



# **Annual Report of the Independent Monitoring Board at HMP Exeter**

**For reporting year  
1 January 2023 to 31 December 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 Exeter is a men's category B local and resettlement prison. Located within the city, it is a Victorian prison of radial design built in 1853, with three wings positioned around the centre. D and F wings were added later. Its operational capacity (the maximum number of prisoners that can be held without serious risk to safety, security, good order and the proper running of the planned regime) at the end of the reporting year was 321<sup>1</sup>. This had been reduced during the year because of refurbishment work resulting in the temporary closure of A wing (194 spaces). At the end of the reporting period, the roll was 309.

F wing, which re-opened in May following refurbishment, had previously been designated as a social care unit. Its future status remains under discussion.

Apart from the remand population (see section 3.1), the demographics of the prison have remained broadly similar to previous years. Averages across the reporting year are:

<b>Population</b>	<b>% across the year (2023)</b>
18 years – 20 years (young adults)	5%
21 years – 24 years	9%
25 years – 29 years	15%
30 years – 39 years	39%
40 years – 49 years	20%
50 years – 59 years	8%
60 years or more	4%
<b>Ethnicity</b>	<b>% average across the year</b>
White ethnicity	85.09%
Black, Asian and minority ethnicity	14.91%

As a local and resettlement prison, Exeter has a high turnover of prisoners. At the end of the reporting year, there was a 72% monthly turnover in prisoner population (see section 3.1). The average length of stay for sentenced prisoners (non-resettlement cohort) was 90 days.

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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

The report is based on the following evidence:

- direct monitoring of accommodation, facilities and services
- reviews of documentation, data and sampling of body worn video camera (BWVC) footage in relation to use of force (UoF)
- external reports, from Prisons & Probation Ombudsman (PPO) and HM Inspectorate of Prisons (HMIP)
- observations of some prison meetings
- conversations with some prisoners, staff and other agencies
- monitoring of a sample of prisoners' complaints to the prison
- prisoners' applications (written representation that prisoners submit to the IMB).

Apart from data relating to IMB applications (see section 8) and from reports referred to above, data included in this report is based on information from the prison's local management.

#### Background to the report

The reporting period - 2023 - has been another challenging year for HMP Exeter:

- **Healthcare** Unfortunately the service has had to compensate for a high vacancy rate of 48% in permanent staff at the start of the year, although this had fallen to 16% by the end of 2023.
- **Urgent Notification (UN)** Throughout the year, the prison has been operating under the Urgent Notification protocol, which was invoked following the HMIP inspection in November 2022. This has resulted in the implementation of an action plan to address those priority and key concerns and the associated monitoring, reporting and review of progress.

In November 2023, an Independent Review of Progress (IRP), which assesses progress against priority and key concerns, was undertaken by HM Chief Inspector of Prisons (HMCIP). The assessment identified that there had been reasonable progress in three areas and insufficient progress in four, two of which had been identified as priority concerns following the full inspection. Ofsted found that there had been insufficient progress in all three themes that

- **Staffing stability** The instability in the senior leadership team, which the IMB has reported on previously, had also been cited by HMIP, in the inspection in 2022, as a reason for limited progress. This improved in 2023, particularly during the last six months of the reporting year. However, there have been changes in the senior leadership team, with the appointment of a new Governor in May and changes to the Heads of Residences and Services, and Safety and Equalities. A positive initiative has been the implementation of additional middle managers who have oversight of safety critical responsibilities. However, most of these roles are funded on a temporary basis and this potential lack of continuity and job security risks undermining

improvements being fully embedded and sustained over a longer period (see section 3.3).

- **Refurbishment and building projects** Exeter has continued to be under constant physical and operational pressure, created by the deterioration of its fabric and structure and the need for refurbishment of living accommodation. While refurbishment is welcomed, it has come at a cost and been affected by delays in completion. The reporting period - 2023 - is the third consecutive year where there has been a major refurbishment or building programme ongoing. The negative impact of this has been felt by prisoners and staff and across all aspects of prison life, including:
  - the operation of the prison and its regimes and services
  - the ability of the prison to safely and effectively separate, manage and reward/incentivise different cohorts of prisoners (see 4.2 and 4.4)
  - the ability of the prison to provide decent accommodation for segregated prisoners in the care and separation unit (CSU)
  - the opportunities for prisoners to engage in more purposeful activity.

In October, the new visits hall and video conferencing centre (VCC) at the prison was finally completed (see 7.4). The visits hall is a large, bright and enriching room, which is a significant improvement on the previous accommodation. It provides a pleasant environment for prisoners and their visitors to meet. The video conferencing facilities provide confidential, clean, pleasant waiting and hearings rooms. Potentially, they also provide an opportunity to improve the efficiency of some court appearances (as prisoners can sometimes appear in court remotely via a video link).

- **Security** Anticipated and identified improvements to CCTV have not materialised and this remains unfit for purpose. Along with some other aspects of security (see 4.6), it continues to create safety and security vulnerabilities for the prison and does not always enable the prison to secure evidence to manage incidents in an effective and robust way.
- **Balance of prisoner population** A shift in the balance between sentenced/resettlement and remanded prisoners (those held in prison until the time of their trial or subsequent sentence hearing) has been a feature of the reporting year and impacted negatively on prison stability. At times, up to 80% of the population has been on remand. Within the context described above, this has contributed to the high levels of violence and self-harm (see 4.2 and 4.3).
- **Population turnover** Apart from instability, another consequence of the high levels of turnover in the prisoner population (on average, 72% per month at the end of the reporting period) is that the operation of the prison in terms of prisoner training is resource-intensive (see section 7). Difficulties with keeping some trained and skilled sentenced prisoners 'on hold' at the prison creates another element of instability. Examples include prisoners trained to assist with induction.

- **Complex environment** Although HMP Exeter has been recognised by HM Prison and Probation Service (HMPPS) as a 'complex environment', it has not been able to access additional funding on this basis. Additionally, and despite the performance challenges faced by the prison, Exeter has been required to release some officers for detached duty at other prisons.

## **Safety**

- Although there are recent signs of improvement, the prison continues to experience high levels of violence and self-harm when considered alongside comparator prisons.
- There have been some improvements in the delivery of induction by the prison and in the management of assessment, care in custody and teamwork (ACCT) plans, which are used to support prisoners who are at risk of self-harm and suicide.
- The oversight of the management of violent incidents has improved and the governance of the use of force (UoF) continues to be robust.

## **Fair and humane treatment**

- The temporary accommodation for the care and separation unit (CSU) is not of good quality and has caused the Board considerable concern in relation to the humane treatment of segregated prisoners.
- The prison is overcrowded and the condition of the Victorian buildings do not make it easy to provide humane living conditions.
- Progress is being made in tackling equality and diversity issues and the adjudication (a disciplinary hearing when a prisoner is alleged to have broken prison rules) and segregation review processes (where the prison determines if the prisoner should remain separated from the rest of the population) are fair.

## **Health and wellbeing**

- The high rate of vacancies in permanent healthcare staff has impacted on the delivery of services.
- A significant challenge is posed by prisoners arriving in prison with physical and mental health and neurodiversity issues.

## **Progression and resettlement**

- There are major challenges in delivering purposeful activity with such a rapid turnover of prisoners.
- Preparations for release can be significantly hampered by a lack of suitable accommodation.
- A shortage of staff has impacted on the delivery of some services.

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

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

Will the Minister:

- Work with other Ministers and agencies to increase mental health support for the prison and to ensure resources are in place to facilitate the timely transfer of prisoners with serious mental health conditions?
- Address the overcrowding, which is creating a range of problems and impacting on work to provide purposeful activity?
- Address the lack of accommodation available for some prisoners on their release from prison?

