



**Report on the full inspection  
of  
HMP Open Estate**

**23-29 April 2012**

The Scottish Ministers

In accordance with my Terms of Reference as HM Chief Inspector of Prisons for Scotland, I forward a report of the full inspection carried out at HMP Open Estate between 23 and 29 April 2012.

The report makes a number of recommendations. It also highlights areas of good practice.

A handwritten signature in black ink, reading "Hugh Monro". The signature is written in a cursive style and is underlined with a single horizontal stroke.

HUGH MONRO CBE

HM Chief Inspector of Prisons

August 2012

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## INTRODUCTION AND BACKGROUND

HM Chief Inspector of Prisons for Scotland assesses the quality of prisons in Scotland against a set of Standards. These Standards are set out in the document “Standards Used in the Inspection of Prisons in Scotland” which can be found at [www.scotland.gov.uk/hmip](http://www.scotland.gov.uk/hmip).

The Standards reflect the independence of the inspection of prisons in Scotland and are designed to provide information to prisoners, prison staff and the wider community on the main areas that are examined during the course of an inspection.

The Standards provide assurance to Ministers and the public that inspections are conducted in line with a framework that is consistent and that assessments are made against appropriate criteria.

While the basis for these Standards is rooted in international human rights treaties and conventions and in prison rules, they are the Standards of HM Inspectorate of Prisons for Scotland.

This report reflects the Standards and has three main sections:

1. **Safety:** security, good order, protection of prisoners from harm;
2. **Decency, humanity and respect for legal rights:** all aspects of the treatment of prisoners and the framework of rights within which imprisonment should operate; and
3. **Opportunities for self-improvement and access to services and activities:** the activities provided by the prison, the ethos, measures taken to solve the problems that led the prisoner into crime, preparation for release and social reintegration.

Her Majesty's Inspectorate of Prisons for Scotland (HMIPS) gathers together information to enable assessments to be arrived at. A number of different techniques are used to do this. These techniques include: obtaining information and documents from the Scottish Prison Service (SPS) and the prison being inspected; shadowing and observing Prison Service and other specialist staff as they perform their duties within the prison; interviewing prisoners and staff on a one-to-one basis; conducting focus groups with prisoners and staff; observing prison services as they are delivered; inspecting facilities; attending and observing relevant meetings; reviewing policies, procedures and other documents including performance reports. The information gathered allows HMIPS, supported by inspectors from Health Improvement Scotland and Education Scotland, to obtain a full picture of the prison and to ensure that assessments are accurate, balanced and fair.

This report highlights where the Standards are being met, where there are weaknesses and where improvements are required. Where improvements are required the report makes appropriate recommendations. The report also highlights areas of good practice.

## **KEY FACTS**

### **Location**

HMP Open Estate is located near the village of Longforan, off the A90, three miles west from the city of Dundee.

### **Role**

The Open Estate is the national facility in Scotland for sentenced male adult prisoners serving 12 months and over, up to and including Life Sentences, and who have been assessed as suitable to serve part of their sentence in open conditions. The Open Estate provides employment and transitional through-care for prisoners and facilitates their gradual and planned reintegration into the community.

### **Design Capacity / Population held at time of Inspection**

The Open Estate has a design capacity of 285. At the time of the inspection there were 29 Short Term prisoners, 168 Long Term prisoners and 48 Life Sentence prisoners.

### **Date of Last Full Inspection**

September 2008

### **Brief history**

HMP Open Estate was developed as a Borstal in 1946 on the site of Castle Huntly, a fortalice whose original buildings, dating back to the second half of the 15<sup>th</sup> Century, now house much of the administration centre. In 1994 it became an adult male open prison for those serving short sentences, going on to take long term prisoners in early 2000.

### **Accommodation**

Murray House has the capacity to hold 141 prisoners in 70 double occupancy cells and one single cell and is the induction unit. Bruce and Wallace Wings both have a capacity of 72 prisoners in double and single cells. The Independent Living Unit is located within Bruce Wing. The Open Estate operates partial Continuous Cell Occupancy within single and double cells in Bruce and Wallace Wings. Two secure holding cells are located within Wallace Wing.

### **Healthcare Provider**

NHS Tayside

### **Learning Provider**

Carnegie College

## HM Chief Inspector's Overview

### Setting the Scene

Since the closure of Noranside in autumn 2011, the Open Estate consists only of Castle Huntly. The prison has therefore had to cope not only with amalgamating services into the 'new' Castle Huntly, but also the change of education provider from Motherwell College to Carnegie College as well as the transfer of responsibility for the delivery of healthcare to NHS Tayside. It is obvious that a lot of preparatory work and effort had gone into making these various changes work smoothly; by and large this report suggests that work has been successful, although a few concerns remain.

Noranside provided a very different 'offender outcomes' regime to that provided by Castle Huntly. Noranside had the capacity to provide work close to and within the prison such as gardening and forestry, as well as providing Independent Living Units (ILU). This was a very different approach to the one at Castle Huntly, where the mainstay was work placements in the community. The challenge for the Governor, therefore, has been how to provide the best outcomes at the 'new' Castle Huntly.

### Inspection of the Open Estate

In essence I found that the closure of Noranside and the re-organisation of the Open Estate into one site had gone well. Inevitably there will have been severe staff concerns and the need for re-deployments. Nevertheless I was satisfied that these moves had gone well and that staff and, where relevant, prisoners had settled down well.

The move had given the Governor and his staff the opportunity to refocus Castle Huntly on to the outcome of preparing prisoners for being returned to the community. Although this process is still ongoing, there is a strong impression that all activities are aimed at rehabilitation and this has required a number of changes, most obviously in education. It is clear, however, that the principle offender outcome activity is work placements in the community and that other activities within the prison are relatively limited.

I am worried about the general feeling of boredom and poor quality of recreation. Except for the gymnasium there is very little for prisoners to do, although this situation may improve during the summer months with the provision of garden allotments for a few prisoners.

Communications and passage of information with prisoners are not as good as they should be and this has led to misunderstandings that need to be cleared up. The first aspect of this is a commonly-held prisoner view that 'staff are unfair'; this is best described as a feeling that some staff threaten prisoners with being sent back to closed conditions, 'if prisoners don't toe the line'. Historically this may have been an open prison issue, but there are now very good systems in place to ensure it cannot happen. These systems and safeguards need to be better described to prisoners from the time prisoners are under consideration for progress to open conditions onwards. This perception of 'unfairness' needs to be altered by the new Governor

as a priority and that staff/prisoner relationships, based on respect, need to be improved.

The second communication issue is to ensure prisoners understand better the reasons for certain decisions or actions. The most obvious example concerns the Health Centre. Prisoners told me that it is really difficult to see the doctor, yet the records show this not to be the case. The issue revolves around prisoners not understanding the process. In reality the nurse needs to confirm to prisoners that the medical assessment has already started on their arrival in the Health Centre and then to ensure they understand what is going to happen next.

These communication issues suggest to me that prisoners in the Open Estate are not as involved in the day-to-day running of the prison as they could be. Given that they are soon to be released, a greater feeling of trust between staff and prisoners should be encouraged.

