



Annual Report of the Independent Monitoring Board at HMP Doncaster

**For reporting years
1 October 2020 – 31 August 2022**

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Sections 1 – 3

1. Statutory role of the IMB

The Prison Act 1952 requires every prison to be monitored by an independent board appointed by the Secretary of State from members of the community in which the prison is situated.

Under the National Monitoring Framework agreed with ministers, the Board is required to:

- satisfy itself as to the humane and just treatment of those held in custody within its prison and the range and adequacy of the programmes preparing them for release
- inform promptly the Secretary of State, or any official to whom authority has been delegated as it judges appropriate, any concern it has
- report annually to the Secretary of State on how well the prison has met the standards and requirements placed on it and what impact these have on those in its custody.

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

The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is an international human rights treaty designed to strengthen protection for people deprived of their liberty. The protocol recognises that such people are particularly vulnerable and aims to prevent their ill-treatment through establishing a system of visits or inspections to all places of detention. OPCAT requires that states designate a National Preventive Mechanism to carry out visits to places of detention, to monitor the treatment of and conditions for detainees and to make recommendations for the prevention of ill-treatment. The IMB is part of the United Kingdom's National Preventive Mechanism.

2. Description of the establishment

HMP Doncaster is operated by private sector contractor Serco Limited. The establishment opened in June 1994 and underwent extensive security upgrading as per the Woodcock recommendations in March 1999. The prison downgraded to a local category B establishment in May 2003 following operational changes within the Prison Service's high security estate.

The prison's operation is defined by a contract agreed between the contractor (Serco) and the Ministry of Justice. In March 2011 Serco was awarded a 15-year contract to operate the prison, with a contract start date of 1 October 2011.

The prison's role

The prison has custodial responsibility to detain people remanded into custody by the local courts and also to detain convicted and sentenced prisoners. Doncaster is now a local category B resettlement prison working in partnership with probation providers to deliver resettlement support through the gates into the local communities.

Management

The management and control arrangement at the establishment is governed by Prison Service Instructions as in the public sector prisons; however, there are some services which are unique to a private prison such as the role of the HMPPS Controller and their contract management team to monitor the contract.

The Director

The Governor of the establishment is referred to as a Director in the private sector and is appointed under the terms of the Criminal Justice Act 1991, subject to certification as a prison custody officer under sections 85 and 89, and schedule 10 to the Act.

The Controller

Observation of the day-to-day running of the establishment and close monitoring of the operating contract is undertaken by a Crown servant appointed by HM Prison and Probation Service known as the Controller.

Population

The prison has a certified normal accommodation (CNA) of 738, revised in November 2013, however, owing to the pressure on prison places across the prison estate, its official operational capacity is 1145. In 2016 the prison received a number of prisoners convicted of sexual offences; houseblock one is dedicated to hold 390 prisoners who fall into this category and other vulnerable prisoners whose safety would be at risk within the prison's general population.

Accommodation and facilities

There are three houseblocks each with four residential wings. There is a segregation unit. Prisoners requiring a high level of support for mental health conditions or learning disabilities have separate accommodation in the 'Loft' and prisoners needing social care reside in the social care unit.

The prison has a well-used gym area (weights room, cardio room) as well as a large sports hall and an artificially surfaced full-size football pitch.

There is a large spacious chapel which is used to celebrate a number of faiths; there are also rooms within the chaplaincy area for groups to study or meet.

The prison has a main kitchen where prisoners' meals are prepared and cooked, it also has a small staff bistro where prisoners work and train towards a new vocational qualification (NVQ).

The prison also has a reception and discharge area and visits hall.

The prison gardens are attractive and have been recognised for their quality. Work done to assist with the improvement of the area's hedgehog population has been very successful and recognised within the prison and outside.

Virtual court centre (VCC)

The prison has developed and established a new facility for prisoners to attend at court by secure video link rather than in-person. This facility will have permanent benefits, but it was crucial to enable essential justice to progress during Covid.

Dog section

During this year, the capacity and capability of the prison's dog section has been enhanced, with patrol dogs and both active and passive search dogs.

3. Executive summary

3.1 Background to the report

For most of the period there have been only two active members of the Board, and for much of it only one. This has significantly reduced the Board's capacity to carry out its full role.

Our Board took a decision that we would prioritise some monitoring above others. We concentrated on:

- Responding to individual requests to talk to the IMB, whether these were received via formal application or through messages from officers, chaplains, etc.
- Responding to requests to talk to the Board from wing representatives, who raise issues affecting groups of prisoners.
- Monitoring segregation – mainly via attending good order or discipline (GOoD) review meetings.
- Maintaining an overview of life in the prison via reading the daily operations report and reviewing the notes of meetings such as the prison health operations group, drug strategy, safer custody and equalities meetings. Our attendance at meetings in person was limited, but we did attend where practical.
- Maintaining contact, both reactive and proactive, with prison management, including custody operations managers and OSCARs (night orderly officers), and with senior management, including the Director and deputy director.
- Maintaining contact with prisoners working on the prisoner advice telephone line.
- Liaising with the chaplaincy.