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

Will the Prison Service:

- Ensure the project to update CCTV in the prison is progressed as quickly as possible?
- Ensure robust and timely arrangements are in place to facilitate inter-prison transfers for prisoners with specific needs that cannot be met at Exeter?
- Maintain the level of additional resources provided in response to the Urgent Notification?

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

Will the Governor:

- Continue to address deficiencies in the systems for managing prisoners' property?
- Improve the range and scope of the workshops and the delivery of all purposeful activity?
- Address the deficiencies in the temporary CSU?
- Secure the regular delivery of sufficient key worker sessions?

### **3.3 Response to the last report**

<b>Issue raised</b>	<b>Response given</b>	<b>Progress</b>
Improved support for the Governor.	A temporary uplift was agreed for the Senior Management Team and experienced senior staff were put in place. Support from Group and Regional managers was put in place. Fluctuations in the regime were acknowledged, but an additional temporary role had been created to drive improvements.	The Board welcomes the additional resources provided, whilst expressing concern that these are largely temporary resources. It is too early to determine how effective this action has been in improving outcomes and the Board notes the judgments expressed by HMIP in its recent



		Independent Review of Progress.
Review the resources required to support more effectively the rehabilitative and resettlement role of local prisons.	This work has been affected by significant increases in the remand population – over 80%. Two new roles have been created: a Prison Employment Lead and an ID and Banking Administrator; and Exeter was chosen as a trial site for a new senior leadership role of Head of Education, Skills and Work.	The Board's observations indicate that these resources may be starting to have an impact. The Board also notes HMIP's assessment of performance in this area as being 'Reasonably Good'.
Address the backlog in staff training, particularly control and restraint basic, refresher and advanced training.	Essential training for operational staff was paused during the Covid-19 epidemic and had not yet been re-established. Business-critical safety training had been prioritised and good progress had been made in areas such as Use of Force. It was hoped to deliver mental health awareness training for operational staff; and to recruit more instructors.	The Board has noted the considerable efforts to deliver training on Use of Force and the use of Pava (an incapacitant spray), but is also aware that the training for a number of officers will fall out of date in 2024.  The Board has also been pleased to note that regular training on other issues takes place on two Wednesdays each month.
Invest in improving systems for the management of prisoners' property.	The Prisoners' Property Policy Framework was implemented in September 2022. It aims to ensure consistency and fairness and enhance prisoners' satisfaction with processes and outcomes.	There is no evidence at present that the policy framework is making a discernible difference. (See 5.7 and 5.8)

Improve the current arrangements for prisoner induction.	No response received.	The Board has noted some improvement in the timeliness of delivery of prison induction; but this is less so with Weston College and information, advice and guidance (IAG) services.
Improve systems and processes for the receipt, recording and distribution of prisoners' property to reduce losses and compensation costs.	See above	The Board routinely monitors the monthly prison report on complaints and has noted a continuing high number of Comp1s (ordinary complaints) relating to property. A total of 34% of all complaints received by the prison related to property (see 5.7). The Board has also received 10 applications relating to property during the reporting year.

## **Evidence sections 4 – 7**

### **4. Safety**

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

The induction process and support for new arrivals has improved. As with some other safety-critical areas (see 4.6), additional, albeit temporary, staff investment has helped. Training and a new leaflet, which identifies the risks and triggers associated with new arrivals, provide a better focus on the most relevant questions and observations to support the needs of new arrivals.

The time it takes for a new arrival to get onto the wing has improved significantly, but still depends on the complexity of the case: it can take as little as 30 minutes but may well take more than an hour. The introduction of Insiders (trusted and trained prisoner orderlies) has also improved the process. Reception staff have also told the IMB that there is now much better correlation between the provision of suicide and self-harm (SASH) forms by the transferring transport provider, Serco, and the opening of ACCT plans for new arrivals.

In theory, a new arrival should see healthcare on day 1, have prison induction on day 2, education induction on day 3, employment induction from information, advice and guidance (IAG) services on day 4, and meet their key worker (a member of the prison staff who supports a prisoner throughout the custodial period) on day 5. However, there have been backlogs in the induction process and especially with sessions due to be carried out by the education provider, Weston College, caused by, for example, an all-staff training on Wednesdays. An induction officer attends on Saturdays to process prisoners who arrived on Thursday or Friday. The daily handover document provides some opportunity for internal monitoring of the timeliness of prisoners' induction.

New mainstream arrivals continue to be located on C4, the first night and induction landing. Due to space pressures, it has occasionally been necessary to place on the first night landing those prisoners who needed to be located away from the main population. This arrangement, while not ideal, is clearly documented on the daily handover document and is usually for a very short period and is carefully managed.

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

In 2023, the monthly average for incidents of self-harm was 32, down from an average of 40 in 2022. But there were wide variations between months, with 16 in January, 19 in May, 51 in August and 52 in September. Trends are difficult to interpret because a small number of prisoners who self-harm on more than one occasion account for a high proportion of incidents: in December 2023, seven prisoners were involved in 17 of the total of 26 incidents (65%).

Taking into account different prison populations, the rate of self-harm during the year put Exeter at or near the top of a list of comparable prisons. The latest figures for December 2023 show a significant improvement.

There was one death in custody in 2023, a much lower number than in some of the previous years. This death is still under investigation by the PPO. During the reporting year, five PPO reports were received for prisoners who had died in the previous years: 2020 (1); 2021 (2); 2022 (2); and three who had died within 14 days

of release, one in 2021 and two in 2022. For those who died in prison, it was disappointing to note a number of concerns about the management of ACCTs and, in some instances, the standard of clinical care. The IMB recognises that, because of the delay in issuing reports, some of these problems may have been addressed. For those who died post-release, the PPO has highlighted a key factor as being a lack of accommodation on release (see 7.5).

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

Assaults averaged 21 per month in 2023, a slight increase on 2022. The variation was between 14 each in May and December, 25 in January, and 28 each in August and September. Although the trend of prisoner-on-prisoner assaults was declining slightly through the year, the trend of assaults on staff was upward, from an average of three a month to six a month. In both cases the number of serious assaults remained low. Taking account of different prison populations, the rate of assaults during the year put Exeter at or near the top of a list of comparable prisons. Again, the latest figures for December 2023 show a significant improvement.

HMIP's Independent Review of Progress in mid-November 2023 (following the UN) stated: 'Rates of self-harm were similar to 2022, but care and support for individuals in crisis, including new arrivals, was improving... There had been good proactive work to determine and address the reasons for violence, and the oversight of incidents had improved. Despite this, recorded rates of violence between prisoners remained the highest of all adult male prisons.'

The average number of ACCTs opened each month has declined slightly over the reporting year from 45 to 40. Most of these have been opened for newly arrived prisoners and there seems to have been a closer correlation with the SASH forms provided from the courts and SERCO, the transport provider.

The Board has observed how these statistics are monitored in monthly safer custody meetings. We have also started to monitor the weekly safety intervention meetings (SIMs), at which individual prisoners on ACCTs and challenge, support and intervention plans (CSIPs), used to support and manage prisoners who pose an increased risk of violence, are discussed. This has been helped over the past two years by greater continuity in the post of Governor responsible for safer custody, although a change was made towards the end of the reporting year. Safer custody was the focus of a specific week of events in October 2023, as well as a safety summit earlier in the year.

We recognise that a major effort is being made to improve safety in the prison, prompted not least by HMIP's UN. We acknowledge that the continued closure of A wing makes it harder to separate main wing prisoners. Both the high proportion of remand prisoners and the rapid turnover of the population do not help. But we are concerned that the additional resources that followed the UN will be withdrawn and it will be harder to maintain momentum in driving down both violence and self-harm.

