Date: 17 January 2018

Re: Urgent Notification: HM Prison Nottingham

In accordance with the Protocol between HM Chief Inspector of Prisons and the Ministry of Justice dated 30 November 2017, I am writing to you to invoke the Urgent Notification (UN) process in respect of HM Prison Nottingham.

An announced inspection of HM Prison Nottingham took place during the week of 8 January 2018. An earlier survey of prisoners was conducted on 11 and 12 December 2017. This inspection identified a number of significant concerns with regard to the treatment and conditions of prisoners. As required by the process, I am therefore writing to give you formal notification of my decision to invoke it. At this stage I shall also set out an indication of the evidence that underpins that decision, and the rationale for why I believe it is necessary. I also attach a summary note which details all the main judgements that followed this inspection and, includes the priorities addressed in this letter. The document is drawn from a similar document provided to the Governor at the end of the inspection last week. He has been informed of my intention to invoke the UN process. I shall, as usual, publish a full inspection report in due course.

The UN process requires me to summarise in this letter the judgements that have led to significant concerns concerning an establishment, and to identify those issues that require improvement. A decision to invoke the UN process is determined by my judgement, informed by relevant factors during the inspection that, as set out in the Protocol, may include:

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• Poor healthy prison test assessments (HMI Prisons’ inspection methodology is outlined in the HMI Prisons Inspection Framework);
• The pattern of the healthy prison test judgements;
• Repeated poor assessments;
• The type of prison and the risks presented;
• The vulnerability of those detained;
• The failure to achieve recommendations;
• The Inspectorate’s confidence in the prison’s capacity for change and improvement.

The Protocol sets out that this letter will be placed in the public domain, and that the Secretary of State commits to publicly respond to the concerns raised within 28 calendar days. The response will explain how outcomes for prisoners in the institution will be improved in both the immediate and longer term.

The principal reason I have decided to issue an Urgent Notification in respect of HMP Nottingham following this most recent inspection is because for the third time in a row HMI Prisons has found the prison to be fundamentally unsafe.

Inspection findings at HMP Nottingham tell a story of dramatic decline since 2010. In 2014, our assessment of safety in Nottingham following an unannounced inspection was ‘poor’, our lowest grading. As a result of this we carried out an announced inspection in February 2016 and again found that outcomes for prisoners in the area of safety were poor. Our most recent inspection has yet again found safety to be at the lowest possible grading. As an inspectorate we can recall only one previous occasion when the safety of a prison has been assessed as poor following three consecutive inspections and this alone could justify invoking the UN process. In addition, our findings in areas other than safety, (Respect, Purposeful Activity, and Preparation for Release and Resettlement) although not in the lowest possible grading, have produced outcomes that have consistently been ‘not sufficiently good’. The failings at HMP Nottingham have been widespread.

Most seriously, in the two years since our last inspection, levels of self-harm have risen very significantly and eight prisoners are understood to have taken their own lives (some cases are still subject to a coroner’s inquest). Despite these shocking facts, there have been repeated failures to achieve or embed improvements following previous recommendations made by the Prisons and Probation Ombudsman (PPO).

Irrefutable evidence of the failure to respond to HMI Prisons’ inspection findings at Nottingham can be seen not only in the gradings given as a result of the latest inspection, but also in the progress made in implementing previous recommendations. Following the February 2016 inspection we made a total of 48 recommendations, 13 of which were in the crucial area of Safety. Of those 13, a mere 2 had been fully achieved, and 2 partially achieved. Overall, 12 of the 48 recommendations were fully achieved, 23 were not achieved and 13 partially achieved. As the last two inspections have been announced in advance, to give the prison the opportunity to focus on the areas where improvement was urgently needed before the inspections took place, it is extraordinary that there has
not been a more robust response. An action plan was drawn up to guide the implementation of recommendations, but has obviously not received consistent focused attention nor close monitoring from HMPPS senior leadership.

It appears that the problems at Nottingham are intractable and that staff there are unable to improve safety despite the fact that this failing increases the vulnerability both of those who are held in the prison and of those who work there.

Overall the prison is not short of staff and has been very successful in recruiting significant numbers of new officers over the last two years. This was positive and presented an opportunity for improvement. However, more than half the staff had less than one year's experience and this clearly showed in their dealings with prisoners. Although many staff were enthusiastic and willing, prisoners were frustrated at their inability to get simple things done and it was evident to us that staff could not always be relied upon to get the basics right.

