Justice Committee

Inquiry into purposeful activity in prisons

Written submission from HM Inspectorate of Prisons Scotland

1. Thank you for the Committee's invitation to attend the evidence session on the Enquiry into Purposeful Activity in Prison and to provide a written submission prior to this session. This letter and the attached Annex and Appendix constitute my written submission.

2. The Committee will be aware that since my appointment as Chief Inspector of Prisons I have reported on a number of occasions about prisoner access to purposeful activity. Most notably I refer members to all three of my Annual Reports (available on the HMIPS website: [www.scotland.gov.uk/hmip](http://www.scotland.gov.uk/hmip)) which make the point that too many prisoners are not engaging in activities and this is to the detriment of their preparation for release back into the community.

3. To summarise what I have said until now:

- Access to purposeful activity is generally not as good as it should or could be. I have published figures to support this assertion (see Annual Report 2010/11 page 5).

- It is often the case that specified prisoner groups are particularly poorly catered for, most notably untried prisoners on remand and certain short term prisoners.

- Computerised prisoner management systems in the private prisons at Kilmarnock and Addiewell are proving to be a good way of not only encouraging prisoners to take part in activities but also for delivering the optimum number to the right place at the right time. These systems also provide a data base which assists in improving access to activities. SPS prisons do not have such computerised systems and ‘timetabling’ is therefore less effectively done. I comment about this in the Annex.

- There have been improvements, particularly at Cornton Vale, but such improvements appear to be patchy.

- Finally, I have defined ‘purposeful activity’ as any activity which encourages the process of improvement. This includes work, vocational training, education and programmes to address offending behaviour (such as addictions), access to PE and visits. If prisoners are not engaged in such activity, they are most likely locked in their cells and this I deem not to be purposeful activity.

4. As a result of the Committee’s helpful initiative to enquire about purposeful activity, the Inspectorate has re-visited the prisons I reported on in 2011/12 in order to give members a more thoughtful and up-to-date picture. For example, I am particularly keen to assess to what extent this is not only an issue about quantity, but
also one of the quality of activity. The Annex therefore asks a number of different questions which I hope you will find complimentary to the ones the Committee has asked. I also report in the Appendix on the visits my inspectors have made in the past three weeks and I hope this will give members a feel for the very latest position.

Brigadier Hugh Monro CBE
HM Chief Inspector of Prisons for Scotland
24 January 2013

ANNEX A

Inquiry into Purposeful Activity in Prisons

Update for HMCIPS

In preparing evidence for submission to the Justice Committee regarding their short inquiry into purposeful activity in prisons, the five establishments commented on in 2011/12 HMCIPS Annual Report were revisited. An updated commentary for each establishment is noted at Appendix 1.

In addition, general observations relating to purposeful activity have been recorded under four headings – Range, Access, Measurement and Effectiveness. These observations have led to further concerns which the committee may wish to consider.

GENERAL OBSERVATIONS AND CONSIDERATIONS

Range

A core range of five main activities are available in all establishments. These are Education, Physical Education, Visits, Programmed Interventions and Work. The first three are self-explanatory. Programmed interventions vary from scheduled participation in programmes aimed at addressing offending behaviour, delivered over a specified time period, to single induction sessions lasting a few hours. Work is the term generally used to describe paid activity in an industrial setting, a vocational training environment or a service-related activity such as cleaning or cooking. These are all traditional activities which have been the mainstay of prison regimes for several decades.

In addition, establishments offer supplementary activities. These are subject to and dependent upon the establishment classification, physical condition, space in which to deliver activities, geographical location, available manpower, support from the Scottish Prison Service (SPS) Headquarters and the creativity of individual Governors, their management teams and staff.

The entire range of activities on offer throughout SPS are catalogued in a Directory of Interventions.
Questions:

Is this range of activity still fit for purpose and appropriate in today’s social, technological and economic climate?

On what basis are prisoner activities selected and by whom?

Access

Prison rules state that every prisoner shall be required to work in prison. This is not normally applicable to untried or civil prisoners.

The SPS Prisoner Wage Earning Policy, applicable to all public prisons, states that short term prisoners serving less than 45 days are not required to be allocated to a work party but may work, if it is available. It also notes that untried prisoners and persons awaiting deportation may be offered the opportunity to work, if it is available however this should not be at the expense of work being available for all other prisoners.

