

## **Rehabilitation and resettlement: Written evidence from Independent Monitoring Boards**

**Submitted January 2025**

### *About Independent Monitoring Boards*

Appointed by ministers under the Prison Act 1952, Independent Monitoring Boards (IMBs) are an integral part of the independent oversight of prisons. IMB members are a regular presence, visiting the establishment, monitoring the treatment and conditions of prisoners, reporting what they find to those running the prison, and dealing with queries and concerns from individual prisoners. They are unpaid but have statutory powers, granting them unrestricted access. IMBs are part of the United Kingdom's National Preventive Mechanism set up under the Optional Protocol to the UN Convention against Torture (OPCAT).

### **Section 2: Rehabilitation in prisons**

#### **2. What is the regime offer in different types of prisons?**

The regime offer varies widely across different types of prisons, with Boards monitoring open prisons consistently reporting that time out of cell is routinely good, predictable, and productive. At the other end of the spectrum, regime delivery is generally described as poor in reception prisons and prisons in the long-term high security estate (LTHSE).

*a) How does this differ for the following cohorts:*

##### *i. Female prisoners*

Boards monitoring the closed women's estate consistently report concerns around inconsistent regime delivery, but the causes differ somewhat from the men's estate. Violence and keep-aparts (prisoners who cannot associate with each other for safety reasons) are not a significant factor, but staffing shortages often lead to regime restrictions. So does the high proportion of women with severe mental illness, as a considerable amount of staff time and energy is required to keep these women safe; for example, Eastwood Park IMB noted that the high number of constant supervisions diverted resource from the general population and led to women receiving less time out of cell. At some closed women's prisons, such as Styal and Downview, disorganised medication distribution led to delays in women being unlocked.

##### *ii. Remand prisoners*

Remand prisoners are generally housed in reception prisons, which offer relatively poor time out of cell compared to the remainder of the prison estate. Remand prisoners are not required to engage in purposeful activity, and the uncertainty surrounding their length of stay in prison (both the prison estate in general and the particular prison they are housed in) serve to demotivate them to engage in courses which they may not have the opportunity to finish. This lack of appropriate structured activity adds to the risk of disengagement with the regime in general. Several IMBs have raised concerns over the number of remand prisoners who choose not to engage in purposeful activity and therefore spend the majority of their days in their cell. At Pentonville, where over 60% of prisoners were on remand, the 2023-24 IMB annual report highlighted that prisoners not in work or education usually spent 22 hours a day in their cells.

##### *iii. IPP prisoners*

The regime for IPP prisoners does not usually materially differ from that of determinate-sentenced prisoners; at Lindholme, the Board commented that overall IPP prisoners were treated just like any other prisoner. However, IPP prisoners are often prioritised for offender management support and key work sessions. Many Boards, including The Mount and Swaleside, continue to report that some IPP prisoners are held in prisons where they cannot access courses or programmes required to progress, leaving them effectively 'warehoused'. Even at Erlestoke, which is one of four prisons delivering a 'progression regime' with the aim of helping indeterminate-sentenced prisoners to provide information and evidence to the Parole Board to support release, the Board's 2023-24 annual report commented that the IPP Action Plan had had little effect.

Prisoners held in specialist IPP units, or in prisons which have the resources to provide tailored support for IPP prisoners (sometimes together with life-sentenced prisoners) tend to fare better; there were positive reports from the IMBs at Rye Hill and Haverigg about the support offered to these prisoners. At Wealstun, a unit was dedicated to IPP and life-sentenced prisoners which allowed these prisoners greater freedom of movement and independence, such as the ability to do their own laundry. This better prepared them for life in open conditions and release.

#### *iv. Those in the youth custody estate*

IMBs in the youth custody estate consistently report that time out of room and time spent in education fall far behind what young people are entitled to receive. Safety concerns are a particularly prominent driver here, as most YOIs have extremely high numbers of keep-aparts compared to prisons in the adult estate. This makes co-ordinating movement around the YOI logistically difficult, as it restricts the number of children who can be unlocked at any one time. Lockdowns following serious incidents, such as concerted indiscipline and incidents at height, are also common. Unpredictable cancellations to regime are common. This is particularly frustrating and demoralising for children, and children sometimes resort to protesting behaviour.

A persistent issue raised by YOIs in the youth estate is that time out of room data is highly contested, with children claiming that they receive far less than what is recorded by staff. IMB observations suggest that the recording of the time out of room data is often haphazard and that there are inconsistencies between local and central records.

