

Report on an unannounced inspection of the

**Protected witness unit at
HMP Woodhill**

by HM Chief Inspector of Prisons

13-14 July 2015

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London
WC2B 6EX
England

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Overview

Safety

The protected witness unit (PWU) provided accommodation for prisoners deemed to be at serious risk of harm as they had given, or had agreed to give, evidence in court cases of serious organised crime. The two units at HMP Woodhill were a national resource. Law enforcement agencies could make an application for men to be held in the unit. Location on the unit was reviewed yearly and once allocated to the unit prisoners did not usually move out until they were released from prison. Prisoners we spoke to on the unit felt safe, staff were aware of any individual concerns, and conflicts were well managed.

Respect

Physical conditions were good but the units were small and claustrophobic. Prisoners had good access to the basic items for daily living. There was no contact with the general prisoner population and some prisoners felt isolated. Relationships between prisoners and the regular staff group were very good, although we were told this became more difficult when 'guest' staff worked on the unit. Most everyday problems were resolved informally and there was little need to pursue more formal applications or complaints processes. Diverse needs were met on an individual basis. Access to legal support was appropriate.

Purposeful activity

There had been some improvements to the regime offered to the men since the units were last inspected, but this was still poor. Prisoners could now have daily access to the prison garden and there were some opportunities to undertake distance learning courses. However, aspects of the regime and access to education, vocational training and work opportunities remained very limited. Access to library materials was very restricted. The regime was insufficient to help combat the affects of isolation and to provide a more 'normalised' life style.

Resettlement

Convicted prisoners had good access to an offender manager and supervisor, and assessments were up to date. Remand prisoners had less support and we were told there could be delays in relevant offender management information arriving at the unit. Men undertook one-to-one work to reduce their risk of reoffending. Recent national changes to release on temporary licence (ROTL) severely restricted opportunities for release on licence. Reintegration planning was individualised, visits arrangements were unsatisfactory and prisoners complained about the cost of telephone calls.

Nick Hardwick
HM Chief Inspector of Prisons

August 2015

Fact page

Task of the establishment

To hold prisoners deemed to be at serious risk from other prisoners as they have given, or have agreed to give, evidence in court in cases of serious organised crime.

Prison status

Public

Region/Department

High Security Directorate, with links to the South Central area

Number held

5

Certified normal accommodation

12

Operational capacity

12

Brief history

Originally there were protected witness units (PWUs) at HMP Woodhill and HMP Full Sutton. In 2009, the PWU at HMP Full Sutton was closed and a second unit was opened at HMP Woodhill. If numbers are low only one of the units is opened at any given time and the second unit is mothballed. Currently the unit in E wing is in use, and the unit in D wing is mothballed.

Short description of residential units

Protected witness units in house block six:

D wing – six places

E wing – six places

Name of governor/director

Rob Davis

Escort contractor

GeoAmey

Health service commissioner and providers

Central North-West London NHS Trust

Independent Monitoring Board chair

Mary-Anne Dixey

About this inspection and report

- A1 Her Majesty's Inspectorate of Prisons is an independent, statutory organisation which reports on the treatment and conditions of those detained in prisons, young offender institutions, secure training centres, immigration detention facilities, police and court custody and military detention.
- A2 All inspections carried out by HM Inspectorate of Prisons contribute to the UK's response to its international obligations under the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). OPCAT requires that all places of detention are visited regularly by independent bodies – known as the National Preventive Mechanism (NPM) – which monitor the treatment of and conditions for detainees. HM Inspectorate of Prisons is one of several bodies making up the NPM in the UK.
- A3 All Inspectorate of Prisons reports carry a summary of the conditions and treatment of prisoners, based on the four tests of a healthy prison that were first introduced in this inspectorate's thematic review *Suicide is everyone's concern*, published in 1999. The tests are:
- Safety** prisoners, particularly the most vulnerable, are held safely
- Respect** prisoners are treated with respect for their human dignity
- Purposeful activity** prisoners are able, and expected, to engage in activity that is likely to benefit them
- Resettlement** prisoners are prepared for their release into the community and effectively helped to reduce the likelihood of reoffending.
- A4 In this inspection the tests were interpreted to take account of the particular circumstances of the protected witness unit.
- A5 Our findings might result in one of the following:
- **recommendations:** will require significant change and/or new or redirected resources, so are not immediately achievable, and will be reviewed for implementation at future inspections
 - **housekeeping points:** achievable within a matter of days, or at most weeks, through the issue of instructions or changing routines
 - **examples of good practice:** impressive practice that not only meets or exceeds our expectations, but could be followed by other similar establishments to achieve positive outcomes for prisoners.
- A6 In view of the small, specialised role of the protected witness unit, we modified our normal inspection approach. Our findings were based on discussions with prisoners; discussions with staff and relevant third parties; and documentation. There was no prisoner survey. Evidence from different sources is triangulated to strengthen the validity of our assessments.
- A7 This inspection was announced.

