



Independent Prison Monitoring (IPM) Findings Annual Report

Prison:

HMP EDINBURGH

Year (1 April – 31 March):

2023 – 2024

By HM INSPECTORATE OF PRISONS SCOTLAND



Annual Monitoring Figures



Total number of visits: 73



Total number of missed weeks: 3



Total number of prisoner requests received: 134



Total number of IPM hours: 254

Executive Summary

It has been a challenging year for HMP Edinburgh. They have dealt with several large changes, with a new Governor and Deputy Governor being appointed, and the removal of women from the prison, as well as an HMIPS full inspection taking place. These changes and pressures provide opportunities, and there have been some promising indications but progress has been slow. The regime was not acceptable, with too many prisoners spending too long in their cells. Particularly those held on remand who were often locked in cells for 22 hours a day.

The IPM Team recognises that the new Governor has a plan for this and to deal with other aspects of the prison culture. But feel that their efforts can be stymied by issues outside their control. For example issues around recruitment of staff or the change in prison population. Whilst IPMs welcomed the removal of women from Edinburgh, believing that it was in their best interests, and also the best interests of the rest of the prison population. From their vantage point this move, despite years in the making, appeared rushed in the final moments. Further, it is not clear what the purpose of HMP Edinburgh is, and IPMs believe the SPS should give due consideration to who is housed at HMP Edinburgh, and why.

Finally, the IPM Team is pleased that the positive relationship with the management team has been maintained. When issues are brought to the Governor's attention they are addressed and responded to, and the IPM Team feels overall that their findings are valued by the prison.

General Observations

Standard 1: Lawful and Transparent Custody

● Overall RAG rating: Amber

Induction, for those who get it, is of a good standard. The Officers and prisoners involved in the delivery in the induction area, and the prisoners who assist on Glenesk, were interested in their roles and offered compassion and empathy. One peer supporter for inductions told anecdotes of times he felt he had really helped new arrivals. However, he noted that there were not enough peer supporters in the prison and around the halls. When IPMs sat in on inductions they are generally impressed with the sessions. IPMs were pleased to learn during the year about plans for induction to be delivered on the halls as well as in the activities area. Throughout the year there have been concerns that not everyone who needs an induction gets it. The women, while still at Edinburgh, generally stated they were not provided with any induction. Concerns have also been raised throughout the year regarding the support provided to those with language issues. Prisoners who did not speak English told IPMs they did not have induction and did not know how to access help. Support for those not able to speak English appears inadequate. Staff seem either

unable or unwilling to use translation services as a matter of routine. The IPMs noted that the prison management have acknowledged this issue and have said they will address it.

During the year, some prisoners who were not able to be placed in the first night hall were not provided with prison clothing. The prison underwent a reconfiguration during the year which should ensure all prisoners are received into custody through the same route. However, population pressures still exist, and there is a risk that if the first night centre is full, prisoners may not be provided with the information or items they are entitled to. The prison conducts weekly meetings to review this, but whilst the overall prison population remains so high, and while they house a complex mix of prisoners, this will be an ongoing concern. The SPS should conduct a thorough review of the prison population to simplify the task prisons are being asked to do.

Staff in reception were always welcoming and friendly to prisoners entering or leaving custody during IPM visits. Prisoners were generally not held in reception for extended periods of time. Sadly the fabric of the reception area is not as welcoming as the staff. There is no natural light and the area appeared tired. This is not the best impression for prisoners arriving in custody, or a pleasant working environment for staff. There were plans to freshen the area up and the IPM Team look forward to reporting on improvements next year.

Whilst not an issue for the prison, IPMs were disappointed, given the presumption against short sentences, to meet many prisoners serving sentences of only a matter of weeks. It is the IPM view that this is a waste of public money, and research has shown that short sentences are less effective than community alternatives.