### **3. What impact does custody have on prisoner health and wellbeing, and how effective is provision for this in prison in promoting rehabilitation?**

IMBs regularly draw attention to the ill effects of custody on prisoner mental health, and the lack of resources to address this. While general prison healthcare staffing is a widespread concern, mental healthcare staffing is the area Boards highlighted most frequently within this. Even when mental health teams are fully-staffed, the high level of need in the prison population often leaves them overstretched.

Boards have particular concerns about the care of prisoners with severe mental illness, learning disability and/or personality disorder who are unable to be cared for on normal location. Very few locations in the prison estate are equipped to provide specialist mental health care for prisoners with extremely high and complex needs, and therefore most of these prisoners require transfer to a suitable NHS facility. Although prisoners who require transfer to a secure mental health facility should be transferred within 28 days, prisoners continue to face waits of hundreds of days or have their referrals declined despite being unsuitable for a prison environment. In the meantime, they are usually held in healthcare units or care and separation units (CSUs) for safety reasons. IMBs have

highlighted numerous examples of prisoners whose welfare has deteriorated significantly while held in these conditions and stress the importance of early intervention – in this case, a prompt move to a suitable mental health facility – in giving prisoners the best chance of recovery.

A lack of dedicated in-patient facilities within prisons sometimes compromises the care that prisoners can receive. IMBs such as Send report that prisoners, especially women, sometimes refuse to attend outside hospital appointments due to dignity issues from being escorted by/handcuffed to officers. This includes embarrassment from being seen by members of the public, and discomfort from being handcuffed to officers while undergoing intimate procedures. In particular, women have described being reluctant to attend appointments such as mammograms or pelvic exams for these reasons, particularly as they are sometimes escorted by male officers. This reduces the likelihood of health issues being identified and treated at an early stage.

Some Boards also have significant concerns about the available support for prisoners with substance dependencies. Drugs are the most prominent safety concern across the estate, and several Boards note that substance misuse support teams are understaffed. While some independent substance free living units (ISFLUs) offer good incentive and support to prisoners, as described at Rochester, in other prisons the function of these units has been diluted by either population pressures (as ineligible prisoners have to be placed on the unit for lack of space elsewhere), or simply the high level of drug use and availability within the prison. At Long Lartin, for example, the Board has noted that the ISFLU was no more ‘substance-free’ than the rest of the prison.

These shortfalls in mental health care and substance misuse support not only represent a failure to promote rehabilitation but also, in some cases, actively work against it. They should be viewed in the context of a population which has higher than average levels of mental illness and drug dependency even before entering the prison system. It is well-known that prisoners often acquire entirely new addictions or relapse into pre-existing addictions while in prison, and many Boards feel like the poor conditions and strained staff resource so common in the prison estate actively damage prisoners’ mental health. This exacerbates the difficulties prisoners face in both demonstrating reduced risk and forging a successful life in the community following their release.

#### **4. What is the current offer of training and education available in prisons and is it sufficient?**

While the training and education offer is generally good in the open estate, in the closed estate it often falls below expectations. Many Boards monitoring training prisons, such as IMB Aylesbury, have commented that the training and education offer is mismatched to the needs of the population. This is in addition to frequent cancellations and closures resulting from fabric issues, outlined in the answer to question 7 below. Specific concerns vary widely – at some prisons there are insufficient lower-level maths and English classes for the needs of the population, whereas other Boards express concern over the prioritisation of these classes over more popular options like art. Several Boards comment that there are insufficient places on the more popular vocational courses such as HGV driving courses, which are also the courses which are highly likely to lead to employment on release.

Many IMBs comment that more able prisoners have limited options to progress, with Long Lartin IMB criticising the lack of advanced courses on offer and noting that the Prison Education Trust (PET) will only fund higher education training for LTHSE prisoners through distance learning within four to six years of completing their sentences. This discourages many academically gifted prisoners from realising their potential and makes it harder for these prisoners to maintain a sense of progression through their long sentences.

*a) How does this differ for those in the youth custody estate?*

IMBs monitoring the youth estate report many of the same problems as those in the adult estate, with disorganised delivery due to regime cancellations and staff shortages, and frequent misbehaviour disrupting lessons. Feltham IMB noted that in the Board's 2023-24 reporting year, the weekly delivery of education hours ranged from zero to 12.6 hours against a target of 15 to 22.5 hours.

There is also a significant lack of vocational training, which is more appealing to many of the children than traditional education. Release on temporary licence was only delivered well at Cookham Wood, which has since been re-roled as an adult prison. Werrington IMB has noted that, as in the adult estate, children who are more academically gifted lacked access to sufficiently challenging programmes. Children also complain that they are often allocated to classes as a result of keep-apart arrangements, rather than being given the opportunity to consistently follow the educational pathways best suited to their career goals.