### **4.4 Challenge, support and intervention plans (CSIPs)**

Evidence suggests that CSIPs are being used in a more integrated way across the prison. This is contributing to a better understanding of the drivers of violence and to the development of a more informed profile of support and additional interventions for those in need. The weekly SIMs review all prisoners on CSIPs and face to face

review dates are clearly scheduled, with expectations of completion within timeframes. Evidence from the daily handover document and daily status report shows that there is still some slippage in the face-to-face review process, but that this has improved and is monitored by managers.

#### **4.5 Use of force (UoF)**

The Board has been able regularly to review the operation and governance of UoF throughout the year, both through observing the monthly multidisciplinary meetings and the Governors' weekly review of body worn video camera (BWVC) footage. (The latter is also reviewed daily by a senior officer.)

Incidences of UoF have, generally, been higher in 2023 than in 2022. According to the prison, this is, in part, attributable to the closure of one of the main wings and the prison's consequent inability to separate prisoners in different wings. There have also been some particularly challenging prisoners in the establishment, who have had force used multiple times. Where force is used two or more times, the prisoner is automatically referred to the CSIP programme (see paragraph 4.4) There are early signs that an increase in the delivery of key worker sessions does reduce the incidence of UoF, but this needs to be examined further. Of the 505 incidents in 2023, 356 were on C wing, where most of the prisoners were housed. The statistics are reviewed monthly with representatives from equality and diversity, healthcare and the chaplaincy usually present. This enables a wide-ranging look at potential causes for force having to be used and, where necessary, the need for further action, such as forums for specific categories of prisoner (religious or ethnic groups, for example) can be identified, with report-backs at the subsequent meeting. There were no significant instances of force being used disproportionately against specific categories of prisoner during the year. The majority of incidents involved the use of guiding holds, which involve taking a prisoner by the arm and directing them to a particular location.

The governance of UoF has continued to be robust and this is reflected in the high rate for timely completion of Annex As (the description of the incident by the officers involved) – at 100% for two months and over 90% for the remainder of the year. The quality is also carefully monitored, and advice given where necessary. There has also been an improvement in the number of prisoner debriefs completed after UoF incidents. The use of BWVC has been running at around 90% most months and regular reminders are sent to staff about the importance of switching on cameras at the earliest opportunity. There have, however, been some technical problems with the cameras, particularly towards the end of the year. At the weekly review of BWVC footage, examples of good, and not so good, practice are identified and followed up; where necessary, officers are referred for further training.

Considerable emphasis has been placed on training throughout the year, although the regular influx of new staff is challenging. At the end of the year, 181 operational staff had been trained and were carrying Pava, but it had only been used once.

#### **4.6 Preventing illicit items**

The introduction of an airport-style X-ray scanners to strengthen the entrance procedures to the prison has been disappointing. Initially, the Board was told that not enough staff had been trained in its operation, so commencement of its use was delayed. Towards the end of the year, the explanation for continued non-use was the

shortage of staff to operate both the scanner and to carry out the 'rub-down' searches (where an officer runs their open hands over the individual's clothing, inspects the person's hair by hand and visually inspects the ears, nose and mouth). The Prison makes efforts to reduce illicit items entering the prison but there are still finds of drugs and mobile phones on the wings. All prisoners are required to use the full-body scanner on arrival in reception and if found to be in possession of secreted items are taken to the CSU under the secreted items policy (SIP). There they are scanned daily and moved to the wings as soon as a scan is clear.

Intelligence-led searches of wings and cells has been successful in identifying and recovering a varied selection of illicit items, from drugs, mobile phones and chargers to weapons and hooch. This fermenting liquid brewed by the prisoners continues to be a significant issue, as consumption easily leads to increased aggression towards officers or other prisoners, and there have been several incidents of prisoners under the influence of both hooch and drugs requiring healthcare.

Despite the preventative measures in force, and enhanced security, drugs are a major threat to the operation and stability of the prison impacting, as with hooch, on the safety of staff and prisoners.

Throw-overs (mostly of mobile phones and controlled substances) into the prison grounds are attempted on a frequent basis, but vigilant prison staff regularly recovered packages before they could reach their intended recipients. However, finds from cell searches suggest a significant proportion is still reaching prisoners.

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

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

#### **Accommodation**

The refurbishment of the prison has continued for most of the year, with a resulting impact on operational capacity. Whilst the refurbishment of B wing was completed and is now fully operational, A wing has been out of action for most of the year. The CSU was moved to a temporary location, the suitability of which has been routinely questioned by the Board (see 5.2). The prison sometimes struggles with rat incursion, entering through poorly fitted cell windows, for example.

D wing traditionally housed enhanced prisoners (under the incentives scheme), but is now categorised a main wing but with prisoners subject to enhanced risk assessments. It has been refurbished but, despite the improvements that has brought, some problems remain. The ventilation on this wing is an acute problem in summer and dampness is leading to mould forming in the cells and some other areas, such as the latrines, which causes concern to the Board and prisoners. The Board has been told that the contractors blocked up the air vents as part of the fire-suppression works, which has been a contributory factor to this issue. The Board hopes this is not replicated in other areas.

#### **Clothing**

There is a small prison laundry based in the clothing exchange store and there are some facilities on the wings for prisoners to wash their own clothes. Items such as bedding, towels and some prison-issue clothing are sent to another prison in the cluster, where they can be laundered at higher temperatures. Unfortunately, however, the establishment does not always get the same quantities and quality of laundry returned, often leading to a reduction in the availability of items for prisoners. The prison tries to mitigate this by purchasing replacement items, but this cannot always cope with the challenge of a prison turnover of 72%, where all new arrivals will need to be issued with clean bedding.

The Board often hears from prisoners about the variable availability of fresh, personal clothing items. Efforts were being made to launder some of these items locally in the prison's laundry, but this has remained inconsistent throughout the year due to staffing constraints. The Board has recently been advised that there are limitations on external power systems from the National Grid, which prevent the prison from investing in its laundry equipment capacity to resolve these issues and be more self-reliant.

The provision and procurement of shavers for the prisoners, a basic requirement for a male prison, has been unreliable and continues to cause the Board concern.

The Board generally gets few complaints about the canteen provision (the term used for the weekly delivery of items the prisoner has bought from the prison shop), and prisoners value access to additional items they may purchase. We are, however, aware that there is a high number of complaints to the prison (see 5.7). We have received a small number of applications concerning disputes around delivery of items and charging.

## **Food**

The catering department provides meals to meet a wide range of needs, including medical, cultural and religious diets. Meals are chosen from a multi-choice, four-week cycle offering five main options every day.

The kitchen is clean and hygienic and, given budgetary constraints, provides acceptable quality and varied meals, in the Board's view. The budgetary allowance has now risen to £2.80 per prisoner per day, but this only reflects the increase in the cost of food.

From the Board's observations, the wing serveries are not always properly supervised and adequate clothing was not always available or used. The temperature charts are generally completed appropriately and only two applications about the food not being hot enough at the serving point were received by the Board during the year. Only 10 applications about food were received by the Board during the year (see section 8), of which most related to portion size or food not being available after attending court. Every effort was made by the kitchen to provide a meal for those prisoners arriving late.

Dietary observance for Ramadan is respected and special celebrations such as Eid are given appropriate status.