Adherence with these rules and policy requirements immediately prevent or restrict approximately 18% of the current prisoner population in Scotland from taking part in structured work activity. Additionally, because of their untried status or the time they will spend in custody, many remand and short term prisoners throughout Scotland have further restrictions imposed on them specifically in relation to accessing other activities such as education, physical education and programmed interventions.

A further section of the population may, in some establishments, often experience similar inequitable access to activities due to their status as protection prisoners.

With the exception of visits and to a lesser degree, physical education, access to structured activities is, traditionally, only available between normal “office” hours on a Monday to Friday basis. In many establishments availability is further restricted during an extended period in the middle of the working day while lunch is being served, to allow security checks to be undertaken and prisoners to enjoy time in the fresh air.

A further barrier which prevents full exploitation of activity spaces is the process whereby prisoners allocated to a work party are unable to attend for the full session due to attendance at another activity such as education, physical education or programme. This results in under-use of already limited activity spaces. Some establishments have or are planning to introduce, a timetabled approach to structured activity which would address this issue. Scheduling of activities in this fashion is to be encouraged if optimum access is to be achieved.

Questions:

What changes (to the prison regime) need to take place to allow equitable access to structured activities by all prisoners, irrespective of status or sentence length?
What changes (to the prison regime) need to take place to enable increased access to structured activities?

Measurement

Computerised prisoner management technology is put to good effect in both private prisons at Kilmarnock and Addiewell to record and measure the volume of prisoner activity. These systems are also the vehicle used to produce and interpret the data which, among other things, informs changes to the menu of activities available to prisoners and indicates the demand for activities. These systems also have the capability to produce individual timetables for prisoners and provide automatic calculations for the payment of their wage earnings.

Public sector prisons are reliant on a manual data input system which provides none of the additional benefits enjoyed by more sophisticated technology. While the system provides information on the number of hours spent on structured activities, in comparison with the technology-based systems, it is a one-dimensional tool. With the SPS system, it is therefore possible, dependant on the assurances and management checks in place in each establishment, that both over and under reporting occurs.

Irrespective of the type of system employed to record prisoner activity, much of the data collected in simply quantitative. There are few qualitative measures gathered in relation to purposeful activity.

Costs per prisoner place are available however information which measures the cost of individual activities is scarce.

Questions:

What are the best measures of purposeful activity?

What is the most effective system to measure purposeful activity?

Evaluation

Most prisoner activities currently provided in prison are not evaluated to determine the effect they may have on participant’s behaviour, the value they bring to the individual, the prison, the offenders’ communities on release or society in general.

Questions:

What are the desired outcomes from participation in purposeful activity in prison?

What evaluation of activity needs to be put in place to determine what works?
Update on previous HMCIPS reports

HMP & YOI Cornton Vale (2\textsuperscript{nd} follow-up 30 Jan – 2 Feb 2012)

Since the last follow-up inspection, the numbers of women offenders in Cornton Vale accessing purposeful activity has been maintained. This is positive.

An improved regime in Ross House has resulted in more vulnerable or at-risk women having greater access to learning and physical education provided mainly through out-reach sessions from the Physical Education Instructors and Motherwell College tutors held within the hall.

Positive improvements can be evidenced in relation to access to education with women on remand now having the opportunity to attend classes. This has been achieved through removing the barrier which prevented different types of prisoners attending the learning centre at the same time and has resulted in Motherwell College delivering, on average, four sessions with 32 learners, five days per week. In addition, Motherwell College are supporting the delivery of hairdressing training. The library remains well used, with good access for all women offenders and offers a reading circle, led by the Reader in Residence. The training kitchen remains popular and provides useful life skills.

Those women with community access status are able to take part in a range of beneficial placements, one of which is linked into an internal work party (bike repair). The craft workshop has diversified and expanded its range of products, making the activity more accessible to a wider prisoner group.

Plans to improve the visiting facilities are well underway.

HMP Glenochil (follow up 22 – 24 Nov 2011)

The partial transfer of the sex offender population from HMP Peterhead to HMP Glenochil at the time of the last follow-up inspection had resulted in high levels of overcrowding. The requirement to keep separate these and mainstream prisoners had led to a restriction in access to activity and a perceived belief that each group had an unfair advantage over the other in terms of access to work, education, programmes and physical education. Since then, Glenochil had transferred in the remainder of the Peterhead population. Low Moss prison has also come on stream. Both these events have had a positive impact on the prison regime with the establishment now operating at (an acceptable capacity) and a more even split between the two prisoner groups making access to activity more equitable. Interestingly however, management in the establishment are currently considering allocating two activities, education and physical education, on a demand-led, as opposed to numerical basis.

