



Independent Prison Monitoring (IPM) Findings Annual Report

Prison:

HMYOI POLMONT

Year (1 April – 31 March):

2023 – 2024

By HM INSPECTORATE OF PRISONS SCOTLAND



Annual Monitoring Figures



Total number of visits: 60



Total number of missed weeks: 2



Total number of prisoner requests received: 16



Total number of IPM hours: 283

Executive Summary

The IPM Team are pleased to be reporting on another positive year for HMP YOI Polmont. As reported last year, where issues arose, the prison were swift to take action and the prison tended to be open and transparent in their dealings with the IPM Team.

Most of the concerns reported on below are out with the gift of the prison to resolve, and the IPM Team direct comments within this report to the decision makers at SPS and in the Scottish Government who are responsible.

For the prison, the challenge in the next year will be to ensure the changing population remain engaged, well treated and provided with opportunities to participate in meaningful activity on a regular basis. The IPM Team is confident that the prison shares this goal.

General Observations

Standard 1: Lawful and Transparent Custody

● Overall RAG rating: Green

During the year IPMs picked up contradictory messages on induction. Several young men stated they did not get an induction, but when IPMs spoke to new arrivals they almost universally say they had an induction, or one was scheduled. Attendance at induction was incentivised. From conversations throughout the year with recently arrived prisoners, the IPMs tended to hear positive stories. Prisoners tended to say that they had good first impressions, and that officers were friendly and approachable. At the start of the year there had been some concerns raised about food for prisoners arriving from court late, but these were swiftly rectified, and prisoners confirmed they received food and toiletries on arrival. IPMs were also made aware of Unit Managers introducing themselves to new prisoners. IPMs noted this excellent practice and commend the Unit Managers for leading by example in the way they interacted with prisoners. This should be the norm across all the halls, and across all prisons.

Less positively, IPMs were concerned about the ongoing use of HMP YOI Polmont for prisoners aged under 18, despite the plans of the Scottish Government to remove children from prison. Whilst legislation has now been passed to stop children being sent to prison, this has taken far too long, and children continue to be sent to prison despite better alternatives existing. The use of HMP YOI Polmont to hold children must end immediately, and we expect to be able to report positively on this next year.

Standard 2: Decency

● Overall RAG rating: Green

The prison was generally clean, and prisoners had access to cleaning materials. Reports on food were mixed and continued to vary by population. The young men consistently said they did not get enough to eat, while the women said the food was too carb heavy and calorific. The four-week prison menu cycle seemed varied to IPMs. However, the £3.31 daily food budget per prisoner is challenging. It is increasingly difficult for the prison to provide fresh and nutritious meals. The budget for food across the whole of the prison estate is not, in the opinion of IPMs, suitable to provide the sort of nutrition needed. The Scottish Prison Service and the Scottish Government should review the food budget for all prisons in Scotland.

Where IPMs tasted food during visits it was generally noted as being acceptable.

Common to the wider society, the cost of living has had an impact in prisons. Costs are rising and wages are stagnant. Prisoners complained that it had become harder to top up the food provided by the prison or to purchase toiletry items of their own.

Standard 3: Personal Safety

● Overall RAG rating: Green

Generally the prison felt safe and well ordered. Compared to the previous year, IPMs were impressed that officers were engaging more with prisoners on the hall. Prisoners tended not to raise concerns about their safety with IPMs.

Throughout the year the Inclusion Unit continued to be a positive outlet for the young men, and IPMs witnessed good work between staff and prisoners during visits. IPMs were impressed with the work being done 1-2-1 with one young man to encourage him not to self-isolate. Those prisoners who did not attend activities were approached by the team to get them involved in the activities on offer, or find activities that they are able to take part in.

On the continued imprisonment of children, whilst the IPM team applaud the low numbers in custody, they noted this brought new challenges around social isolation. As above the IPM Team look forward to reporting that children are no longer held in HMP YOI Polmont next year.

The IPM Team also noted the death in custody during the year and extend their sympathies to all those effected.

Standard 4: Effective, Courteous and Humane Use of Authority

● Overall RAG rating: Amber

Security appeared to be well managed in the prison. Drugs did not seem to be overly prevalent, and prisoners did not raise concerns with IPMs about searching, suggesting the balance of stopping drugs and other contraband, whilst treating prisoners with respect, was about right. The one issue that did come up over the year related to the drug testing of items that had been sent into the prison, with prisoners complaining that a lot of items falsely tested positive, a position acknowledged by the prison. IPMs acknowledged the difficulty the prison had in managing that.