The prison

The period of this report includes times when one of the main influences on the prison was its response to Covid. At the risk of stating the obvious, this created significant challenges for the prison and for prisoners.

Our Board's view is that the prison has, across most observable indicators, improved. In relatively simple terms, the prison 'feels' better than prior to October 2020; calmer, cleaner, and with improved staff-prisoner engagement.

There has been an issue with staffing (retention and recruitment). Through the period of this report, there has been an improvement, with several intakes of new officers recruited, trained and commencing their duties. The Board has respect for the men and women who have stepped forward to begin their career in the prison. It is good to see officers who we met during their 'role of the IMB' training session developing in terms of expertise and confidence on wings in the prison. The mix of experienced and less experienced staff is, however, a concern for the Board. However well selected, trained and inducted into their role new officers are, there is competence and confidence that comes with experience of work in the challenging environment of the prison that newer staff will have to grow into.

3.2 Main judgements

How fairly and humanely are prisoners treated?

The Board's contact with, and observation of, management and staff within the prison forms our view that there is a commitment to fair and humane treatment set from the Director and carried through management, which is communicated as an expectation and requirement to all staff.

The Board wishes to acknowledge some examples of positive commitment to fair treatment. These examples are not exhaustive but our observations include that:

- There is good awareness of the needs of transgender prisoners and respectful, positive and appropriate engagement with transgender prisoners by staff. There is consultation with transgender prisoners on their needs.
- All faiths are well-supported by the multi-faith chaplaincy team, and men's observation of faith is also supported by others within the prison, including provision of appropriate food and celebration of religious festivals.
- The discrimination incident reporting form (DIRF) procedure within the prison has been refreshed.

Alongside these positives, our Board has shared concerns during the period of this report with prison management.

Restricted regime

Regime restrictions were imposed in response to the Covid-19 pandemic. Since Covid restrictions were removed, there have been a number of days when a very restricted regime has been available. These restrictions have usually been driven by there being too few officers to offer a fuller regime in a controlled and safe manner. The restricted regime has prevented men from accessing activities, showers, and more. We know from talking to prisoners and from complaints to the IMB that the restricted regime has a negative impact and, on some men, a very negative one.

A recent (August 2022) change should reduce much of the impact of the restricted regime by, for example, ensuring men working off-wing, attending education or using the gym can access those activities even when the regime is restricted.

It is important to note that we have not spoken to any member of staff, from wing officers to senior management, who is content with offering a restricted regime.

Cell-sharing

The number of prisoners in HMP Doncaster requires the sharing of cells as the norm, with single-cell occupancy following an assessment of risk or particular individual need. This means that most prisoners share a cell with limited space and a shared toilet screened only by a curtain. These issues are outside the control of prison management and are long-standing, but remain a decency concern for our Board.

Perceptions of fair treatment/confidence that issues will be addressed

We have mentioned, as a positive, that the prison's process for dealing with DIRFs has been refreshed. Where the Board has had involvement with a specific complaint that is an IMB application and also a DIRF, we are content that the issue has been

investigated properly and followed up correctly (for that sample). However, we have spoken to a number of prisoners who have described unequal treatment and who perceive discrimination, but who express little confidence that 'the system' will enable meaningful investigation and consideration of their complaint and an appropriate outcome.

We believe the reasons for this lack of confidence are complex. They include negative past experiences (in Doncaster and at other establishments) and a belief that prisoners are 'never believed'. These entrenched beliefs will not be easy to overcome, but it is the IMB's view that it is important that the perception of a lack of fairness is addressed.

Segregation/reintegration

Our monitoring via attendance at GOoD reviews, the notification of moves to the segregation unit, and data and analysis from the prison's segregation monitoring meeting led the Board to conclude that segregation is used appropriately and with priority given to reintegration into the mainstream of the prison

Prisoners' property

In both years covered by this report, 13% of applications to the IMB have been by prisoners who have lost property within the prison and who believe that it was lost by the prison. Most of the men who complained to the IMB had used the prison's complaints process, or did so when prompted by the IMB.

Although all of the complaints made were important to the prisoners who made them, the IMB is particularly concerned about two groups of prisoners who make this type of complaint. There are some prisoners who have little personal money and lack friends or family outside the prison who can help. These men describe difficulty in replacing the items lost, leading to them going without important items. The other group (and the two can coincide) are those who lose items that are extremely important to them. These can be personal items like photos of family. We are concerned about the impact of these losses on the prisoners' morale and even wellbeing.

How well are prisoners' health and wellbeing needs met?

The Board wishes to acknowledge the service of the healthcare professionals who care for the men in the prison, both in 'normal' conditions, but particularly during Covid.

Our observation is that some prisoners who did not, or could not access healthcare in the community prior to arrival in the prison, receive care in the prison that they would not have accessed outside, which has a consequent positive impact on their health.

Over the period of this report, healthcare applications made up the largest proportion of applications to the IMB (19% of applications in 2020-21 and 21% in 2021-22). The Board follows up on individual complaints and is in constructive dialogue with both prison healthcare and prison management.