By and large the prison is safe in terms of admission and reception procedures and night shift and contingency plans. I was also impressed by home leave procedures where every effort is made to ensure that receiving families and services are prepared and briefed and that contact and monitoring contingencies are in place. Family contact is good and well managed.

The Learning Centre is coping well with an overly prescriptive education contract. This contract emphasises literacy and numeracy, yet the Open Estate needs to be more focused on employability training. The Learning Centre manager is attempting to achieve such an outcome.

Healthcare is good and NHS integration is going well.

There were only four sex offenders at the prison during the inspection. This seems a very low number given the much higher number being released directly from Closed Conditions. I suggest that the SPS review the manner in which such prisoners are progressed through the prison system.

In summary this was a good inspection and the prison is functioning well after the upheaval of the closure of Noranside. Nevertheless there is much to do in order to improve the manner in which prisoners within the Open Estate are prepared for release.

## EXECUTIVE SUMMARY

This report sets out the findings from the inspection of the Open Estate conducted between 23 and 29 April 2012.

### Safety

- The Open Estate is safe. Prisoners who have mental health, alcohol or drug problems, or are at risk of self-harm or are vulnerable for other reasons are provided with appropriate services and support and are safe. Prisoners are protected from harm by other prisoners. The Open Estate has integrated former Noranside prisoners well. The Open Estate is largely free of violence and bullying. At the time of the inspection, no prisoners had been identified as being at risk from bullying or harassment.
- The Open Estate has appropriate arrangements in place for responding to emergency situations. However, it does not ensure that all relevant staff are fully trained in dealing with such emergencies.
- Force is very rarely used at the Open Estate and in accordance with law and procedures.
- The Open Estate has transparent procedures in place for revising the supervision level applied to prisoners. Prisoners who are returned to the 'closed estate' are provided with the reasons for the decision and information on how they can contribute to having their level of supervision revised.

### Decency, Humanity and Respect for Legal Rights

- The Open Estate ensures that prisoners are treated with decency, humanity and that their legal rights are respected.
- Prisoners have adequate in-cell space, natural light and ventilation. Cells are well maintained. Prisoners have access to drinking water and toilet and showering facilities. Some toilet and showering facilities do not fully meet basic hygiene requirements and do not provide sufficient privacy. Food is adequate for health, varied and religiously and culturally appropriate.
- The Open Estate provides prisoners with excellent access to the open air and to exercise.
- Relationships between prisoners and members of staff are good. Prisoners are treated with respect by members of staff. Staff in the Open Estate seek to stop prisoners being returned to closed conditions by emphasising the consequences of offending against good order and discipline. This is often interpreted by prisoners negatively with many reporting that they felt threatened with being returned to closed conditions for what they regarded as being trivial reasons. **This is a weakness** and detracts from the general positive atmosphere that exists.



- Prisoners are able to receive visits from their friends and family. The Open Estate is a national facility and is not fully served by public transport. Travelling to the Open Estate is a challenge for many families particularly in inclement weather, if travelling with children or if visitors are elderly or suffer with mobility problems. Facilities for visitors would benefit from being improved.
- The Open Estate provides prisoners with access to the Prison Rules and a selection of legal texts. It seeks to ensure that prisoners are able to access their legal rights, but provides insufficient information on how they can access Members of Parliament, Visiting Committees and the Courts should they wish to raise a concern.
- Prisoners have good access to telephones and postal services. Legally privileged correspondence is dealt with appropriately.
- The Open Estate deals fairly and justly with prisoners who are the subject of disciplinary hearings.
- The Open Estate does not routinely use the Holding Cells. When Holding Cells are used prisoners are only placed in these cells for a short time and in accordance with policy and procedures.

### **Opportunity for self-improvement and access to services and activities**

- All prisoners are provided with induction sessions on their arrival at the Open Estate. These do not sufficiently encourage prisoners to influence what happens to them while at the Open Estate or to fully engage with the employment, work, education, training or other opportunities that are available to them.
- The Open Estate provides prisoners with a range of educational, training, in-prison work, community work placements and other activities to make the most of their time at the Open Estate and to prepare them for release.
- Purposeful activities enable prisoners to enhance their existing skills, to develop new ones, to develop independent living skills and to plan for release.
- The Open Estate makes good use of Integrated Case Management (ICM), Social Work, Personal Officer and other resources.
- Opportunities would benefit from being more closely linked to the needs of prisoners and aligned more to the needs of the labour market.
- The Open Estate provides limited educational, training, cultural and recreational activities in the evenings and at weekends. **This is a weakness.**

- The Open Estate provides prisoners with two courses to address their offending behaviour: A Sense of Balance and the SMART Recovery programme. The Open Estate does not provide prisoners with a course seeking to address domestic violence. **This is a weakness.**
- The Open Estate ensures that prisoners are able to practice their religion. However, the Multi-Faith Centre needs refurbished or replaced.
- The Open Estate provides prisoners with a good standard of healthcare. Prisoners with issues around substance misuse are provided with appropriate services and interventions.
- The Open Estate has suitable arrangements in place to assist prisoners in obtaining housing, support and other appropriate services following release.

## PART 1: SAFETY

### OUTCOME 1

**Appropriate steps are taken to ensure that individual prisoners are protected from harm by themselves and others.**

#### STANDARD 1

**Prisoners are safe at all times; while being escorted to and from prison, in prison and while under escort in any location.**

1.1 The Open Estate does not receive prisoners straight from court. Instead all prisoners arriving at the Open Estate have been transferred from another prison. This means that all prisoners arriving have previously been assessed for illicit drug and alcohol use.

1.2 All prisoners are seen by a medically qualified person on arrival in private and provided with health screening. Prisoners are asked about their health and medical history and their medical records examined and checked. Basic physical health checks are performed (blood pressure monitoring and pulse) as well as an ACT2Care assessment. Details of screening and any relevant outcomes are documented within the medical record and the content confirmed with the prisoner verbally. Appropriate referral and follow up is arranged for prisoners with a current or previous issue with drugs or alcohol.

1.3 Prisoners are asked about any injuries that they may have sustained and both clinical and operational staff observe closely for any potential indicators of undisclosed injuries. While this is positive, prisoners transferring into the Open Estate are not subject to a full strip search. This means that recent injuries or attempts at self-harm may not be identified.

**Recommendation 1: The Open Estate should ensure that all prisoners on transferring into the prison are given a full strip search.**

1.4 The Open Estate receives information regarding each new prisoner on transfer including details of the offence committed, the date and length of sentence and information on the risk of self harm or other vulnerabilities.

1.5 Prisoners newly arriving at the Open Estate are provided with information on the prison during an interview with a member of staff. The admissions process also provides prisoners with an admissions guide which provides basic information about the prison. Interviews are conducted in a professional manner and provide prisoners with relevant information. Further information is provided by staff in Murray House once the prisoner arrives in the hall. Prisoners are provided with adequate information while awaiting formal induction, which takes place twice a week on a Tuesday and a Thursday. The Open Estate subscribes to Language Line and is able to provide interpreters for those prisoners whose first language is not English.

1.6 Prisoners are given the opportunity to make a telephone call to a friend or family member prior to leaving the reception area. However, these calls are not made on the prisoner pin phone system and therefore not recorded. **This is a weakness**, as review of the content of these calls can support staff in

identifying potential prisoner vulnerabilities and fears.