### **5.2 Segregation**

Maintenance and refurbishment work to A wing has meant that, for the duration of the reporting year, segregated prisoners have continued to be held in discrete but temporary accommodation in a basement on C wing. Concerns about this location were raised in the Board's 2022 annual report, and since then the environment and impact on the wellbeing of those prisoners detained has deteriorated further. As the IMB did not feel that an acceptance of unsuitable conditions, even for a temporary period, was reasonable, our concerns were escalated to the Prison Group Director (PGD). In broad terms, the key issues raised related to the unnecessarily unpleasant and punitive environment created by both the location and outcomes of regular 'dirty' protests and unpredictable behaviour. Despite the best efforts of the CSU staff, a smelly, unhygienic and extremely noisy environment was the norm for sustained periods of time. The IMB received verbal complaints from some prisoners detained in the CSU about the conditions, and for those on an ACCT or with mental health or neurodiversity issues, the sensory overload experienced could not have been conducive to their overall wellbeing or reintegration. Rats gaining access to the CSU office and wider CSU environment compounded our concerns around hygiene in the unit.

In the Board's view, protracted decision-making, involving both mental health professionals and the judiciary, did not enable the prison to resolve these issues in the CSU in a timely manner. Arrangements with other establishments to help, on a temporary transfer basis, were limited, although one other prison helpfully provided some short-term respite for Exeter's CSU. From the Board's observations, an impact of this was that, at times, staff in the CSU were overwhelmed by the behaviour they were trying to manage in a dignified and professional way and the consequential additional workload. Such efforts were human, physical and financially resource intensive, and morale suffered.



For most of the year, staffing in the CSU has been stable and included some very experienced officers returning to the role. Towards the end of the reporting year, some new staff joined the team to replace staff reassigned to other duties. Regular monitoring visits to the CSU by the IMB have provided opportunity to observe CSU officers working effectively to build relationships and engage positively with some of the most challenging and disturbed men in a supportive and dignified way. Officers have shown a good knowledge and understanding of the needs of the men in their care. The Board has been impressed by the commitment and patience of the CSU staff, who have worked in the most difficult of environments this year.

Analysis of the monthly segregation monitoring and review group (SMARG) report indicated that the reasons prisoners are in the CSU are varied and include:

- staff or prisoner assault
- secreted items
- risk posed to others
- damage to cell or prison property
- building barricades or climbing on the safety netting
- following an adjudication.

During the year, 1,744 days were spent by prisoners in the CSU. A total of 72% of this time was due to good order or discipline (GOoD), where a prisoner has been kept apart – segregated – from other prisoners due to disruptive behaviour, requiring regular review. Segregation is generally used as a last resort, in terms of the management of prisoner behaviour, and the turnover in the unit is usually high. An exception to this was the almost continuous detention of one prisoner, with extreme and unpredictable behaviour, totalling a period of 259 days. Eventually diagnosed with a mental health condition, he was transferred to a secure mental hospital.

Monitoring of the use of the special accommodation (SA) cell (where items such as furniture, bedding and sanitation are removed, in the interests of safety) showed that this was used on 31 occasions during the year. A total of 61% of this use was attributable to one prisoner. Records show that protocols around the use of the cell are observed and that the cell was normally occupied for a matter of hours. There has been better communication with the IMB over the use of the SA cell this year.

During the year, 70 prisoners on open ACCTs have been held in the unit. Because the physical and environmental conditions have been so poor, this has been a concern. However, the IMB has monitored some of the segregation daily records and some ACCT documents, which show that observations and reviews have been timely.

Arrangements for the IMB to observe some segregation review boards (SRBs), which consider whether to authorise continued segregation, have become more embedded, routine and consistent. During the year, the IMB has observed 77 reviews. For the most part, the Board is kept informed when prisoners are segregated and of their review dates. Monitoring of some SRBs has shown a collaborative process, mostly well informed by the case note information available and from relevant contributors such as healthcare and CSU officers. Outcomes for prisoners have been reasonable, with prisoners treated fairly. Requirements for a return to the main location are clearly communicated via an agreed reintegration plan.

Concerns, first raised in the Board's 2022 annual report, about the location of SRBs and other reviews for segregated prisoners, have continued and worsened. This matter was also raised with the PGD. The monitoring of some reviews has shown that the availability of an appropriate and professional facility for the review of prisoners on ACCTs or GOoD has been inadequate. Members of the IMB have regularly observed reviews that have taken place in the CSU office, where there are constant interruptions caused by people entering/leaving the office and the phone ringing. The IMB has concerns around the impact of such disruption on the ability and opportunity of prisoners on ACCTs or with mental health or neurodiversity issues to engage effectively with the process. Despite the 'when resources permit' caveat around the use of an alternative review venue, this has rarely happened and the IMB has been disappointed that a more creative approach has not been taken to resolving this significant issue.

Daily adjudications are administered and managed by CSU staff. The involvement of the Independent Adjudicator (IA) continues to be via video conferencing. Managing adjudications is a resource-intensive operation and, although the number of adjudications heard per month can vary slightly, in December 309 were heard, averaging 10 a day. Of these, 34% were proven. It has been a theme in the SMARG analysis, repeated again this year, that evidence presented to support the charges needs to improve in some cases to increase the effectiveness of the overall process. The IMB's monitoring of some adjudication hearings has not identified any concerns around the fairness or justice of the process, as observed.

Towards the end of the year, senior managers had identified, through the review and analysis of the SMARG data, some anomalies around the percentage of prisoners from ethnic minorities receiving an adjudication, compared with the total number of black, Asian and minority ethnic men at HMP Exeter. This is something the IMB will continue to monitor.

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

Members of the Board regularly observe interactions between staff and prisoners during visits and we have seen both good and not so good examples. We are conscious that the rapid turnover of prisoners does not assist the building of positive relationships. But we have also noted an increase in the number of applications to the Board that mention allegations about staff and prisoner relationships. Some of these were multiple applications about the same allegation. The Board always engages with the senior management team (SMT) when allegations of this nature are raised and has received assurances that they are fully investigated.

Elsewhere in the report (see 5.2), the Board has commended staff in the CSU for the way in which they have engaged with some prisoners with very challenging behaviour. While observing some UoF incidents (see 4.5), a member of the Board has seen some excellent examples of engagement and de-escalation, as well as some examples where better engagement would have improved the outcome.

The statistics for the delivery of key working sessions has, again, been disappointingly low. A total of 2,096 sessions were noted on case records, with monthly figures ranging between 32 and 292. Whilst we welcome the approach of prioritising those prisoners who are assessed as being the most vulnerable, a number of prisoners tell us they are unaware of the name of their key worker and/or they have not received any key working sessions.

## **5.4 Equality and diversity**

During the reporting year, the prison changed the name of the equalities team to equalities and inclusion, better to reflect its responsibilities and aims. The equalities action team became the diversity and inclusion action team (DIAT). In 2023, the team focused on increasing the awareness of the discrimination incident reporting forms (DIRFs) and encouraging their use, where appropriate, and to introducing forums as part of the wider move to offer opportunities for representation and awareness.

### **DIRFs**

Prisoners' awareness of the DIRF process is at risk of getting lost amidst the sheer volume of information presented at reception. A great deal of effort has, therefore, been put into championing equality and inclusion through equality representatives, Listeners (prisoners trained by the Samaritans to offer support to fellow prisoners) and others to whom prisoners may turn for help. Like many other areas, however, this approach is seriously hampered by the population churn within the establishment, which has resulted in prisoner representatives no sooner being recruited than they are lost to transfer or release, and the process starts again.

Notwithstanding this hurdle, the number of DIRFs increased during the year, which would seem to suggest that more prisoners were aware of the scheme. However, a significant number of DIRFs submitted were not upheld. This was because, although the prisoner may have one of the protected characteristics (including, among others, race, religion, sex and sexual orientation, which it is unlawful to discriminate against), there was no evidence to suggest this criterion was relevant to the complaint they raised. This suggests that although awareness of the scheme had improved, understanding of the scheme amongst the prisoner population was less advanced.

