

OPEN ESTATE

HMP Open Estate Prison Visiting Committee

ANNUAL REPORT 2011/12



Executive Summary

By George de Garnier
(Chair of the Visiting Committee)



Once more it gives me great pleasure to present the Annual Report for the Open Estate Prison Visiting Committee, my fifth as Chair.

Can I open this report by thanking Donald Macaskill our Clerk for all the effort and sound procedural advice that he has given over not only this year but over many years that he has been associated with the Open Estate. Can I also thank Prue and Vera for all the support that they provided as Deputies over the year. It was much appreciated.

I would also once again like to thank the Governor and staff of the Open Estate for their co-operation when information, however trivial or vital was called for when prisoner issues had to be dealt with timeously and sympathetically.

It is with regret that I have to report that the excellent facility at Noranside is no longer part of the Open Estate. Noranside at one time represented a genuine springboard for the rehabilitation of long term prisoners back into the community and was a facility that drew positive comment from respective HM Inspectors through their reports and comments made at the AVC annual conference.

The Open Estate has been blighted over the years by the constant changes of Governor. This year has

been no exception. Each Governor comes with a vision but is never allowed enough time to implement the changes necessary for the vision to be realised. This unfortunately unsettles and frustrates prisoners and staff alike.

On the positive side, staff morale remains stable considering the added pressures that the closure of Noranside brought to the site at Castle Huntly. The prisoners themselves have in the main settled and are now participating fully in the regimes within the Castle.

The Visiting Committee members have been very pro-active and co-operative to the new rota and fulfilling their legal obligations. This has helped settle the prisoners and offers them consistency and continuity over live issues at transfer, as well as a tried and tested independent contact point that they know and trust and where they know that there will always be an answer to their concerns or a solution to their problems.

Can I conclude by thanking all the Committee for their unwavering support and contributions over the year and wish them well for the future.

HMP Open Estate

HMP Open Estate occupies a unique position within the Scottish Prison Service in that it is the only open prison operating in Scotland.

HMP Open Estate at Castle Huntly is in Longforgan, three miles west of Dundee and holds low supervision adult male prisoners serving eighteen months and over, including life sentence prisoners and sex offenders, who have been assessed as suitable to serve part of their sentence in open conditions.

The Open Estate focuses on providing employment, training and transitional/through care for prisoners working towards a structured reintegration into society.



Food

Each member of the Visiting Committee has endeavoured to taste the food served up to the prisoners.

The quality and quantity of food served to prisoners at Castle Huntly is good. During the year there have been no formal complaints regarding the food. There were delays in the serving of the meals but these have been addressed. The kitchen and dining areas are clean and tidy.

There are four Catering Officers and, in addition, 24 prisoners help out in the kitchens at Castle Huntly.

Breakfast consists of porridge or cereal. For lunch it is soup and a sandwich with a hot choice and fruit. The evening meal alternates between soup or sweet with a main course each day. The prisoners who are on placement take a packed lunch aimed at mirroring the practice in a work environment.

Noranside achieved the Healthy Living Award for the meals provided to prisoners. Prisoner Catering Officers at Castle Huntly are now also working towards achieving the Healthy Living Award. This means that the meals have a reduced salt and sugar content. They are also introducing more fruit into their diet. The choice is good.

They now provide a healthy brunch on a Sunday as well as the usual brunch. They hope that the demand for a healthier lifestyle will catch on.

Meals are served in two sitting areas, one for Murray House and the other for Bruce and Wallace Wings.

The kitchen at Castle Huntly is having a refit and new equipment will shortly be installed.

Healthcare & Mental Health

On 1 November 2011, responsibility for prisoners' healthcare across Scotland was transferred from the Scottish Prison Service (SPS) to the NHS.

At that time, SPS staff providing healthcare to the Castle Huntly prisoners, were transferred to NHS Tayside and continue to provide the healthcare needs of prisoners.

This transfer appears to have gone smoothly with no adverse effect to prisoners.

This has included the transition of new service providers for Dental Health and Podiatry. Prisoners at HMP Castle Huntly now attend Kings Cross Community Dental Service in Dundee and that too is running smoothly. No reduction in services are projected.

The level of complaints from prisoners remains low and relationships are good.



Links Centre

This houses Prisoner Programmes (to address offending behaviour) Addictions, Managers for Regimes, Cleaning parties, Placement and Service Level Agreements.

There is also Head of Offender Outcomes and Phoenix Fixtures which now comes under NHS.