The lack of confidence the prisoners had in the staff undermined the well-being and stability of the prison. It is highly likely that many of the incidents of violence, disorder and self-harm arose to some extent out of prisoners' frustrations about not being able to get things done.

Work was being done to support staff but it was not yet embedded or effecting sufficient improvement. This lack of experience extended to managers, some of whom were temporarily promoted and new to Nottingham. However, the leadership team was enthusiastic, committed and well intentioned.

HMI Prisons' methodology includes a survey of prisoners using fully validated research methods. These survey results are used to inform judgements made by inspectors who speak to prisoners and staff, observe behaviours and study data and other documents. At this inspection our judgements combine to paint a troubling picture of persistent, and in some cases increasing, violence, disorder and self-harm that is indicative of a lack of control.

Key findings from the inspection include:

- Over two thirds of the men we surveyed in HMP Nottingham told us they had felt unsafe at some point during their stay at the prison.
- Over a third reported they felt unsafe at the time of the inspection.
- Newly arrived prisoners did not have a private interview with staff that was specifically intended to address vulnerabilities before they were locked up for the night.
- Only 14% of prisoners said that their cell call bell was normally answered within five minutes and we found examples of very long delays. The safety implications of these failures are obvious.
- 57% of prisoners told us it was easy to obtain illicit drugs and mandatory drug testing suggested a positive rate of 14%, rising to over 30% when psychoactive substances were included in the data.

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- Levels of violence overall were higher than in comparable prisons and had not reduced since our last inspection.
- In the six months prior to our inspection, the prison had recorded more than 200 assaults, about half of them against staff. We estimated the rate of assaults against staff to be over twice the rate we normally see in similar prisons.
- Other indicators were similarly concerning. The number of fights was much higher than similar prisons, force had been used nearly 500 times in 6 months which we estimate to be more than twice as much as normally seen in similar prisons, and staff had drawn batons at least 33 times.
- Supervision and accountability in respect of use of force was poor. Inexplicably, staff were failing to use the body-worn video camera system held by the prison.
- Levels of self-harm remained very high and had increased since our previous inspection. In our survey, 30% of prisoners said they had been subject to case management interventions (ACCT) at some point during their stay, but too many prisoners felt the support and engagement offered was either insufficient or inconsistent.

HMI Prisons has a clear view that a lack of continuity amongst governors at Nottingham in recent years has not been beneficial, and that yet more change at senior level is not the answer to lifting the prison out of its current dangerous state. It seems to us that managers and staff at Nottingham are doing their best but need urgent support from HMPPS to build up competence, capability and resilience. It would be a mistake simply to rely on the fact that there are now more staff at HMP Nottingham to deliver improvement. There needs to be an unwavering focus on making the prison safe and insisting that basic procedures that enhance safety for prisoners and staff alike are followed. If this does not happen, further tragedies and unacceptably high levels of violence will continue to blight HMP Nottingham.

If there is any further information that would be of help to you in framing your response to this Urgent Notification, please do not hesitate to contact me.

Yours sincerely

[Signature]

PETER CLARKE

www.justiceinspectorates.gov.uk/hmiprisons
Debriefing paper by HM Inspectorate of Prisons (amended)

Full announced inspection of HMP/YOI Nottingham

8 - 11 January 2018

This paper represents the material presented at the full inspection debrief by HM Inspectorate of Prisons. The material and assessments are indicative only, and may be changed at the discretion of the Chief Inspector after due reflection during the report production process or on the discovery of additional evidence. Inspected bodies will be offered the opportunity to correct factual inaccuracies as part of the publication process.
Contents

Healthy prison assessments

1. Safety
2. Respect
3. Purposeful activity
4. Rehabilitation and release planning

Healthy prison assessments

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Outcomes for prisoners are good against this healthy prison test. There is no evidence that outcomes for prisoners are being adversely affected in any significant areas.

Outcomes for prisoners are reasonably good against this healthy prison test. There is evidence of adverse outcomes for prisoners in only a small number of areas. For the majority, there are no significant concerns. Procedures to safeguard outcomes are in place.

