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**Response of the United Kingdom Government  
to the report of the European Committee  
for the Prevention of Torture and Inhuman  
or Degrading Treatment or Punishment (CPT)  
on its visit to the United Kingdom**

**from 4 to 16 February 2001**

The United Kingdom Government has requested the publication of the CPT's report on the visit to the United Kingdom in February 2001 (see CPT/Inf (2002) 6) and of its response. The response of the United Kingdom Government is set out in this document.

Strasbourg, 18 April 2002



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## **INTRODUCTION**

This is the response of the United Kingdom Government to the recommendations, comments and requests for information contained in the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to the United Kingdom from 4 to 16 February 2001

This response follows the format of the CPT's recommendations, comments and requests contained in its report of 25 July 2001.



## **A) POLICE ESTABLISHMENTS**

### **1. ILL TREATMENT**

#### **Recommendation i**

**Police Forces in Wales to receive, at the earliest opportunity the clear message that the ill-treatment of detained persons is not acceptable and will be severely sanctioned if it occurs, and an unambiguous reminder that no more force than is strictly necessary should be used when effecting an arrest (Paragraph 11).**

1. The Chief Officers of Wales are anxious to make it clear that inappropriate treatment of detained persons is not acceptable. Any allegation of ill-treatment or excessive force by an officer is fully investigated. In recent years, action has been initiated through the criminal courts and disciplinary proceedings, which reinforces the commitment to deal appropriately with such matters. As part of the initiative to reduce the possibility of incidents of ill-treatment taking place, officers are being given proper advice and guidance during operational safety training with emphasis on the use of restraints. Persons in the custody of the Welsh Police Force are given further protection by the installation of Closed Circuit TV units in the majority of designated custody suites.

#### **Recommendation ii**

**Even in the absence of an express allegation of ill-treatment, the competent authorities to request a forensic medical examination whenever there are other grounds to believe that a person brought before them could have been the victim of ill-treatment. This is all the more important in relation to juveniles, who are inherently more vulnerable than adults and may be discouraged from making a complaint (Paragraph 12).**

2. Within the Police and Criminal Evidence Act 1984(PACE) Codes of Practice there is already a requirement for custody officers to record the injuries of a detainee and call a Police Surgeon where there is reason to believe that the person has been subject to ill-treatment. It is the responsibility of the custody officer and supervisory officers to investigate the cause of any such injuries and to note the custody record accordingly. If the injuries do not come to light until the individual attends court, it would then be the responsibility for the competent authority to identify the issue and draw it to the attention of a senior police officer to allow an investigation to take place. The Professional Standards Departments across Wales are both competent and practised in dealing with such complaints. Any allegation of a serious assault would be supervised

independently by the Police Complaints Authority.

3. These procedures apply both to adults and to juveniles.

### Request for information i

**Information on complaints of ill treatment lodged against police officers in Wales during the year 2000 and on criminal or disciplinary proceedings initiated as a result, as well as on the outcome of those proceedings; corresponding nation-wide statistics for the year 2000 (Paragraph 10).**

4. The police forces' reporting year is from April to March. The table below covers April 2000 to March 2001.

	<b>WALES</b>	<b>ENGLAND</b>
Total Complaints	1688	31034
No of Complaints Substantiated	<b>42</b>	<b>903</b>
Analysis of Substantiated complaints		
Oppressiveness	8	233
Malpractice	2	49
Racially Discriminatory Behaviour	0	18
Failures in Duty	29	491
Incivility	3	87
Traffic Irregularity	0	10
Other	0	15
No of Criminal Proceedings from complaints	0	31
Number of misconduct/ Disciplinary Proceedings resulting from complaints	6	146

5. The results of the 6 misconduct/disciplinary proceedings as a result of complaints made against Police Officers of the Welsh Police Force were as follows:

- 1 dismissal
- 1 requirement to resign
- 1 fine
- 2 reprimands
- 1 caution.

## **2. SAFEGUARDS AGAINST ILL-TREATMENT BY THE POLICE**

### **Recommendation i**

**Steps to be taken to ensure that the provisions of the Code of Practice for the Detention, Treatment and Questioning of Persons by Police Officers concerning the right of access to a lawyer are being rigorously applied in practice in Wales (Paragraph 13).**

6. The PACE Codes of Practice give a clear statement of the rights of the individual and the powers of the police. The Chief Officers in Wales are aware of the importance of adherence to these Codes which is stressed during training to all custody officers. Only in exceptional circumstances (under provisions within the Codes of Practice) is access to legal advice delayed or refused. If this is the case it must be recorded in the custody record.
7. The Chief Officers in Wales are keen to point out that this issue has not been raised during visits by independent custody visitors, and does not feature significantly in the complaints statistics.

### **Request for information i**

**Up-to-date information on the implementation of the CPT's recommendation that the right of access to another lawyer, when access to a specific lawyer is delayed, be the subject of a legally binding provision (Paragraph 14).**

8. The Government will be taking full account of the recommendation when revising the Codes of Practice which should be published in the summer of 2002.

**Request for information i**

**Up-to-date information concerning the video recording of police interviews of detained persons, and on any plans to extend video recording to all such interviews (Paragraph 16).**

9. The Association of Chief Police Officers has pursued this proposal for a number of years, but the necessary primary legislation was only secured recently in the Criminal Justice and Police Act 2001.
10. The Government proposes to undertake a pilot scheme to visually record interviews with suspects in a total of 15 police stations in 5 police force areas: Kent; Hampshire; Essex; West Mercia; and the Metropolitan (London). The pilot study will start in February 2002 and is intended to continue for 12-18 months. The project has strong support from the Crown Prosecution Service and the Lord Chancellor's Department who (together with the Home Office and the Association of Chief Police Officers) are represented on the strategic steering group that manages the project.
11. The pilot scheme will be subject to an independent evaluation by Goldsmith's College, London, the outcome of which will inform subsequent decisions about whether the scheme should be implemented nationally.
12. The Committee's interest in this issue is welcome and it is intended to keep the Committee informed of developments in this area.

### 3. CONDITIONS OF DETENTION

#### Recommendation i

**Conditions in police detention facilities in Wales to be reviewed and, if necessary, appropriate measures to be taken to ensure that they meet the general criteria employed by the CPT in this respect (Paragraph 18).**

13. The Government accepts that conditions in police detention facilities in Wales are not up to the desired standard in all cases. All Welsh forces have reviewed, or are in the process of reviewing their detention facilities. Some local examples are given below.
14. South Wales Police have undertaken a best value review of custody handling. The recommendations of that review (which have significant revenue and capital implications) will lead to rationalisation and improvement in custody facilities.
15. In Gwent, two cell facilities have been closed in the last 12 months. The force intends to move to a position where the vast majority of prisoners will be held in two custody suites within the force area.
16. Dyfed Powys Police accept that not all their detention facilities met the desired standard and a review is being carried out.
17. Custody suites are regularly visited by Independent Custody Visitors, who are volunteers from the local community. They attend police stations on a random basis to check on the treatment of detainees and the conditions in which they are held.

#### **4. DEVELOPMENTS AS REGARDS THE SYSTEM OF LEGAL REMEDIES FOR POLICE MISCONDUCT**

##### **Recommendation i**

**The proposals referred to in paragraph 22 to be implemented (Paragraph 22).**

18. The Government has set out plans for the new complaints system in a document entitled, "Complaints against the Police: Framework for a New System". In this document the Government detailed its intention that the appropriate authority should consider the disciplinary or criminal issues that may arise from civil claims against the police. The Government remains committed to this policy and is taking it forward in the Police Reform Bill currently before Parliament.

##### **Comment i**

**All cases involving allegations of ill-treatment by the police or where there are grounds to believe that such ill treatment may have occurred should be investigated by the Police Complaints Commission (IPCC) regardless of whether they fall under one of the mandatory-referral categories specified in the framework document published in December 2000 (paragraph 21).**

19. The Independent Police Complaints Commission will have a greater role than the Police Complaints Authority in the handling of complaints against the police. This will include more robust supervision of police investigations, and the capacity to conduct their own independent investigations. The IPCC will carry out independent investigations of the most serious cases; complaints which fall within certain mandatory categories; and any cases where the IPCC believe it would be in the public interest for them to investigate.
20. After extensive consultation with the major stakeholders, it was agreed that the IPCC should concentrate their efforts on the most serious cases, with the police handling the less serious complaints themselves. It is important that the IPCC do not get distracted from the serious cases, and that the police look at their own failings and be given the opportunity to provide remedies themselves. The Government believes that this combination of independent investigation and police involvement in the complaints process will secure the most expedient way of handling complaints; will ensure that the police improve the service they provide; and engender public confidence in the complaints system.

## **B) COURT DETENTION FACILITIES**

### **1. PRELIMINARY REMARKS**

#### **Request for information i**

#### **Comments on the question of staffing levels at court detention facilities (Paragraph 25).**

#### **Thames Magistrates Court/ Highbury Corner Magistrates Court/Central Criminal Court (Old Bailey)**

21. The staffing levels vary from location to location reflecting the size of each courthouse and its volume of business. At the initial tender stage the Contractor indicated the staffing level for each court, and the indicated staffing levels were approved by HM Prison Service as being satisfactory. The Contractor suffered severe staff shortages during the year 2000, for which recruitment and training were unable to compensate. HM Prison Service, through the Escort Monitor, brought pressure to bear, including financial measures against the Contractor to return to the staffing levels specified in the Contract. The staffing levels are now at 95% of that authorised by the Prison Service.
22. Staffing on a daily basis is determined locally by the Securicor branch office (Securicor is the private company which provides the staff for this court). Court Supervisors contact the Securicor branch the day before, and request sufficient resources to cover the business of the day. In the event of extra custody courts being needed, Securicor get at least 48 hours notice, and they have agreed to supply additional staff for those courts.
23. Criticism levelled at Securicor by the Escort Monitor has resulted in an increase in the number of staff allocated to courthouses.

#### **Highbury Corner Magistrates Court**

24. Securicor do not provide a complement figure as a matter of course, but have an agreement to provide on a daily basis enough officers to cope with the numbers of prisoners for that day, and sufficient cover for four custody courts. 7 female officers and 5 male officers, plus a supervisor, regularly staff the court. If extra staff are required, 'mobile' officers cover this on the day. However, there are not always enough officers for this to be implemented.

### **Request for information i**

#### **Detailed information on the initial and in-service training of custodial staff working in court detention facilities (Paragraph 25).**

25. Training of staff is covered by the contract between Securicor and the Prison Service and is the responsibility of the Prison Service. All training courses must be approved and completed to the satisfaction of HM Prison Service. The initial course is of six weeks duration, based on a five day week, with a minimum of 237 hours of teaching time. All staff are required to complete a first aid course and a course on control and restraint. Failure prevents certification as a custody prison officer. Staff are required to re-qualify annually in control and restraint, and tri-annually in the first-aid course. The course includes areas of the legal framework; prisoner management; dealing with suicide risks; and supervision and control. Securicor also offers further training courses to achieve the National Vocational Qualification in Custody Care to level 3, which is the required level for persons to become Prison Officers.

