistently branded as failures; many without the slightest evidence of love or affection, let alone support, from their parents, if they know them; the vast majority truanting or being evicted from school before leaving age; virtually none having had a job; many of them already unmarried parents; exposed to the horrors of the drug culture, with all the misery and debt that goes with it – this is the depressing picture of where they come from, and to where they are likely to return.

Prison, therefore, represents the first time in the lives of many that anyone has taken the slightest bit of notice of them as individuals, or set them any standards that dictate what might be called an ordered life. I have seen what the Services can do with people, by presenting them with challenges from which, by responding, they increase their self belief and esteem. Of course the Services do not succeed with all, but at least they try. If prisons are to be able to try to do something about this disturbingly, rapidly increasing, part of their population, they must be given the encouragement and resources to do so. This includes allowing staff time to give to individuals – the single most important requirement in the eyes of many experienced staff, and one which would be echoed by everyone with any authority in the Armed Forces. That is the key factor in presenting a role model which offenders can use to help them fight off the ravages of peer pressure, which threatens to undo any good that prisons may be able to do during a sentence. This means more trained staff in YOIs. Again, our thematic will be complementary to the Prison Service's own strategic estate review.

Inspectorate developments

We have taken two further steps to improve our own efficiency. Firstly we have agreed with the Minister of State that we should increase our co-operation with Boards of Visitors (BoVs), those volunteers who contribute so much, along with all the other volunteers from many agencies, to the daily life of prisons. BoVs, like HM Chief Inspector, have the priceless advantage of being independent of the Prison Service. They represent a body of dedicated, experienced and unbiased opinion about conditions in prisons, which past experience, such as most recently in HMP Holloway, has shown that it is unwise to ignore. Home Secretaries have for years benefited from their timely advice and concerns, however unwelcome, and nothing that I have seen has led me to believe that their independence, which is proving to be immensely valuable to the Inspectorate, should be endangered. It is wonderfully British, and very special.

Secondly, we are examining and codifying our own procedures for identifying the standards we expect to find in prisons. We are doing this in close consultation with the Prison Service's own operational standards and security and financial audit teams, to ensure that there is no separation. Prison Service audits are self-regulatory, internal examinations of particular functions. They are no substitute for outside inspection, but their reports provide valuable evidence for the Inspectorate, which, when incorporated into our own streamlined procedures, may enable us to reduce the time spent on inspections. Our procedures will be published in a document entitled 'Expectations', which will, we hope, be widely circulated.

Finally, I must mention that there is an international context in which the work of HM Inspectorate needs to be set. Firstly, we have to remember that prisons are subject to UN and European Standard Minimum Rules for the Treatment of Prisoners, as well as our own national rules, and secondly, they are subject to inspection by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, from whom a damning report was received following their last series of inspections. The Chairman told me that HM Inspectorate was highly regarded by the Commission, because it was the only truly independent Inspectorate in Europe, a view repeated by the UNHCR representative in this country responsible for monitoring the treatment of asylum seekers. HM Inspectors have been invited, by the Commission, to provide inspectors to go with them to Russia, Poland and the Ukraine, which proved to be a valuable – but salutary – experience for those who went, not least because of the opportunity to share views with inspectors from other countries.

HM Inspectorate is also asked by the FCO to assist Prison Services in Dependent Territories. Most recently the FCO invited us to send a team to report on prisons in Namibia, and, after a gruelling three weeks, this was duly done. Again I believe that we must respond to such requests, not just as ambassadors of the United Kingdom, but to widen the experience of inspectors.

CONCLUSION

It is very easy to be depressed about the future, with rising prison populations, and reducing resources making life increasingly difficult for the Prison Service. I am conscious that prisons enjoy – if that is the right word – a higher public profile than they would like, much of it critical and negative. They are, as I have said earlier, only a part of the Criminal Justice system, within which they are interdependent on many other organisations and realities, not least the law of the land. I am conscious, too, that in the community, there will always be a vociferous number who favour punishment rather than rehabilitation as the role of prisons, in the hope that no-one convicted of a criminal offence will return to their neighbourhood.

Unfortunately they, and those who favour what has been described by many in history – Winston Churchill being the most frequently quoted, with Nelson Mandela coming up fast on the outside – as being the true test of a civilisation, namely the way that it deals with offenders, tend to be branded with particular party political labels, which emotionalises any discussion on the subject of imprisonment. This is a pity, because emotion cheapens examination of the realities and the practicalities of what prisons are, and the role they are required to play in, and on behalf of, society. There is no absolute right or wrong against which to measure, except the need to protect the public by preventing crime, or doing all that can be done to prevent a convicted criminal from re-offending. Prisons are but one part of the structure that has been established to satisfy these demands, which will not be achieved unless there is real co-operation between all elements that make up the Criminal Justice system; they must not be looked at in isolation. To determine what they ought to be trying to do, all concerned with prisons must be as aware of the conditions from which prisoners come, and to which they will return, as must those who have responsibilities related to these conditions question whether the way that they exercise them has a bearing on why such an increasing number of our population end up in prison.