Outcomes for prisoners are not sufficiently good against this healthy prison test. There is evidence that outcomes for prisoners are being adversely affected in many areas or particularly in those areas of greatest importance to the well-being of prisoners. Problems/concerns, if left unattended, are likely to become areas of serious concern.

Outcomes for prisoners are poor against this healthy prison test. There is evidence that the outcomes for prisoners are seriously affected by current practice. There is a failure to ensure even adequate treatment of and/or conditions for prisoners. Immediate remedial action is required.

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Safety

The prison was still not safe. More needed to be done to ensure support during early days. The experience of vulnerable men on D wing was poor. Levels of violence remained very high and not enough had been done to address the reasons for this. Use of force was high and its management was poor. Good work had been done to reduce the backlog of disciplinary adjudications. Efforts were being made to reintegrate men out of the segregation unit. Some responses to security intelligence or basic safety measures were delayed or not happening. The positive drug test rate was high and in our survey over half of men said it was easy to get drugs. There had been eight self-inflicted deaths in the last two years, and significant external criticisms of the care provided to some of these men. Some work had started to address these concerns but it was not yet embedded.

Based on this inspection, we considered that outcomes for prisoners were poor against this healthy prison test.

Early days

- With over 100 prisoners arriving weekly, reception was a busy but relatively calm environment.
- The reception environment was unwelcoming with little to occupy waiting prisoners. Procedures were slow but prisoners we spoke to were reasonably positive about their treatment by staff.
- All prisoners were still routinely strip-searched on arrival without the proportionality of this intervention being assessed.
- It was positive that Signposts (prisoner mentors who provided mentoring and support) located on the prisons first night centre, D wing, also worked in reception and offered a good level of support to new arrivals.
- Arrangements on D wing were reasonable but we were concerned that there was no private interview undertaken on the first night specifically focussed on assessing vulnerability, even for those prisoners in custody for the first time.
- In our survey 40% of newly arrived prisoners said they did not feel safe on their first night.
- Vulnerable prisoners (defined principally by the nature of their offence) were held separately on the unit and had a poor experience.
- Induction arrangements were reasonable.
Encouraging positive behaviour

- The prison was not safe. In our survey, 67% of men said they had felt unsafe at some time whilst held in Nottingham, and 35% said they felt unsafe when our survey was conducted. Over half of men said they had been victimised by other prisoners, which was significantly more than in comparator prisons.
- Levels of violence were similar to our previous inspection, but much higher than in comparator prisons. The rate of assault against staff was particularly concerning. Levels of disorder were similarly high.
- Violent incidents were not investigated well or consistently. This was recognised and a new violence reduction strategy had been launched. Although this contained some promising ideas, it had been introduced recently and was not yet functioning.
- Inexplicably, body-worn cameras were not in use and there were still no interventions to address the underlying reasons for poor behaviour and violence among prisoners.

Adjudications

- The number of disciplinary adjudications was high. Many charges were poorly written and some could have been dealt with more effectively using less formal incentives and privileges (IEP) arrangements.
- The backlog in adjudications had been reduced but it was still significant.
- Governance arrangements that monitored adjudication and disciplinary practice, were becoming more assertive. This needed to continue to ensure consistency of practice between different adjudicators.

Use of force

- Force was used very frequently and governance was weak. In addition, batons had been drawn far more times than we usually see.
- In many cases staff had not completed use of force reports and when reports were completed they were often of poor quality which undermined accountability. Many prisoners told us about incidents where they felt force was either unjustified or excessive.
- The database of incidents was not reliable and available video footage was not reviewed systematically.
- The prison did not have the evidence to assure us that force was always being used with proportionality or as a last resort.
Segregation

- The segregation unit was freshly painted and presentable, although the exercise yards were stark. Prisoners received their statutory entitlements but could only shower every other day.
- There was now some useful multi-disciplinary working with mental health, psychology and education staff to support individual men. Progression and management plans were in place for those who needed them and some were very good.

Security

- Security, escort risk assessments and handcuffing arrangements were broadly proportionate.
- The flow of intelligence was good. However, the system for processing and analysing data was not robust enough. Intelligence reports were not dealt with systematically and there was an unacceptably large backlog.
- 57% of prisoners in our survey said it was easy to get illegal drugs. The average random mandatory drug test (MDT) positive rate was above the prison’s target at around 14% and 32% when new psychoactive substances (NPS) was included. Target searches were often carried out too long after the intelligence was received and there had been no suspicion led testing.
- The prison had developed a supply-reduction policy, but it was not yet fully implemented or effective.
- Local corruption prevention measures were effective and very robust action had been taken to address staff misconduct.