We have identified two factors which, in our view, contribute to these complaints:

1. Lack of understanding of how to get things done

It is common for the IMB to be told by a prisoner that he has requested something or has complained. On following up, we often find that the man may well have raised something but has not done so in a way that would be effective. For example, rather than having used the healthcare complaints system (which is monitored and where a reply will be given) the prisoner has voiced their complaint outside the system, which makes it very likely it will be missed or lost. The risk of a prisoner not understanding the processes in place and which routes to use is higher for those who, more generally, struggle to follow systems and who can lack the agency to communicate what they want and need.

2. Waiting periods/progress information

There are reasonable restrictions on the information about external appointments that can be provided to prisoners on grounds of security and safety. In the main, the men we speak to understand that restriction. We have spoken to men who, in our view, are more unsure about what is happening in terms of their care than is right. We are concerned that this uncertainty may have a negative impact on someone waiting for outside assessment or treatment. We also speak to prisoners who have had outside appointments cancelled and who are unsure why the cancellation has happened.

How well are prisoners progressed towards successful resettlement?

The IMB has observed the development of the market street within the amenities area of the prison where a range of workshops have been put in place. Other employment in this part of the prison, including a barista-style coffee shop, is also positive. The men working in these areas appear to find the work more comparable to work in the community, or 'work-like', and these jobs provide men with the opportunity to develop wider employment skills (e.g. customer engagement) that some prison jobs can lack.

The departure lounge, a multi-disciplinary resource for men on release day, is a positive development which helps to reduce and even remove some of the risks to men on leaving custody in those first few hours, when they can be very vulnerable if the connections (e.g. to probation services) and resources (e.g. having a charged phone) are not in place.

3.3 Main areas for development

Staffing/regime – The latest information about recruitment and staffing numbers are encouraging. As mentioned, the IMB sees no complacency on this issue and has noted a desire to offer a full regime to prisoners on all days. However, the prison is not there yet, and the Board will continue to monitor this over coming months.

Officer experience – Although the direction of staffing numbers is positive, the ratio of newer officers against experienced officers is likely to be less than optimum over the coming year.

Increasing prisoner confidence in the investigation of equality/discrimination concerns – Although actuality is crucial, perception of unfairness, particularly unfairness based on a protected characteristic, is erosive in itself. The Board believes that more should be done to communicate with prisoners about equality issues and, particularly, to enhance the confidence of prisoners to raise issues of inequality and submit DIRFs where appropriate.

Improving prisoner capability to engage positively and effectively with healthcare – Our observation is that a number of prisoners at present are not able to engage effectively with healthcare. This means that they do not get the best out of what the prison/healthcare provider has put in place to care for them. We suggest that some targeted work on this interface between the prisoner and healthcare would be useful.

Earnings/spending power – We are concerned that if inflation continues as it has done over recent months and if the prices of items purchased by prisoners via the canteen are impacted and rise (as is very likely), that the spending power of earnings from prison work will be adversely impacted. We ask that these are kept under close watch and that pay for work rises in line with price rises. We see this as fair and right for all of the men who work within the prison, but it is particularly important for those men with little money of their own who rely totally on prison pay to buy items from the canteen.

TO THE PRISON SERVICE

We would draw the attention of the Prison Service to our points above and ask them to consider:

- ensuring there are sufficient officers in post to offer a full regime
- monitoring the mix of experienced and less experienced officers
- protecting the spending power of prisoners' prison work earnings.

TO THE DIRECTOR

We would ask the Director to consider:

- measures to improve prisoner confidence in the DIRF system
- measures to improve prisoner ability to engage effectively with healthcare.

The work of the IMB

The Board has been significantly under its recommended complement over these reporting years. IMB membership is a volunteering activity and work obligations have reduced the availability of some members to visit. Members have had to step down from the Board due to ill-health, and in one case due to a move to employment which created a potential conflict of interest.

Board statistics

Recommended complement of Board members	12
Number of Board members at the start of the reporting period	5
Number of Board members at the end of the reporting period	3

Applications to the IMB (including via the 0800 telephone line)

Code	Subject	October 2020 to September 2021	October 2021 to August 2022
A	Accommodation, including laundry, clothing, ablutions	17	28
B	Discipline, including adjudications, incentives schemes, sanctions	9	11
C	Equality	9	8
D	Purposeful activity, including education, work, training, library, regime, time out of cell	4	34
E1	Letters, visits, telephones, public protection restrictions	10	9
E2	Finance, including pay, private monies, spends	4	11
F	Food and kitchens	3	11
G	Health, including physical, mental, social care	43	65
H1	Property within this establishment	29	41
H2	Property during transfer or in another establishment or location	4	11
H3	Canteen, facility list, catalogue(s)	9	5
I	Sentence management, including HDC, release on temporary licence, parole, release dates, recategorisation	11	18
J	Staff/prisoner concerns, including bullying	58	46
K	Transfers	10	5
L	Miscellaneous, including complaints system	9	5
	Total number of applications	229	308



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