Standard 2: Decency

● Overall RAG rating: Amber

IPMs were impressed with the kitchen during visits. The atmosphere was jovial, and prisoners and staff were seen to be engaging well. But IPMs felt the Catering Team is fighting an unwinnable battle to try and provide healthy nutritious meals to all the prisoners within the budget available. Whilst the budget has increased slightly, the prison was having to overspend. The Scottish Prison Service and the Scottish Government should review the food budget for all prisons in Scotland. During mealtimes there was a lack of fresh produce on the halls.

The IPM Team were also concerned with the mealtimes at Edinburgh. Dinner was served far too early, leaving prisoners to go far too long between meals. This was exacerbated, in the opinion of prisoners. Due to challenges with the cost of living and lack of choices of food available from the canteen or sundry purchases. As in wider society, prisoners were struggling with rising prices but there has been no corresponding increase in wages. Again, the prison does have plans to change the regime and move mealtimes in May 2024, and the IPM Team look forward to seeing this improvement.

Of interest, prisoners on the new 'enhanced' hall stated the food was better there than on their previous hall. Given the food is the same on all halls, this perhaps tells of the impact that a nicer environment can have to make all aspects of life seem nicer.

Over the year the prison has seen a pronounced improvement in cleanliness since the arrival of the new Governor. At the start of the year exercise yards were routinely full of litter. That was not the case in the second half of the year. The same was true of the halls, where basic standards of cleanliness had improved during the year.

IPMs were concerned to hear about difficulties providing weekly kit changes for all prisoners, and that sufficient supplies were not routinely provided to all halls. IPMs noted that often officers raised these concerns on behalf of the prisoners and applauded the fact that staff were empathetic to the needs of those in their care. It was disappointing that staff had not taken responsibility for resolving these issues.

With the increasing prison population, the IPMs put on record their concerns that the contingency cells used to 'double up' prisoners are not fit for purpose and should not be used to house two prisoners.

Standard 3: Personal Safety

● Overall RAG rating: Amber

IPMs noted that the prison generally felt safe. Whilst prisoners and staff alike raised concerns about levels of drugs in the prison, generally they did not report to IPMs that they feel scared for their safety. The prison in general was not violent and people were able to go about their business relatively safely.

IPMs noted that on some halls prisoners had taken to hanging items in their cells reducing visibility, and that staff were too often situated outside the grille gates and not engaging with prisoners on the hall, which reduced their ability to build relationships with prisoners and proactively deal with issues before they arose.

Prisoners reported that cell bells were often not answered in a timely manner. Prisoners also raised concerns with IPMs about some prisoners on halls who need to be kept separate from others due to behaviour and mental health issues. The prisoners were concerned for their welfare and the ability of the prison to manage their needs.

Some prisoners raised concerns that their protection status was being used as a threat, suggesting that staff have informed them if they misbehave they will be moved off protection halls. The frequency and similarity of the accounts suggest this was happening, and staff should be reminded to be careful with language when discussing the consequences of poor behaviour with prisoners.

Finally, the IPM Team are aware of a number of deaths that have taken place in HMP Edinburgh during the year. They express their sympathy to all those who have been affected by a death in custody.

Standard 4: Effective, Courteous and Humane Use of Authority

● Overall RAG rating: Amber

As reported previously, IPMs were concerned that the SRU in Edinburgh, similarly to other prisons, was overused. The SRU was generally full during every IPM visit. The only time when it was not at capacity tended to be when cells were out of commission for repair work or to be cleaned because prisoners were on dirty protests. As reported last year, some individuals were spending excessive time segregated, and the SPS and Scottish Government must do more to deal with this. Many of those segregated had issues that meant that they could not be safely managed in a residential hall. The question must be asked if a prison SRU is then the best place for them. Work must be done to reduce the number of prisoners segregated across the prison estate.

As noted under the personal safety standard, drugs were an issue in the prison. The IPMs noted the extensive work undertaken by the prison to tackle this issue. They noted the balanced approach, as articulated by the previous Governor that 'you cannot punish someone out of drug use', and the work being undertaken to also address demand for drugs. Work to stop drones and throwovers was complemented by work to aid recovery and desistance from substance use.

