



# **Annual Report of the Independent Monitoring Board at HMP/YOI Nottingham**

**For reporting year  
1 March 2022 to 28 February 2023**

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## Introductory 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 Nottingham is designated as a category B adult male and YOI establishment, serving primarily the cities and counties of Nottingham and Derby. The normal operational capacity of HMP Nottingham is 1,060 prisoners, with a certified normal accommodation (CNA) of 718<sup>1</sup>. During this reporting year, the reduced operating capacity was gradually increased, reaching 950 prisoners by early March 2023.

Around 60% of prisoners are on remand or convicted and unsentenced. The majority of the sentenced population are Cat C with approximately 12% being Cat B. The prison holds a small number of IS91 prisoners, who are being held under immigration detention.

Accommodation has been mostly in shared cells and is arranged on seven wings, all of modern design. One is for vulnerable prisoners (VPs) and another for 'first night' prisoners.

The segregation unit has capacity for 12 prisoners, including one special cell.

There is a separate block for education which, along with classrooms, provides capacity for two workshops, the library and a barber's suite. There are seven additional workshops, a large sports hall and gym and a separate fitness suite. Separately located workshop and education facilities are provided for VPs.

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<sup>1</sup> Figures included in this report are local management information. They reflect the prison's position at the time of reporting, but may be subject to change following further validation and therefore may not always tally with Official Statistics later published by the Ministry of Justice.

### **3. Key points**

#### **3.1 Main findings**

##### **Safety**

- Acts of self-harm have reduced but the number of assaults on prisoners and staff has increased.
- Use of force has reduced.

##### **Fair and humane treatment**

- A lack of appropriate accommodation in the prison system for prisoners with serious mental health problems continues to be a problem, with some such prisoners remaining in segregation for long periods.
- Prisoners being in dirty conditions in segregation for lengthy periods has a negative impact on other prisoners in segregation.
- Provision for some prisoners with disabilities has been inadequate and co-ordination between service providers has been lacking.
- There is a lack of confidence amongst prisoners in the complaints system.
- Property continues to be lost on transfer between establishments.
- Periodically, there have continued to be shortages of essential items of clothing, kit and shoes.
- Prisoners have expressed dissatisfaction with both the quality and quantity of food.
- There have been supply problems with some canteen items.

##### **Health and wellbeing**

- Shortages of NHS Health care staff have been apparent and prisoners have complained about a lack of access to health services, and mental health services, in particular.
- Health care complaints do not appear to be being dealt with adequately.
- At the end of the reporting year, staff training has curtailed the regime one day a month.

##### **Progression and resettlement**

- Take-up of education after the easing of Covid restrictions has been slow.
- Many prisoners are held for long periods either on remand, awaiting sentencing or awaiting moves to other establishments after sentencing, and are therefore unable to progress in their sentences.
- An increasing number of imprisonments for public protection (IPP) prisoners are left with uncertainty as to when they will come before the Parole Board or be released, which can be detrimental to their mental health.

### **3.2 Main areas for development**

#### ***TO THE MINISTER***

We would again ask the minister to address the ongoing situation in relation to IPP prisoners who are many years beyond their minimum term and who face great uncertainty as to when they may be released or what they are required to do to become eligible for release.

#### ***TO THE PRISON SERVICE***

We reiterate our concern about prisoners with severe mental health problems who are sometimes held in segregation for long periods, and the impact that this has on their mental health. We would again ask that greater provision be made available for such prisoners so that they can be more speedily transferred to more appropriate accommodation.

We would ask also that consideration be given to how the needs of prisoners living for significant periods in dirty conditions, rather than necessarily on dirty protest, can be addressed.

#### ***TO THE GOVERNOR***

To address, with the health service provider, the issues raised in the provision of health care services, staff shortages and health care complaints.

To address, with all necessary agencies, the provision of services and accommodation for prisoners with disabilities.

## **Evidence sections 4 – 7**

### **4. Safety**

#### **4.1 Reception and induction**

HMP Nottingham is a local prison with a high level of churn of prisoners. Due to increasing population pressures in the system during the reporting year, some prisoners were arriving from longer distances than usual. The Board has been aware of issues with transport which have led to prisoners arriving very late in the day, putting additional pressures on Reception and Healthcare.