IT training by Carnegie College is also held there and most days you will find up to 10 prisoners going through various computer training courses. Social Work is also housed here.

There are meeting rooms and also prisoner meetings are held there. It also has a visit area.



Education, Training and Work

Both sites demonstrate many positive attributes

During the period under review, many certificates have been gained in a variety of vocational, educational and work-placement areas. In particular, praise is due to both PE departments, where the interest and enthusiasm of staff has been hugely influential in enhancing the well-being, self-esteem and success of prisoners. The work undertaken by the Noranside team for the John Muir Trust is of particular merit and it is hoped this will be continued.

Although there were concerns regarding the change of education provider which inevitably caused some disruption the transition from Motherwell College to Carnegie College, albeit with some teething problems, has gone smoothly and is working well. The main focus of the contract is on numeracy and literacy.

Carnegie College have been extremely positive, giving a commitment to support the work of the Independent Living Unit, initially for one day a week and increasing to three days a week. This will enable more cookery classes and other life skills such as budgeting, food and nutrition.

However, it must be extremely frustrating for all concerned that training in the Open Estate is subject to such a start-stop dynamic. This applies to every area of education, training and work experience.

In the reduced Open Estate, following the closure of Noranside, staff have been both professional and forward-looking during times of considerable uncertainty and are to be congratulated. The loss of the forestry work party, with opportunities to achieve fork-lift and chainsaw certification, giving directly-related job opportunities, is to be regretted.

The Education/Learning Unit is now concentrated at Castle Huntly and is going well. The open-plan area is ideal for integrated learning and is very well used. The Anne Frank exhibition demonstrated the commitment and enthusiasm of both staff and prisoners.

Education is looking at “Two by Two” which operates in closed conditions. This is a tutoring group for those who wish to read and write. It is now easier to identify those who require this help.

Noranside also had six weeks with the Taymara Project in Dundee. This was working with a marine charity to provide confidence and team working skills for long term prisoners with motivation and self-esteem issues. It is based in Dundee and delivered also at Newport and on the river.

Prisoners from Noranside were given placements by the John Muir Trust. Since the closure of Noranside, prisoners from Castle Huntly have continued with this work placement.

On-going work includes:

- Litter picking
- Path repair and maintenance
- Rabbit proofing of fields
- Bird boxes, feeding tables and feeding stations
- Painting and repair of the Ghurkha bridge – 200m long
- Re-opening of Johnshaven Railway line (500m).
- Part of the old railway line had become overgrown and impassable.



Prison Estate & Administration

This area is reported on at each Committee meeting and progress on specific projects regularly monitored. There is a work party of around 50/55 to cover the Gardens, Grounds and Environmental projects.

The gardens are maintained with a party of 20. A Memorial Garden, (to replace the one built at Noranside in 2010 by Prisoners and staff) is being constructed and to the side of that there will be an area of Allotments. The Allotments will be maintained by prisoners in the evenings. The greenhouses have been refurbished and grow vegetables, mainly tomato, cabbage, leeks and also annuals which help local community charities. There is also the Carse of Gowrie Orchard Project with apple and plum trees. Two new vegetable plots have also been constructed.

The grounds are maintained by a work party of 20. They are self-sufficient with two mechanics to maintain the tools and equipment and for vehicle maintenance.

There is also the Environmental Group, a party of 10. Rubbish from the residential areas is collected and brought to this area for sorting into plastic, paper and metal cans. It is then baled and taken off site.

All of this work gives a very clean and tidy appearance to the Estate.

Other work taking place in the Estate this year has been:

- Bruce & Wallace wings have been re-roofed.
- There has been internal refurbishment of the toilet and shower areas.
- Wallace Wing section rooms have been re-decorated.
- The Supervisors' Office at Castle Huntly has been refurbished and a new window installed.
- A blast chiller has been installed.
- Gym equipment has been transferred from Noranside to Castle Huntly and installed.
- Kitchen equipment has been transferred from Noranside to Castle Huntly and installed.

New Complaints Procedure

The New Complaints Procedure came into place on 1st November 2011.

In order that the Visiting Committee members are fully aware of the new procedure, the AVC included this topic at their Continued Development Course on 6 December 2011. This Training Day was attended by members from the Open Estate.

In order that all Visiting Committee members were familiar with the new procedure, an Awareness Training session was held at the start of the December 2011 Visiting Committee meeting. A number of papers setting out the procedure were circulated at this meeting. These new procedures are seen as streamlining and simplifying the previous complaints procedures.