Orderly room hearings when observed were respectful. Prisoners however have raised concerns that they were not able to call witness or view CCTV footage. Where paperwork was examined, it did not always provide adequate details of the investigation that the adjudicating officers had considered or how they came to their decisions. The IPM Team is aware of management action now taking place to address this and expect to see an improvement over the coming months.

Standard 5: Respect, Autonomy and Protection

● Overall RAG rating: Amber

Mostly IPMs observed positive and respectful interactions between staff and prisoners. Officers were observed helping prisoners to resolve issues. However, throughout the year IPMs have raised concerns about the tendency for staff to base themselves behind the hall desks rather than on the halls. IPMs have also been concerned by the continued and widespread practice of shouting down halls to alert prisoners to activities or to inform them they are needed for something. This is not an appropriate way for people to interact. The IPMs note the prison management team have stated they are working on changing this culture.

Complaints were highlighted by many prisoners as an area of concern, and IPMs took a close look at the system at the start of the year. The issues raised then were not adequately addressed during the year, with prisoner still saying they were concerned about repercussions if they complained, that they cannot always access complaint forms, and that complaints go missing after being submitted. Staff told IPMs they had little to no training in handling of complaints. Outcomes from ICC hearings were not enforced. The complaints policy was not easily accessible, with prisoners struggling to know who to complain to when things go wrong (i.e. NHS or Prison, PCF1 or PCF2).

The use of PIACS did not seem consistent across the year. Initially there was little evidence to suggest they were taking place, and the wider prisoner population seemed unaware if PIAC meetings were held and, if so, who attended them. The situation appeared to improve, however, this again appeared to drift from focus towards the final months of the reporting year.

One of the most significant issues for HMP Edinburgh during the year was the regime, or lack of it. All prisoners and staff raised concerns about the lack of evening activity. For too many prisoners the reality was they spent the majority of their day locked in their cell, particularly those on remand.

Standard 6: Purposeful Activity

● Overall RAG rating: Red

During the reporting year there had been some excellent work done on purposeful activity but, as stated above, the more persistent theme was of closed workshops and cancelled classes. Whilst the prison can report a year-on-year increase in purposeful activity hours over the last few years, there is more to be done, which is recognised by the prison management. Staff and prisoners alike complain about the lack of purposeful activity available, with staff regularly taken away from activities to cover gaps on the residential halls.

Where activity happened, it was good, with those involved engaged and enjoying themselves and talking positively of their experiences. The Recovery Café and the newly opened Hive are excellent spaces. The prisoners who painted 'the Hive' area were very proud of what they had created and hoped it would become a positive focal point in the prison.

The bus work shed is a really positive initiative, allowing prisoners to take part in meaningful activity that gives back to the community. But, more often than not, when IPMs visited the room was empty. This was a familiar theme across all of the work sheds.

Prior to the women being moved out of the prison, they complained about lack of access to activities. The men on remand faced an even worse deal and were generally only able to access work on the hall, some attended education and sessions in the gym.

Education provision, for those able to access it, was good. More prisoners were undertaking Open University courses than ever before, on subjects ranging from Criminal Law to Sport and Fitness.

As well as the regular closure of activity spaces, other opportunities did not appear to be being utilised. For example staffing issues meant those prisoners working in the kitchen were not working towards catering qualifications to help them gain employment when released.

The library has a wide range of books, but throughout the year prisoners complained that they were not able to access it unless attending education.

IPMs were pleased to see the change in the visits timetable during the year, to make better use of the capacity available. IPMs were also impressed with the family event that took place during the year, with a range of activities both inside and outside the prison. Prisoners' families spoke enthusiastically about the event, and the visitor centre more generally. The play, learn and connect visits were a great example of the prison helping to build family relationships.