#### **4.2 Suicide and self-harm, deaths in custody**

There were 712 acts of self-harm during the reporting year, a reduction of 18% which continues the welcome downward trend since 2020. As we have observed in previous years, there are several prisoners who frequently self-harm and we have noted the prison's focus on such individuals and on identifying potential trigger events.

There was again a significant reduction of 13% in the number of assessment, care in custody teamwork (ACCTs) plans opened during the year, from 818 to 709. As with self-harm, this has continued a downward trend since 2020.

There were, sadly, nine deaths in custody during the reporting period. Four are known to have been from natural causes, one of which occurred in hospital before the prisoner (who was recalled from a care home) entered HMP Nottingham. The remaining five are awaiting coroner's inquests. The Board will await the outcome of any inquests and investigations by the Prisons and Probation Ombudsman.

Six reports were received from the Prisons and Probation Ombudsman (PPO) regarding deaths in custody, of which one was from the 2018-19 reporting year, three were from 2021-22 and two were from the current year. The Board noted the Ombudsman's concerns that matters which had been raised in previous reports had not been addressed. In four of the reports, it was noted that there continued to be a failure to consistently use the National Early Warning Score (NEWS2) to assess unwell prisoners which meant that clinical deterioration was not being effectively identified. In two of the reports, the PPO raised the issue of inappropriate use of restraints on seriously ill prisoners and a failure to update risk assessments to take into account prisoners' current state of health and mobility.

In December the HM Coroner issued a Regulation 28 Report to Prevent Future Deaths following the inquest into the death of a prisoner from acute pneumonia. The report raised concerns about the inconsistent application of NEWS2 and the management of acutely unwell prisoners. The report also noted an apparent misunderstanding amongst prison staff as to what constitutes code blue/code red situation. Concerns were also raised about healthcare staff being able to retrospectively amend medical records without such amendment being obvious.

The Board understands that the prison has now taken steps to address these issues and will continue to monitor the Prison's response to the Regulation 28 report.

### **4.3 Violence and violence reduction, self-isolation**

The number of assaults by prisoners on other prisoners was slightly higher than the previous year, at 269. This followed a rise of 15% the previous year, which has not been reversed.

The number of assaults by prisoners on staff rose from 89 to 108, a rise of 21%, reversing the previous year's fall.

### **4.4 Use of force**

Use of force continues to be on a downward trend year-on-year. There were 684 occasions on which the use of force occurred, a reduction of 10% from the previous year though there was no clear pattern. For example, a low of 42 incidents in December 2022 was followed by 70 and 62 in January and February 2023 respectively.

## **5. Fair and humane treatment**

### **5.1 Accommodation, clothing, food**

The Board is concerned by the raising of the prison's Operational Capacity to 950 after it was previously reduced in response to a visit from HM Inspectorate of Prisons. This puts additional pressure on services to prisoners.

Prisoners have highlighted a lack of sufficient warm bedding in the winter, particularly for older prisoners and the prison has acknowledged that the blankets they are given are inadequate.

Throughout the year, we have observed shortages of various essential items of kit such as socks, underwear, t-shirts, towels and in particular, footwear. We have been made aware of cases of prisoners having inadequate footwear for working in a kitchen or servery environment.

Prisoners have frequently complained to us about both the quantity and quality of food. At one point during the reporting year, chips were removed from the menu due to cost pressures, which was particularly unpopular with prisoners. The Board welcomes the increase in the budget per prisoner during the year, in response to significant cost increases. The Board notes the efforts of the kitchen to meet the needs of those with specific dietary requirements.

The issue of a main meal being served very early at lunchtime has been addressed by moving this to the evening.

Prisoners have frequently complained to us about supply problems with canteen items and delays in getting refunds for items not delivered.

### **5.2 Segregation**

We again raise the issue of the lack of suitable secure accommodation for men with severe mental health or personality/behavioural disorders within the justice system; this remains a significant cause for concern. During the year, there have been a number of men in segregation for significant periods who cannot be safely housed in the normal location and have been awaiting transfer to secure accommodation. For those requiring a transfer, we do still have concerns about timely access to more suitable locations/services.

During the reporting period, there have been several prisoners in dirty conditions, one for lengthy periods. There have been times when this has resulted in a very bad smell pervading the unit, which has been unpleasant for other prisoners in the unit and the staff. The Board would like to highlight the case of one prisoner in particular who has been unable to keep out of dirty conditions and has spent significant periods of time in segregation. There needs to be better provision than the prison can provide, for prisoners such as this.