## **2. CONDITIONS OF DETENTION**

### **Recommendation i**

#### **Steps be taken to remedy the shortcomings referred to in paragraph 27 concerning material conditions in the detention facilities at Highbury Corner Magistrates Court and the Old Bailey (Paragraph 27).**

##### **Highbury Corner Magistrates Court**

26. The cells and toilets have been steam cleaned since the report and are deep cleaned on a monthly basis. The surface is such that it tends to look grubby even when deep cleaned. Any incidents involving spillage of bodily fluids are dealt with by a specialist cleaning firm who are called when notification is given by Securicor.

##### **Central Criminal Court (Old Bailey)**

27. Funding has been set aside for an investigation into the ventilation problem. This is expected to take place in the very near future. However, in order to carry out this investigation it will be necessary to remove sections of the ceiling in the corridors of the cell complex, which will restrict access in the main thoroughfare. A risk assessment for this investigation has been carried out to ensure continuing

safety and security requirements for prisoners.

### **3. FURTHER REMARKS**

#### **Recommendation i**

**The keeping of records on use of force by custodial staff at the Old Bailey be reviewed in the light of remarks made at Paragraph 28 (Paragraph 28).**

28. The Court Manager of the Central Criminal Court has weekly intelligence and planning meetings with representatives of Securicor to brief them on known high risk and violent prisoners to facilitate forward planning.

#### **Recommendation ii**

**Current arrangements for the transport of prisoners, particularly children, to be reviewed, in the light of the remarks made in Paragraph 30 (Paragraph 30).**

Thames Magistrates Court/ Highbury Corner Magistrates Court/Central Criminal Court (Old Bailey)

29. Very few child prisoners are dealt with. Youth work is handled only on Saturdays on behalf of Thames Court, which is not open on Saturdays. The majority of the cases are arrests on warrant from local police stations, and consequently the journey times are not long.
30. The majority of adult prisoners come from Pentonville, and also have a short journey time. The Greater London Magistrates' Courts Authority monitors Securicor's delivery of prisoners to the Highbury and Thames Magistrates Courts.
31. The vehicles in use by escort contractors are built to the rigorous specifications required by the prison service. These include minimum sizes of cubicles and air conditioning.
32. The prison estate makes some lengthy journeys inevitable, and there is a contractual specification that comfort stops will be provided on all journeys scheduled over two-and-a-half hours. At such stops, prisoners will be taken off vehicles for access to toilet facilities and will be provided with refreshments if appropriate.

33. Meetings are held with the Directors of Securicor and with the Escort Monitor. A review of the escort services is in progress, and is due for completion in March 2002.

**Request for information i**

**Detailed information about the Lay Observers' powers and activities, as well as the action taken upon their recommendations (Paragraph 29).**

Highbury Corner Magistrates Court/Thames Magistrates Court/Central Criminal Court

34. Lay Observers are appointed under the terms of the Criminal Justice Act S.81(1)(B), to "inspect the conditions in which prisoners are transported and held in pursuance of the arrangements, and to make recommendations to the Secretary of State." They are given guidance on what to observe and what to report on when they visit court cell areas.
35. The court manager has not received any correspondence from the lay observers in the last two years, and has never seen any observers on site. However if issues were raised by observers, these would be investigated and appropriate action would be taken.

## **C. PRISON ESTABLISHMENTS**

### **1. PRELIMINARY REMARKS**

#### **Comment i**

**Much remains to be done to achieve the objective of holding all prisoners in a “safe, decent and healthy environment” (Paragraph 36).**

36. The Government notes the CPT’s acknowledgement of the efforts that the Prison Service is making to address its shortcomings. Real and measurable progress has been made towards providing decent prisons everywhere. Nevertheless, as the CPT notes, it is clear that much more remains to be done.
37. The Director General of the Prison Service has made it clear that his uncompromising objective is that the Prison Service should provide a safe, decent and healthy environment for prisoners. The issues raised in the CPT’s report go to the heart of providing such an environment.
38. Reducing the number of self-inflicted deaths has been, and continues to be, the highest priority of the Prison Service. An 11% reduction was achieved between 1999 and 2000, and indications are that a further considerable reduction may be sustained in 2001. This has not diminished the resolve. A review of policies and procedures led to the launch, by the then Home Secretary, in February 2001 of a new 3 year Prison Service suicide prevention strategy. This targets efforts where the risks are highest - namely in the early period of custody at local prisons. The strategy is a holistic, proactive approach and provides for better identification of those at risk, together with a cohesive programme of care and support. £8M has been allocated to this strategy this year.
39. The Government remains committed to providing decent conditions despite increasing pressure on prison population. This rose to 68,300 - an all time high - in November 2001. The capacity of the Prison Service in England and Wales has been increased substantially in the last 10 years with the opening of 21 new prisons between 1990 and 2000. A further two prisons opened in 2001 (1,400 places). The percentage of prisoners held in overcrowded conditions in England and Wales has fallen from 38% in the late 1980s to 17% in 2000-2001. The Director General of the Prison Service has also indicated that prisoners must be held in healthy conditions. Dirty, unhygienic accommodation is not acceptable. To achieve this, a new standard has been introduced setting out requirements for lighting, ventilation and heating.

40. As the CPT acknowledges, decency is not just about material conditions. It is much more. It is about treating prisoners with dignity, providing opportunities to address their offending behaviour, and preparing for their reintegration into the community. The Prison Service has a number of Key Performance Indicators, which address precisely these points. These are expanded upon in the following responses to a number of the specific points made by the CPT.

## **2. ILL-TREATMENT**

### **Recommendation i**

**Authorities at both central and local level to re-iterate at the earliest opportunity, vis-à-vis staff at Pentonville Prison and Feltham Young Offender Institution and Remand Centre, the message that abuses of authority by prison officers are not acceptable and will, if discovered, be dealt with severely (Paragraph 42).**

41. The message that unnecessary use of force is unacceptable is enshrined in Rule 47 of the Prison Rules - a legal document.
42. At Feltham and Pentonville, the message that abuse of authority is unacceptable and contrary to the law is continually re-iterated. When staff at Feltham have ignored this warning, and have been accused of allegations of ill-treatment, they have been suspended or disciplined accordingly. This acts as a warning to other staff.
43. At Pentonville there have been twenty investigations into allegations of abuse (physical, racial or verbal) by prison officers. Twelve have been brought to a conclusion with no disciplinary proceedings resulting, and eight are ongoing. One officer is under suspension following an allegation of assault. Of the twelve investigations concluded, four were as a result of the allegation being withdrawn, three were proved unquestionably false and the remainder provided insufficient or inconclusive evidence.
44. Elsewhere, a number of criminal prosecutions have resulted from the establishment of prima facie cases that physical abuse of prisoners by staff has occurred. All allegations of abuse are investigated.

### **Recommendation ii**

**Prison Officers in Pentonville to be reminded that force should only be used as a last resort and must not be more than is strictly necessary (Paragraph 44).**

45. Officers at Pentonville are informed of Prison Rules and instructions on the use of force, and that stepping outside these parameters constitutes an assault. The relevant aspects of the law are also covered in both the initial and refresher “Control and Restraint” courses. The fact that these precepts are well understood is borne out by the fact that there have been no proven cases of assault or any other abuse by officers at Pentonville over the last two years.

### **Recommendation iii**

**Current strategies to combat inter-prisoner violence to be pursued vigorously and means of rendering them more effective to be explored (Paragraph 51).**

46. Bullying is recognised as an endemic problem in prisons, and is vigorously tackled through anti-bullying strategies; the Incentives and Earned Privileges Scheme; and disciplinary action.
47. The Prison Service is developing a violence reduction strategy to help make prisons safer for all who live and work there. It will link into a number of other projects which have the same aim. The anticipated outcomes of a violence reduction strategy are:
- Prisoners would be less likely to harm or kill themselves as a result of being in custody.
  - Prisoners would be less likely to sustain physical injury or to fear such injury whilst in custody.
  - Staff would be less likely to sustain physical injury or to fear injury as a result of their work.
48. Bearing down on bullying will be a key strand in a violence reduction strategy. Since 1999 the Prison Service has had in place a robust anti-bullying strategy, which has been shown to be effective in reducing assaults when applied rigorously at establishments. The key elements to success appear to be: that the work is led from the top, i.e. the Governor; and that training is provided for all staff. The level of compliance with anti-bullying procedures has been monitored and a report is expected in the near future.

49. Work is in hand to develop a more rigorous and comprehensive performance indicator on assaults, to better measure the level of violence in prisons and enable a more targeted preventative approach. The Prison Service is currently evaluating the results of the piloting in five establishments of a new cell-sharing assessment tool. Such screening will assist staff to assess the safety implications of prisoners sharing cells.
50. In terms of providing an incentive to good behaviour, all prisons operate a local Incentives and Earned Privileges (IEP) scheme for prisoners, which is consistent with the National Policy Framework. The scheme is designed to encourage responsible behaviour; participation in constructive activity; and progress by prisoners through the prison system. Its overall aim is to create a more disciplined, controlled and safer environment for prisoners and staff.
51. There is a particular focus on inter-prisoner violence in establishments holding juveniles (under 18s). These are the responsibility of the Youth Justice Board. All such establishments must have:
- An anti-bullying co-ordinator
  - An anti-bullying committee
  - Prisoner representation
  - Education against bullying on Induction
  - Sanctions against bullies
  - Support for victims of bullying
  - Situations and activities which encourage confidential reporting of bullying by prisoners
  - Anti-bullying surveys.

### **Comment i**

**a) The record made of the medical examinations of an inmate following a violent episode in prison should contain (i) a full account of the statements made by the person concerned which are relevant to the medical examination (including the description of his/her state of health and any allegations of ill-treatment); (ii) a full account of objective medical findings based on a thorough medical examination; (iii) the doctor's conclusions in light of (i) and (ii) (Paragraph 43).**

52. Prison Service instructions require a member of healthcare staff to attend, where practicable, every incident where staff are deployed to restrain violent or disturbed prisoners. If this is not feasible, a prison doctor must be informed whenever force has been used for this purpose. The doctor is required to examine the prisoner and report any injuries in the medical report (F213) which forms part of the overall report of the incident. The medical report includes a body sketch on which the doctor can record the positioning of any injuries. A separate version of the form is currently being produced for women. The incident report must be kept in the inmate medical record (IMR). Responsibility for ensuring that healthcare documentation of this kind is completed properly in individual cases rests with national and local operational management. Medical officers would be expected to include matters raised at (ii) and (iii) of the recommendation in their report.

### Comment ii

**Training in interpersonal communication skills should be more widely available to prison officers, in particular at Pentonville prison. Building positive relations with prisoners should be recognised as a key feature of a prison officer's vocation (Paragraph 45).**

53. Assessment of a Prison Officer's interpersonal skills begins even before appointment. On recruitment, potential candidates are assessed for their future role, with a key feature being the ability to display interpersonal skills. Once appointed, Prison Officers are required to complete an 11 week course, during which they are regularly assessed on the skills needed to be a Prison Officer. The course curriculum emphasises the need for good interpersonal skills - in relation to prisoners, visitors and others. Courses in control and restraint make it clear that the role of the officer is of "peace keeper". Training also emphasises the importance of developing professional, controlled relationships with prisoners as individuals.