- A8 The protected witness unit is located alongside the close supervision system (CSC) units in HMP Woodhill. The same health care provision was made available to both units and an assessment of the service provided is included in our CSC inspection report published in August 2015. In addition, the same visits facilities were used and we make similar criticisms of these facilities in the CSC report.

This report

- A9 This explanation of our approach is followed by four sections each containing a detailed account of our findings against our *Expectations. Criteria for assessing the treatment of prisoners and conditions in prisons*. Section 5 collates all recommendations, housekeeping points and examples of good practice arising from the inspection.
- A10 Information that might identify the men held in the unit has not been included in this report.
- A11 Details of the inspection team can be found in Appendices I.

Section 1. Safety

Management arrangements

- I.1** The protected witness units (PWUs) located in house block six of HMP Woodhill provided accommodation for male prisoners deemed to be at serious risk of harm as they had given, or had agreed to give, evidence in court in cases of serious organised crimes. The units were a national resource managed within the high secure estate by the governor of HMP Woodhill. Prison service order (PSI) 22/2013 (restricted circulation) provided policy, guidance and mandatory requirements for the management of these units.
- I.2** The unit was located in the same house block as the close supervision centre (CSC) units at the prison. While some managers and staff worked across both the CSC and PWU, the PWU was not part of the CSC system, nor was it managed by the CSC central management team. However, some services, such as health care, were common to both systems.
- I.3** Each prisoner residing in the PWU had provided assistance to the police and courts and had been approved by a Law Enforcement Agency (LEA) as a protected person. In these circumstances, the LEA can make an application to the National Offender Management Service (NOMs), the prison service's security policy unit (SPU) for the prisoner to be located to the PWU. Location on the PWU occurred if the risk to the prisoner was deemed to be so severe that their safety could not be assured on normal location in any prison in England and Wales.
- I.4** Once located on the unit, the SPU's policy lead was required to carry out a yearly review of the threat level to the prisoner and the need to hold him on the PWU. Prisoners could apply to leave the unit, and the same process as the annual review was used to consider such requests. However, the prisoner may be required to stay on the PWU regardless of his wishes, if his safety cannot be assured. In reality, once prisoners were located on the unit they did not move off it unless or until they were released from custody. Of the five men held at the time of the inspection, two had been on the unit for a number of years and the remaining three had only recently arrived.
- I.5** At the time of the inspection, only E wing was in use although managers had access to the mothballed D wing if numbers increased and this accommodation was needed.

Systems and procedures to support safety

- I.6** Prisoners we spoke to told us that they felt very safe in the unit. Staff were aware of individual prisoners circumstances and were quick to act when a conflict arose between the prisoners. The small size of the unit meant that it was easy to manage in terms of ensuring physical safety. There was the opportunity to use D wing to separate prisoners should the need arise, but this had not been necessary with the current population.
- I.7** Due to the policy of all prisoners having to go out together for outside exercise, some prisoners said they sometimes felt pressure from other prisoners to come out of their cells for time in the open air (see paragraph 3.1), but prisoners also told us that staff managed the issue well.
- I.8** None of the prisoners had been subject to any form of monitoring for bullying or anti social behaviour and there had been no open assessment care in custody and teamwork (case management for prisoners at risk of suicide or self-harm) documents. The incentives and

earned privileges (IEP) scheme operated, but given the nature of the unit it had little relevance with men largely experiencing a similar regime (see paragraph 3.5).

- I.9** Managers and some specialist staff were aware of the wider security issues relevant to the men held, and arrangements to maintain their security within the prison were appropriate.
- I.10** The security of the men when outside of the prison whether it was for hospital appointments, court appearances or ROTL was appropriate. Men we spoke to were satisfied with these arrangements.

Section 2. Respect

Treatment and conditions

- 2.1** The living environment was small and quite claustrophobic but was clean and generally well maintained. There was a good amount of natural light in the unit. All cells were single occupancy. The shower area was clean and prisoners had good access to bathing and cooking facilities. Prisoners cooked their own food on the unit and had access to a wider range of canteen food items and a small allowance for this purpose. Prisoners were provided with the basics for daily living.