Suicide and self-harm

- Levels of self-harm incidents remained high. The number of assessment, care and custody and teamwork (ACCT) case management documents for prisoners at risk of suicide or self-harm was also very high.
- Levels of vulnerability at the prison were significant, with half of prisoners reporting in our survey they arrived feeling depressed, and a quarter saying they arrived feeling suicidal.
- In our survey, almost a third of prisoners said they had been subject to ACCT procedures at some point during their stay but of those who had, fewer than 40% said they felt cared for by staff.

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• The self-inflicted deaths of eight men since our last inspection had raised some significant concerns about procedures and practices at the prison. It was evident that many staff during the inspection were keen to make a difference to prisoners and managers were trying to drive changes. However, some recently introduced initiatives, which appeared appropriate, remained too new to fully evaluate.

• Our own review of ACCT case management evidenced quite variable quality. Procedures were, in most cases, followed appropriately but there was relatively little evidence of engagement with prisoners. Some prisoners continued to confirm this view, although others were very positive about the support provided by staff.

Protection of adults at risk

• Particularly vulnerable men were generally identified well by staff and arrangements regarding safeguarding appeared appropriate.

• Weekly safeguarding meetings ensured appropriate action plans supported prisoners’ progression.

• Prisoners identified as self-isolating (men who were consistently not coming out of their cells when they could do so) were also identified appropriately and, where appropriate, managed through the safeguarding meeting. Although procedures were relatively new, the action plans we saw appeared appropriate.
Respect

Staff-prisoner interactions were friendly but often superficial. The inexperience of many staff was evident and undermined effectiveness. A concerted effort had been made to ensure communal areas were clean and decent, and this progress needed to be maintained. Many cells remained poor and the continued slow responses to cell bells were dangerous. Prisoners were frustrated about many everyday issues, and communication with them needed to improve. This was likely to be a factor in the large number of complaints. Support for the protected characteristic groups was under-developed. Chaplaincy provision was strong. Healthcare was reasonably good overall with encouraging plans to develop it further.

Based on this inspection, we considered that outcomes for prisoners were not sufficiently good against this healthy prison test.

Staff-prisoner relationships

- We observed staff dealing with prisoners in a friendly manner often in difficult circumstances.
- Too many staff prisoner interactions we observed however, were superficial and it was not always evident that unacceptable behaviour by prisoners was being challenged.
- The lack of experience and knowledge amongst a high proportion of new operational staff prevented them from being fully effective. Nevertheless, this also presented real opportunities to develop a more enabling staff culture at Nottingham.
- It was encouraging to see increasingly good use being made of the ‘signpost’ orderlies, although supervision and support for them needed to be better.
- The introduction of the key worker initiative on E wing was promising and there was some early evidence that it was providing benefits.

Living conditions

- Strong efforts had been made recently to improve the cleanliness and decoration of communal areas, but conditions in many cells were unacceptable. It was important the focus on providing decent standards was maintained.
- Not all prisoners were able to shower every day and this was particularly problematic for full-time workers.

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• Despite the inevitable teething problems, prisoners appreciated telephones recently installed in their cells.
• Delays in responding to cell bells were unacceptable and in some cases dangerous. The risks arising were exacerbated by the large number of observation panels on A and B wing which were blocked, including in cells where men were on an ACCT.
• In contrast to the previous inspection, we found no evidence of offensive displays.

Residential services

• Prisoners were negative about the food, and in particular the small portions. It was good that some prisoners could eat communally, but meals continued to be served too early.
• There was scope for microwave ovens and toasters to be introduced on some of the more stable residential areas.
• Canteen arrangements were in line with the national contract. Black and minority ethnic and Muslim men were particularly negative about these arrangements.

Consultation, applications and redress

• Arrangements for consulting prisoners were in the early stages of development and had not yet made any significant impact.
• The application system did not work and prisoners were frustrated about not being able to get things done. A very recent review had identified several weaknesses and made useful recommendations about how the process could be improved.
• Although complaints had reduced, the number generated was still very high. Many of the issues raised could have been addressed elsewhere if the consultation and application systems had been stronger.
• The complaints we examined were dealt with promptly and replies were appropriate.