**Comment iii**

54. **Prisoners' complaints procedures should offer appropriate guarantees of independence and impartiality, and persons who may have been ill-treated should not be discouraged from pursuing a complaint (Paragraph 47).**

Prisoners' complaints procedures have recently been reviewed. Although the review found much to commend the current procedures, it also found a number of serious weaknesses. For example, in many cases obstacles were put in the way of prisoners making formal complaints about serious matters. Several changes to the procedures were recommended to correct the deficiencies identified.

55. New complaints procedures will be implemented from early 2002, emphasising the integrity of the complaints system; ease of access, prompt and proper responses to complaints; and provision of appropriate redress where necessary. A fundamental principle of the new procedures is that prisoners must not be discouraged from making a complaint and must not be penalised if they do. Prisoners who are dissatisfied with the internal response to a complaint can complain to the independent Prisons and Probation Ombudsman.

56. The new procedures are based on the following 10 principles:

- Openness
- Simplicity
- Ease of access
- Timeliness
- Fairness
- Responding at an appropriate level
- Confidentiality
- Appropriate redress
- Freedom from penalty
- Use of the system to provide management information.

57. Under the new procedures:

- complaint forms are freely available for prisoners to pick up on wings and in residential areas;
- completed forms are posted by prisoners into locked boxes on wings, to which only a designated member of staff has access;

- complaints are considered and responded to in three stages: stage 1 is a response from the prisoner's wing officer; stage 2 is a response from someone at management level; and stage 3 (the final appeal stage) is a response from the governor.

### **Request for information i**

#### **Information on the results of the external independent audit of the investigation of complaints at Pentonville prison and further details on the post created to ensure the protection and safety of prisoners in that establishment (Paragraph 47).**

58. Between 1 January and 5 March 2001, 96 request/complaint forms were issued at Pentonville and only 54 returned. There is no system in place to establish why forms were not returned. Indeed, under a new system to be introduced to facilitate prisoner access to the complaints system, forms are to be freely available to prisoners from self-service dispensers, and their initial issue will no longer be recorded. The proportion of non-returned forms at Pentonville is not considered unusual.
59. Between 1 December 2000 and 5 March 2001, there were six applications for forms in which prisoners intimated they wished to make an allegation against a member of staff. At the time of the audit two had been investigated and one was under investigation by the Governor. Two of the forms had not been completed and returned by the prisoners concerned. One complaint was submitted and later withdrawn.
60. One of the cases in which the form had not been completed and returned involved an allegation of assault and racial abuse. Records show that the prisoner had been interviewed by the Operational Manager in charge of the wing prior to the issue of the form. They also show that the prisoner was then issued with the form although he claims not to have received it.
61. The full-time suicide prevention and anti-bullying officer, of managerial grade, has been appointed. His duties include the audit of the self harm systems; monitoring anti-bullying procedures; liaison with the Safer Custody Group at headquarters; advice on the production of local policy; the training of staff; and promulgation of best practice. He reports to the Head of Throughcare and is supported by a part time Prison Officer.

**Request for information ii**

For 2000 and 2001:

- **The number of complaints lodged concerning ill-treatment by prison officers in England and Wales and the number of disciplinary and/or criminal proceedings initiated as a result of those complaints;**
  - **An account of those complaints and the outcome of proceedings (allegations, brief description of the findings of the relevant court or body, verdict, sentence/sanction imposed) (Paragraph 48)**
62. Central recording of formal investigations into allegations of abuse began officially from July 2000. However the systems were being tested from June 2000.
63. The period covered in the table at **Appendix 1** is 01/06/2000 - 01/10/2001. This does not include complaints that were not dealt with by formal investigation.
64. During this period 192 investigations were registered under the category of “assaults on prisoners”.
65. 119 of those investigations have been completed. The outcomes are listed in the table.
66. Twelve of the above investigations resulted in disciplinary hearings. The outcomes are also shown in the table.

### 3. CONDITIONS OF DETENTION

#### Recommendation i

**Cells measuring 8.5m<sup>2</sup> or less to accommodate no more than one prisoner (save in exceptional cases when it would be inadvisable for a prisoner to be left alone) (Paragraph 52).**

67. The CPT report expresses misgivings at the notion of operational capacity equating to a “safe overcrowding” level. Operational capacity is the total number of prisoners that an establishment can hold without serious risk to good order, security, and the proper running of the planned regime. The extent of overcrowding that can be tolerated at an individual establishment is an operational matter determined by the Area Manager when setting operational capacity.
68. The Prison Service recognises that crowded cell conditions are far from ideal, yet must be tolerated in order to accommodate the rising prison population. This means that some prisoners must be doubled-up in cells designed for one, as is the case at the prisons visited by the CPT.
69. The Prison Service has recently introduced a new cell standard that establishes measurable parameters for determining cell capacities. The Chief Inspector of Prisons was directly involved in the development of this standard. In accordance with the space requirements of the new standard, all the doubled-up cells viewed by the CPT, including those measuring 8.5m<sup>2</sup> or less, are assessed as being of sufficient size for doubling, albeit in crowded conditions. The need to double-up in these cells is not expected to change in the foreseeable future.
70. The CPT may be interested to know that doubling up in single cells no longer occurs at Feltham. At Woodhill, the population fluctuates from just under to just over their Certified Normal Accommodation (CNA); but for the last year it has generally been within the CNA. There are occasions when prisoners are held two to a cell (8.5 square metres) due to population pressures on specific classes of prisoners, and a large number of young offenders who can only be held in one wing.

### **Recommendation ii**

#### **The partitioning of in-cell lavatories to be improved (Paragraph 53).**

71. The new cell standard mentioned above also sets minimum requirements for the level of in-cell privacy in the use of the WC in shared cells. A programme of work has recently started that will ensure that this minimum standard is provided in all shared cells, through the installation of privacy screening where required. The situation at all establishments will be reviewed over the coming months to determine what changes are needed to the existing privacy arrangements.

### **Recommendation iii**

#### **Steps to be taken to remedy the shortcomings referred to in Paragraph 54. Particular efforts are required to keep units with a high turnover of remand prisoners in a satisfactory state of repair and cleanliness (Paragraph 54).**

72. The new cell standard also sets minimum requirements for heating, lighting and ventilation, and these must be “adequate for health”. The instruction sent to prisons on the implementation of the cell standard requires that the condition of accommodation is checked regularly, and that accommodation considered to present a serious risk to health is taken out of use immediately. Governors of the establishments visited are taking steps, including staff training, to try to ensure that standards of cleanliness are maintained.

### **Recommendation iv**

**The UK authorities to continue to strive to develop regime activities for prisoners; particular efforts are required to increase the number of prisoners engaged in activities at Pentonville and Woodhill prisons as well as at Feltham B (Paragraph 57).**

## GENERAL COMMENTS

73. The Government is pleased to note that the CPT found particular emphasis is being placed on developing programmes of activities for prisoners. It is accepted that there is scope for much further development in this area. It is one of the Prison Service's primary aims to provide a regime that will assist prisoners to avoid re-offending on release and to lead to an enhanced likelihood of successful resettlement. This includes programmes to address offending behaviour and opportunities to take part in work and education. £30 million is being invested over three years from 2001 in a Custody to Work programme, with the aim of preparing prisoners for release. It aims to double by 2004 the number of prisoners who are released with a job and to increase the number with stable accommodation. Within this there is a £5 million a year programme at five local prisons and five Young Offender Institutions to improve regimes with a focus on preparing prisoners for work. Feltham is one of the establishments included in this.
74. Another component of preparation for release is to enable prisoners to attain educational skills. Education in the Prison Service is provided in partnership with the Department for Education and Employment. There has been a refocusing of provision of education in prison which aims to equip prisoners with basic language and numeracy skills to enable them to hold down a job and resettle in the community. All prisons offer a range of education and training activities, which facilitate individual progress and achievement. Improving the quality and quantity of these is a key priority for the Prison Service and is something that will be pursued vigorously.
75. The Prison Service has also increased by 30% in 2000/2001 the number of prisoners who complete offending behaviour courses and aims to meet a stretching target of increasing the number of completions from 5,000 in that year, to 8,900 in 2003/2004.

COMMENTS ON SPECIFIC PRISONS VISITED

Pentonville

76. At Pentonville, there are currently four workshops operating contract and tailoring services. Prisoners generally earn between £7 - £12 per week within them. These workshops have been independently assessed as being of high quality - a remarkable achievement for a local prison. The Physical Education department at Pentonville has similarly been recognised for its quality and plays a full part in regime activity. A new development is the use of FITTECH (measurable fitness testing). This technique provides hard evidence of physical improvement in prisoners undergoing detoxification, and encourages them to continue within the programme. The Department also provides valuable National Vocational Qualification training which has been successful in obtaining work for prisoners in the sports management field.
77. More than 2000 prisoners at Pentonville completed courses in basic literacy and numeracy in the year 2000-01 and the prison is on schedule to meet its targets for this year. It has one of the oldest established dyslexia courses. It has also reached agreement with North London University that prisoners can enter foundation courses at Pentonville in Sports Sciences and Computer Studies, which can be carried forward on release into a University degree course.
78. The prison also exceeded its target of 150 Offending Behaviour Programme completions in the year 2000-01, and is on schedule to meet its target this year. This is a high number of completions for any prison, but especially for a local prison. Pentonville has recently obtained funding to pilot the new short term recidivism programme - START (Short Term and Resettlement Training). This forms part of the Active Throughcare Function which is newly created and is rolling out. All offending behaviour programmes are subject to independent assessment and accreditation.

### Woodhill

79. Woodhill does not have any workshops. Activity for prisoners is based on domestic work, education, PE and offending behaviour course. All prisoners have access to education. Over 35% of the population is on remand and a number are involved in courses (for example, drug detoxification) and education. It is true however that many choose not to participate. The education centre is in the process of having 4 new classrooms built to accommodate more prisoners. A specialised drug detoxification centre will open this year. The centre will operate a number of courses aimed at assisting prisoners to stay off drugs. The Prison Service is hopeful that the remand prisoners will be actively engaged in the project. As a local prison and particularly a high security one, it regularly delivers just short of 20 hours purposeful activity a week which the Service believes is admirable.

### Feltham

80. Feltham's share in the £5 million a year from the Custody to Work programme is targeted to raise purposeful activity hours by 62,000 hours per annum and allow for an increase of 33,000 structured association hours per annum. Improvements in PE are also planned, in the form of a new gym and additional Physical Education Instructors. A bricklaying course has commenced; a painting and decorating workshop and a design workshop have opened in September 2001; and a car mechanics course in December 2001. Numbers on education on Feltham B have doubled since the Committee's visit.
81. Feltham B launched a new "core" day in July. This offers association and activity to each prisoner every weekday. Purposeful activity reached 22.48 hours in August – a very significant increase on the 12 hour level when the Committee visited.

### Parc

82. The Prison Service KPI (Key Performance Indicator) on the number of hours per week which each prisoner should spend in purposeful activity is 24 hours per week. The contractual requirement for Parc is to deliver 35 hours of purposeful activity to each prisoner each week. Over the past year, the prison has moved the emphasis from quantity to quality, in agreement with the Area Manager. In the light of this, Parc is currently in negotiation with Contracts and Competitions Group within Prison Service headquarters, to reduce this target to 32 hours per week, still an increase on its current delivery of approximately 30 hours per week.