New, additional facilities for the delivery of programmed interventions are operating in response to the increased need for this activity as a result of the change in population mix. This is positive.
Currently, some work activity areas are not working to full capacity due to the decrease in demand for timber based products. This situation is not limited to HMP Glenochil. Fewer contracts are resulting in many prisoners attending these work parties having little or nothing to keep them occupied throughout the day.

A new approach to accessing activities in HMP Glenochil is planned to commence in February 2013. This approach is based on prisoners being scheduled for specific activities at specific times. This will eliminate the practice whereby prisoners can be listed to attend two activities at the same time with the net effect of increasing activity opportunities for others.

The provision of physical education in Glenochil remains positive. Staff employed in this area demonstrate a pro-active response to the change in the population and continue to offer an effective and efficient service.

**HMP Kilmarnock (full inspection 26 Sept – 3 Oct 2011)**

The inspection report of HMP Kilmarnock was critical of the learning provision in the establishment. Since then, there is evidence of significant improvements in staffing, access and curriculum. This is positive. At the time of writing, work is underway to relocate the library into the learning centre to provide enhanced links between library and learning services.

Physical education remains positive. The programme schedule encourages attendance and reflects a community facility in terms of timing and session content. This is in no small part attributable to a committed PE staffing group. A full-size football pitch has recently been created. The artificial surface and floodlighting will provide increased access to this external facility all year round. Positive links with community sports associations remain in place. A recently introduced initiative has seen prisoners being trained as peer health coaches. This is encouraging.

The private sector’s ability to respond quickly to changes in market forces has allowed HMP Kilmarnock to alter their provision of work opportunities. While the number of prisoners attending work activities in HMP Kilmarnock has remained consistent, there is a marked increase in the numbers of prisoners in these areas actively engaging in work or training. This is in contrast to what can be observed in many public prisons.

Two vocational training facilities have been built and are in operation. In time, this will deliver qualifications in bricklaying and painting and decorating. This is positive.

Since the time of the inspection, two Prison Custody officers have been trained in and allocated to the programme delivery group, increasing opportunities for the delivery of offending behaviour programmes in HMP Kilmarnock.

**HMP Barlinnie (full inspection 23 – 31 May 2011)**

The high level of overcrowding experienced by HMP Barlinnie at the time of the inspection has considerably reduced by almost 25%. While the previous
overcrowding limited access to activity, there were also other factors at play including poor learning facilities and a restrictive physical education environment. Plans are in hand to remedy this with a new learning centre due to open on DATE and improvements to the gymnasium scheduled for DATE.

Access to work activity and the quality of work available remains fair however, much of the timber production is dependent on locally sourced contracts. Access to Vocational Training has decreased with Painting andDecorating, Bricklaying and Joinery all currently closed or reduced in numbers. More positively, the planned barber’s workshop is now in operation and provides training opportunities for approximately eight prisoners.

Since the transfer of the national Top End facility from HMP Shotts to Letham Hall in Barlinnie, a number of community activity placements have been made available with an average of 16 prisoners accessing them daily. These include work opportunities with two organisations, Martin Plant Hire and The Bike Station, both of which provide internal work opportunities within the establishment. This is positive.

The Daycare Unit continues to provide good quality activity places for those prisoners experiencing mental health issues. This is a valuable resource.

**HMP Dumfries** (full Inspection 4 – 12 April 2011)

A full regime activity review is underway with a focus on creating increased provision of and access to activity for local, short-term prisoners. This project is designed to provide timetabled activity to the two main groups of prisoners held within Dumfries; the local short term population and the protection population. Similar to the project ongoing in Glenochil, this new approach is based on prisoners being scheduled for specific activities at specific times. This will eliminate the practice whereby prisoners can be listed to attend two activities at the same time with the net effect of increasing activity opportunities for others.

Increased access to the external playing field for leisure and sporting activities has been achieved through more creative staff deployment.

An additional member of staff has been trained to deliver offending behaviour programmes which should result in an increase in the range and volume of interventions delivered.

An area of good practice highlighted at the time of the inspection in the Industrial Cleaning work party remains in place. The proactive approach demonstrated by the staff involved in this activity continues with the potential introduction of a vocational qualification in tenancy skills. This is encouraging.