Equality, diversity and faith

• The strategic management of equality and diversity had not progressed sufficiently and suffered from being jointly managed with safer custody. There was little coordinated work with the protected characteristic groups.
• Investigations of discrimination incidents were reasonable but sometimes delayed, and discrimination incident reporting forms were not available to all prisoners.
• Consultation with some protected characteristic groups had recently started, but this needed to be embedded and cover all the groups. It also needed to result in tangible action when needed.
• More support was needed for the large number of foreign national prisoners and telephone interpretation was underutilised.
• Personal emergency evacuation planning for disabled prisoners was not well managed. There was however, some good support offered to men with physical disabilities.
• There had been some useful supportive work with transgender prisoners.
• Faith provision was good. The chaplaincy team provided a good range of services and had good links with community faith groups.

Health, well-being and social care

• There was strong leadership of healthcare at all levels supported by a wide range of clinical expertise. Governance was good overall.
• Initial health screening was thorough and focused on risk but the lack of a follow-up was potentially problematic.
• Access to nurses and GPs for routine issues was reasonable.
• Medicines management was reasonable although not all men had up-to-date ‘medication in possession’ risk assessments and at dispensaries supervision by officers was inconsistent.
• Dental services were very good and there was timely access for men.
• Health promotion was good including a helpful monthly newsletter for patients.
• There was good identification of social care needs and responsive effective provision offered.
• Despite high levels of need, access and the quality of mental health services was very good. A newly approved business case was focused on provision of a seven-day service and provision of a wider range of therapeutic interventions. Some waits for hospital beds were too long.
• The new prison drug strategy and dedicated monthly meeting were reasonably good, but overall implementation was underdeveloped.
• Prisoners undergoing substance use stabilisation now received appropriate overnight and daytime monitoring, but the environment for stabilisation on D wing remained unsuitable. Clinical treatment remained reasonably good, but prescriber-led reviews were not systematic.
• Staffing shortages meant that psychosocial support for drug users focused on crisis and risk management to ensure prisoners were safe. There were however, too few interventions.
Purposeful activity

Time out of cell was insufficient, but the regime was now running with reasonable predictably. There was a range of innovations in the library including initiatives to improve access. There were good physical education facilities but access was limited. Ofsted rated education, skills and work activities as 'requiring improvement'. Progress in the provision of education, work and training) had stalled after the last inspection but there were clear signs of recent improvement. The allocation of prisoners to activities, and attendance, however, needed to improve. Men achieved well if they stayed on courses. Behaviour we observed in activities was generally good.

Based on this inspection, we considered that outcomes for prisoners were not sufficiently good against this healthy prison test.

Time out of cell

- Most men had 5-6 hours out of cell a day. Full time workers and enhanced men also had evening association for 90 minutes twice a week. However, around 150 unemployed or vulnerable men (offence related) had no more than 2.5 hours out of cell per day.
- The regime was more predictable than it had been for much of 2017. However, we saw that wings were often locked up to cope with a variety of operational incidents.
- The library provided a very good service including innovative outreach to the wings, including at weekends.
- The facilities for physical education provision were good, but they were not well used by most prisoners. In our survey, only 20% of prisoners said they went to the gym twice a week or more. There were no accredited courses.

Leadership and management of learning and skills and work activities

- Managers had successfully reopened all education, work and training areas after the interruption caused by the restricted regime.
- Managers had also introduced a broader range of vocational training subjects, including some at higher levels
- Prison managers and education staff worked well together to understand and improve the provision of education and training, and course success rates had continued to rise
• Self-assessment gave a fair and accurate reflection of the quality of the provision; but could have been better supported with more analysis of available information.
• Allocation to activities was ineffective; a minority of education places were unused and workshop places were over-allocated.
• The process of ensuring men attended education, training and work needed to be improved.
• The prison activity needs analysis made too little use of available information and data to support managers in planning improvements.

Quality of learning and skills and work activities

• Education and the vocational training provision were good, characterised by well-planned lessons that engaged mixed ability groups of prisoners. There was effective use of learning support assistants.
• Coaching in workshops by instructors and prisoners' peers was effective in supporting men to develop useful employment-related and personal skills.
• The use of Bronze, Silver and Gold skill development awards in prison workshops was effective in motivating prisoners to develop a good work ethic.
• Teaching staff provided effective support for those prisoners in education who declared an additional learning support need, however this was insufficient for those in vocational training.
• Integration of English and mathematics in some industrial areas needed to improve.