### **Recommendation v**

**Steps should be taken to ensure that prisoners are guaranteed the basic requirement of at least one hour of outdoor exercise per day; if necessary, rule 30 of the Prison Rules 1999 should be amended (Paragraph 58).**

83. In Prison Rule 30, and the instruction to prisons which underpins it, the Prison Service recognises that prisoners have an entitlement to spend time in the open air. There is, however, no basic requirement for this to be an hour per day. The wording of the Rule is necessarily flexible, because the regime of each establishment varies and other factors, such as the weather, need to be taken into account. The need to maintain good order and discipline are overriding in prison, but current guidance takes account of healthcare guidance that ideally time in the open air should be an hour a day, but not normally less than half an hour.
84. There is too, a difference between time in the open air and physical education, a distinction that is made by having separate rules.
85. The instruction to prisons sets a mandatory minimum of one hour in the open air for prisoners who, from their own choice or otherwise, spend larger amounts of time in their cell than normal. This may occur in the case of those in the segregation unit and unconvicted prisoners who exercise their right not to work.
86. The instruction to prisons also indicates that where it is unavoidably necessary to cancel or curtail scheduled periods of time in the open air, either for control reasons or unreasonable weather conditions, this should be both authorised and recorded. The prisoner should be allowed to spend the time in association with others (unless they are in segregation), with access to recreational facilities where possible.
87. The CPT may be interested to know that at Feltham, time in the open air has now been introduced on a daily basis.

#### **4. THE CLOSE SUPERVISION CENTRE AT WOODHILL PRISON**

##### **Recommendation i**

**The range of activities offered to prisoners at the Close Supervision Centre (CSC) to continue to be developed (Paragraph 67).**

88. The regime continues to be improved and developed. Further research is being conducted into the introduction of specific offending behaviour interventions to deal with the problems (violence in particular) of this group of prisoners.

##### **Recommendation ii**

**A high priority to be accorded to the implementation of plans to build sports facilities for inmates held at the CSC (Paragraph 67).**

89. As far as sports facilities are concerned, cardio-vascular PE equipment has been installed on 'A' wing, CSC, and a multi-gym facility is available for 'B/C' wing prisoners of the CSC.

##### **Request for information i**

**Comments on the subject raised in Paragraph 63 concerning prisoners suffering from mental disorders held in the CSC, including further information about the criteria applied for admission to the close supervision system and details on the assessment of the mental health of candidates (Paragraph 63).**

90. The purpose of the CSC system is to control and support problematic or disruptive prisoners. Entry to the CSC system is restricted to those prisoners who have a history of disruptive and aggressive behaviour and who have:
- been violent to staff or other prisoners
  - regularly incurred disciplinary reports
  - caused serious damage to property in prisons
  - shown dangerous behaviour (such as roof top protests or hostage taking).
91. It is anticipated that most potential CSC prisoners will have been on continuous segregation for a period of three months or more prior to their referral and that there will be clear evidence of their failure to respond to earlier measures to improve control.

92. All CSC prisoners are referred from the high security estate and the majority are high security prisoners (though not all). The referring establishment seeks advice from the CSC Management Section at HQ on the potential suitability of their disruptive prisoner for the system. If appropriate, staff will then attend the next CSC Selection Committee meeting to present the referral.
93. If the Committee considers that the prisoner referred is a potential candidate for the CSC system, it will usually call for further assessment, particularly psychiatric assessment, to ensure that there is no evidence of mental illness.
94. Placements in a CSC are reviewed each month by the CSC Selection Committee. It is open to the prisoner or his or her legal representative to make representations to the meeting and they can also make a complaint via the normal complaints system.
95. As described above, the CSC is not used as an end of line facility for prisoners suffering from mental disorders. If there is evidence of mental illness, the prisoner will be referred to a special hospital. There is difficulty in such transfers, but the Prison Service's mental health strategy is addressing this.

### **Request for Information ii**

**The conclusions of the United Kingdom authorities concerning sleeping arrangement at the CSC and remedial action taken, and comments on the other complaints made by prisoners held at the CSC (Paragraph 64).**

96. The Chief Inspector's comments relate to A wing CSC. Since his report, all the beds in the CSC have been replaced with new ones in safer cells, designed specifically to minimise the risk of suicide attempts. There are also new windows, which can be opened, in the cells, the wing has been redecorated, and carpet has been laid.

## **5. HEALTHCARE**

### **Recommendation i**

**Immediate steps to be taken to increase substantially the presence of general practitioners at Feltham (Paragraph 73).**

97. Feltham is currently in the process of recruiting a second full-time GP. At present they have one full-time GP supported by 2 part-time GPs. Since the Committee's visit, Feltham has increased the hours worked by the part-time GPs. Feltham has an arrangement with the local NHS Mental Health Trust and they provide trained nurses and psychiatrists. The prison now has 21 nurses directly employed in primary care, and the NHS Mental Health Trust provides Registered Mental Nurses to work with prison staff in the inpatient facility.

### **Recommendation ii**

**Arrangements to be made to ensure that the prolonged absence of doctors at Woodhill is not detrimental to the quality of care provided to prisoners (Paragraph 73).**

98. Woodhill is currently reviewing the best way to ensure adequate medical cover. At present Woodhill has a Senior Medical Officer and two Medical Officers, although one of the latter is due to retire shortly. A recruitment programme is under way to hire up to 8 new nurses and a Nurse Consultant has recently been appointed. The Head of Healthcare at Woodhill is now a senior nurse manager recruited from the NHS.

### **Recommendation iii**

**Steps to be taken to remedy the shortcomings concerning health care facilities mentioned in paragraph 75 (Paragraph 75).**

99. The current healthcare centre at Feltham will close in 2002 and move to another larger unit. This will have one side dedicated to mental health patients and the other to physical health and patients undergoing detoxification. The unit will have facilities suitable for disabled prisoners.

100. It is already the case that some establishments in England and Wales have separate mental health units within their health care centres. Others take advantage of existing multi-level facilities to create separate accommodation areas. However, the Government believes that it is for individual prisons to decide how best to make use of the health care facilities available to them for the benefit of all patients. It would be unreasonable to require small health care centres with few or no beds to set up separate facilities for psychiatric patients, which could probably only be achieved at the expense of facilities for somatic patients. The aim of the Prison Service, working in partnership with the National Health Service, is to provide for prisoners the same access to the range and quality of health care service as is available in the community.

#### **Recommendation iv**

#### **The provision in terms of ambulatory psychiatric care at Pentonville and Woodhill prisons to be increased significantly (Paragraph 76).**

101. The Prison Health Policy Unit and Task Force are currently preparing a mental health strategy document for publication in the autumn of 2001. This will set out how the various commitments concerning prison mental health care in the Department of Health's National Service Framework for Mental Health (1999) and the subsequent NHS Plan (2000) will be implemented within the prison setting. In particular, this will address the development of community mental health teams working in prisons.

102. The NHS Plan states that, by 2004, the 5000 or so prisoners who will at any one time have a severe mental illness should be receiving more comprehensive mental health services. All prisoners with severe mental illness will be in receipt of treatment and no prisoner with a serious mental illness will leave prison without a care plan and a care co-ordinator. Within the new partnership between the NHS and prisons some 300 additional staff will be employed.

103. As a first step towards meeting these commitments, NHS funded mental health "in-reach" teams are being introduced in 16 establishments, including Pentonville and Feltham, during 2001/2. By 2004, similar services should be established in the 60 or 70 establishments where there is the greatest mental health need.

104. At Woodhill, two of the in-house doctors have a psychiatric background and Woodhill has a visiting psychiatrist. Psychological services at Woodhill are concentrated in the delivery of offending behaviour programmes in the main prison and the CSC. A considerable amount of additional resource may be required to meet the level of service denoted in the CPT report. Additional psychiatric support will shortly be available in the CSC.

### **Recommendation v**

#### **Establishments which accommodate juveniles should have the possibility to have recourse to child and adolescent specialists (Paragraph 76).**

105. There are very few child and adolescent psychiatrists in England. Feltham have asked the local NHS Mental Health Trust to *try* to obtain one, but to date they have been unsuccessful.

### **Recommendation vi**

#### **Immediate steps to be taken to ensure that mentally disturbed prisoners who require inpatient treatment are kept and cared for in appropriate facilities (Paragraph 78).**

106. There has been a significant improvement in the number of prisoners transferred to psychiatric hospitals for in-patient treatment for mental disorder in the past decade or so. The figure has risen from 176 in 1988 to around 750 a year now. While in many cases such transfers are arranged very quickly, some prisoners still have to wait for a considerable time. Of the 1113 restricted patients admitted to hospital in 1999 (the last year for which statistics have been published) 742 were transferred from prison under section 47 (sentenced) and section 48 (unsentenced) of the Mental Health Act 1983. Between 1992 and 1998 the proportion of restricted patients detained in hospital, who had been transferred from prison, rose from 20% to 22%, largely reflecting the growth in the numbers transferred to hospital from prison over this period.
107. The Prison Health Policy Unit and Task Force have put in place monitoring arrangements, which they are currently seeking to strengthen, to identify prisoners who have been waiting too long for a hospital place. This enables them to take more co-ordinated action to reduce such delays. They co-operate with Regional Specialist Commissioning Groups and the Mental Health Unit at the Home

Office, which authorises such transfers .

108. Joint needs assessments should help to identify more precisely the level of unmet need for hospital places in the prison population.
109. In the longer term it is expected that prisoners who need in-patient treatment for mental disorder will gain improved access to an appropriate place as a result of: deployment of community mental health teams; action by the National Health Service (NHS) to integrate high and medium secure hospital provision; and an increase in the number of secure places (so as to provide over 700 new beds in the next few years). Full implementation of the provisions of the National Service Framework for Mental Health should lead, in time, to a reduction in the number of people with mental disorders who are sent to prison in the first place.
110. As with all prisons the issue of placing mentally ill prisoners into appropriate establishments remains a huge challenge and a drain on staff resources. The case observed by the Committee at Parc has been their worst to date. However, there have been others whose level of danger has caused major concerns to all who deal with them. Feltham currently has 10 patients awaiting transfer, with an average wait of 11 weeks from Sectioning.

### **Request for Information i**

#### **Comments on the amount and management of nursing staff resources at Pentonville and Woodhill prisons (Paragraph74).**

##### Pentonville

111. Pentonville healthcare centre remains understaffed, but the position is much better than when the ECPT visited in February 2001. The clinical governance is now sound, with the provision of a Healthcare Manager seconded for two years from the NHS (with options for extension) and employment of a Grade I Senior Clinical Nurse. Healthcare Officer posts have been identified and will be filled following the prison's reprofiling. A new healthcare centre will be commissioned before 31 March 2004.

##### Woodhill

112. Woodhill is currently reviewing the best way to ensure adequate medical cover. A recruitment programme is under way to hire up to 8 new nurses and a Nurse Consultant has recently been appointed. The Head of Healthcare at Woodhill is now a senior nurse manager recruited from the NHS.