### **5.3 Staff and prisoner relationships, key workers**

Many staff are still inexperienced, with approximately 38% of operational staff having served less than two years. The Board does observe many positive interactions between prisoners and staff but receives a significant number of applications relating to staff behaviour, suggesting that, as we have previously reported, there can be inconsistency of treatment of prisoners by staff.

The prison continues to make efforts to implement the key worker scheme and there is evidence of key workers introducing themselves to prisoners and meeting with them. However, there seems to be much work to do for the scheme to deliver significant and effective results for prisoners. We are aware also of an initiative to encourage staff to fix prisoner issues in the first instance.

#### **5.4 Equality and diversity**

The Board has raised concerns with the prison over the provision for several prisoners with physical disabilities during the reporting year and a lack of adaptations to cells. It has often seemed that it has either been difficult to assign responsibility for making provisions for disabled prisoners or that it has been difficult to ensure that the appropriate organisation fulfils its duties.

In one case, a prisoner had only a broken wheelchair to sit on in his cell and although requests were made for a chair to be provided, it took many months for one to be provided. Additionally, it took an extended time for the prisoner to be provided with a functioning shower chair or grab rail next to the cell's toilet. In another case, assessments had been made that a prisoner required a hoist and the Board made representations over several months for this to be provided. Representations were also made for adaptation to enable a disabled prisoner to properly access the cell's emergency call bell. In another case, a disabled prisoner was unable to access the visits suite due to his disability and the solution was for a social video call to be provided via a laptop brought to him on the wing. There were numerous problems with this, including difficulties in getting the prisoner to the location on the wing, a lack of staff to facilitate the social video call and technology failures, which meant that the social video call could not proceed. In this case, the prisoner was unable to access social video calls available to other prisoners due to his disability.

Both prisoners and staff have commented to us about a lack of racial diversity amongst staff.

#### **5.5 Faith and pastoral support**

The Board notes that by the end of the reporting year, access to collective worship for all prisoners had been resumed after the Covid restrictions. The board is aware that many prisoners feel supported by an experienced and well-motivated chaplaincy team.

#### **5.7 Complaints**

The Board is aware of a lack of confidence in the complaints process amongst prisoners. Many prisoners have cited complaints not being responded to or not being dealt with adequately. Some prisoners have stated to us that they do not feel able to raise issues first with staff, as they feel they may be treated unfavourably as a result. The prison has acknowledged problems with the applications system accessed via kiosks and initiated a piece of work to improve this provision.

#### **5.8 Property**

The Board continues to receive a significant number of applications about access to stored property within the prison and often the processes within the prison have not enabled them to do so. The Board also receives applications, both from prisoners in the establishment and from other Boards on behalf of prisoners at other establishments about the loss of property on transfer. It is rare that these cases can be resolved satisfactorily for the prisoner by the return of the property which has gone missing.

## **6. Health and wellbeing**

### **6.1 Physical healthcare, mental health, social care**

In response to applications regarding healthcare during the reporting year, the Board has raised concerns with the prison on several occasions. Prisoners have complained about access to both physical and mental health services, and particularly about delays in accessing mental health services. The Board has been aware of significant staff shortages during the year. There have been instances where staff shortages have resulted in medication being administered late to prisoners, with the result that a dose due later the same day could not be given due to insufficient time between doses.

The Board has been aware, both from prisoners and staff, of significant problems with the healthcare complaints system and prisoners have complained that healthcare complaints have not been responded to or have not been responded to adequately.

The Board understands that for prisoners to initially receive medication which they had been prescribed outside prison, it needs to have been prescribed within the previous four weeks, which prisoners find frustrating.

As noted above under disabilities, the Board has been concerned that responsibilities for the provision of services to disabled prisoners between health, social care and the prison itself have not been clear to all parties, with the result that some prisoners have not been adequately provided for.

### **6.2 Time out of cell, regime**

At the start of the reporting year the prison had just moved to a less restrictive regime following the Covid pandemic and in June 2022 further restrictions were removed and access to workshops was reopened to all prisoners.

Prisoners have commented positively about access to the gym and the provision of activities. The Board has noted an investment in new equipment and a shift in emphasis from weights to more cardiovascular exercise-orientated facilities. The Board noted towards the end of the reporting year complaints from prisoners that access to the gym and other activities was being delayed due to the length of time being taken to complete induction.