**Recommendation 2: The Open Estate should ensure that all prisoners' telephone calls are made on the prisoner pin phone system.**

1.7 The Open Estate takes account of risk posed by different categories of prisoner. However, the Open Estate does not take prisoners who have just been sentenced to a long term or life sentence nor does it take remand prisoners. This means that the number of prisoners who may be at risk is lower than would be the case in a closed prison. However, since the closure of Noranside, the Open Estate accommodates prisoners who are serving sentences for offences that could make them vulnerable to bullying or attack by other prisoners. Staff have a good level of awareness regarding these prisoners and took appropriate action to identify those at risk to ensure that they were protected from harm. As a result, the Open Estate has integrated former Noranside prisoners well. At the time of inspection, no prisoner had been identified as being at risk of bullying or assault. **This is positive.**

1.8 The Open Estate has access to the Anti-Bullying/Anti-Violence strategy of the SPS. It has not developed a local version tailored to meet local needs. The understanding of the policy by staff differs from the recommended strategy. **This is a weakness.**

**Recommendation 3: The Open Estate should develop procedures to support the SPS Anti-Bullying/Anti-Violence strategy to meet local needs and ensure that staff are aware of its content.**

1.9 Newly arriving prisoners are placed in a cell with another prisoner in Murray House after the Cell Sharing Risk Assessment (CSRA) has been carried out.

1.10 The ACT2Care Strategy provides staff with the ability to identify and deal effectively with those at risk, however, staff competency levels in ACT2Care refresher training were only 77% at the time of the inspection against a target of 100%.

**Recommendation 4: The Open Estate should ensure that all staff complete ACT2Care refresher training.**

1.11 The Open Estate has appropriate arrangements in place to identify and provide assistance to those who may be vulnerable or have mental health problems. This includes:

- A pre-transfer mental health assessment;
- Health screening;
- Interviews on arrival and
- ACT2Care assessments.

1.12 Prisoners assessed as vulnerable and those with mental health problems are provided with a care plan. The Risk Management Team (RMT) is advised of vulnerable prisoners and the Care Programme Approach (CPA) is properly aligned to protocols regarding case management.

1.13 There is no standardised use of risk assessment tools for prisoners with mental health problems at the Open Estate. Whilst appropriate risk assessment tools are utilised such as HCR20 and PCL-R, consideration should be given to ensuring that the use and governance surrounding any

such tools are aligned with the policy and procedures of NHS Tayside.

**Recommendation 5: NHS Tayside should take action to ensure that risk assessment tools used for prisoners with mental health problems are aligned with their relevant policy and procedures.**

1.14 The Open Estate identifies prisoners with drug or alcohol problems. Prisoners who require detoxification and symptomatic relief are provided with this quickly and with assistance from the Enhanced Addictions Casework Service. (EACS).

1.15 EACS is provided by 'Phoenix Futures' and supported by NHS addictions staff and offers a range of services including one to one counselling, a support group and advice on self help.

1.16 Information leaflets on addictions services and referral routes are freely available in communal areas.

1.17 Addictions workers offer sign posting to preventative supports including information on harm reduction, STD clinics and information on the risk of overdose.

1.18 Alcohol support groups are run every week and a family support group meets five times a year. The Open Estate also has a pre-home leave group to support those in recovery in preparation for transition to the community and release. In addition, there is a pre-liberation harm reduction programme, but uptake is low.

1.19 The Open Estate has in place an appropriate range of policies and procedures for dealing with emergency situations. These are quickly and

easily accessible to all staff. Staff responsibilities are clearly identified. Members of staff are aware of the range of foreseeable emergency situations that could occur, the appropriate guidance that is available and the key actions to be taken in each situation.

1.20 The Open Estate has a list of members of staff who would be called upon to be part of a phase two and three intervention team. However, the list is out of date as it includes staff who no longer work at the Open Estate.

**Recommendation 6: The Open Estate should ensure that staff call out lists are accurate.**

1.21 Only 51% of staff required to be trained in First Aid at Work had completed the required training at the time of the inspection. In addition, only 8% of staff required to be trained in 'Emergency Response' had completed the required training.

**Recommendation 7: The Open Estate should ensure that all staff required to be trained in First Aid at Work and Emergency Response have completed the required training.**

1.22 The prison does not have a system in place to identify which staff on duty on any day are trained in First Aid and can be called upon should they be required.

**Recommendation 8: The Open Estate should ensure that at least one member of staff trained in First Aid is available at all times.**

1.23 Fire safety is taken seriously. Fire Safety notices are visible in all areas of the prison and roles and

responsibilities are well communicated to staff and prisoners. Prisoners are informed at the point of admission to the establishment of their responsibilities relating to keeping themselves and others safe in the event of a fire including how and where to evacuate to.

1.24 Members of staff are provided with training in the procedures to be adopted in the event of a fire. Fire Awareness Training is compulsory for all staff and should be completed on an annual basis. In addition, a proportion of staff are required to be trained in the actions to be taken should a fire occur. At the time of the inspection, only 77% of staff had received Fire Awareness Training within the previous 12 months. Only 42 staff of the 45 staff required to be trained in Fire Response Procedures course 1 and 82 of the 94 staff required to be trained in Fire Response course 2 had completed the training.

**Recommendation 9: The Open Estate should ensure that all staff complete Fire Awareness Training and appropriate numbers complete Fire Response Training courses 1 and 2.**

1.25 It is important that agreed staffing levels are maintained during patrol periods. The Open Estate does not always ensure that this occurs; numbers of staff on duty during these periods do not always meet the rostered staffing levels. A reduction in staffing levels at these times increases risk, particularly in the event of a fire or other emergency situation. **This is a significant weakness.**

**Recommendation 10: The Open Estate should ensure that there are adequate staffing levels at all times.**

1.26 All cells have call buttons which are connected to an intercom should a prisoner require assistance in an emergency. Members of staff respond to prisoners pressing emergency cell buttons within a timescale ranging from three to five minutes. The Open Estate responds promptly and appropriately when cell call buttons are activated.

1.27 Senior staff should make unannounced visits during patrol periods in order to ensure that safety procedures are adequate. Senior staff do not routinely make unannounced visits. During the period November 2011 to April 2012 only one unannounced visit by a senior staff member during a patrol period was recorded in the occurrence book.

**Recommendation 11: The Open Estate should ensure that senior staff make and record regular, unannounced visits to the prison during patrol periods**

1.28 The Open Estate has arrangements in place to facilitate contact between the prison staff and the families of prisoners. Prisoners' families are contacted by letter prior to the commencement of the first period of home leave and the establishment's telephone number is included in this material. This enables families to share information on any vulnerability that their relatives may have and to ensure that appropriate support is then provided. In addition, family members are also able to share information through the ICM process and with Family Contact Officers (FCO) in person or by telephone.

1.29 Information provided to families by the EACS offers formal support if required.

1.30 The Open Estate has clear protocols and practices to identify those deemed to be at risk of self harm. This is achieved through health screening; mental health and ACT2Care assessments; information obtained from informal observation and discussion between operational and healthcare staff; family and prisoner self-referrals; ICM; RMTs; CPA reviews and multi-disciplinary team meetings.