## 6. OTHER ISSUES

### a. INFORMATION FOR PRISONERS

#### Comment i

**Efforts should be made to ensure all newly admitted prisoners are systematically supplied with written information on the regime in force and on their rights and duties, in a language they can understand (Paragraph 79).**

113. A review of policy on reception is currently under way. Following the Prison Service Internal Review, "Prevention of Suicide and Self-Harm in the Prison Service", a new proactive three-year strategy to reduce prisoner suicides and self-harm was announced by the then Home Secretary on 5 February. Implementation of the strategy is being taken forward as part of a long-term programme aiming to reduce suicides and self-harm.
114. The programme is still evolving, but includes projects concentrating on the periods when prisoners are particularly vulnerable, i.e. pre-reception and reception. The objectives of these projects include developing a system that improves the arrangements for sharing relevant information with prisoners.
115. Escort contractors and many prisons already supply written information for pre-reception prisoners. In addition, Safer Custody Group within Prison Service headquarters, are considering methods of ensuring all "new" prisoners are provided with an information booklet at court, specific to the prison to which they have been assigned. Safer Custody Group is also considering providing a dedicated area in court cells for new prisoners to supply them with vital support and information. Other areas being studied to reduce prisoner anxiety include: the provision of additional information about the prison when the prisoner arrives at reception; contact with family; access to dedicated first night accommodation; and a full induction process.
116. The Prison Service Race Relations policy highlights the importance of prisons being aware of the needs of non-English speaking prisoners. To assist in meeting those needs, all prisons have copies of the Prisoner Information Books which provide information on all aspects of prison life for males, females and life sentenced prisoners. The books have been produced in partnership with the Prison Reform Trust and are available in 21 languages: Arabic, Bengali, Chinese, Dutch, English, French, German, Greek, Gujarati, Hindi, Italian, Polish, Portuguese, Punjabi, Russian, Spanish, Tamil, Turkish, Urdu, Vietnamese and Welsh.

117. The Prison Service and the Prison Reform Trust have jointly produced specially for prisoners a Guide to the Human Rights Act. Copies are available in all establishments. The booklet explains what the Human Rights Act means for prisoners, and how they can obtain further information from the prison library.

## **B. THE MANAGEMENT OF DRUG RELATED PROBLEMS IN PRISON**

### **Recommendation i**

**The management of drug-related problems in prisons to be reviewed, in the light of the remarks made in paragraph 83 (paragraph 83).**

118. Each prison receiving prisoners from the courts must now provide a clinical service for substance misusers, including assessment, treatment for symptoms of withdrawal, health education and harm minimisation. The guidelines allow for the prescription of methadone in custody and recommend as good practice that a six week “post detox” regime should be in place. This should be based on individual care plans and provide support during the critical six week period following chemical detoxification. However, the short period between a prisoner appearing in court and being received into prison makes it difficult to undertake all the preparatory work prior to detoxification that may occur in the community.
119. Two nurse specialists have been appointed to assist in the implementation of the standard in prisons, to audit the service available, and identify barriers to change.
120. It is seen as essential that healthcare and CARATs, (Counselling, Advice, Referral, Assessment and Throughcare) services work closely together. CARATs is a low level intensity, low threshold, non clinical drug misuse intervention. Prisoners undergoing detoxification treatment should be referred to CARATs. CARATs can refer prisoners to more intensive treatment programmes, such as rehabilitation programmes, if applicable. CARATs also provides continuity between treatment in prison and that available on release. It may not be appropriate to refer all prisoners who have undergone detoxification to an intensive treatment programme.

### Comment i

**The multi-faceted strategy which involves reducing the supply and demand of drugs in prison, improving the quality of the treatment, assistance and information provided to prisoners with drug problems (including with a view to reducing the risks associated with the taking of drugs) and providing suitable training to staff should be vigorously pursued (Paragraph 81).**

121. The Prison Service drug strategy, launched in May 1998, forms part of the Government's national drug strategy. The strategy has benefited from a significant amount of funding; raising central expenditure on anti drugs activities from £8.5 million in 1998-99 to around £60 million annually now.
122. Structures and policies have been created to allow a framework to be established in all prisons which provides new drug treatment and testing interventions with greater enhanced security to reduce the flow of drugs into prisons
123. Having established the framework of the strategy the emphasis is now on refining and reshaping that infrastructure to ensure its effectiveness and to address any gaps.
124. Throughout the audit cycle, services provided and new developments in treatment are reviewed.
125. In December 2000, the Prison Service introduced a new standard for clinical services for substance misusers (PSO 3550). This ensures that good quality services should be available in all local and remand prisons to at least a level comparable with that in the community, and to a standard set by the Department of Health.

### C. INSPECTION PROCEDURES AND SUPERVISION

#### Comment i

**It is important that there are ongoing monitoring systems of privately managed prisons, capable of ensuring that the state remains in a position to discharge all its obligations vis-à-vis persons deprived of their liberty (Paragraph 85).**

126. The Prison Service fully endorses the importance of monitoring systems for privately managed prisons. An important factor in this is that private prisons are subject to the same Prison Rules, standards and mandatory instructions as other prisons. In each private prison there is a controller whose responsibility it is to ensure that these are implemented, as well as discharging disciplinary and investigatory duties at these prisons.
127. The Director at Parc has stated that he believes that the number of audits, inspections and the daily monitoring carried out by the Home Office Controllers Team is very positive, and provides invaluable feedback on areas of weaknesses or good practice.

## **D) THE MILITARY CORRECTIVE TRAINING CENTRE (MCTC)**

### **1. ILL TREATMENT**

#### **Recommendation i**

**The authorities at both central and local level to deliver to military personnel in charge of detained persons the clear message that all forms of ill-treatment, including verbal abuse, are not acceptable (Paragraph 87).**

128. Detainees remaining in service during their time at MCTC are subject to military discipline. However, the status of those awaiting discharge is fully recognised. They are placed in a far more relaxed environment than those who will return to military duties. The regime for those being discharged is continually reviewed and the CPT's comments are acknowledged.

### **2. CONDITIONS OF DETENTION**

#### **Request i**

**The CPT invites the United Kingdom Authorities to broaden the range of officially recognised qualifications which can be obtained at the MCTC (Paragraph 89).**

129. The problem is one of time. Few people are in the MCTC long enough to access the National Vocational Qualification (NVQ) system at a useful level. Evidence of what detainees have achieved is given to them before discharge and can be subsequently used as evidence for a NVQ award or, usefully, give a future employer evidence of skills for direct employment. Following a recent review (Copeland Review) which reported in November 2001 the expansion of the NVQ provisions is currently being investigated.

#### **Request ii**

**The CPT invites the authorities to explore the possibility of offering mixed gender association at the MCTC, in particular when there are only a few female prisoners (Paragraph 90).**

130. The staff at MCTC make a special effort, quite rightly, to treat women detainees equitably and fairly. The difficulties caused by the small numbers of female detainees have been recognised. The gym now has a separate female changing room, which has been use since March 2001, and forms part of the expansion programme for changing facilities. With regard to the social isolation of female detainees, mixed gender association takes place within the MCTC.

### **Request for information i**

#### **Further comments regarding the prohibition of conversation during mealtimes at the MCTC (Paragraph 91).**

131. This was a control measure to ensure that detainees have completed their meals in time to be ready for the next activity. The practice has now ceased and conversation is allowed at meal times.

### **3. HEALTHCARE**

#### **Recommendation i**

#### **Treating doctors should not be subject to reporting obligations which are capable of undermining doctor-patient confidence (Paragraph 91).**

132. The drugs and alcohol counsellor is a trained psychologist and visits once a week. The MCTC has a self harm/suicide prevention strategy which covers the drug use of the detainees. The MCTC would find it useful if the CPT could expand on this point; it may be a helpful one on which further action may be considered.

### **4. OTHER ISSUES**

#### **Recommendation i**

#### **Inmates to be authorised to use a telephone on a regular basis, as from the outset of their detention at the MCTC (Paragraph 95).**

133. Detainees now have regular access to telephones (ten minutes per week at public expense)

**Recommendation ii**

**The Imprisonment and Detention (Army) Rules 1979 to be amended in order to ensure that inmates undergoing segregation as a disciplinary measure are entitled to at least one hour of outdoor exercise every day (Paragraph 99).**

134. This particular ruling is still applied to those detainees on disciplinary segregation but will be considered for amendment on occasion of any future review. The comments of the CPT have been noted on this matter.

**Request for information i**

**Further information on the possible control and censorship of prisoners' correspondence with their legal advisers and with relevant national and international authorities (Paragraph 96).**

135. The censorship of mail only take place under exceptional circumstances and at the direction of the Commandant. Legal correspondence has never been subject to censorship.

**Request for information ii**

**Further information on inmates' right to appeal against disciplinary sanctions (Paragraph 98).**

136. All hearings conducted under Imprisonment and Detention (Army) Rules confer no rights of appeal.

## **E. DETENTION FACILITIES FOR CHILDREN**

### **1. REGIME**

#### **Comment i**

**The CPT trusts that, in the context of the review of the system of incentives and privileges, due account will be taken of the remarks made in Paragraph 108 (Paragraph 108).**

137. The rewards and sanctions system was reviewed in early 2001 and has produced a set of guidelines for providers of secure accommodation for juveniles. The guidance outlines the importance of non-material as well as material rewards. It recommends the linking of rewards and sanctions schemes to progressive and purposeful activity and responsible behaviour, which is in line with the Committee's recommendation.

#### **Request for Information i**

**Comments concerning minors' participation in activities beyond the boundaries of detention facilities (Paragraph 109).**

138. The rules governing the placement of Children under the detention and training order clearly define the times when trainees may leave the Centre for temporary release or mobility. This has to be part of the sentence and training plan, with each child being assessed on the risk they present to the public, the risk of re-offending, and the risk to themselves. There are clear objectives linked to their individual requirements. Temporary release and mobility are generally used towards the end of a young person's custodial sentence to facilitate their reintegration into the community.
139. The Youth Justice Board has noted the comments of the Committee and is monitoring the use of mobility in the STC's with the view of extending the opportunities to as many young people as possible.

## **STAFFING ISSUES**

### **Comment i**

**Eliminating uniforms at Medway Secure Training Centre would be a positive development (Paragraph 111).**

140. The STC Contract stipulates that staff have a uniform standard of dress. This ensures that staff are easily recognised by trainees. Each staff member has their name on their uniform for identification should trainees wish to make a complaint or allegation.
141. It is reasonable to expect staff in a custodial setting to have a smart appearance and to be easily identifiable. The Uniform is now available to staff in a variety of colours and forms including tracksuit bottoms and fleeces which soften the initial uniform.
142. There are no plans to alter a uniform standard of dress. The uniform is intended to give the right message to children and their families, to protect staff from damage to clothing, and to present a smart impression to the outside world.