There were also a few instances where the DIRF process had clearly been used to facilitate campaigns on certain subjects. But, overall, whilst the position was far from ideal, there has undoubtedly been an improvement and a sense of greater awareness of diversity in general.

There has been an upturn in the use of DIRFs, with 62 having been submitted during 2023. Nine of these were staff submissions, rather than complaints by prisoners about their treatment, and one was a prisoner submission complaining about how one contractor treated another. The remaining 52 DIRFs resulted in 38 not being upheld, nine being upheld, two being partly upheld and the remainder not concluded by the end of the reporting year.

The IMB undertook a 100% quality assurance (QA) check on DIRFs: outcomes were considered to be fair and evidenced, but the response letters were not generally well written and contained typos, giving the impression of a lack of care being taken. Arrangements by the prison to quality assure the DIRF process, inquiry and responses includes the involvement of external and independent scrutiny of all the DIRFs submitted.

The Board's view is that whilst there remains room for improvement, the DIRF process seems to be better understood and used by prisoners and staff than had been the case in previous years.

The concept of prisoner forums has been welcomed by staff and prisoners and both have shown interest in engaging. Few forums had, however, taken place and this would seem to be caused largely by process rather than policy. Forums were generally set up with very little notice, which immediately limited the number of people able to make themselves available. They were also subject to last-minute cancellation and to being early casualties when other pressures caused something to have to give. The equalities team was aware of this and was trying to address the challenges, but progress was disappointingly slow.

DIAT met monthly throughout the year although it, too, was prone to last-minute rescheduling or cancellation. From the Board's observations, the group had, however, developed a more cohesive feel and it has been encouraging to see the increasing levels of prisoner representation.

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

The continued and extremely strong multi-faith pastoral support was maintained during the reporting period and every effort was made to provide equal support for the less common faiths.

The chaplaincy team is fully committed, proactive and visible, making frequent visits to prisoners of concern such as self-harmers, those in the CSU, self-isolators and others highlighted to them by application or by staff, and they are always available to provide bereavement counselling.

All prisoners have access to corporate worship each week and numbers taking part were generally increasing.

### **5.6 Incentives scheme**

The incentives policy framework (IPF) is intended to incentivise good behaviour and discourage poor behaviour and prison rule breaking. It is not only a tool to assist with the smooth running of the prison, but is intended to help prisoners recognise the value of behaving responsibly. This will assist them in their day-to-day lives post-release and help them lead crime-free lives.

The Board has been aware of some tensions amongst prisoners in the operation of the IPF system within HMP Exeter. Prisoners have reported occasions when they have not been told about negative entries recorded against them. Some prisoners have reported instances where a negative entry has been made following an adjudication against them, which had not subsequently been revised when the adjudication had been reversed. Since entries impact on privileges and some other opportunities, such as work placements, this has given rise to resentment over perceived unfairness.

The new framework has been slow to bed down and remains a work in progress.

### **5.7 Complaints**

IMB monitoring of complaints submitted to the prison by prisoners has involved a review of:

- the monthly complaints report; and
- scrutiny of a sample of complaint responses, normally six a month.

During the year, 837 complaints were received. A total of 24 of these related to other prisons, and 39 were confidential complaints to the Governor. The Board has not commented on the comparison with previous years, because of the reduced operational capacity in the reporting period. This year, an additional element in the complaints report has been the monthly overdue response rate. Across the year, this varied: in October, it was 36%, with the monthly average for the year being 15%.

Monitoring of the nature of the complaints showed that two key areas of prisoners' lives received the most complaints. Once again, property complaints – of which there were 270 – accounted for 34% of the total submitted about Exeter. Property matters have been a concern for the Board over several years and it is disappointing that matters have not improved. This is especially so since the implementation of the Prisoners' Property Policy Framework, in 2022, which set out requirements for the management of prisoners' property, with the intention that property is managed efficiently, effectively, consistently and with care and respect. The second area relates to canteen (157 complaints), which represented 20% of all complaints. The Board has been aware of some issues around the distribution of canteen on the wings which, in some cases, has resulted in canteen going missing and prisoners not receiving their orders. Investigations into allegations of missing canteen can be time consuming, and refunds, where appropriate, are not always perceived by prisoners to be paid in a timely manner.

Complaints about healthcare matters are routed directly to healthcare and are not included in these figures (see section 6).

The Board's independent scrutiny of a monthly sample of complaints' responses has shown that most prisoners received a response that was written in accessible language, addressed the matter raised and was respectful. Some responses reflected evidence of investigation and gave clear reasons for the findings and, in certain cases, offered advice as to the way forward. In some cases, it was clear that the written response was a follow up to an initial face-to-face meeting with the prisoner.

## **5.8 Property**

We have referred to property elsewhere in this report (see 3.3, 5.7, 5.8), but prisoners' concerns over missing property continue to feature in both formal applications to the IMB, as well as oral applications from prisoners when we are walking around the prison. In both instances we encourage prisoners to use the prison complaints system first, as this is likely to lead to a quicker resolution of the issue. This approach is reflected in the reduced number of formal applications we have received. The most vulnerable points are when a prisoner has to move cells, particularly when moving to the CSU, and when a prisoner transfers between prisons. The Board understands that there is usually a need to move a prisoner to the CSU quickly, but prompt arrangements also need to be made to secure the prisoners' property.

## **6. Health and wellbeing**

### **6.1 Healthcare general**

Information for this section has been gathered from:

- applications received by the IMB and subsequent conversations with prisoners
- statistics provided from healthcare
- meetings with the head of healthcare,
- observations at the monthly local delivery and quality board (LDQB) meetings.

The major challenges identified during the year for provision of adequate healthcare include:

1. The challenges of staff Transfer of Undertakings Protection of Employment Rights (TUPE) and embedding new processes, systems and policy, which occurred when Oxleas NHS Foundation Trust became the provider of all aspects of healthcare, including primary care, mental health pharmacy and managing all sub-contractors on 1 December 2022.
2. A vacancy rate of over 40% for healthcare staff for the majority of 2023:
  - Positions were back filled by bank and agency staff, but the workload and responsibility carried by those in permanent positions was considerable.
  - Reassuringly, as of 27 December 2023, there was a vacancy rate of 16% for administration and management, primary care and mental health combined, although some of the positions are only in the offer phase.
  - A primary care lead has been in position since late 2023.
  - Following four unsuccessful adverts for a patient flow co-ordinator, this post has now been filled and the position should be taken up in January or February 2024.
  - There is currently no deputy head of healthcare.
  - Funding has just been approved by Oxleas NHS Foundation Trust for the recruitment of an ADHD (attention deficit hyperactivity disorder) clinician.
  - Pharmacy continues to have a 70% vacancy rate, with four pharmacy technician posts not covered by agency staff. There are no on-site pharmacists, as all medication is dispensed by Channings Wood prison.
3. Following recommendations from the HMIP inspection report (November 2022), Independent Review of Progress (November 2023), various death in custody reviews and Improving Lives Programme and Peer review (requested by Oxleas), there has been the onerous task of producing a single document, The Integrated Healthcare Tracker. This has enabled clarity and an ability to prioritise based on risk. The IRP recognised the improvements being made within healthcare.
4. Late arrivals into the prison have required healthcare and reception staff to stay late to complete healthcare screening.
5. From observations, the temporary CSU (see 5.2) remains a concern for the mental and physical health of its occupants.