Combating isolation

- 2.2** Prisoners had ample opportunity to interact with staff and each other on a daily basis. They also had access to chaplaincy staff, the mental health team and a probation officer. One prisoner complained that at times he felt it was more difficult to have time by himself in such a small unit. There was no contact between prisoners on the protected witness unit (PWU) and the general prison population.
- 2.3** Some prisoners felt very isolated and at times lonely for a variety of reasons including lack of contact with family and friends, and the lack of a wider circle of friends due to the low number of prisoners on the unit. Prisoners complained about the lack of psychological support to help them with feelings of isolation and loneliness, but we were informed that a psychologist had been security cleared and would be able to offer this help to prisoners in the near future.

Staff-prisoner relationships

- 2.4** The relationship between staff and prisoners was a real strength of the unit. We observed good interactions and engagement between staff and prisoners at all times on the unit. Prisoners reported generally positively about relationships with all staff and said that they were very helpful, although this became more difficult to maintain when staff from other units or prisons were required to work on the wing due to staff shortages, however, this was a problem within the prison as a whole. Prisoners told us that the increased contact they had with staff was a positive thing as it enabled them to deal with any problems by approaching staff informally. There was therefore little need for recourse to formal complaints or applications.
- 2.5** There was no formal consultation with prisoners as the number of prisoners had been as low as two until a few weeks prior to our inspection. We were assured that formal consultation would commence on a monthly basis to ensure prisoners had the chance to consult fully with managers.

Diverse and religious needs

- 2.6** Due to the small number of prisoners held and the closed environment, any diverse needs could only be met on an individual basis, for example, at the time of the inspection one man had a disability and appropriate adjustments had been made to his room. Prisoners did not raise any issues related to equality and diversity during the inspection.

- 2.7** Muslim prisoners held on the unit had regular contact with the Muslim chaplain; however, they and other men did not have access to corporate worship or a separate suitable area where they could observe their faith. The unit interview room could be used for this purpose but it was stark, functional and not conducive to this purpose.
- 2.8** Access to chaplains was reasonable with at least weekly visits from the chaplaincy team from the main prison. Arrangements for Ramadan which was ongoing at the time of the inspection were appropriate.

Recommendation

- 2.9** **Prisoners should be provided with a discreet and suitable area where they can observe their faith individually or with others.**

Access to legal support

- 2.10** All prisoners had access to legal representation. Legal visits took place in a private room adjoining the social and domestic visits room. Prisoners were content with these arrangements.
- 2.11** There was no direct access to the prison library but managers assured us that prisoners could request material from the library, and access to justice laptops could be brought into the unit if required.

Section 3. Purposeful activity

Daily regime

- 3.1** Though the daily regime for prisoners had improved slightly since we last inspected the unit as part of our inspection of HMP Woodhill, it was still poor. The main improvement included daily access to the outside garden area where prisoners had been able to grow plants, and some access to distance learning. Prisoners could apply to the Prison Education Trust for funding for distance learning, but if they failed part of a course they could not get future funding. The unit was not included in the Offenders' Learning and Skills Services (OLASS) provision for the prison, and prisoners had to rely on the goodwill of individual teachers from the main prison to provide tutorial support. Some prisoners were worried that the lack of tutorial support meant they were at higher risk of failing courses and losing funding for future courses. Access to the gardens for outside exercise was problematic for some prisoners as the unit operated a policy that either all prisoners could go out at the same time or none could go out (see paragraph 1.7). When this was fed back to managers they said this should not be the policy, and that they would remedy the situation immediately.
- 3.2** All prisoners were required to carry out cleaning work and some were employed as cooks on the unit for which they were paid a weekly wage. We were told that some accreditation was offered for this work. Beyond this there was little in the way of purposeful activity or vocational training.
- 3.3** Prisoners had access to a small gymnasium on house block six but were not supported by PE staff. Most prisoners said they missed taking part in recreational activities such as ball games.
- 3.4** There was a small selection of books on the unit but these were not changed on a regular basis. Prisoners could order books from the main library but told us they often did not know what was available.
- 3.5** Overall, the regime was far too limited. The lack of appropriate work, education provision, vocational training and recreational activities reinforced the isolation of men on the unit rather than counter acting it, and added to difficulties in the men developing a more 'normalised' life style.

Recommendations

- 3.6 A full and varied regime should be offered to all prisoners on the protected witness unit (PWU) including access to education at an appropriate level, vocational work opportunities and recreational PE.**
- 3.7 A full library service should be offered to all prisoners on the PWU.**
- 3.8 Prisoners should be able to choose whether they go out into the garden area.**