1.31 The Open Estate respond to those identified as being at risk from self-harm and suicide through:

- A Prisoner Listener service: this is well publicised. However, due to the fluidity of the Open Estate i.e. accommodating home leave and external work parties, Listeners may not always be available.

**Recommendation 12: The Open Estate should take action to ensure that the provision of the Prisoner Listener Service is improved.**

- An established internal Mental Health Service: this maintains good links to other health professionals, addiction services and operational staff as well as services out with the prison.
- Self help educational programmes: prisoners have undertaken 'Beating the Blues' and 'Mood Gym' courses which are held outwith the Open Estate.
- Transfer to safer, more appropriate accommodation: while a prisoner is at high risk of self harm he will be temporarily transferred to another establishment with appropriate facilities to ensure his safety and well being and will not remain at the Open Estate.

1.32 The Open Estate has a good approach to identifying and minimising the risks posed to prisoners who are at risk from self harm.

1.33 The Open Estate has policies, procedures and contingency plans in place to prevent the spread of contagious diseases. Preventing the outbreak of contagious diseases is promoted by providing education to prisoners and staff and by ensuring that healthcare is delivered to a level that is in accordance with associated Infection Standards.

1.34 The Open Estate would report any contagious disease outbreak directly to on-call infection control and public health consultants. There are good links with Public Health and Environment personnel based at Ninewells Hospital.

1.35 The Open Estate, along with relevant partners, intends to review its plans for dealing with an outbreak of pandemic flu and emergency responses by October 2012.

1.36 The Open Estate has appropriate measures in place to protect prisoners from harm due to substance misuse. Further details can be found in paragraph 1.2.

**STANDARD 2**  
**Force is only used as a last resort and then strictly according to law and procedures.**

2.1 In the Open Estate, tri-fold cuffs are rarely used. If they are used then their use is authorised and monitored by a manager. In the past year tri-fold cuffs have only been used in the Open Estate on one occasion. In this instance, appropriate authorisation was sought and given and the incident was properly monitored. No

handcuffs, mechanical restraints or special cells exist within the Open Estate. The Open Estate has not experienced any incident during which planned interventions would have been video recorded. The Open Estate would ensure that any prisoner who is subject to restraint would be seen by healthcare staff. The Open Estate has not received any complaints about the illegitimate use of force by staff.

### **STANDARD 3**

#### **Prisoners are protected from violence and harm by other prisoners.**

3.1 The Open Estate uses the SPS Anti-Violence/Anti-Bullying Strategy as the basis for how it seeks to prevent bullying and violence. However, the strategy has not been translated into a clear management plan to address local needs.

3.2 Prisoners are provided with information on the bullying and violence policy during their induction. A commitment to adhere to this policy is included in the compact signed by prisoners.

3.3 Prisoners can raise safety concerns relating to themselves or others with the Intelligence Management Unit (IMU). Telephone calls to the unit are free. However, information on the availability of this service is not provided to prisoners during induction and is not adequately publicised.

**Recommendation 13: The Open Estate should ensure that information on how prisoners can raise safety concerns regarding bullying and violence with the Intelligence Management Unit is made more widely available.**

3.4 The Open Estate is largely free of violence and bullying. **This is positive.**

**Recommendation 14: The Open Estate should develop a local management plan to ensure that the good relations between prisoners and between prisoners and staff are maintained and enhanced.**

3.5 The Open Estate deploys sufficient staff to be able to ensure good order. Although not particularly visible in the accommodation areas (where staff tend to remain within the vicinity of the hub of each wing) members of staff provide a visible presence amongst large groups of prisoners. Neither staff nor prisoners are concerned when in the presence of each other. **This is positive.**

3.6 One hundred percent of operational staff are required to be trained in Control and Restraint techniques (Level One) in order to enable them to safely intervene should violence occur. In November 2011 only 73% had completed the required training. However, at the time of the inspection, the figure had improved to 92%.

**Recommendation 15: The Open Estate should ensure that operational staff competence in Control and Restraint techniques (Level One) is maintained at all times.**

3.7 Relations and interactions between staff and prisoners are good. Interaction levels are particularly good between prisoners and staff in the Learning Centre, especially in the life-skills kitchen. There is no evidence of interactions or relations that could be regarded as



inappropriate, threatening or disrespectful.

3.8 Prisoners are treated with respect and dignity.

3.9 Members of staff are approachable and overall have a positive relationship with prisoners. However, prisoners expressed mixed views on whether they would feel comfortable approaching an officer to express a fear or concern. Some prisoners feel uncomfortable in approaching a member of staff to raise a concern.

3.10 The Open Estate conducts an appropriate assessment of prisoners who are required to share cells. Assessments are appropriately recorded. The most recent audit of CSRAs carried out within the Open Estate provided Reasonable Assurance.

3.11 The Open Estate ensures that the opportunity to tamper with food for vulnerable prisoner groups is negligible. All food prepared in the prison by prisoner cooks is supervised by catering staff and is served directly to individual prisoners from a serving point in the kitchen and eaten in one of two adjoining dining areas. A rotation system for serving the food ensures that those serving it are unable to determine the order in which prisoners are served. Prisoners located in the ILU have responsibility for making their own meals.

3.12 The Open Estate is safe. Prisoners are protected from harm.

#### **STANDARD 4**

**Security Levels for individuals are no higher than is necessary to meet the risk presented by the prisoner**

4.1 All prisoners held in the Open Estate must have a low supervision status. Security levels are appropriate.

#### **STANDARD 5**

**Procedures for deciding security levels are as transparent as is compatible with the sensitivities of the decision.**

5.1 Procedures for deciding security levels are transparent. Should a prisoner's supervision level be downgraded the prisoner will be returned to the closed estate. On these occasions, prisoners are provided with sufficient information on the decision made and the reasons for it. Information provided to prisoners is adequate and transparent and does not compromise security or confidentiality.

5.2 Forty Prisoner Supervision System 3 (PSS3) records were examined. All were completed correctly. Prisoners were given an opportunity to comment on the decision made. In cases where the review resulted in a prisoner's supervision level being raised and him being removed from the Open Estate, the reasons stated were as a result of a breach of prison rules or concerns about community access.

## **PART 2: DECENCY, HUMANITY AND RESPECT FOR LEGAL RIGHTS**

### **OUTCOME 2**

**Prisoners are treated with respect for their dignity while being escorted to and from prison, in prison and while under escort in any location.**

### **STANDARD 6**

**The standards that apply to the treatment of prisoners in prison extend to all other places where they are held.**

6.1 This inspection examined the Open Estate. It did not examine other locations where prisoners are held outwith the Open Estate, for example, while under escort in transit vehicles on journeys to and from court, while detained in Courts or in Legalised Police Cells. Separate inspections on these locations have been carried out. Inspection reports on these locations have been published and are available on the HMIP website at [www.scotland.gov.uk/hmip](http://www.scotland.gov.uk/hmip).