There is an appeals process and a Visiting Committee member can, and will in future attend an Internal Complaints Committee meeting as an independent observer.

Prisoner Forum

The Prisoner Forum was created by prisoners to pass on concerns or issues in a constructive way.

The Forum meets on a regular basis when appointed prisoners meet with staff and management. The Visiting Committee are invited to send a representative to these meetings. Visiting Committee members attend, when informed.

Items for discussion can include: television reception, email a prisoner, peer support system, computers, stock for sale in shop, signing in sick, vending machines, diet requirements for those with diabetes e.g. weekend extra-curricular activities, promoting the Open Estate etc.

These items are brought to the Prisoners' Forum Group for discussion and if an answer is not available on the day, this will be found as quickly as possible.

Orderly Room

Visiting Committee members can, and have attended the Orderly Room.

Prisoners are taken before the GIC. They are given an explanation of the charge before them. Evidence is led to the charge and then the prisoner is given the opportunity to put forward his response.

The finding of the GIC is given and the punishment. The prisoner has the right of Appeal if he is unhappy.

There is a minimum of two hours between the serving of the orderly room papers and the prisoner attending the orderly room.

As well as being able to attend an Orderly Room, Visiting Committee members have undergone Awareness Training on this subject.

Equality & Diversity

The Equality & Diversity Committee meets on a regular basis at both sites.

There is an Equality & Diversity Manager and Officer at both sites. A Visiting Committee member has been appointed to this Committee and regular updates are shared with the Visiting Committee at the bi-monthly meetings. Those attending the Equality & Diversity meetings on a regular basis include: Governor, Prison Chaplain, Citizens Advice Bureau Equality & Diversity Advisor, Tayside Police Equality & Diversity Advisor and SPS Equality & Diversity Advisor.

Events have included:

- "Show Racism the Red Card" in both May and September 2011
- Estonian Social Worker spoke to prisoners
- Violence against Women
- Human Rights Day
- Remembrance Day on 11/11/11

Last year Noranside had its first transgender prisoner. This passed without incident.

Matters under discussion include:

- Wheelchair access/provision of motorised wheelchair
- Ramp at the back of Murray House (Capability Scotland would give help)
- Plan Strategic Events
- Fostering Good Relations
- Discrimination
- Effect of Disability – arising from disability
- An exhibition is in the planning which is a follow up to the Anne Frank Exhibition held last year.

GOTYE Day – "Getting Old Feeling Young" event was held on 15 November at Castle Huntly. This involved prisoners, staff and members of the public from an Invergowrie Care Home. This was for people over 55. This included health checks, keeping fit and eating a healthy lunch.

Staffing

With the closure of Noranside, staff were offered three choices: transfer to Castle Huntly, to another establishment or take redundancy/early retirement.

All staff were allocated an establishment of their choice. The co-operation and professionalism shown by staff during this difficult period was a credit to them.

Many other staffing changes and promotions have taken place. Whilst the Visiting Committee congratulates Jim Farish, Governor of the Open Estate on being appointed GIC of HMP Grampian after two years at the Open Estate, the Committee are of the view that the lack of continuity of a Governor unsettles prisoners and staff alike with each successive Governor engendering a different ethos in the prison establishment.

VC Training

All VC members must undertake Control & Restraint training annually before visiting the prison.

In addition, prior to the start of each bi-monthly meeting, the Visiting Committee endeavour to hold "Awareness" training for all VC members. During the last year, these have included:- Induction of Prisoners, Equality & Diversity within the prison, new CP Procedure and a talk on the Role of the Head of Prisoner Management.

During the year, several members attended Continued Development training organised by the AVC. This covered 3 subjects: CP Procedure changes, Serious Incidents and the Visiting Committee and Freedom of Information Requests.

Members also attended the Annual Conference in September 2011 when the topic was 'Making Prison Work.'

This training is invaluable to the work of the Visiting Committee members.

Residential Accommodation ILU

This is the focus of regular discussion and scrutiny at each Committee meeting.

At present
there are
eight
prisoners in
the ILU.

With the Noranside prisoners moving to Castle Huntly, several works had to be undertaken. Bruce Wing roof had to be renewed and single cells within the area were refitted. This marks a significant rise in the standard of the accommodation available within Castle Huntly. The Independent Living Unit in Bruce Wing became fully operational from November. There is a new lounge area within the old recreation room.