## **2. HEALTH CARE**

### **Recommendation i**

**A clinical psychologist to be engaged at Hillside Secure Centre (Paragraph 113).**

143. The Clinical Psychologist post at Hillside has been extended from two sessions to eight sessions a week. This will facilitate enhancement of assessment and therapeutic intervention with children across the Centre. A recruitment drive is currently underway to fill this position. Hillside has also introduced a clinical discussion/support group. This involves the Consultant Psychiatrist, the Clinical Psychologist (when in post), a Drug and Alcohol Service Counsellor, a Performing Arts Therapist, Counsellors from “Working with Children Who Abuse” and the Manager and Staff at Hillside. The group meets monthly and is providing and developing an effective multi-disciplinary approach to all therapeutic work and interventions at Hillside.

**Recommendation ii**

**The relevant authorities to verify that interviews / examinations of newly-arrived residents by health care staff at Hillside Secure Centre take place as soon as possible, preferably on the day of admission (Paragraph 114).**

144. The Local Doctor attends Hillside one afternoon a week to undertake medical examinations and respond to the medical needs of all children requiring attention. The Doctor will also attend Hillside on an emergency need basis at any other time. A Nurse also attends Hillside on the other four days of the working week. The role of the Nurse is to undertake initial medical screening; liase with the Doctor; access medical information about children from previous doctors; develop the medical recording systems; and give advice to staff on medical issues. This service has been in place since December 2000 and is working very well.

## APPENDIX 1

**Table showing complaints and outcomes of proceedings against prison officers  
in England and Wales – June 2000 to October 2001**