Her Majesty's Chief Inspector of Prisons must report on what he finds, not what anyone would like him to find, if he is to satisfy his remit to the public. The Home Secretary told me that he wanted me to help him make the British Prison Service the best in the world. It already has two priceless advantages, which give it a head-start in that laudable and eminently achievable aim.

The first is the quality and dedication of so many of its staff, and the thousands of volunteers, who devote so much of their time and effort to a whole host of tasks, without which many of the good things in prison simply would not happen. I wonder

whether the Great British Public realises just how much the life of this country depends on volunteer effort – certainly all those who work in and for prisons deserve the nation’s gratitude, admiration and applause.

The second is the programme set out for it in ‘*Custody, Care and Justice*’, referred to earlier, and designed to chart the Prison Service into the next century. Of course, refinement will be required along the way, but Parliament has endorsed a programme that now requires two things to ensure that it can be implemented. The first is internal organisation, to which I have referred in this report, and which is, as I have mentioned, the subject of a separate study by the Parliamentary Home Affairs Committee. The second, and the one that colours all this report, is resources, which, as Lord Whitelaw indicated, only Government can provide, and for which HM Chief Inspector must add his plea, on behalf of HM Prison Service and the conditions in prisons that it is charged to provide, and he is charged to inspect.

ANNEXES

**INSPECTIONS CONDUCTED BY THE INSPECTORATE DURING 1995/96
AND THE PUBLICATION DATES OF THE REPORTS**

ANNOUNCED INSPECTIONS

Date		Establishment	Date of Publication
3-5 April	1995	Haslar	14 September 1995
3-7 April		Leyhill	29 September 1995
10-14 April		Hewell Grange	27 October 1995
2-5 May		Stafford	15 November 1995
22-26 May		Acklington	8 March 1996
5-9 June		Gartree	9 February 1996
26-30 June		Durham	8 March 1996
3-7 July		Latchmere House	16 February 1996
17-21 July		Whatton	23 February 1996
25 September - 4 October		Manchester	12 July 1996
2-6 October		Low Newton	12 July 1996
23-27 October		Werrington	19 April 1996
30 October - 3 November		Rochester	10 May 1996
20-24 November		Maidstone	28 June 1996
27 November - 1 December		Wayland	31 May 1996
8-12 January	1996	Brixton	Not yet published
5-9 February		Featherstone	Not yet published
12 February - 3 March		Namibian Prisons and Correctional Services	April 1996
19-23 February		Standford Hill	11 October 1996
11-15 March		Doncaster	11 October 1996
25-29 March		Ranby	Not yet published

UNANNOUNCED INSPECTIONS

Date		Establishment	Date of Publication
25-26 April	1995	Channings Wood	19 July 1995
16-17 May		Reading	15 September 1995
30 May - 1 June		New Hall	20 December 1995
12-16 June		Magilligan (N. Ireland)	11 December 1995
26-28 June		Aldington	17 January 1996
31 July		Risley	1 December 1995
27-29 September		Frankland	29 March 1996
23-25 October		Coldingley	8 March 1996
20-22 November		Swansea	10 May 1996
10-14 December		Holloway	Not published
8-10 January	1996	Sudbury	5 July 1996
16-18 January		Preston	5 July 1996
22-26 January		Maghaberry (N Ireland)	Not yet published
5 February/8 March		Dartmoor	Not yet published
5-6 March		Aylesbury	27 September 1996
6 March		Eastwood Park	3 April 1996

OTHER REPORTS PUBLISHED DURING 1995/96

FULL INSPECTION REPORTS

Date of Inspection		Establishment	Date of Publication
25–29 July	1994	Risley	5 April 1995
5–9 September		Deerbolt	10 May 1995
19–23 September		Camp Hill	10 May 1995
3–7 October		Parkhurst	16 October 1995
10–14 October		Wandsworth	26 May 1995
17–21 October		Holme House	7 July 1995
31 October–4 November		Hydebank Wood (Northern Ireland)	26 July 1995
14–17 November		High Down	29 September 1995
28 November–2 December		Lancaster Farms	7 July 1995
12–16 December		Hull	28 July 1995
9–13 January	1995	Hindley	26 July 1995
23–27 January		Birmingham	29 September 1995
6–10 February		Bullington and Oxford	26 October 1995
20–24 February		Elmley	14 September 1995

SHORT INSPECTION REPORTS

Date of Inspection		Establishment	Date of Publication
27–28 September	1994	Pucklechurch	12 April 1995
27–29 September		Campsfield House	21 April 1995
6–7 December		Garth	19 May 1995
7–8 December		Wymott	10 May 1995
14–15 December		The Mount	19 May 1995

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