#### **5. To what extent are prisoners given enough time out of cell to engage in purposeful activity?**

While IMBs across the estate report concerted efforts to improve time out of cell, unpredictability is a key issue. Cancellations to activities are common, with prisoners feeling frustrated and demoralised as a result. This is most commonly attributed to insufficient staffing (not limited to staffing shortages; staff sickness is a significant driving factor). However, prisons with high levels of violence or disorder, or those which are managing particularly disparate populations, can also struggle to provide a good regime due to the need to manage different cohorts and 'keep-aparts'. Vulnerable prisoners, especially those convicted of sexual offences (PCoSO) who are not held in PCoSO-specialist prisons, are particularly likely to face a restricted regime.

#### **6. How do current prison population constraints affect the availability and quality of rehabilitation programmes?**

Prisoners frequently struggle to access the offending behaviour programmes they need to complete to progress and are unable to transfer to prisons which offer these programmes, potentially prolonging their time spent in custody. This appears to be particularly common for PCoSO who require specific courses to progress, which has been highlighted by a number of IMBs, including Swaleside and Woodhill. Many prisoners find it hard to progress through the estate and demonstrate reduced risk. For example, at Garth (a category B prison in the LTHSE) the Board's most recent annual report stated that approximately 20% of the population were category C but could not obtain progressive transfers due to the population pressures in the estate.

#### **7. To what extent do prison buildings and their maintenance facilitate or hinder rehabilitation?**

Fabric issues are endemic across the estate, and workshops are one of the areas most frequently taken out of use as a result. The most common problems are leaks and cold temperatures – at Littlehey conditions were so poor at times that workshop instructors refused to work. Such closures not only reduce the number of activity places but also impact on the predictability of the regime. Prisoners can have their work session cancelled at the last minute due to ordinary poor weather, such as rain coming through the ceiling of a workshop with a leaking roof.

Although some prisons such as North Sea Camp have been able to deliver good purposeful activity to prisoners with mobility issues through situating classrooms and workshops on ground floors and

making good use of ramps, at prisons such as Lancaster Farms and Wymott prisoners with certain physical disabilities, particularly those who use wheelchairs, have found it difficult to access work and education. These access issues can also extend to visits, with broken lifts and stairlifts making it difficult or impossible for prisoners to attend visits with their loved ones.

More generally, the poor condition of the prison estate undermines prisoners' dignity and overall wellbeing. Too often poorly-maintained buildings create living conditions that are inhumane, with prisoners forced to eat food prepared in rat-infested kitchens or live in cells without proper toileting facilities. Boards have reported prisoners being bitten by venomous spiders, as at Bullingdon, and rats, as at Hollesley Bay. Such conditions cannot be conducive to a sense of progression and rehabilitation.

#### **8. What examples of best practice within the prison service are there in promoting rehabilitation?**

While the Prison Service's incentives scheme has mixed results (generally attributed to the highest 'enhanced' level not being sufficiently attractive), some Boards have reported promising outcomes from other, prison-specific schemes, such as wing-based competitions. At Belmarsh, this was an initiative to encourage attendance at purposeful activity. At Oakwood, an 'Enough' campaign was introduced in November 2023 to provide an enhanced regime and other incentives to wings that remained violence-free for extended periods of time. This had marked success: the Board's 2023-24 annual report noted that in March 2024, three wings had remained without incidents of violence for at least 56 days, and another three had done so for at least 28 days.

### **Section 3: Resettlement services and alternatives to custody**

#### **11. How effective is support provided to ex-offenders on release such as homelessness prevention, employment opportunities and health and wellbeing services?**

While post-release work lies outside of the IMB's remit, many IMBs comment on the number of prisoners who are released homeless and subsequently recalled. This is most common in reception and training prisons, which lack the dedicated resettlement resource necessary to properly prepare prisoners for release. IMBs describe a resultant 'revolving door effect', with prisoners repeatedly released and recalled in quick succession. For example, the IMB at Winchester stated that 20% of men were released homeless, and 8% of men were back in prison by the sixth day of the following week in its 2023-24 annual report.

#### **14. What examples of best practice are there for effective resettlement?**

As would be expected, open prisons have far better outcomes than closed prisons in terms of resettlement. Of particular note is the fact that Haverigg, despite being a PCoSO-specialist prison, was able to achieve an employment rate of 60% six months post-release, as reported in the Board's 2022-23 annual report. This is significant in the context of the obstacles prisoners convicted of sexual offences face to gaining employment, which is a key concern of the Boards monitoring other PCoSO prisons.