## **Applications received by the IMB**

A total of 41 (24%) of the 174 applications received by the IMB in 2023 concerned healthcare issues. Of these, 13 involved medication issues, notably either concerns that the medication the prisoner wanted was not prescribed or it was not prescribed as soon as they had wanted. As a result of these applications, clarity was sought by the IMB about the process for prescribing medication when a prisoner comes into reception. After clearing security, prisoners are seen by a nurse in a private room, with no officer present. Consent is obtained from the prisoner for their medical records to be retrieved from the NHS Spine, which enables previous medications to be seen. If the prisoner requires medication, they then see a GP. If a doctor is attending reception remotely (via Visionable, a secure video/audio system), they finish at 9pm. If prisoners arrive after this time and require medication, delays in prescribing can occur. There can also be delays in accessing patients' record from the NHS Spine, which makes prescribing harder when the doctor is conducting the assessment online.

Additionally, the lack of pharmacy technicians has necessitated nurses to be diverted to the medication hatches. Delays at the hatches have sometimes led to prisoners missing their regime whilst waiting for their medication.

Following a review by Oxleas to balance improvements in services and the need to operate efficiently and sustainably, the Traka system for in-possession medication is not in operation. It had been hoped that the Traka system would reduce the need for queuing at hatches and give prisoners some autonomy over their health issues.

There were seven applications regarding prisoners' concerns about waiting times to see the GP and the dentist (see 6.2). Four applications concerned long-term condition management. The Board's conversations with healthcare about this identified the difficulty, for the management of long-term conditions and primary prevention, that the high turnover (over 72%) and average length of stay for sentenced prisoners (of about 90 days) of the prisoner population at Exeter causes.

## **6.2 Physical healthcare**

Oxleas subcontracts GP services to Dr PA across all the southwest prisons. Dr PA directly contracts and employs several GPs, who work at HMP Exeter. Nurse cover was provided from 07.30 to 21.00 daily and out of hours by Hotel 1, comprising one nurse and one healthcare assistant (HCA). GP services after 21.00 are provided via 111.

On the 7 December 2023, there were no prisoners on the GP waiting list, 91 on the dentistry waiting list, 36 on the optician's waiting list and five on the physiotherapy waiting list. Following applications from prisoners regarding waiting times, healthcare confirmed that waiting times are reviewed regularly on a regional basis and have been in line with national standards in the community.

All prisoners are offered blood borne viruses (BBV) testing during their reception screening, with prisoners being able to opt out.

The primary care engagement lead has continued to hold awareness days, including alcohol awareness, stop smoking and diabetes awareness. There is also a regular newsletter available for prisoners. There are plans in 2024 for prisoner forums, new

distraction packs (which contain things to keep a prisoner occupied, such as quizzes, activities, reading material, etc) and a newly formatted newsletter.

All healthcare staff are in the process of completing the ACCT training delivered by HMPPS) safer custody facilitators. Additionally, a package from HMP Wandsworth is available for staff, prior to the above training, to ensure they understand the reasons an ACCT would be opened and how they should go about this.

### **6.3 Mental healthcare**

The mental health team is now fully staffed, with a locum consultant psychiatrist working regularly within the team.

There were 1,023 referrals to mental health in 2023, of which 94.4% were accepted. The 76 patients whose referrals was triaged, but the patient not seen, were recorded either as: an inappropriate referral; already on the caseload; already transferred to another establishment; or already released.

Of the patients accepted on to the caseload, 25 exceeded the standard of five days for a routine appointment and two patients exceeded the standard of receiving an urgent appointment within 48 hours.

During 2023, there were 21 transfers for secure in-patient mental health care. Of these, two patients were 'gate sectioned' (where a prisoner who has completed their sentence is stopped as they walk out of the gates and detained under the Mental Health Act), 11 were transferred within 28 days, and three exceeded the time limits set for transfer (two by six days and one by seven days). At the time of writing, in March 2024, data was not available on the other five patients.

Privacy for seeing prisoners on the wings remains an issue, with any private rooms in high demand.

Mental health awareness training for prison staff is hoped to be undertaken during the year at prison training days. An older adult specialist for mental health continues to work across three prisons.

A new role of neurodiversity support manager was created during the year and an individual was recruited to the role. However, at the end of the year, they decided to move to one of the other prisons in the cluster. Analysis of the prevalence of neurodiversity in the prison is ongoing. But, in the summer, figures were showing that a third of the prison population self-diagnosed/or had a neurodiverse diagnosis, and within those doing education, 60% were neurodiverse. The uptake of training for staff had been high initially in the year, but fewer prison staff had participated towards the end of the year.

### **6.4 Social care**

F wing re-opened during the year, with an amended role as a prison wing and not as a healthcare/social care wing, as it has been previously. The future role of F wing is still being discussed at Oxleas/commissioner and prison level. An infection control and health and safety audit has highlighted that the current environment is not suitable for use as a healthcare service. There are new process and policy documents, as well as admission criteria, drawn up for when they may become necessary. It is reassuring to know that meetings with Devon County Council Social Care Team now occur every third week of the month as standard.



There are currently no healthcare staff appointed specifically to F wing and patients' needs are met in the same way as patients on other wings. However, adverts are currently out for night-only staff for F wing and for an occupational therapist.

A recent decision was made by Oxleas/commissioner and the prison that the palliative care suite will no longer be used at HMP Exeter.

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

Time out of cell had been raised as a concern by HMIP in 2023 and the introduction of a new core day in July was one part of a strategy to improve this and expand the regime and purposeful activity for prisoners. While this seems to have provided more consistent access to education, exercise and domestics (time spent on personal hygiene, calling family, socialising, etc), it remains vulnerable to the vagaries of staffing and unplanned events such as roll-calls and incidents, which can impact the regime and, consequently, time out of cell. Another part of the strategy to increase time out of cell has been to financially incentivise some attendance at education and activities within the workshop. However, staffing vacancies in these areas has meant that opportunities for prisoners to attend have not been maximised. In November 2023, the IRP identified that the prison had made insufficient progress against this concern and efforts are continuing to increase prisoners' time out of cell.

In addition to monitoring the regime during 'normal' hours, the Board has undertaken some specific monitoring of the operation of the regime at weekends, when fewer staff are available. Observations show that there are opportunities for worship on a Sunday and there is some access to the gym. Other than that, there is very little structured activity at weekends, with the library being closed and no education classes or workshop available. Prisoners are left with little to do and recreational and association equipment on the wings is limited.

### **Physical activity**

During the year, it has not been possible for prisoners to use the sports hall to its full extent and purpose. This is because the free weights have had to be placed at the back of the hall temporarily, preventing the full range of team sports from operating because of the lack of space. The Board is aware that the prison is assessing an alternative location for this equipment. Use of the free weights is a privilege that has been restricted to those prisoners on the enhanced level of the incentives scheme. Prisoners have complained to us that they feel this arrangement is unfair, as they often cannot remain at Exeter long enough to gain the privilege of using the equipment.

Exeter has a dedicated and proactive physical education instructor team that constantly challenges itself to increase prisoners' access hours to the gym. It seeks to try and motivate prisoners who would not normally consider going to the gym. The Board is aware that there are initiatives to improve the physical education instructor (PEI) resources to increase accessible hours further in the future, which we think will be significantly valued by prisoners.

## **6.6 Drug and alcohol rehabilitation**

Within the new healthcare contract, the psychosocial delivery of the integrated substance misuse services is run by the charity, Change, Grow, Live (CGL) recovery services. CGL struggled in the summer, with staffing at just over 42% of the full

complement. By the end of the year, this was up to 60-65%, including five new starters. At one point in the year, 60% of the prison population had a recovery need. During the year, the team was unsettled by having to move offices due to the discovery of radon; a shortage of desks; and a change of provider involving TUPE.