At present there are eight prisoners in the ILU. They are given £20 per person

per week plus bread and milk, to cover all meals.

In the ILU, new equipment is being installed including a fridge, a freezer, two new cookers, two new fryers and an oven.

Within the ILU, they are now undertaking Health & Safety in the kitchen and also cooking classes. At some time in the future, we hope that they will achieve Level 1 Professional Cooking which could enable them to seek employment in this field.

Prisoner Complaints & Issues

When visiting the Open Estate, Visiting Committee members have to address entries in the Request Book.

Prisoners seem to prefer to speak anonymously with a Visiting Committee member when they visit, which is usually weekly. A Visiting Committee member then enters this in the Visiting Committee reporting book and this is picked up by the Governor or Deputy for action. If it is not dealt with to our satisfaction, we have a further opportunity to speak directly with the Governor at the bi-monthly Visiting Committee meeting. Prisoners seem to prefer this approach.

Some examples of issues raised by the prisoners that the Visiting Committee have helped to resolve are:

- Why can't the Gym be open during the day?
- There is less to do at the weekends at Castle Huntly than at Noranside
- Castle Huntly has nothing like the ILU at Noranside.
- Is it going to be possible to get out for walks and hill climbing from Castle Huntly?
- Concern re CCO (continuous cell occupancy) when we go to Castle Huntly.
- Why can't we use our own pillows? I don't like the prison pillows. I have had a single cell and now I am returning to sharing a double occupancy cell.
- On return from Home Leave, I am going into a cell that has been used by a smoker.
- Now delays at meal times. We can wait up to 25 minutes to be served.
- Consider Castle Huntly a downgrade due to lack of placements. More difficult to get placement due to increased numbers.

- How long will it be before I get into ILU at Castle Huntly? It is much smaller than the Noranside ILU.
- My wages are going down from £14 to £11 per week and the food in the shop is going up all the time.

Speaking with a Visiting Committee member alleviates their concerns. We can enquire on their behalf and give them an answer. They know that they can again approach a Visiting Committee member if they are unhappy. In many cases, this stops the prisoner taking the complaints procedure. Where issues are raised on a visit, to ensure continuity, a follow up visit is done.

At induction, prisoners are given a leaflet containing the following information on the Visiting Committee:

- Visiting Committee's are volunteers, here to help you, here to listen, are from outside the prison and independent from it.

Prisoners can:

- Request to see a Visiting Committee member in private
- Can approach them when you see them walking around the prison.

Visiting Committee members can attend at any of the Induction sessions.

Every prisoner coming to the Open Estate is given a full induction day followed up by appointments with appropriate officers.

Visiting Committee Training Records

(April 2011 - March 2012) HMP Open Estate

Visiting Committee Training delivered locally									National Training (AVC)			
Member's Name	Induction (date)	Tour (date)	Expenses	Rotas	Interviews	Requests/ Complaints	Minute Book	C & R Training	FC/1	CD/1	Chair/ Vice Chair	Annual Conference
George de Gernier	1993	1993	1993	1993	1993	1993	1993	14.12.09	n/a	n/a	2010	2011
Prue Herriot-Maitland	2002	2002	2002	2002	2002	2002	2002	10.05.10	2002	2005		
Cllr A Andrews	2007	2007	2007	2007	2007	2007	2007	17.05.10		01.09.10	n/a	
Ivan Laird	2000	2000	2000	2000	2000	2000	2000	14.12.09	n/a	n/a	n/a	2007
Anne Williams	2005	2005	2005	2005	2005	2005	2005	18.10.10	n/a	n/a	n/a	2007
Charles Hebenton	1982	1982	1982	1982	1982	1982	1982	07.05.10	n/a	01.09.10	2010	2011
Vera Joiner	2007	2007	2007	2007	2007	2007	2007	18.10.10	2007	01.09.10	n/a	2011
Neil Powrie	1995	1995	1995	1995	1995	1995	1995	03.03.11	n/a	01.09.10	2010	2011
Cllr P Mulheron	1996	1996	1996	1996	1996	1996	1996	2010	n/a	n/a	n/a	2007
Alan Muir	2008	2008	2008	2008	2008	2008	2008	15.3.11	03.03.11		n/a	
Cllr B Vaughan	2009	2009	2009	2009	2009	2009	2009				n/a	
Gavin Dobson	2008	2008	2008	2008	2008	2008	2008	08.02.10	2008	01.09.10	n/a	
Gian Jain	2008	2008	2008	2008	2008	2008	2008	13.05.10	2008	01.09.10	n/a	2011