The SRU was well managed throughout the year. IPMs are pleased to report that for most of the year the numbers of prisoners held in the SRU was low, generally around half the number who were being held in the SRU two years ago, an improvement highlighted in last year's annual report. Whilst at times the numbers rose, the IPMs noted that there had been a fundamental change in the culture of the prison, and the attitude towards how the SRU should be used. IPMs attended a number of case conference and reviews of prisoners in segregation during the year.

They noted these were always carried out in an orderly and proper manner, and where prisoners were present they were given the opportunity to present their point of view. When checked, all prisoners had reintegration plans. The management team and the staff in the SRU deserve real credit for this. Focus and energy must now be kept on this area to maintain these standards.

However, the IPM Team feel it is necessary to raise some concerns about decisions made out with the prison, and this has influenced the rating provided. IPMs were concerned about the transfer of some women from HMP YOI Stirling to HMP YOI Polmont, who were housed in makeshift isolation area. The IPMs noted the good work undertaken by the staff at HMP YOI Polmont and had no concerns with how they were managed, or the decisions taken around their care once at Polmont. However, the IPM Team had serious concerns about whether this move was taken in the best interest of the prisoners, and question why they were not able to be held at HMP YOI Stirling, a brand new and purpose build facility. That is a matter for the Scottish Government, the SPS, and the IPM Team at HMP YOI Stirling.

Another concern, again out with the control of those at HMP YOI Polmont, was the way two transgender prisoners were managed, and the unacceptable delays around the decision to move them from the female estate. IPMs had no issues around the decisions made, nor the reasons for the decision making, but think the length of time to make and implement the decisions were wholly inappropriate. Holding prisoners on a rule in isolation, for reasons unrelated to the behaviour of those individuals, cannot be justified in the view of the IPM Team and represented a serious breach of their human rights. IPMs noted that they did not feel this was a failure by those in the prison who appeared to be doing their best to have the issues resolved. When the moves to the male estate eventually took place, these appeared to be well managed.

Standard 5: Respect, Autonomy and Protection

● Overall RAG rating: Amber

Relationships throughout the prison were generally reported on positively. Most prisoners reported positively on staff and their relationships with them. There were some concerns raised about some staff attitudes and behaviours on one hall on more than one occasion. IPMs believe the allegations had credence and were pleased that the prison looked into the matter swiftly. There is more work to be done in some areas of the prison to develop the positive culture seen elsewhere, but the IPM Team are confident the prison has this in their focus.

There were also concerns raised about engagement with prisoners during the year, and around PIACS. The prison again responded to these issues when raised and have explained their plans to improve their processes to hear the views of prisoners next year.

One major change towards the end of the reporting year was the introduction of adult men to HMP YOI Polmont. The initial stages went incredibly smoothly. The initial cohort of prisoners seem genuinely pleased to be there and appeared to have been treated with decency and humanity. Staff and management took the time to talk to them and introduce themselves. One prisoner informed IPMs that the Governor had attended the unit and shook hands with several prisoners, a simply act of decency.

However, with this introduction of a new prison population, and a subsequent increase in the number of people held at HMP YOI Polmont, there had been some impact on the activities available and concerns about some aspects of the regime were highlighted. IPMs were concerned that some prisoners spent too long locked in their cells each day.

As mentioned above, the number of male aged under 18 was low, with only one prisoner held during one visit. Whilst this is positive in terms of not having young people in prison custody, this can cause issues around isolation, and reinforces the point that children should not be housed in prison.

Standard 6: Purposeful Activity

● Overall RAG rating: Green

The activities on offer at HMP YOI Polmont was excellent. IPMs were impressed across the board, but made a special mention of the Polmont Youth Theatre, who put on a number of superb performances during the year. As one prisoner explained, being at the Polmont Youth Theatre allowed him time not to have to put on an act. The life skills class were also extremely well thought off, and prisoners always reported positively on their time there. The prisoners who attended the laundry, kitchens and garden parties were generally happy while at work. There was also good work being carried out by the Employability Team.

The number of people attending activities appeared to increase during the reporting year, with activity areas appearing busy. The atmosphere in classes and workshops was generally very positive, with prisoners well engaged and seeming to enjoy themselves.