The team spends most of its time visible on the wings and its work is aimed at minimising harm, but it also undertakes in-depth therapy work. Every prisoner with an identified need has monthly recovery plan reviews. Court reports were/and still are tying up a considerable amount of time, due to the transient nature of the prison population. In August 2023, for example, 157 court reports were requested for prisoners, of whom only 10 were released. CGL trains prisoners who have experience of opioid use, or are likely to have contact with opioid users, in the use of Naloxone, an opioid overdose reversal medication. Those trained are issued with Naloxone injection kits on release.

CGL facilitated the delivery of weekly Alcoholics Anonymous meetings throughout the year.

## **6.7 Soft skills**

The Board has noted reference to the use of techniques such as 'strategy of choices' and 'Five Minute Intervention' in the daily handover document, although it is not clear how frequently these are used when dealing with recalcitrant prisoners. Efforts to de-escalate fractious behaviour has also been observed in reviews of BWVC footage (see 4.5).

## **7. Progression and resettlement**

### **7.1 Education, library**

Education services are provided under a contract to Weston College and the delivery of adequate provision is beset with problems, many of which were highlighted in our previous annual report or were mentioned by HMIP in its report. The main challenges have come from the increased proportion of remand prisoners (who are held in prison until the time of their trial or subsequent sentence hearing), continuing staffing problems, and events beyond anyone's control, which all took their toll on the provision of appropriate education and work experiences. The prison and Weston College adapted to these challenges by making some changes to the staffing structure, the prison daily timetable and the curriculum. The picture is mixed.

#### **Appropriate curriculum and provision**

As the number of prisoners arriving over the year has increased, the demand for induction and assessment has increased. The prison reports the number of inductions overdue each day in the daily handover bulletin. By the end of the year, inductions were keeping pace with new arrivals (see 4.1).

The curriculum has been adapted to provide more short courses, as many prisoners are only in HMP Exeter for around 90 days. Basic Maths and English are on offer. Certification is largely by the prison, and courses are most frequently tied to prison employment: for example, Food Hygiene is required for kitchen workers.

The library continues to operate efficiently. A new part-time librarian was recruited and it is planned that they will support innovations such as book clubs and writing clubs to move towards establishing it as a resource centre and not just a book repository.

The Shannon Trust had been supported by a teacher from Weston College, but when they were unable to continue liaising with the charity, no effective replacement has been found. Consequently, the Shannon Trust work has suffered.

#### **Challenges**

It will be evident from the above that staffing issues have impeded progress towards some of the aims of the prison in education, skills and work (ESW). Weston College had difficulties recruiting staff, especially for the first half of the year. In the workshops, staff absence has been due to sickness.

As the prison officer recruitment and retention has improved, we have noted fewer cancellations of education and workshop activities due to insufficient staffing. However, other issues can result in cancellations and absences, such as serious incidents or misadministration of the class lists and occasional conflicts between education and employment. Computer access has been problematic from time to time, frustrating the prison's intention to make good use of the self-directed courses available. The classrooms are of an adequate size, but there are heating and phone issues, which also create problems.

Many remand prisoners are not motivated to take up education or employment. Weston College staff have been out on the wings encouraging prisoners to take courses and to ensure that induction is provided for everyone. Weston College has taken steps to address neurodiversity amongst prisoners, with its own neurodiversity

officer. We heard different accounts of how integrated its approach is with the prison's neurodiversity support manager. We have met many prisoners who engage willingly with the courses on offer and speak warmly of their teachers.

## **Administration**

In the prison hierarchy, the management of ESW has been brought together under one postholder. This provides some coherence, but it also creates a wide remit for the post holder.

The tensions inherent in managing a contract with an external provider continue to be managed through the monthly quality improvement group. The Board has noted incidents concerning the lack of integration with the prison, education staff and other providers. This has resulted from the governance arrangements for education in prisons and ad hoc arrangements such as liaison with the Shannon Trust and the provision of a young adult life skills course. The latter was approved by the education team, but not resourced by Weston College. It was delivered by a member of the offender management unit (OMU) for a period of time.

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

Courses have been shortened and linked to a work or career path in order to help prisoners benefit from their short time at HMP Exeter before they move on. The prison is developing its own employability awards, linked to HMPPS Progress in Work: Employability Skills.

Workshop activities have been much reduced this year. The PECO (model painting) workshop provides activity for the vulnerable prisoners (VPs). The possibility of one workshop for camouflage netting has now been abandoned, following difficulties with equipment. Towards the end of the year, work to establish a construction workshop started, but its development and progress has been slow. Staff sickness has made workshop activities intermittently unavailable.

Outreach work, including with the prison employment officer, continues, with regular open days with local businesses and industries.

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

The most recent HMIP report identified good practice in the OMU. Prison offender managers (POMs) are monitoring high-risk prisoners (sexual offending, domestic violence, stalking, etc.) and have had a lot of success in picking up on potential risks of crimes/re-offending. They have been able to provide information for court proceedings or to the police to protect the public. This also reduces the risk of prisoners coming straight back to prison after release.

Exeter has been the only prison in the country doing multi-agency public protection arrangements (MAPPA) Level 1 work, with courts and police being able to share information from the prison. This has involved setting up 'cases of concern' meetings, which have been very successful. Information shared can be positive and negative and, again, has been used in court to assist sentencing. This has now been taken on by other prisons, and evidence is being gathered with a view to rolling out this system nationally. HMIP found that the monitoring of prisoners was good in Exeter.

## **7.4 Family contact**

A new visits' hall was opened in October and is working well. The Prison Advice and Care Trust (PACT), the family services provider, arranged a family day (which brings together prisoners and their families outside of their statutory entitlement, usually in more informal settings) for Christmas, which was fully booked, and had organised another earlier in the year. The new hall can now accommodate more families - currently it is up to 30 - and it is hoped to get up to 50 family visits at a time. PACT has now fully recruited the number of volunteers it needs, although the charity knows retention can be a challenge. There have been regular events throughout the year to prepare prisoners for their departure.

## **7.5 Resettlement planning**

The prison population at Exeter is a transient one with an average stay in August 2023 of 90 days, which has an impact on the pace and priority of work with prisoners.

Until the summer of 2023, the prison was holding a monthly multi-disciplinary 'reducing reoffending' meeting chaired by the head of reducing reoffending and attended by representatives from OMU, education, PACT, drugs and alcohol misuse, mental health, healthcare and neurodiversity. The IMB was able to observe some of these meetings, and feedback from participants was that they provided a useful opportunity where professionals shared data and developed strategies.

The resettlement team achieved full staffing (four full-time) during 2023, but by the end of the year staffing had reduced again, including administrative support. The team was having regular job fairs based on themes. Towards the end of the year, workshops were planned for construction skills, including plumbing, carpentry and building. This was a response to potential employers, who were keen for prisoners to learn these skills and qualifications, along with a construction skills certificate scheme (CSCS) card. There are now regular pop-up employment hubs on wings and the team reports they are seeing some interest from prisoners through this proactive approach. A future skills programme (hospitality) has started but it has been difficult to get sentenced prisoners to be able to commit to a four-week course, because they are likely to move on before it finishes (see 7.2).

Housing and accommodation on release is overseen through commissioned rehabilitative services (CRS). There have been some staff issues, so a smooth system is still not fully up and running. The number of prisoners with settled accommodation on release is still a concern and needs to increase. Every month see some prisoners homeless/having no accommodation on their first night of release.

The IMB has been told of challenges in getting bank accounts set up for prisoners being released this year, but the team has been able to obtain IDs more easily, as there has been a slight change to the system. The team now has access to support to complete welfare benefits paperwork, etc. including from an external company called Igneus.