Towards the end of the reporting year, the prison started to implement the national structured on wing activity (SOWA) initiative, but this was in its infancy by the end of the reporting year. There is a general lack of provision of activities for prisoners on wings when they are out of their cells.

In January 2023 the prison started a programme of monthly training days. On all such training days, there have been no activities, workshops, education, gym, visits or facility for showers. Whilst the Board acknowledges the need for the training of staff, many of whom are inexperienced, the restricted regime clearly has a significant impact on prisoners.

### **6.3 Drug and alcohol rehabilitation**

As the Board has previously reported, many prisoners come into prison with drug dependency issues. Substitution medication is frequently provided. The Board notes that mandatory drug testing was reintroduced at the start of the reporting year following disruption due to the Covid pandemic.

## **7. Progression and resettlement**

### **7.1 Education, library**

Although the easing of Covid restrictions has enabled improved access to education, the prison has struggled to raise and maintain good attendance levels. We are aware of changes to the cookery classes to reflect the cost of living and fuel rises. As we have reported in previous years, the library is well-resourced and the service is well-regarded by prisoners.

The Board welcomes the appointment of a Neurodiversity Support Manager to improve support for prisoners with neurodiverse needs and to improve awareness of neurodiversity issues.

### **7.2 Vocational training, work**

Whilst workshops have fully reopened following Covid restrictions, there are relatively few opportunities for prisoners to access meaningful work which might lead to employment opportunities on release. We have generally observed positive relationships between prisoners and staff in workshops.

### **7.3 Offender management, progression**

The Board encounters a significant number of IPP prisoners who are troubled by the uncertainty arising from their sentences. Many are recalled and have to wait for lengthy periods before being able to access a parole board hearing.

The Board also encounters an increasing number of prisoners who are spending lengthy periods on remand or awaiting sentence because of significant delays in the court system. This uncertainty often affects their mental health and causes delays in progression.

Due to population pressures, sentenced prisoners sometimes wait for significant periods before they can be transferred to other establishments where they can progress in their sentences. The Board also notes the case of a prisoner who was unable to transfer to a lower-category establishment for some months because of delays in agreeing provisions for his disability needs and suitable transport.

### **7.4 Family contact**

At the start of the reporting year, the departure lounge in the visits centre reopened following Covid restrictions. The Board notes that during the reporting year, the prison removed the restriction of prisoners on basic only receiving 30-minute visits.

### **7.5 Resettlement planning**

There is no resettlement funding for remand prisoners meaning that those who are found not guilty, given a non-custodial sentence or released on time served get no funded support for housing and other release issues.

## 8. The work of the IMB

### Board statistics

Recommended complement of Board members	15
Number of Board members at the start of the reporting period	8 (7 active)
Number of Board members at the end of the reporting period	6 (4 active)
Total number of visits to the establishment	132

### Applications to the IMB

Code	Subject	Previous reporting year	Current reporting year
A	Accommodation, including laundry, clothing, ablutions	31	36
B	Discipline, including adjudications, incentives scheme, sanctions	9	13
C	Equality	6	36
D	Purposeful activity, including education, work, training, time out of cell	13	20
E1	Letters, visits, telephones, public protection, restrictions	44	31
E2	Finance, including pay, private monies, spends	18	13
F	Food and kitchens	22	8
G	Health, including physical, mental, social care	53	52
H1	Property within the establishment	40	30
H2	Property during transfer or in another facility	26	13
H3	Canteen, facility list, catalogues	11	3
I	Sentence management, including HDC, ROTL, parole, release dates, re-categorisation	28	53
J	Staff/prisoner concerns, including bullying	51	47
K	Transfers	24	8
L	Miscellaneous	66	35
	Total number of applications	442	398

## **Annex A: List of service providers**

The following services to the establishment are provided by third parties under contract arrangements:

- Healthcare (Nottinghamshire Healthcare NHS Foundation Trust)
- Substance misuse treatment (Nottinghamshire Healthcare NHS Foundation Trust)
- Learning and skills (PeoplePlus)
- Library (Nottingham City Council Library Service)
- Escort contractor (GEOAmey)
- Visitor centre (Pact)
- Maintenance (Amey)

The offender management unit also works with a large number of partner agencies in its efforts to provide resettlement opportunities for prisoners.



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