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
21/2000	07/06/2000	Prisoner claimed that he was assaulted by three officers – two who came in the cell and one who remained outside the cell. He stated that they had hurt his wrist because he had asked for milk	No	
23/2000	07/06/2000	During the investigation into the death of a prisoner allegations were made concerning the actions of Officer when prisoner was received back to Brockhill. She had made an allegation of assault against him on a previous sentence and had not been satisfied with the response. Inconclusive. Previous investigation not satisfactory but was 1998. Officer poor performer but nothing disciplinary.	No	
27/2000	15/06/2000	On 16/2/00 prisoner was placed on report under Rule 51 (Commits any assault). In his written reply to the charge prisoner alleged that he was assaulted by a member of staff who "slapped him across the face" and applied a "headlock".	No	
29/2000	19/06/2000	Prisoner claims that Officer slung him around the gymnasium corridor at first then in another corridor near the wing he slung him against the wall and pushed both fists into his chest. He says that this caused red pinch marks on his chest and bruising.	No	
32/2000	20/06/2000	Prisoner alleges that Officer placed him in a headlock and then swung him from side to side. He further alleges that this incident was witnessed by an officer and possibly other trainees. Prisoner also alleges that he reported this to a senior officer who allegedly said, "I would have done the same thing. I would have probably punched you if you had spat on me". It appears that the senior officer did not take any action or report the incident.	Yes	Officer dismissed from the Service
36/2000	21/06/2000	Prisoner refused to move from his cell. PO tried to physically move the prisoner. Officer assisted and used Control & Restraint technique. Prisoner was placed not in segregation, but in normal cell with no furniture. Paperwork not completed correctly.	Yes	Disciplinary action recommended against officer. Officer was dismissed from the Service. Officer explained Advice and Guidance under the Code of Discipline
37/2000	22/06/2000	Prisoner alleged sexual assault by Officer. Not sufficient evidence to make any charges. Prisoner has history of making similar complaints at other prisons, none of which has been proven.	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
50/2000	03/07/2000	Prisoner alleges that Officer assaulted him in Cell on 3/5/2000. The cell was occupied by another prisoner at the time of the alleged incident; Officer and Officer witnesses and prisoner provided statements which disprove the allegations	No	
53/2000	04/07/2000	prisoner made several allegations to the Prison Ombudsman in relation to his treatment by staff, the adjudicating Governor and the mishandling of 3 formal request/complaints he submitted. Prisoner is a disreputable, bizarre inmate who is not a credible or reliable witness and who refused to co-operate with this investigation.	No	
62/2000	07/07/2000	Prisoner alleges that Officer assaulted him on the 23/6/00 on D1 landing at final lock-up	No	
64/2000	10/07/2000	Bank Holiday weekend of May 2000, prisoner was received at HMP Parc. A warning had been received from the court that was likely to self-harm and that he was believed to have a nail in his wrist. Prisoner was examined by Doctor, the duty Medical Officer. Doctor decided to use the Linescan 210 baggage X-Ray machine which was located in admissions, despite the warning on the machine not to put any part of the human anatomy into the machine.	No	
71/2000	11/07/2000	Prisoner made allegations to the Area Manager alleging endemic bullying, intimidation, abuse, racial abuse and assaults, requesting an investigation by someone independent of the prison. On investigation clear that these allegations concerned other prisoners and had not necessarily been witnessed by prisoner. No evidence to support these.	No	
95/2000	24/07/2000	Mother of prisoner wrote alleging that her son had been assaulted by Officer on 29/4/00 in the showers.	No	
97/2000	25/07/2000	The investigation went to the police but there was no evidence of a criminal offence of indecent assault. There was evidence that a prisoners photograph was on an officers' own computer. The officer was by this time on long term sick and was dealt with by the governor issuing advice and guidance and starting a back to work process. There is no final report as the police report was considered satisfactory.	No	
105/2000	25/07/2000	O n the 13 July Staff member was the adjudicator in respect of a charge laid by him against prisoner. The latter was alleged to have become abusive and threatening towards staff member. Prisoner pleaded guilty but alleged that officer had grabbed him by the neck and thrown him on the bed. Seems that staff	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
		member may have escalated the situation but no evidence that prisoner was not aggressive. No further action taken		
109/2000	27/07/2000	Investigation did not proceed, as the initial police investigation found no case to answer. The Governor was satisfied that all issues had been covered by the police and therefore there was no need for a subsequent police investigation	No	
111/2000	28/07/2000	On 17 July 00 prisoner approached officer on Perrie Wing and alleged officer had sexually assaulted him during a rub-down search. The incident happened as he entered the education area. In prisoners own words "he squeezed my right buttock twice then smiled at me".	No	
126/2000	07/08/2000	Prisoner made initial allegations that he was assaulted by officer. Prisoner has since withdrawn complaint and so investigation has been stopped.	No	
128/2000	07/08/2000	On the day before his release a prisoner in a workshop was stripped and tied to a workbench by other prisoners. The Instructional Officer in charge of the workshop did nothing to stop this or preserve the prisoners decency. A female instructor was disturbed by this and raised a complaint. No injury was sustained by the prisoner and he did not complain.	Yes	Staff member is to be charged under the code of discipline. The award was dismissal from the service. Staff member will be appealing the decision.
129/2000	08/08/2000	Officer had a short conversation with prisoner. Following the conversation prisoner walked towards the dining room closely followed by officer. On entering the dining room officer without provocation picked up a dining room chair, which was situated close to the left hand side of the entrance door and threw the chair towards prisoner who was walking away and was approximately eight feet away from officer. The chair struck prisoner in the lower back.	Yes	Officer was dismissed from the Service
142/2000	14/08/2000	Prisoner has claimed that Instructional officer has indecently assaulted him which subsequently led up to the inmates abscond during the evening of Sunday 6 August 00. The circumstances surrounding the incident began about 2 weeks prior, with other inmates partaking in what prisoner called 'workshop banter' with prisoner. Eventually it is alleged that prisoner got involved in the banter which led up to the assault.	No	
149/2000	16/08/2000	Into allegations against officer, of assaulting prisoner on the 2 May 2000, resulted from a complaint submitted to the area manager, that officer punched him in the head. He claims to have witnesses to this. However only one witness was identified. The witness did not see officer punch prisoner in the head. There is no evidence to substantiate the allegations of	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
		assault by officer		
151/2000	16/08/2000	Prisoner alleges that on Monday 31/7/00 officer punched him in the stomach. he further alleges that the incident took place outside the library and was witnessed by an officer and other trainees.	No	
163/2000	22/08/2000	There are 3 parts to the investigation that was allegedly committed against prisoner. One was by swearing at him by officer .The second was by pushing him and the third was by kicking him. It is alleged that prisoner was misbehaving in the waiting area of the outpatients department. It is alleged that was misbehaving in the waiting area by using obscene language towards him, took him to an area short distance away from the waiting area, pushed him, remonstrated with him and then, when he left that area to return to the waiting area, kicked him.	No	
164/2000	22/08/2000	Ex-prisoner of Holme House made some serious allegations in letter to HMCIP and Director General. Largely concerned with the Control & Restraint removal of a prisoner following his assault of two members of staff. The alleged assault has now been referred to the police as there is consistent evidence from a number of prisoners, some of whom have been moved. Prisoner however has refused to co-operate with internal investigation & would not release medical file to investigators.	No	
169/2000	23/08/2000	On 6/8/00 in Wessex House Unit servery area prisoner claims officer assaulted him . The allegation is quite specific and relates to an exchange between officer and prisoner .	No	
176/2000	24/08/2000	Prisoner had alleged a member of staff assaulted him. Case was referred to the police but they did not pursue it. In the meantime, the prisoner was discharged and has not raised the issue. Therefore the investigation was closed.	No	
171/2000	25/08/2000	During the serving of lunch on House Block 4 on the 4/7/00 prisoner was restrained by staff in the 1s landing TV room. He was taken under restraint to the entrance of the House Block and then walked to Segregation Unit. Officers involved received informal advice.	No	
175/2000	25/08/2000	Prisoner alleged that officer and officer had assaulted him when they were searching his cell and carrying out a strip search. Investigation found no evidence of excessive use of force. The use of Control & Restraint was justified given prisoner history of violence and paranoia.	No	
187/2000	30/08/2000	Complaint made by prisoner about the	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
		behaviour and actions of PE staff at Brixton. Insufficient evidence to support the allegation.		
200/2000	01/09/2000	Prisoner made an allegation that officers and officer assaulted him during a Control & Restraint removal. There is no evidence to corroborate his allegations.	No	
201/2000	01/09/2000	Prisoner alleged that officer assaulted him. None of the allegations were found to be proven. It is impossible to say how he received the injuries, i.e. the bruises to his body although they could have been self inflicted. Since the allegation was made he has been released from prison and has failed to contact the police to clarify a number of points. The police passed their papers to the Crown Prosecution Service who advised that no further action should be taken.	No	
206/2000	06/09/2000	Prisoner says that at approx. 15.00 hrs on 2/9/00. he asked his cell mate to leave the door ajar so that he would have a shower. He did not intend to go on association. The door and intercom report shows the door opened at 15.02 and closed at 15.10 hrs. Mr x alleges that Mr Y came to his cell after he had fallen asleep on his bed in his boxer shorts. he suggests Mr Y rubbed his buttocks and said "Its all right x mate I'm just seeing if you have any more pillows.	No	
207/2000	06/09/2000	Prisoner had made allegation of sexual assault against staff member. The allegations were not proven and seem to have been the result of an award made against another prisoner following complaint by staff member	No	
210/2000	07/09/2000	Prisoner alleged that during a Control & Restraint removal to the segregation unit his hand had been shut in a cell door. The removal had taken place as a result of threats to staff made by prisoner following an incident the previous day. Procedural errors were found in terms of paperwork. Also concerns that neither of the prisoner were resisting movement.	No	
212/2000	07/09/2000	The prisoner made numerous allegations concerning his treatment following a Control & Restraint removal and subsequent placement in special cell. He included allegations of assault and racism.	No	
221/2000	08/09/2000	Prisoner alleged that he was assaulted on June 3 2000 by staff at HMP Pentonville. Prisoner refused to comply with the reception procedures when he entered the prison, and he was later restrained under control and restraint techniques after becoming refractory and potentially violent. He was later removed from	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
		the prison under Control & Restraint restraint as he refused to leave the prison.		
225/2000	11/09/2000	Prisoner alleged that during a Control & Restraint removal Officer used inappropriate force on him. Investigation found that nothing untoward had happened and officer has returned to duty.	No	
227/2000	12/09/2000	Prisoner made allegations that SO at Erlestoke had sexually abused him. Although no evidence could be found to support the allegations it was found that the SO had taken the prisoner to parts of the establishment he should not have done.	Yes	Disciplinary hearing took place however during the hearing there was no evidence to substantiate the allegations and all charges were dismissed
255/2000	27/09/2000	On 30.07.00 prisoner was called into the search room. Staff became suspicious that he was concealing something in his mouth. He was instructed to open his mouth and was asked to lift his tongue, which he refused. Staff formed the impression that he was trying to swallow what ever was in his mouth. Staff attempted to restrain him from swallowing, using the C & R pistol grip technique. The prisoner was charged with disobeying a lawful order, found guilty and given 7 additional added days. A complaint was then issued through the prisoner's solicitor complaining of the prisoner's treatment.	No	
258/2000	28/09/2000	At about 7.30am on the 20/09/2000 prisoner was unlocked from his cell and taken to the main wing general office on A wing to enable 2 minor reports to be heard. On exit from the Office he was escorted back to his cell, he stopped at the application rack to get complaint form to initiate complaints. Officer told him to go to his cell and get them later. Prisoner states that officer pushed him all the way to his cell, and that he used sufficient force that if he had of stood still then he would have fell over. Officer denies this and prisoner deliberately attempted to provoke him.	No	
260/2000	29/09/2000	Prisoner was alleged to have been assaulted by PCO during a removal under Control & Restraint. The case had proceeded to court but the PCO was acquitted. The subsequent internal investigation also found no wrongdoing and the PCO was reinstated.	No	
274/2000	02/10/2000	Prisoner was issued a request/complaint form number at HMP Wandsworth on 21/10/99. At that time he was located on A wing The complaint raised by prisoner centred on him being sent to prison for a period of nine years for an offence he says he did not commit and his treatment by staff including an occasion	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
		where he states he was racially discriminated against. He also complained that he was not allowed to attend the ETS course		
287/2000	04/10/2000	Prisoner alleges he was assaulted whilst boarding a Group 4 van at Holme House. No evidence of assault. Prisoner had been confrontational all the time he was being moved. Injuries likely to be result of self inflicted behaviour, hitting and banging head on cell walls etc.	No	
294/2000	06/10/2000	Prisoner made a complaint that an officer had knowingly let a fight continue and suggested he had joined in. Further allegation against the officer of racist comments and threats. Investigation found no case to answer.	No	
305/2000	10/10/2000		No	
292/2000	17/10/2000	Investigate the circumstances of prisoner allegation of assault by officer. Investigation discovered that prisoner told cell mates of making up allegation following two incidents - a closed visit after positive indication by drug dog on one of his visitors and also strip searching him on same visit.	No	
350/2000	24/10/2000	Investigation into the circumstances of the allegation by prisoner that he was assaulted by officer on the 20/10/00. The allegation arose from a Control & Restraint removal. The officer was not aware that the prisoner was allowed to move between teaching areas. Insufficient evidence of assault.	No	
366/2000	26/10/2000	Investigation into the circumstances of an incident on the Doulton unit at approximately 18.20 on 17/10/00 when it alleged that officer was involved in an altercation with prisoner. Where officer had to be restrained by 2 other officers from entering Prisoners cell after an abusive comment was made to officer.	Yes	Final written warning issued to Officer
368/2000	27/10/2000	Alleged that following an argument in the gym, officer went into the cell of prisoner & after a long period of verbal abuse by prisoner directed at officer, the officer lost control of his temper & entered the cell. Disciplinary action was recommended.	Yes	12/01/2001 - The misconduct charged (assault) was proven and an award of "Final written warning" to stand for 3 years (reviewable annually) was given. Any further misconduct will result in dismissal
373/2000	01/11/2000	Investigation into complaint form. His complaint falls into 3 parts: being subject to uncontrolled shouting by officer, being assaulted by Officer, and stating that he committed a similar infringement against prisoner in an unspecified location and at an unspecified time. Investigation stopped when	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
		both prisoners withdrew complaints		
379/2000	01/11/2000	When a prisoner was moved to the segregation unit she was strip searched as per policy. £500 of treasury notes was found on her person. She alleged that she had secreted the money in her vagina and that it had been removed without her permission. Investigation concluded that it had only been between her thighs. Her allegation had been an attempt to establish ownership.	No	
369/2000	27/10/2000	Prisoner in a state of apparent drunkenness was removed from Springhill to the closed conditions of Grendon; he was subdued by staff in difficult conditions but without the use of a trained Control & Restraint team. The handcuffs used were not ratchet as specified in PSO. On arrival at Grendon the keys for the cuffs could not be found. Day staff the following day unlocked the prisoner. The prisoner urinated in his clothes and may also have vomited. No attempt was made to call the doctor and the Duty Governor was not contacted. The prisoner appears physically unharmed by the incident.	No	
393/2000	06/11/2000	Prisoner made allegations on the 6 November 2000 that during an adjudication that he was subjected to an inappropriate level of force during a Control & Restraint restraint from wing on 5 November. Prisoner was interviewed and almost immediately said that he wished to retract his allegation. The allegation was then examined under a simple enquiry.	No	
400/2000	09/11/2000	Investigation into the circumstances that resulted in prisoner sustaining facial injuries.	No	
402/2000	10/11/2000	Prisoner alleged that he was assaulted (punched in the face) whilst in the search cell in the reception area of Brixton Prison.	No	
421/2000	17/11/2000	Investigation went to the police and no further action was to be taken	No	
437/2000	22/11/2000	Prisoner made an allegation that officer assaulted him during the course of a fight between prisoners. The prisoner has subsequently withdrawn his complaint.	No	
453/2000	27/11/2000	Prisoner alleged that officer had assaulted him during a Control & Restraint removal when he refused to leave the treatment room in the health centre. Referred to the police and Crown Prosecution Service but not proceeding. Internal investigation not	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
		proceeding either.		
440/2000	22/11/2000	Prisoner alleged that 4 officers had assaulted him when he was removed to the segregation unit. No evidence to support his view, no medical evidence also he did not raise it on adjudication.	No	
457/2000			Yes	Disciplinary Hearing against staff member should proceed -Awaiting outcome
479/2000	05/12/2000	Prisoner alleged that custody officers at Cardiff Crown Court had assaulted him. He had some injuries such as bruises and grazing. His behaviour in custody and prison was poor, aggressive, violent and self-harming. Investigation concluded that injuries were consistent with use of force and not assault.	No	
483/2000	05/12/2000	Prisoner was allegedly struck on the face very hard, twice by officer prior to being restrained & removed to the segregation unit. As a result of the investigation, prisoner made a further complaint that the force used against him during his removal was disproportionate, as he was not resisting staff. Investigation found that certain procedural problems existed but no supporting evidence of the assault.	No	
493/2000	11/12/2000	Prisoner alleged that officer had assaulted him. Police investigation found nothing. Concern for the mental health of the prisoner means he has been transferred for more psychiatric assessment	No	
506/2000	14/12/2000	As a result of a Control & Restraint removal of a prisoner, another prisoner alleged that he saw prisoner being assaulted by staff. All allegations unsubstantiated. Even the prisoner denied the allegations, plus medical reports did not corroborate.	No	
510/2000	14/12/2000	Prisoner alleged that officer had assaulted him by firing a staple gun at his neck. Was referred to the Police but they could find no evidence to prosecute. Staff changed statements during course of investigation, security video 'disappeared' of the incident. The cellmate of prisoner was released from prison and cannot be contacted. Officer claimed he fired the staple gun as a joke.	No	
523/2000	18/12/2000	Prisoner alleged that Instructional Officer slapped him across the face with the back of his hand. Likely that whilst IO did connect with prisoner this was part of some horseplay and not on an intentional basis.	No	
550/2000	29/12/2000	Prisoners alleged that Officer marched around the exercise yard, smelt of alcohol and allegedly forced the prisoners to say Happy Birthday to him. Prisoner also alleged that officer assaulted	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
		him. Allegation of assault not proven. Other allegations uncertain		
536/2000	21/12/2000	Prisoner was removed from her cell under Control & Restraint whereupon she alleged that she had been assaulted by officer. Prisoner refused to be interviewed. Nothing to suggest the use of force was excessive, nor was prisoner assaulted.	No	
575/2000	08/01/2001	Prisoner had been apprehended by staff during an attempted escape. He was taken to the segregation unit. He was later visited by staff member and officer. It is alleged by officer that staff member assaulted prisoner. Evidence tends to support this. Going to disciplinary.	Yes	Disciplinary action recommended against staff member. Awaiting outcome
576/2000	08/01/2001	Prisoner was to be moved from his cell as a result of an allegation made by another prisoner. When staff went to move him a fight broke out resulting in Control & Restraint being used. Prisoner alleges a member of staff & officer assaulted him. No corroborative evidence.	No	
581/2000	09/01/2001	Investigation into the allegations of prisoner that officer assaulted him in A wing cleaner's office on the 03/01/2001. Some evidence that the officer felt threatened by the prisoners' behaviour and thus lashed out at the prisoner. Officer could have dealt better with the situation.	No	
604/2000	16/01/2001	Officer is alleged to have entered the cell of a prisoner at night and discharged a fire extinguisher at him. Officer had just returned to work after a serious assault by a prisoner when he defended a colleague who suffered head injuries. Concerns about his mental well-being had been expressed prior to the event. No disciplinary action.	No	
636/2000	25/01/2001	Prisoner made an allegation that officer assaulted a prisoner. Prisoner denies incident ever happened. Officer refutes the allegations. Not possible to corroborate the allegation.	No	
640/2000	25/01/2001	Prisoner alleged that he had been assaulted by an officer and that subsequently another officer had made repeated references to the assault. On investigation no substance to the allegation.	No	
655/2000	30/01/2001	Alleged that officer spoke to prisoner in a tone and using language that was abusive and threatening. The officer admitted that he had used such language	Yes	Disciplinary action recommended - awaiting outcome
631/2000	23/01/2001	Prisoner alleged that staff member assaulted him. Unable to find any evidence to support the allegation. A number of staff found him problematic to deal with.	No	
606/2000	15/01/2001	Prisoner alleged that officer repeatedly pushed and punched him in the chest in front of other	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
		prisoners whilst at the servery. No evidence that officer assaulted prisoner. No evidence that he has a racist attitude.		
657/2000	01/02/2001	Prisoner sent a confidential access complaint form alleging that he has been victimised by staff member and assaulted by Officer who shut a door on his foot. He had also lodged allegations with his solicitor and police but withdrew them. No supporting evidence for the victimisation allegation.	No	
665/2000	05/02/2001	Prisoner alleged that he was verbally and physically assaulted by a member of staff. The investigation demonstrated that there was no corroborative evidence for the prisoner's claim of events, whilst the circumstances detailed by the member of staff were substantiated by the two witnesses.	No	
672/2000	06/02/2001	Prisoner submitted a complaint form alleging that he had been experiencing 'racial vibes' and had been seriously assaulted by four members of staff. The assault was alleged to have taken place when he was removed under Control & Restraint. With regards the racist vibes there have been occasions when confused application of rules could lead to the perception of racism due to the high number of ethnic minority prisoners.	No	
681/2000	07/02/2001	Prisoner alleges that officer assaulted him when he was getting up from his bed. Officer states he believed he was about to be assaulted. No conclusive evidence to support either view. There were no injuries noted.	No	
685/2000	08/02/2001	Prisoner was lifting weights in the gym. Physical Education Instructor (PEI) saw Ali & thought the weight looked too heavy, he shouted to him to put it down but he didn't. The PEI went over to prisoner & it is then that the alleged assault took place with the PEI pushing the weight onto him causing pain & bruising to his chest.	No	
689/2000	08/02/2001	On return from exercise the prisoner found his cell was being searched. He objected. There was a struggle which resulted in officers being called to restrain the prisoner who was later put on adjudication. The prisoner did receive injuries but it is inconclusive as to whether this was accidental during Control & Restraint or deliberate as per his allegation.	No	
697/2000	09/02/2001	Prisoner alleged that officer assaulted him when being searched in the visits area. No evidence that this occurred.	No	
674/2000	05/02/2001	Prisoner made an allegation to a member of the Board of Visitors that he had been poked and pushed in the chest by officer . He had also been pushed in the back by officer , who had also acted in a racist manner towards him.	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
732/2000	20/02/2001	Allegations unsubstantiated Two prisoners, who were in separate cells, sustained injuries overnight. One had two lacerations on his scalp; the other had bruising and 2 broken teeth. Investigation concerned whether the person checking them overnight should have requested emergency medical treatment. They both received treatment the next day. No disciplinary action.	No	
752/2000	26/02/2001	On 8/2/01 at approx. 09.30 prisoner was brought off the A Wing exercise yard in the Close Supervision Centre following completion of his exercise period. Whilst being rub down searched by a member of staff the alleged assault took place. Prisoner refused to assist the investigation on the grounds that the investigating officer had previously worked in the Close Supervision Centre.	No	
766/2000	28/02/2001	Prisoner alleged that staff verbally abused him during a Control & Restraint removal and in addition that officer assaulted him. He further complained that no one had done anything in response to his complaint about these allegations. No evidence to support these allegations except officer did use some inappropriate language.	No	
772/2000	01/03/2001	Two prisoners had made allegations against a member of staff officer. Prisoner had received an abusive card under his cell door. Prisoner alleged that he had been assaulted. No conclusive evidence to support allegations. However, the prisoners were unduly delayed in accessing governors with their concerns. No action against officer.	No	
775/2000	01/03/2001	After speaking to the investigator, the prisoner was discharged three days after the alleged incident. Therefore no investigation was undertaken	No	
773/2000	01/03/2001	Prisoner alleged that he was assaulted by officers. No supporting evidence found. Witness testimonies support officer as does all completed documentation.	No	
776/2000	02/03/2001	Prisoner has indicated that she does not want to carry on with the complaint. There are too many other problems between her and the prison at the moment	No	
795/2000	07/03/2001	During the night an alarm bell was raised when a door to a cell was opened. The officer believed that an officer was under threat and raised the alarm. Some suggestion that the prisoner may have been assaulted by officer and vice versa. Disciplinary action pending	Yes	Charge one - A written warning on file for 12 months Charge two - A final written warning in place for 3 years
794/2000	07/03/2001	Prisoner alleged that he was assaulted by a staff member and officer. No evidence of any	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
		assault and no other witnesses. prisoner was restrained using appropriate Control & Restraint methods. After his release the prisoner refused to attend the police station to give them a statement despite insisting the police investigated the incident.		
809/2000	09/03/2001	Prisoner alleged that he had been assaulted by staff following an adjudication. The hearing had to be remanded when prisoner became aggressive & abusive towards staff. This resulted in Control & Restraint being used on him. There were no injuries reported or noted following correct medical examination.	No	
826/2000	15/03/2001	Investigation stopped as prisoner withdrew allegation.	No	
834/2000	16/03/2001	Officer was collecting dirty plates from prisoner after tea. He had water thrown over him. The officer alleged the prisoner punched him and the prisoner made a counter allegation that he was assaulted by the officer. No action to be taken. Prisoner stated on interview he had not told all the truth.	No	
837/2000	16/03/2001	Dartmoor has informed us that the police have taken over and the investigation is now cancelled	No	
828/2000	14/03/2001	Prisoner at Liverpool alleged that officer had assaulted him after he complained about his tobacco being confiscated when some cannabis was found within it. The alleged injuries were not noted by any other party involved in his transit to Lancaster, nor by the police. Concluded assault did not take place.	No	
858/2000	26/03/2001	Prisoner alleges that officer assaulted him on the way back to his cell which resulted in becoming unconscious. No evidence was found to support this allegation	No	
869/2000	02/03/2001	Prisoner smashed up his cell after continuing to be placed on basic regime. He was removed by Control & Restraint from his cell. He complained of injury to his head, he was indecently assaulted when the metal detector touched his leg and that he was forcibly stripped naked. No supporting evidence found.	No	
872/2000	30/03/2001	At approx. 1230 to 1400 hours on Tuesday 27 march 2001 trainee alleged officer assaulted him in his cell on Cuthbert Unit by grabbing him by the throat. Shortly after lunch the same day prisoner states while officer and Senior Officer were in his cell they assaulted him by	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
		grabbing him and pinning down on the cell floor.		
27/2001	11/04/2001	Investigation into an allegation that prisoner was assaulted by Officer	No	
36/2001	17/04/2001	Prisoner alleges that he was assaulted by officer and used inappropriate language. No evidence to support his allegation.	No	
82/2001	01/05/2001	Prisoner alleges that OSGI assaulted him by rubbing his arm on two separate occasions on 9 April, firstly in the kitchen in the visits area, and secondly at one of the tables in the visits room. He told OSG on 9 April about the first alleged incident, and repeated the allegations the following day at adjudication, and again in the interview on 1 May.	No	
96/2001	02/05/2001	Prisoner was transferred from the segregation unit at Garth to Preston on 1 April 2001 in order to facilitate a 28-day cooling off period following him causing severe damage to a cell at Garth. Prisoner made verbal allegations to the duty governors on 2 and 7 April previously and was advised to formally put his allegation in writing. He alleged that he was assaulted during a controlled removal from his cell.	No	
113/2001	08/05/2001	At approx. 20.40hrs on 25.4.2001 it was reported that prisoner was smashing his cell up. Officer persuaded prisoner to come out of his cell and instructed Senior Officer to conduct a rub-down search of prisoner and place him in ratchet handcuffs. During the application of the handcuffs prisoner claims that staff jumped on him and restrained him without just cause. He also claims that whilst he was on the floor he was kicked in the rib cage.	No	
173/2001	25/05/2001	Allegations of threatening behaviour from officer against prisoner	No	
212/2001	06/06/2001	Allegation by prisoner that senior officer threatened him with physical violence, and that officer assaulted him.	No	
227/2001	12/06/2001	Two prisoners alleged that they had been assaulted.	No	
264/2001	22/06/2001	Prisoner alleged that whilst he was being walked back to his cell staff member pushed him in the chest	No	
261/2001	22/06/2001	Allegations were made suggesting that prisoner was raped on 22 October 1999 at Manchester Prison. This was found not proven as one the prisoners he alleged raped him was transferred in that day while prisoner was transferred out.	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
310/2001	11/07/2001	On 5 July Officer claims prisoner knocked his hand away and fearing prisoner was about to attack him, he used his right hand to push away from the prison hitting him on the face and then moved to the 3s. Other staff and the prisoner witness state that officer grabbed prisoner by the throat at the same time as slapping him.	Yes	Officer should be charged under the code of conduct and discipline - Awaiting outcome
303/2001	09/07/2001	On 24/6/01 8.45am Officer removed 3 canteen cards from detainees with the proviso that they would be returned once their bed spaces had been cleaned satisfactorily. He returned the cards at 9.15am. prisoner stated to officer that he was in charge of the dormitory and officer should not have removed the detainees Canteen Cards. prisoner then started shouting at officer; Officer heard the noise and went to see what was happening. Officer tried to quieten prisoner and asked him to go to the Centre Office where this could be talked through together. At the gate of the dormitory prisoner tried to re-enter the dormitory but officer prevented him from doing so. Prisoner then attempted to push past officer. Officer grabbed prisoner's jacket and ushered him into the centre office. The duty officer and senior officer(SO) were called to attend the Centre Office. SO spoke to prisoner and calmed him down. Prisoner apologies to SO. At no time did prisoner state that he had been assaulted by any officer. The following morning he attended healthcare and stated he had been manhandled by an officer. The doctor found no injuries although prisoner complained of a sore upper chest.	No	
317/2001	11/07/2001	Prisoner was located in the Segregation Unit on 29/6/2001 pending a police investigation into an alleged assault by him upon a Principal Officer. On location he was assessed as requiring multi-staff unlock. On 6/7/01 he was charged with attempting to assault an officer. In a written response to the charge he alleged that it was he who had been the subject of an assault by three officers one of whom was the charging officer. As a consequence of these allegations the adjudication was adjourned pending the outcome of a formal disciplinary investigation. Although his complaint was referred to the police prisoner stated to the Investigating Police Officer he	No	