****Members with 3 years service or more are not required to do VC Induction training though they should still do SPS Induction****

Member's Name	SPS training delivered locally			
	Prisoner Induction Procedure	Equality & Diversity Awareness	Role of Head of Prisoner Management	New Complaints Procedure
	Paul Elliot 7 June 2011	Gordon Moriss 16 August 2011	Gordon Peden 17 October 2011	Kenny Kelly 1 December 2011
George de Gernier	✓	✓	✓	✓
Prue Herriot- Maitland	✗	✓	✗	✓
Cllr A Andrews	✗	✓	✓	✗
Ivan Laird	✓	✓	✓	✓
Anne Williams	✓	✓	✓	✓
Charles Hebenton	✓	✓	✓	✓
Vera Joiner	✓	✓	✓	✓
Neil Powrie	✓	✓	✓	✓
Cllr P Mulheron	✓	✓	✗	✗
Alan Muir	✓	✓	✓	✓
Cllr B Vaughan	✗	✗	✗	✗
Gavin Dobson	✗	✓	✓	✓
Gian Jain	✗	✓	✓	✓

Statutory Role of the Visiting Committee

The statutory responsibilities of Visiting Committees and of their members are set out in Part 17 of The Prisons and Young Offenders Institutions (Scotland) Rules 2006 made under Section 8(2) of the Prisons (Scotland) Act 1989 (c.45).

That states: "Rules made under section 39 of this Act shall prescribe the functions of visiting committees and shall among other things require the members to pay frequent visits to the prison and hear any complaints which may be made by the prisoners and report to [Scottish Ministers] any matter which they consider it expedient to report; any member of a visiting committee may at any time enter the prison and shall have free access to every part thereof and to every prisoner"

A Visiting Committee is specifically charged to:

- co-operate with Scottish Ministers and the Governor in promoting the efficiency of the prison;
- inquire into and report to Scottish Ministers upon any matter into which they may ask them to inquire;
- immediately bring to the attention of the Governor any circumstances pertaining to the administration of the prison or the condition of a prisoner when they consider this necessary; if the Governor has not remedied matters within a reasonable period of time they shall bring the matter to the notice of Scottish Ministers;
- from time to time, inquire into the state of the prison premises and inspect the food and drink provided to the prisoners and if at any time they find these unsatisfactory, record any deficiencies in their minute book and send a copy to Scottish Ministers and the Governor;
- hear and investigate any applications or complaints which prisoners may make to them and report their findings to the Governor and Scottish Ministers;
- visit the prison fortnightly by not fewer than two of its members;
- at its discretion inspect prison records other than personal records, prisoners' records and security manuals or other papers which have implications for security and make a note of their inspection in their minutes;
- make an annual report for the period of 12 months ending on 31 March each year to Scottish Ministers about the state of the establishment and its administration and include any advice and suggestions they consider appropriate.

The Work of the Visiting Committee

Visiting Committee Statistics	2011/12
Recommended complement of VC members (per Rule 155)	15
Number of members at start of reporting period	13
Number of members at end of reporting period	12
Number of new members joining within the reporting period	0
Number of members leaving within the reporting period	1
Total number of committee meetings during reporting period	6
Average number of attendances at Board meetings during reporting period	9
Total Number of requests received	2

Membership of the Visiting Committee as at 31 March 2012 and Details of Rota Visits

MEMBER	NOMINATING AUTHORITY	ROTA VISITS UNDERTAKEN	
		Possible	Actual
Councillor Alison Andrews	Angus Council	6	6
Mr George de Gernier (Chair)	Dundee City Council	7	10
Mrs Prue Herriot-Maitland	Perth & Kinross Council	5	1
Mr Charles B Heberton MBE	Dundee City Council	7	6
Mrs Vera Joiner (Deputy Chair)	Dundee City Council	7	7
Mr Gian Jain	Dundee City Council	6	4
Mr Ivan Laird	Angus Council	6	1
Councillor Peter Mulheron	Perth & Kinross Council	4	4
Mr Alan Muir	Dundee City Council	7	6
Mr Neil Powrie	Dundee City Council	7	7
Councillor Barbara Vaughan	Perth & Kinross Council	Removed from the rota on 7th June 2011	
Mrs Anne Williams	Angus Council	7	7