Standard 7: Transitions from Custody into the Community

● Overall RAG rating: Amber

As in previous years, and likely a similar picture across all prisons, progression was a major concern. In the simplest terms, there are not enough offending behaviour courses for those who need them. Waiting lists are far too long. Prisoners end up serving longer than they need to or are not able to move to less secure conditions. Some prisoners will be released without having completed courses. IPMs are also unclear on the purpose of HMP Edinburgh. The removal of women should have made the prison less complicated, but it still holds three distinct groups of prisoners with very different needs. The SPS should, in the opinion of the IPM Team, simplify the populations at all prisons.

Issues around access to courses and progression were exacerbated by the failure of GeoAmey to transfer prisoners between establishments, meaning prisoners who are due to move to complete courses are left in their original prisons. This is a shocking failure.

Standard 8: Organisational Effectiveness

● Overall RAG rating: Red

Staffing levels were a concern for the majority of the year, although they started to show some improvements latterly. However, IPMs are clear that the SPS must do more around recruitment and retention of staff. Too often when IPMs talk to staff they explain that they have been moved from their normal area to fill in gaps elsewhere.

The IPM Team was concerned about the move of women from HMP Edinburgh to HMP YOI Polmont. It appeared that the prison was not given enough notice of the move. Something that should have been foreseen for several years suddenly became an emergency. This is, in the IPM Teams view, reflective of the way the SPS has handled all of the population issues over the last few years. Decisions appear to be delayed until crisis point. That said, the prisons involved in the move appeared to handle things smoothly.

As noted above, the IPM Team were extremely concerned about the ongoing failure of GeoAmey to deliver the service they are required to, and the impact this has on both prisoners who cannot attend hospital appointments or funerals, and staff from the prison when they are required to cover for them. This is quite simply unacceptable.

Standard 9: Health and Wellbeing

● Overall RAG rating: Red

The biggest single concern expressed by prisoners to the IPM Team at Edinburgh concerns healthcare provision.

Whilst there have been some improvements towards the end of the reporting year, it remained a large topic of conversation. Prisoners across all halls raised concerns about medication not being provided on time, IPMs witnessed evening medication being issued from 1530 on occasions, and general difficulty accessing health care. The issue around medication timing was mostly resolved by the end of the reporting year.

The most acute concern appeared to be around mental health support. When IPMs asked prisoners about their experiences they were overwhelmed by the range of issues, but prisoners commonly stated they could not access mental health and addiction services and that waits for primary care were excessive. Although by the end of the year waiting times were in line with those in the community.

A further theme that emerged was that prisoners did not feel listened to or that their concerns were taken seriously, with prisoners telling IPMs that complaints and requests go unanswered. Again, there was some progress to rectify this towards the end of the reporting year. The IPM Team is hopeful they will be reporting more positively next year.

RAG (Red, Amber, Green) status key:

- (Red) Some serious concerns
- (Amber) Some slight concerns
- (Green) No concerns / good practice

RAG rating: where IPMs felt each standard would be rated given their experience - not a complete analysis but based on the judgement of the IPM team.



Key Issues

1. Healthcare
2. Regime and time out of cell
3. Overcrowding the complex population.



Encouraging Observations

Where activity took place it was of a good quality, and the physical space available allowed for a range of interventions. The development of 'the Hive' is welcomed.

The vision of the Governor and her willingness to address issues is welcomed by the IPM Team, and the IPMs continue to feel that the prison management team value their contribution and take seriously issues brought to their attention.



Conclusion

The prison appeared to have stabilised from the start of the reporting year, and staffing seemed to have improved in most areas. However, there were still concerns about the regime being delivered. In last year's annual report, the IPM Team raised concerns about the changes taking place at senior management level in the prison. We are delighted to say that our concerns were unfounded and that the prison managed these changes well. The new team have allowed a fresh look to be taken at a number of issues. However, it remains the case that the IPMs feel that there is a disconnect between SPS HQ and the prison, with decision taken that do not, to the IPMs at least, demonstrate a full understanding of the issues prisons and prisoners face each day, particularly around the population issues.

The prison has made some progress on the regime on offer. The provision now provided on Ratho is very good. The goal of the prison must be to ensure this offering is now made available to those prisoners on Glenesk, Ingliston and Hermiston.