The only concerns were around the opportunities available for remand prisoners being reduced with the increase in population. IPMs were clear that those on remand should be afforded the opportunity to engage in meaningful activity, and there was a perception amongst some staff and prisoners that a small and compliant cohort of prisoners monopolised activity spaces available. IPMs are aware of work being undertaken by the prison to ensure this is not the case, and to engage with harder to reach prisoner groups. For example the wonderful work undertaken by the Inclusion Team and moving forward the ambitions set out for the new youth work provider.

Prisoners raised concerns throughout the year with IPMs that they do not always get a full hour of exercise each day. The prison must ensure this happens without fail.

Another issue outside the direct control of the prison that was again brought to IPMs attention concerned inter-prison phone calls between family members. IPMs are clear that in their view the SPS inter-prison telephone policy breaches the prisoners right to a family life, as well as contradicts the SPS own stated views on family contact. No person should be kept from speaking to a family member without good reason. The IPMs urge the SPS to consider the wording of their policy once again.

Standard 7: Transitions from Custody into the Community

● Overall RAG rating: Green

IPM were generally impressed with what they saw around transitions to the community. A simple example was a new prisoner who explained they were only in custody for a short period, but the prison had worked with a homeless charity to get them bailed to a hostel so they had somewhere to stay when they were released.

Failures by GeoAmey to collect prisoners for work placements were reported to the IPMs by staff. It was alleged that one prisoner had their pickups cancelled five times in the previous week. This have impacts on their prospects of getting parole. The escort provider failed to provide transport for one prisoner on around 75 occasions during a six-month period. The prison was able to cover 73 of those however.

Standard 8: Organisational Effectiveness

● Overall RAG rating: Amber

The IPM Team were concerned about an apparent failure to properly plan and prepare for the transfer of women from HMP Edinburgh to HMP YOI Polmont. Whilst this decision was seemingly

years in the making, the final stages felt rushed. The introduction of men conversely felt well thought through and managed, although IPMs do question if it was sensible to hold three such distinct groups of prisoners at HMP YOI Polmont. The IPM Team deems this a failure by the policy makers, and the score provided reflects those apparent failures outside the prison.

The IPM Team at HMP YOI Polmont are disappointed that once again they need to report on a failure by GeoAmey to fulfil their contract. The ongoing failure of GeoAmey to provide the contracted service remained a serious failure and risk. IPMs were made aware of transfers not taking place, of prisoners being late to and from court, of hospital appointments being missed, and in the worst cases of escorts not arriving to take prisoners to funerals. It is the IPMs understanding that wherever possible prison staff step in to provide the escort, but this then removes them from the prison. The IPM Team was also informed of a female prisoner being held in a van for five hours as it went to several other prisons, including HMPs Kilmarnock, Barlinnie and Edinburgh before making her way to HMP YOI Polmont, and arriving at 9 p.m. This van will undoubtedly have been transporting male prisoners. Similar issues were reported about young men arriving at the prison late in the evening.

This is unacceptable from the transport provider.

Standard 9: Health and Wellbeing

● Overall RAG rating: Amber

Healthcare was not an issue raised with the IPM Team much during the year. The biggest concern which requires attention is the timing that medication is provided to prisoners. IPMs witnessed evening medication, including sleeping tablet, being issued to prisoners at 1600 hours. This is unacceptable. The prison, the SPS and the NHS must work together to resolve this issue.

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. Managing the new population
2. Medication timings
3. Delivery of a decent regime to the three distinct prisoner populations



Encouraging Observations

The continued good work done in the SRU cannot be underestimated. This is a huge and sustained improvement.

The purposeful activity available is wonderful, with a range of activities available, from work skills to creative activities. Shows put on by the members of the Polmont Youth Theatre this year were attended by family members for the first time since COVID. The enthusiasm of some of the activity staff was a pleasure to witness.



Conclusion

As set out above, the prison is in a good place. It has continued the positive journey reported on last year. The culture has changed, and IPMs hear fewer negative comments from prisoners and staff than previously. The prison is in the main open and responsive to the concerns raised by the IPM Team.

The most serious concerns that IPMs have over the year tend to fall outside the remit of the prison, and the IPM Team are clear these are serious issues. The delays in decision making around the transgender prisoners were unacceptable, and in the views of the IPM Team a breach of the prisoners involved human rights. The apparent last-minute decision making around the transfer of women was also of concern. Of more concern was the move of several women from HMP YOI Stirling to HMP YOI Polmont, and IPMs were left unconvinced this move was taken in the prisoners' interests.

Finally, although there appears to be light at the end of the tunnel, IPMs were disappointed that children were still held in HMP YOI Polmont at the end of the reporting year. It would be intolerable if they are reporting on children again next year.