### **OUTCOME 3**

**Prisoners are held in conditions that provide the basic necessities of life and health, including adequate air, light, water, exercise in the fresh air, food, bedding and clothing.**

#### **STANDARD 7**

**The accommodation is clean and provides a reasonable amount of space for each prisoner, with space for personal belongings, ventilation, a reasonable temperature and natural light.**

7.1 Cells in the Open Estate are of an acceptable size, affording prisoners adequate space to move around. Cells have a chair and worktop area for each prisoner. However, these are unsuitable for sitting at for long periods of time if reading, writing or studying.

**Recommendation 16: The Open Estate should ensure that all prisoners are provided with a chair and table or workspace which is suitable for reading, writing and studying.**

7.2 All cells have an area to hang and store clothing. An area of wall is designated for photographs. These are of an acceptable size.

7.3 Only prisoners located in Murray House and the double occupancy cells in Wallace Wing have an in-cell lockable storage facility, which is a small lockable metal box. Prisoners in the single occupancy cells in Bruce and Wallace Wing are not issued with these boxes. This means that they have no facility to lock away personal items.

**Recommendation 17: The Open Estate should ensure that all prisoners, regardless of location, are provided with a lockable storage facility for personal items.**

7.4 Cell windows permit adequate natural light into the cell to enable prisoners to read. While windows are not barred, there is a restriction on how far they can be opened. However these restrictions do not reduce the amount of ventilation to an unacceptable standard. The lack of ventilation has previously been discussed during prisoner's forums. At the time of the inspection there was no evidence of excessive temperatures.

**Recommendation 18: The Open Estate should obtain the views of prisoners, and take appropriate action should temperature and ventilation levels become uncomfortable.**

7.5 Prisoners have access to fresh drinking water at all times, either from an in-cell tap or from taps in the ablution areas. However, at the time of the inspection, the chilled water dispenser in the dining room was not connected to the water supply.

**Recommendation 19: The Open Estate should connect the water dispenser in the dining room to the water supply.**

7.6 Cells, communal areas outside cells, other buildings and the external grounds are clean. Prisoners have access to cleaning materials. Cleaning materials and utensils for cleaning are located in communal stores, are fit for purpose and stored correctly in relation to infection control.

7.7 All buildings are clean. The grounds are particularly well

maintained. **This is an area of good practice.**

7.8 Not all prisoners employed in cleaning jobs are trained to British Institute of Cleaning Science (BICS) standards.

**Recommendation 20: The Open Estate should ensure that all prisoners employed to undertake cleaning duties are trained to the appropriate standard.**

#### **STANDARD 8**

**Prisoners are allowed into the open air for at least one hour a day every day.**

8.1 Prisoners have access to extended periods in the open air on a daily basis. From Monday to Friday there is access at lunchtime and again in the evening from 1900 to approximately 2030 hours. In addition, prisoners who do not have a scheduled work period can access the prison grounds. At the weekends, with the exception of the lunchtime patrol period, prisoners can spend most of the day outside until 17:30hrs when the prison is locked.

8.2 There are extensive areas within the Open Estate where prisoners can take exercise in the open air. With the exception of areas marked 'out of bounds' which are clearly designated and made known to prisoners, prisoners have access to the majority of the prison grounds. Facilities include a full sized football pitch and surrounding area, a small artificial sports field and surrounding area and a number of communal footpaths. Unlike most other prisons, prisoners control their own access to these external areas and are not subject to constant monitoring by staff. As such, prisoners from all three

residential areas can exercise together in the same area.

8.3 All prisoners have suitable clothing for outside exercise and use during inclement weather. Prisoners with no means to secure appropriate clothing are considered for a clothing grant.

#### **STANDARD 9**

**Personal clothing is in decent condition, washed frequently and fits.**

9.1 The Open Estate does not routinely issue prison clothing; instead prisoners are permitted to wear their own clothing. The Open Estate has very good laundry facilities and provides a high quality service. All prisoners' clothing sent to the laundry is returned to them, freshly laundered, within eight hours. During the inspection all clothing returned from the laundry appeared to be clean and prisoners confirmed that the service was good and related complaints and claims for compensation are minimal. **This is an area of good practice.**

#### **STANDARD 10**

**Bedding is supplied and laundered at frequent intervals.**

10.1 A clean bedding pack is issued to each prisoner on his arrival with a further clean pack being issued on any subsequent internal transfer. Bed linen can be laundered as frequently as a prisoner wishes. Prisoners are content with the process for laundering bed linen.

10.2 During the period of the inspection, mattresses were found to be clean and in good condition. The condition of mattresses is checked during the Cell Certification process or if prisoners raise any concerns.

## **STANDARD 11**

### **Sanitary arrangements take account of health, hygiene and human dignity.**

11.1 Every prisoner in the Open Estate has access to a lavatory and wash hand basin at all times. Prisoners in Murray House have a fully enclosed toilet and a wash hand basin in their cells.

11.2 Some cells in Bruce and Wallace Wings have wash hand basins in them but none have lavatories. However, prisoners in these areas have access to a lavatory and wash hand basin at all times in adjacent communal ablutions areas.

11.3 The ablutions areas consist of a room with an open urinal, a wash hand basin, a toilet and a shower, none of which are fully enclosed. The standard and availability of these ablution facilities in some areas of Bruce and Wallace Wings are not conducive to reasonable waiting times, privacy or basic hygiene, especially at busy periods.

#### **Recommendation 21: The Open Estate should take action to upgrade the ablution facilities in Bruce and Wallace Wings.**

11.4 Cells in Murray House have fully enclosed lavatories in them.

11.5 Prisoners are able to shower every day and prior to attending court or visits.

11.6 There are no facilities in the gymnasium for prisoners to shower after physical exertion. However, the proximity of the gymnasium to the accommodation areas is such that this gives no cause for concern.

11.7 Not all showering facilities in the Open Estate provide adequate privacy. Murray House has enclosed shower units in each wing which ensure privacy, however the showering arrangements in Bruce and Wallace wing vary in the privacy they afford.

#### **Recommendation 22: The Open Estate should upgrade the showering facilities within some areas of Bruce and Wallace Wings to ensure privacy and to meet basic hygiene requirements.**

## **STANDARD 12**

### **Food is adequate for health, varied and religiously and culturally appropriate.**

12.1 The catering complex comprises a fit-for-purpose kitchen with sufficient storage, preparation and serving space, appropriate staff and prisoners facilities and two separate dining halls which can accommodate a total of 285 prisoners.

12.2 The kitchen is clean, tidy and well maintained. A comprehensive cleaning schedule is in place and adhered to.

12.3 In order to take account of the home leave scheme and to cover seven day working, up to 30 prisoners are employed in the kitchen with around half that number at work at any given time. Examination of training records and observation showed that all prisoners working in the kitchen are trained and competent to carry out their allocated roles.

12.4 All foodstuffs used in the preparation of prisoners' meals are stored in proper conditions and at the correct temperature.

12.5 The establishment does not use the recognised SPS prisoner meal pre-ordering system. This may mean that prisoners cannot obtain their preferred choice.

**Recommendation 23: The Open Estate should ensure that the recognised prisoner meal pre-ordering system is in place.**

12.6 With the exception of packed lunches for prisoners attending community placements, all food prepared in the kitchen is consumed in the adjacent dining halls. This is in contrast from most other prisons where food requires to be transported in heated trolleys prior to being served. This arrangement has a positive impact on quality, temperature and presentation. Portion size is good. Fruit and vegetables are available every day.