ICU Number	Start Date	Outline	Disciplinary action recommended?	Outcome
		did not wish to pursue the matter and declined to make a statement.		
336/2001	18/07/2001	Prisoner made an allegation of assault against Senior Officer. Evidence from witnesses dispute the allegation and no evidence can be found to support it.	No	
388/2001	02/08/2001	Prisoner released investigation could not continue	No	
406/2001	03/08/2001	Prisoner was moved under restraint to his cell, once in his cell handcuffs were applied to him he was then walked to the segregation unit. Prisoner alleges that there was excessive use of force and he had sustained injuries. Investigation proved no excessive force was used.	No	
469/2001	23/08/2001	On Monday 9 July 2001 in the reception area of Canterbury Prison, prisoner was being collected by PPS staff for delivery to Canterbury Magistrates Court. At the conclusion of handover rub down search, it was alleged by officer and supported by other staff, that PCO used an inappropriate method of restraint when dealing with, who was behaving in a recalcitrant manner.	No	
237/2001	01/09/2001	After breakfast on 12.6.01 on C1, prisoner was having a cigarette near the window on the bottom floor. Everyone was then told to return to their cells prior to going to the Gymnasium. Officer approached prisoner and a disagreement took place. It is alleged that prisoner raised a cigarette towards officer's face, officer grabbed prisoner by the arm that was holding the cigarette and an exchange of words took place.	No	