## 8. The work of the IMB

### Board statistics

Recommended complement of Board members	13
Number of Board members at the start of the reporting period	9
Number of Board members at the end of the reporting period	10.5 FTE
Total number of visits to the establishment	358

### Applications to the IMB

Code	Subject	Previous reporting year	Current reporting year
A	Accommodation, including laundry, clothing, ablutions	8	10
B	Discipline, including adjudications, incentives scheme, sanctions	3	4
C	Equality	8	5
D	Purposeful activity, including education, work, training, library, regime, time out of cell	3	14
E1	Letters, visits, telephones, public protection, restrictions	5	12
E2	Finance, including pay, private monies, spends	4	12
F	Food and kitchens	8	10
G	Health, including physical, mental, social care	34	41
H1	Property within the establishment	16	8
H2	Property during transfer or in another establishment or location	8	2
H3	Canteen, facility list, catalogue(s)	13	3
I	Sentence management, including home detention curfew (HDC), release on temporary licence (ROTL), parole, release dates, re-categorisation	2	7
J	Staff/prisoner concerns, including bullying	22	46
K	Transfers	4	4
L	Miscellaneous, including complaints system	25	11
<b>Total number of applications</b>		<b>163</b>	<b>174</b>

The Board received 174 written applications during 2023, but a number of these raised more than one issue that fell under various subject headings. The table above refers to 189 issues raised across 174 written applications.

Healthcare as a category continues to be the subject of a high number of applications. Otherwise, the most concerning area is staff and prisoner relationships (see 5.3).

## **Annex A**

### **Service providers**

- Healthcare, including mental health: Oxleas NHS Foundation Trust
- Social care plans: delivered by Oxleas in collaboration with Devon County Council
- Integrated substance misuse services (clinical elements): Change, Grow, Live
- Probation services: Probation Service
- Learning and skills activities: Weston College
- Serco: escorts
- Maintenance: Gov Facility Services Limited (GFSL)
- Family services are provided by Prison Advice and Care Trust (PACT).
- In addition, several voluntary organisations provide a range of smaller services.

HMP Exeter is part of a southwest prison cluster (which also includes HMP Channings Wood, HMP Dartmoor and HMP Guys Marsh), and a number of services and some resources are shared.



## **Annex B**

### **Focused monitoring: doing time in a legal limbo (IPP sentences)**

#### **Background**

Following the decision of the Government to reject the recommendation, put forward by the Justice Committee (JC) for a resentencing exercise for anyone serving an Imprisonment for Public Protection (IPP) sentence, the Secretariat contacted IMB Boards for any information about the impact IPP sentences may have on the mental health of prisoners.

HMP Exeter continues to receive prisoners on IPP sentences, mostly as recalls. In early 2023, five prisoners were being held and the IMB undertook a short period of focused monitoring around the perceptions and experiences of IPP prisoners. During the monitoring period, one prisoner was transferred and there were transfer plans in place for some of the others. By the end of the year, one of the prisoners interviewed remained at Exeter. Awareness seemed limited amongst those spoken to that the Government had rejected recommendations to review all IPP sentences. At the time of the conversations, none of the prisoners appeared to have formally received that information, either in letter form or from their POM.

Conversational interviews were held with four recalled prisoners, based on a flexible schedule. Discussions were wide ranging and in most cases the prisoners were willing to share their perceptions and experiences. Here is a summary of the themes that emerged:

#### **Length of imprisonment**

All the prisoners the Board spoke to reported being in their late teens or early twenties at the time of receiving their IPP sentence. They also reported being significantly over their tariff by the time of their first release. The longest was by 7 years for a 3-year, 8-month initial sentence. Another, with an initial 4-year sentence, reported intermittent recalls and serving 15 years. All alluded to what they perceived as the unfairness of their situation and how this impacted on and defined their behaviour in the early days of their custody. One reported how he became 'consumed with bitterness'. Another reported that, when on licence, he 'went on the run' because he was 'not going back to a situation where I did not know what was going on... cruel sentence'. The same person who received an initial 3-year, 8-month sentence said that he would have rather got a '20-year sentence because I would know the end date'. Nearly all said they felt they had now matured and were focused on family and next life stage matters. However, one who had subsequently reoffended while out on licence, was convinced that had he been released when his initial tariff was up 'my life would have been very different'.

#### **Impact on mental health**

Some had either been, or were currently, on the mental health case load. In conversation, they referred to the impact of their sentence on their on-going mental health, with one saying that he 'struggled with the merry-go-round of recalls'. Another said that he had 'found it became all-consuming' and that he had found that to be 'destructive'. A sense of powerlessness was also described; 'I struggled... did not know what was going on... those who give these sentences don't know what it does to people.' Another said that 'not knowing what was happening was hard to deal

with'. All seemed resigned to their lot and somewhat defeated by the system. One was particularly reticent about talking about being an IPP prisoner because, as he said, 'I'm fed up with talking about it... there is lots of talk about it, but nothing happens, and nothing is going to... no point in hoping about it'.

### **Management in the community, recalls and continuing sentences**

There was no doubt that the perception held by the IPP prisoners we interviewed was that action for what they perceived to be the slightest breach of their licence conditions was often swift and uncompromising. It appeared that as IPP prisoners out in the community they are managed as 'high risk' and not afforded any luxury of ambiguity for what (to them) might appear relatively low-level misbehaviour (such as being late back to approved premises or being in a non-approved location such as a public house, for example), which amounted to a breach of their licence conditions.

One prisoner reported that while out on licence he had committed a completely different type of offence to the one for which he received his IPP sentence. He was recalled and subsequently received an additional sentence. However, his index offence (a sexual assault) still determined how he was managed in custody. For example, he was still R45 and was due to transfer to a prison for sexual offenders. This was despite no further offending of this type. He felt particularly aggrieved by this. It was also interesting how he had rationalised his new sentence and its impact on him. He said that he now 'feels justified in being in prison', which is something he did not feel when over tariff on his IPP sentence.

## Annex C

### Glossary of acronyms

ACCT	Assessment, care in custody and teamwork
BBV	Blood borne viruses
BWVC	Body worn video camera
CGL	Change, Grow, Live
CRS	Commissioned rehabilitative services
CSCS	Construction Skills Certificate Scheme
CSIP	Challenge, Support and Intervention Plan
CSU	Care and Separation Unit
DIAT	Diversity and Inclusions Action Team
DIC	Death in custody
DIRF	Discrimination Incident Reporting Form
ESW	Education, Skills and Work
GFSL	Government Facility Services Limited
GOoD	Good Order or Discipline
HCA	Health Care Assistant
HMCIP	His Majesty's Chief Inspector of Prisons
HMIP	His Majesty's Inspectorate of Prisons
HMPPS	His Majesty's Prison and Probation Service
IA	Independent Adjudicator
IAG	Information, Advice and Guidance
IPF	Incentive Policy Framework
IPP	Imprisonment for Public Protection
IRP	Independent Review of Progress
JC	Justice Committee
LDQB	Local Delivery and Qualities Board
MAPPA	Multi-Agency Public Protection Arrangements
OMU	Offender Management Unit
OOH	Out of hours
OPCAT	Optional Protocol to the United Nations Convention against Torture
PACT	Prison Advice and Care Trust
PEI	Physical Education Instructor
PGD	Prison Group Director
POM	Prison Offender Management
PPO	Prisons and Probation Ombudsman
QA	Quality Assurance
SA	Special Accommodation
SASH	Suicide and self-harm
SIM	Safety Intervention Meeting
SIP	Secreted Items Policy
SMARG	Segregation Monitoring and Review Group
SMT	Senior management team
SRB	Segregation Review Board
TUPE	Transfer of Undertakings Protection of Employment Rights
UN	Urgent Notification
UoF	Use of force
VCC	Video conferencing centre
VP	Vulnerable prisoner



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