12.7 Account is taken of any special dietary requirements (health, cultural or religious). Meals meeting religious requirements and vegetarian options are available in addition to the standard menu options and arrangements for the preparation of religious specific meals are compliant with requirements.

12.8 Meals are served at normal times and the gap between the last meal of the day and the first meal the following morning is not excessive. In addition, snack packs are issued every Friday and Saturday due to the longer period of time between the last and first meals on those days.

12.9 With the exception of the Independent Living Unit, all prisoners eat their meals in the dining rooms and are not required to eat meals in their cells. A toilet for prisoners is located

within the dining hall. Prisoners using these facilities can be seen by diners.

**Recommendation 24: The Open Estate should take action to increase the level of privacy afforded to the toilet facility in the dining hall.**

12.10 Prisoners are issued with their own cutlery on admission and retain this in their possession. Prisoners are expected to clean this following use at each meal time. Prisoners do not always adhere to this process and, on occasions, the means to clean cutlery are not available. **This poses a risk.**

**Recommendation 25: The Open Estate should ensure that prisoners are always able to access clean cutlery at every meal.**

## **OUTCOME 4**

**Prisoners are treated with respect by prison staff.**

### **STANDARD 13**

**Respect is the underlying basis of all interactions between staff and prisoners.**

13.1 Members of staff do not use insulting nicknames, racial epithets or impersonal terms when addressing prisoners. Interaction between staff and prisoners is relaxed and positive. Both staff and prisoners normally address each other by their first names. Staff wear their name badges and only enter cells when prisoners are present.

13.2 Some prisoners have a negative view of the relationship between prisoners and staff.

13.3 Staff in the Open Estate seek to stop prisoners being returned to closed conditions by emphasising the consequences of offending against good order and discipline. This is often interpreted by prisoners negatively with many reporting that they felt threatened with being returned to closed conditions for what they regarded as being trivial reasons.

**Recommendation 26: The Open Estate should ensure that prisoners are provided with clear information on the grounds under which they may be returned to 'closed conditions' and provided with reassurance that they will not be returned to 'closed conditions' for trivial reasons.**

13.4 Records show that in practice prisoners are not returned to 'closed conditions' for trivial reasons.

13.5 In general, staff and prisoner relationships are positive and the atmosphere is relaxed with mutual respect being displayed.

13.6 Some prisoners experience difficulty with the requirement, within the Open Estate, for them to exercise a greater degree of self management than would be expected of them in 'closed conditions'. Some prisoners view a lack of instruction from staff as a negative aspect, as opposed to it affording them a degree of responsibility.

**Recommendation 27: The Open Estate should take action to promote the positive aspects of the regime and the benefits of assuming responsibility.**

13.7 Prisoners are given news that may be unwelcome in private and in a sensitive and compassionate manner. Staff are aware of where, how and when such news should be delivered. Staff ensure that prisoners are coping with any unwelcome news and are aware of the support that is available should this be needed. Sensitive or private information regarding prisoners is safeguarded.

### **STANDARD 14**

**Security measures such as searching are carried out with regard to the protection of human dignity.**

14.1 Rub down searches, strip searches and cell searches in the Open Estate are carried out in a professional manner. In all cases staff inform the prisoner of the reason for the search and ensure good

communication takes place throughout the process. Where required, searches are carried out by officers of the same gender. Strip-searching is never done routinely and only done for good reasons. Prisoners are present when their cells or personal property are searched.



## OUTCOME 5

**Good contact with family and friends is maintained.**

### STANDARD 15

**Family visits are given high priority in terms of frequency, length and quality and are not restricted as part of any disciplinary or control process.**

15.1 There are two named FCOs in the Open Estate. Their names, photographs and contact details are clearly displayed on one of two notice boards at the entrance to the visits area in the LINKS Centre foyer. Additional literature provided includes information about the work of Families Outside, details of the recent Visitor Complaints Process, an up to date visit timetable and instructions on how to access the Assisted Prison Visits Scheme.

15.2 There is no dedicated telephone line to the FCOs. However, prisoners' relatives calling the establishment's main telephone number can leave a message regarding concerns over a family member and their call will be returned by one of the FCOs.

15.3 There are no opportunities for family members to take part in the induction system for prisoners newly transferred into the Open Estate. Rather, prisoners, during induction, are given information relating to visit times, duration, frequency and the booking process which they then have to pass on to their family and friends.

**Recommendation 28: The Open Estate should take action to involve families in the induction process for new prisoners and ensure that they are routinely provided with relevant information.**

15.4 The Open Estate, as a national facility, does not, in most instances, allow for prisoners held there to be near to their home area. It is located three miles outside Dundee. This means that travelling to the Open Estate is a serious challenge for many families.

15.5 Forty seven percent of prisoners' families reside in Glasgow, Lanarkshire, or North Strathclyde. For these families an hourly train service from Queen Street station in Glasgow to Dundee is available. A local bus provides a service from Dundee to the village of Longforgan but there is no onward public transport from there to the Open Estate. The mile-long road from Longforgan to the Open Estate is not easy to negotiate particularly in inclement weather, if travelling with children or if visitors are elderly or suffer with mobility problems.

15.6 Basic visit entitlements are not related to assessments of prisoner behaviour.

15.7 Arrangements for booking visits are clear and transparent, with prisoners being responsible for booking these and informing their visitors of the arrangements. Arrangements for booking visits work well. Prisoners are able to arrange ample visits from their families.

15.8 Visits are not normally cancelled for administrative or non-emergency operational reasons; however cancellations do take place occasionally. Visits were last cancelled in December 2011 as a result of severe weather conditions. Prisoners are provided with adequate

prior notification of these cancellations to allow them to inform their visitors.

15.9 There is no area for visitors to wait or shelter from inclement weather prior to the visit area opening at the Open Estate.

**Recommendation 29: The Open Estate should provide a shelter or waiting area for visitors.**

**STANDARD 16**  
**Visitors are well treated.**

16.1 Visitors are treated with respect and courtesy and are not required to wait for undue periods of time prior to visits commencing. Time spent by visitors with prisoners is not reduced by long administrative procedures on entry. The booking-in process is carried out effectively and efficiently.

16.2 Many prisoners within the Open Estate do not take visits. Records for the April 2012 show the average number of prisoners taking visits was four per day. Dissatisfaction with the visit experience does not appear to be a reason for the low uptake as all prisoners and visitors spoken with throughout the inspection described their visit in positive terms.

16.3 Clean toilets are located adjacent to the main visit area. Baby changing facilities are available within the ladies toilet. This is not a suitable location should children requiring this facility be accompanied only by a male adult visitor.

**Recommendation 30: The Open Estate should ensure that baby changing facilities are available to all visitors.**

**STANDARD 17**

**Visits take place in the most relaxed environment compatible with security.**

17.1 The area within the LINKS Centre used to accommodate visits is clean and decorated to a reasonable standard. Despite limited natural daylight, the atmosphere is relaxed and welcoming. Two vending machines sell snacks and cold drinks and at weekends one or two prisoners from the Listener group provide hot drinks from a small tea point.