Section 4. Resettlement

Offender management and risk reduction

- 4.1** Prisoners had access to an offender manager who specialised in working with prisoners and ex-offenders in the community who were also deemed to be protected witnesses. Each prisoner also had an allocated offender supervisor who was based at the prison. Contact with these specialists was relatively frequent and all convicted prisoners had an OASys (offender assessment system) and sentence plan. Remand prisoners had less support from offender management although on conviction they were quickly seen.
- 4.2** We were told there could be delays in relevant offender management information being transferred to the protected witness unit (PWU) after prisoners had been moved there from another prison. This could mean that staff working with prisoners were not sighted on important aspects of their case for several weeks after they arrived in the unit.
- 4.3** Convicted prisoners could undertake a range of one-to-one risk reduction work with the dedicated OS (offender supervisor) and a psychologist who visited the wing on a regular basis. The work was bespoke and aimed at reducing risk of reoffending by focussing on issues raised by the OASys and sentence plans. Two of the men who had been on the unit the longest told us that this work had benefited them greatly, and this was also the view of the professionals working with them.
- 4.4** Prisoners held on the PWU often served very long sentences in prison, and for some this meant nearly all of their time had been spent on the enclosed PWU unit with a very limited regime and few opportunities for social interaction. Those coming towards the end of their sentence were eligible to apply for release on temporary licence (ROTL), which had obvious benefits to this group of men. However, recent changes in ROTL rules had meant this option had become far less available to the men on the unit. The obvious uncertainty about the area in which they would be released and the stipulation that they could not undertake paid or community work pre-release meant that they were unlikely to meet the new ROTL criteria. This severely limited scope for those men who otherwise on the basis of a risk assessment would be eligible for ROTL.

Recommendations

- 4.5** **Relevant information about risk management and vulnerabilities should be communicated to the PWU staff in a timely way to ensure unit staff can put effective arrangements in place to manage risk and vulnerability.**
- 4.6** **PWU prisoners should have similar opportunities to other prisoners for release on temporary licence.**

Reintegration planning

- 4.7** Individual arrangements were developed for men being released from the PWU to ensure their safety when back in the community. Pre-release re-integration planning work was largely the responsibility of the Law Enforcement Agency (LEA) in negotiation with the prisoner, as was managing support through the gate; these arrangements were confidential to avoid compromising the safety of the person concerned.

Contact with children, family, friends and others

- 4.8** Work to support prisoners with maintaining contact with families was complicated by their status as protected witnesses. The LEA was responsible for much of the liaison work with families.
- 4.9** Social visits took place on house block six. Visit facilities were cramped and there was little or no privacy in the small visits room. PWU prisoners shared the same facilities for visits as those held in the adjoining close supervision centre (CSC) units, and the same deficiencies were evident.
- 4.10** Two members of staff sat in the room throughout the visit which meant that it was almost impossible to have a private conversation. We could see no reason for this level of staff supervision. The room was stark and unwelcoming, and there were only very limited toys or activities for children. One prisoner recently had a family visit in the pleasant outside garden and it was difficult to understand why this was not offered more frequently as an alternative.
- 4.11** Prisoners complained about the cost of telephone calls which they felt were higher than in other prisons, or even in the rest of the main prison.

Recommendations

- 4.12** **The visits experience for prisoners and their visitors should be improved and the PWU should develop a strategy to encourage and support prisoners to maintain contact with families.**
- 4.13** **Managers should investigate prisoner claims that the cost of telephone calls are significantly higher than the main prison, communicate the results of the enquiry to prisoners, and if necessary, ensure equity with mainstream prisoners.**

Section 5. Summary of recommendations

The reference number at the end of each recommendation refers to its paragraph location in the main report.

Recommendations

To NOMS

Offender management and risk reduction

- 5.1 Relevant information about risk management and vulnerabilities should be communicated to the PWU staff in a timely way to ensure unit staff can put effective arrangements in place to manage risk and vulnerability. (4.5)
- 5.2 PWU prisoners should have similar opportunities to other prisoners for release on temporary licence. (4.6)

Recommendations

To the governor

Diverse and religious needs

- 5.3 Prisoners should be provided with a discreet and suitable area where they can observe their faith individually or with others. (2.9)

Daily regime

- 5.4 A full and varied regime should be offered to all prisoners on the protected witness unit (PWU) including access to education at an appropriate level, vocational work opportunities and recreational PE. (3.6)
- 5.5 A full library service should be offered to all prisoners on the PWU. (3.7)
- 5.6 Prisoners should be able to choose whether they go out into the garden area. (3.8)

Contact with children, family, friends and others

- 5.7 The visits experience for prisoners and their visitors should be improved and the PWU should develop a strategy to encourage and support prisoners to maintain contact with families. (4.12)
- 5.8 Managers should investigate prisoner claims that the cost of telephone calls are significantly higher than elsewhere in the prison estate, communicate the results of the enquiry to prisoners, and if necessary, ensure equity with mainstream prisoners. (4.13)

Section 6. Appendices

Appendix I: Inspection team

Sean Sullivan
Karen Dillon

Team leader
Inspector