Personal development and behaviour

• Good respectful behaviours were observed in education and workshops, including co-working between main population and vulnerable prisoners in Bistro. Prisoners felt safe in activities.
• Most prisoners in activities demonstrated a good work ethic and other employment-related skills.
• Attendance in a small number of education classes and in workshops was too low and punctuality in workshops needed to be improved.
• Prison education induction did not provide enough information for prisoners to select the most appropriate courses to meet their needs.
Outcomes for learners

- Success rates were very high on many courses. Success rates in English and mathematics had risen over the previous two years and were high.
- Prisoners produced high standards of practical and written work. Learners in vocational training worked to good commercial standards.
- Most those in education and vocational training made good progress with their learning compared to their starting points.
- There was insufficient recording of the development of employment-related skills.

Education, training and employment

- Education business courses included personal finance and budget management content.
- The destination monitoring of released prisoners by the community rehabilitation company (CRC) was inadequate.
- There had been very little use of the virtual campus (IT system to support resettlement). It had recently been re-launched and was being used in education for a small number of prisoners on business courses, and by the CRC to assist CV writing.

National Careers Service (NCS)

- NCS did not see all new arrivals. A number of prisoners were in education, training or work without a skills action plan (SAP). A small number of prisoners had no SAP prior to their transfer or release.
- Contract targets were being met, but the provision was insufficient to meet the needs of all prisoners.
- The NCS contract was due to be discontinued at the end of March 2018, and there was no strategy to offer an alternative service.
Rehabilitation and release planning

Children and families work was adequate. Offender management had prioritised work with higher risk men, public protection and release planning. The quality of work with high risk cases was reasonable, but inadequate for lower risk men who did not receive an OASys assessment. Levels of ongoing contact with prisoners was limited. Public protection arrangements were robust. Problems with home detention curfew processes were being addressed. Preparation for release and through the gate work was good, but many men still left without stable accommodation.

Based on this inspection, we considered that outcomes for prisoners were not sufficiently good against this healthy prison test.

Children and families

- The visitor's centre continued to provide useful support and information for visitors but recent cuts had impacted adversely. There were now delays in booking visits.
- The visiting facilities were reasonable and the introduction of a dedicated visits manager had improved the way visits were organised. Sessions still did not always start on time but extra time was offered at the end.
- The number of family days had been increased and these were now open to all prisoners.

Reducing risk, rehabilitation and progression

- There was a comprehensive written reducing reoffending strategy and good cooperation and coordination evident between different agencies working in the prison.
- Offender management work was reactive and focused around key dates in the sentence. Prisoner contact with offender supervisors was often inadequate.
- Work with high risk men was prioritised and reasonable. Risks had been identified and assessed correctly but many sentence plans were too generic.
- Medium and low risk men had very little input and did not have risk management or sentence plans in most cases. This included a failure to complete OASys risk assessments.
- Public protection work was strong. Processes to identify public protection risks were well developed and embedded. Identified risks were reviewed.

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regularly and effectively. Communication and information sharing with agencies inside and outside the prison was good.

- Categorisation decisions were timely but the reviews were not detailed and did not evidence reduction in risk.
- Home detention curfew decisions were appropriate but many were late and too many men were released after their eligibility date.
- It was good that potential lifers were identified on remand but the prison was not resourced to support work for the increasing numbers of indeterminate sentenced prisoners.
- 12% of men had been recalled after release following breaches of licence conditions. The recently introduced recall advice sessions were a welcome initiative.

Interventions

- Several short courses supporting rehabilitation and personal development were available. There were insufficient interventions for men staying longer periods at the prison.
- Finance benefit and debt work was strong with good access to a benefits adviser, bank accounts debt advice and money management courses.
- Despite good efforts from housing advisers at least a quarter of men were released no fixed abode.

Release planning

- The community rehabilitation company (CRC), responsible for pre-release and through the gate community supervision was well established and embedded. Their service was accessible and better than we usually see. All men were interviewed and had their needs identified, resettlement plans were good and actions were followed up effectively.
- Practical arrangements for release were good and included a useful final check of resettlement plans.