17.2 Half a room, normally used for interviews or group work, provides some dedicated space for children to play in. The area has been risk assessed. A dividing partition should be pulled over to separate both halves of the room but this does not always take place. This could result in children accessing electrical sockets, fittings or furnishings not previously taken into account in the assessment of risk. **This poses a risk.**

**Recommendation 31: The Open Estate should ensure that the play area for children is safe and risk free.**

17.3 Children are provided with a small selection of toys and books. Mats are put down on the floor when the room is used as a play area. A television and DVDs suitable for children are available. This facility is very small and provision of play items is limited.

**Recommendation 32: The Open Estate should take action to ensure that play facilities for children are fit for purpose.**

## **STANDARD 18**

### **Telephone contact is made as easy as possible.**

18.1 Prisoners have good access to telephones which are located in various residential areas. Telephones in the communal areas can be accessed during periods of unlock, while telephones in the residential sections can be accessed at anytime.

18.2 A recorded message is played at the beginning of each call informing prisoners their conversation will be recorded and may be monitored. In addition signage informing prisoners that their calls will be recorded is clearly displayed.

18.3 While all telephones are fitted with hoods, as they are located in residential or communal areas, there is a degree of background noise and the potential for other prisoners' to overhear conversations. Staff and prisoners respect the privacy of those using the telephone.

18.4 Prisoners feel that access to telephones is generally good. At popular times there can be a waiting period as there is no time limit applied on how long a prisoner is allowed to use the telephone.

## **STANDARD 19**

### **Letter contact is made as easy as possible.**

19.1 Prisoners can send as many letters as they can afford and there are no restrictions on the amount of mail a prisoner can receive. Outgoing letters are posted quickly.

19.2 With the exception of legally privileged correspondence, all letters are opened by staff in the presence of

the prisoner. Prisoners are content with the mail process.

19.3 According to the 2011 Prisoners' Survey 79% of prisoners at the Open Estate maintain contact with their families.

## OUTCOME 6

**Prisoners' entitlements are accorded them in all circumstances without them facing difficulty.**

### STANDARD 20

**Staff are aware of their duty to give prisoners their legal rights. They know what these rights are. They accept the legitimacy and meet their obligations under it promptly.**

20.1 On arrival or during induction, prisoners are not provided with information on how to access the prison rules. These are available in the residential areas. Prisoners are provided with information on how to access the complaints system. However, observation proved that prisoners are aware of where to access the prison rules and how to make a formal complaint.

20.2 The Open Estate does not provide prisoners with sufficient information on how they can contact Visiting Committees, Members of Parliament or the Courts should they have a matter that they would like to raise. Some prisoners and members of staff are unclear about how these resources can be contacted.

**Recommendation 33: The Open Estate should take action to ensure that staff are able to provide assistance to prisoners should they wish to contact Visiting Committees, Members of Parliament or the Courts.**

20.3 Legally privileged mail is not opened unless there are security grounds for doing so. Where there is a security concern, legally privileged mail is opened in accordance with relevant SPS guidelines. The Open Estate respects the right of prisoners to have confidential access to lawyers and complaint bodies.

20.4 The Open Estate provides information, in a range of languages, on how those prisoners who are foreign nationals can access consular assistance if required and also how to contact SPS Equality and Diversity Officers. This information is available on notice boards in all accommodation areas.

20.5 The number of prisoners who are subject to disciplinary proceedings is significantly lower than those found in closed conditions, averaging only three prisoners per week.

20.6 Disciplinary adjudications are well managed and demonstrate a good level and quality of discussion between the prisoner and the adjudicator. Care is taken to ensure that the prisoner understands the adjudication process, the charges against them and are provided with sufficient opportunity to state their case.

20.7 Prisoners who are subject to disciplinary proceedings are provided with sufficient time to prepare their case and are provided with access to legal advice if this is required.

20.8 Prisoners found guilty of a disciplinary offence are informed of their right to appeal and the process for appeal against disciplinary decisions. They are provided with information on the assistance available to enable them to do so.

## **STANDARD 21**

**Staff are aware of their duty to observe the human rights of prisoners. They know what these rights are. They accept the legitimacy of that duty and meet their obligations under it promptly.**

21.1 Prisoners are provided with assistance should they wish to make representations to the European Court of Human Rights (ECHR). Members of staff would provide appropriate advice and assistance including signposting, the conducting of literature searches and the provision of writing materials, etc.

21.2 The Open Estate has an informal approach to Equality and Diversity. This does not however detract from the emphasis placed on the subject nor the level of consideration given to ensuring compliance with legislative requirements.

21.3 Prisoners on transfer into the Open Estate have access, in reception, to notices in a range of languages, promoting racial awareness and providing guidance on how to raise concerns related to race. The Open Estate emphasises the importance of racial equality during the induction session. Prisoners are provided with the names and contact details of dedicated staff with formal responsibility for racial equality. The Prisoners' Forum is facilitated by a member of staff trained in Equality and Diversity. This is positive and provides a supplementary avenue where issues of a racial nature can be raised.

21.4 At the time of the inspection there was only one prisoner from a Black and Minority Ethnic (BME) background in the Open Estate. There

were no outstanding complaints around racial discrimination.

## **STANDARD 22**

**Staff are aware of their duty to treat prisoners in accordance with fairness and natural justice. They know what this involves. They accept the legitimacy of that duty and meet their obligations under it promptly.**

22.1 Members of staff are aware of their duty to treat prisoners in accordance with fairness and natural justice. Prisoners are able to appeal against a response to a complaint or a request. Prisoners are not victimised for accessing their legal rights.

22.2 The Open Estate has an accessible library. There are copies of the most up to date prison rules in each residential area and in the library. It is reasonably well stocked and contains a number of appropriate legal texts but does not however hold a copy of the European Prison Rules.

22.3 The Open Estate treats prisoners with humanity and dignity. It respects the legal rights of prisoners.

## **STANDARD 23**

**Segregation is used sparingly and in accordance with procedures.**

23.1 The Open Estate has two Holding Cells, located in Wallace Wing. Unlike Segregation Units in closed establishments, these are rarely used and then for very short periods. The main circumstances where a prisoner is held in a Holding Cell in the Open Estate is while awaiting adjudication or return to closed conditions or is deemed to be under the influence of drugs or alcohol.

23.2 Between January and April 2012 there were 26 instances when a prisoner was held in a Holding Cell. On only two of these occasions were prisoners held for longer than 24 hours and on both occasions this was for less than 26 hours.

23.3 The Open Estate has clear procedures in place for the use and management of the Holding Cells.

23.4 All prisoners in segregation are provided with a copy of the Governor's order for removal from association under Rule 95(1). However in some instances, the reason why the order has been made is not sufficiently specific. In addition, the Open Estate does not always ensure that the order has been signed by or on behalf of the Governor.

**Recommendation 34: The Open Estate should ensure that all Rule 95(1) documentation clearly states the reason why the order has been made and that they are all signed by, or on behalf of the Governor.**

23.5 Holding Cells within the Open Estate are clean and well maintained. The fittings, ablutions and general décor are of a fair standard and cells are in good working order. Holding Cells do not have Electric Power in Cell (EPIC) and Close Circuit Television (CCTV) does not cover the entrance area.

23.6 Prisoners located in the Holding Cells have access to reading material. Ancillary facilities normally associated within a segregation unit are not in place. However, shower, exercise, and telephone access is provided in the gymnasium or within Wallace wing.

23.7 Prisoners located in the Holding Cells are seen by a senior member of staff and a medical practitioner.

## PART 3: OPPORTUNITIES FOR SELF-IMPROVEMENT AND ACCESS TO SERVICES AND ACTIVITIES

### OUTCOME 7

**Prisoners take part in activities that educate, develop skills and personal qualities and prepare them for life outside prison.**

#### STANDARD 24

**The regime of the prison encourages prisoners to make the most of their time there and to exercise responsibility.**

24.1 Prisoners are provided with three induction sessions; a brief introduction in reception on admission, a short “first night” induction in Murray House and a full induction during their first week.

24.2 On transferring to the Open Estate, as part of the reception process, an immediate induction is provided to new prisoners. This delivers information relating to the prison and its regime. This involves a brief overview of their new environment and a supporting leaflet describing the process for accessing health services, methods for making contact with family and friends and instructions on how to respond in the event of a fire.

24.3 Prisoners are also advised of the standards of behaviour expected of them in open conditions and are asked to sign a compact to confirm that they understand and agree to these terms.

24.4 A peer support system known as The Buddy Scheme was introduced to new admissions at this point in the reception process and was described as a process for helping prisoners new to the Open Estate settle into this more relaxed environment. However, at the time of the inspection, such a service had been withdrawn although some

staff and prisoners believed it still to be in force.

**Recommendation 35: The Open Estate should reinstate the peer support service.**

24.5 From reception, all new arrivals are located in Murray House where, later that same evening, a condensed version of the full induction is delivered. These “first night” sessions ensure that those with low literacy levels are provided with information without them having to divulge their literacy issues to others. **This is an area of good practice.**

24.6 This first night induction builds on the basic information given during the reception process, reinforces the information provided in the leaflet and provides the prisoner with sufficient information to function fully in his new environment until he can attend the next available full induction session which is delivered each Tuesday and Thursday.

24.7 The full induction comprises a power point presentation, is facilitated by an officer, lasts approximately two hours and is augmented by the addictions service provider delivering a “harm reduction” session.

24.8 The induction programme explains the opportunities available and the ways in which prisoners can influence what happens to them.

24.9 However, some induction sessions lack information on the

opportunities for prisoners to access purposeful activities. For example, insufficient information is provided about work, education and leisure time activities. **This is a weakness** as it does not fully encourage prisoners to influence what happens to them while in custody in the Open Estate or to fully participate in the opportunities available to them in this environment.

24.10 In addition, the quality of the information provided in the full induction is variable depending on the deliverer. Prisoners are not always provided with relevant or specific answers in response to questions that they ask. The quantity of information provided and the delivery style is not conducive to information being retained by the audience.

**Recommendation 36: The Open Estate should take action to ensure that the quality of the full induction is improved, that sessions facilitate prisoners retaining information and encourage them to fully engage with the opportunities available to them.**

24.11 The Open Estate has a Personal Officer Scheme, which works well. Prisoners are allocated a Personal Officer soon after arrival, know who their Personal Officers are and have regular contact with them. Prisoners are pleased with the operation of the Personal Officer Scheme.

24.12 Personal Officers complete all appropriate tasks for the role including post home leave reports, ICM reports and Response in Custody reports for the Parole Board of Scotland.

24.13 While the Personal Officer Scheme is working well, Personal Officers are not provided with training

at local level. A local training initiative is currently being developed to address this.

24.14 The Open Estate provides limited opportunities for prisoner involvement. It seeks the views and involvement of prisoners through two prisoner forums. One discusses issues around catering and the other considers all other issues affecting prisoners. A post box for prisoners to submit comments and suggestion relating to all aspects of the canteen is in place. All comments are collected and considered by management.

**Recommendation 37: The Open Estate should increase the opportunities for prisoner involvement and consultation**

24.15 The Prisoner Forum does not meet on a regular basis, having only met three times in 2010, twice in 2011 and in March and April 2012, immediately prior to the inspection.

**Recommendation 38: The Open Estate should ensure that the Prisoners' Forum meets on a more regular basis.**

24.16 While a range of topics are discussed, it makes limited progress in addressing issues of concern, for example, in relation to recreational facilities. Prisoners feel that the Prisoner Forum is of limited value.

**Recommendation 39: The Open Estate should ensure that the Prisoners Forum makes progress with the issues arising.**

24.17 The Open Estate provides prisoners with good quality ICM. Case management plans are taken seriously, progressed and monitored.



24.18 ICM cases are managed well. Reports by Personal Officers are produced to a good standard. Prison Based Social Workers (PBSW) although content with the quality of ICM, indicated that information provided to them prior to ICM meetings is not summarised.

24.19 Facilities for case conferences are very good and video conferencing facilities are in place. ICM conferences are well conducted. All parties are provided with an opportunity to contribute, with the chairperson ensuring that the prisoner has a good understanding of the proceedings and of the decisions taken.

24.20 While this is positive, administrative support is insufficient to adequately resource the workload. ICM dossiers are not routinely issued 14 days in advance of case conferences and co-ordinators are routinely typing minutes from case conferences. This, coupled with an average of 35 case conferences taking place each month, means that the ICM co-ordinator may not have adequate time to prepare for meetings. This may have an impact on the quality of the ICM process.

**Recommendation 40: The Open Estate should review the level of administrative support provided for the effective delivery of the Integrated Case Management process and ensure it is adequate to meet demand.**

## **STANDARD 25**

**A full day's out of cell activities such as work, education, leisure and cultural pursuits, is available for seven days a week.**

25.1 Prisoners are not locked in their cells at any time. This assists those

prisoners who choose to participate in the full range of purposeful activities. Each prisoner has a key to his own cell and is responsible for managing his attendance at work, keeping appointments and taking part in leisure activities. Only during patrol periods and at night are prisoners locked within the confines of their immediate accommodation area, however they retain access to their cell, communal toilets, showers and a telephone.

25.2 With the exception of a small number of prisoners who are unable to participate in activity because of age or illness (around eight at the time of the inspection), all prisoners are involved in purposeful activity on a full time basis. Activities include: education, internal work activities such as cleaning, catering and laundering jobs, community work placements, programmed interventions and physical education. Access to these activities is generally available from Monday to Friday during "normal working hours".

25.3 By contrast, the range of evening and weekend activity is limited with prisoners reporting high levels of boredom during these periods. While football appears to be the most common sporting activity at weekends, it may not necessarily be the preferred activity. Prisoners reported dissatisfaction at being unable to access the gymnasium on weekend afternoons when the prison football team play in a local league and the Physical Education Instructor (PEI) is unable to supervise or attend at any other sporting activity. Similarly, there is no access to learning facilities in the evenings or weekends.

**Recommendation 41: The Open Estate should take action to enhance the provision of activities**

**and cultural pursuits at weekends and in the evenings.**

25.4 At the time of the inspection, a memorial garden was being created and some prisoners used their weekend leisure time to prepare the ground and lay the path. This project has a limited shelf-life and would not be a suitable pastime during winter months.

25.5 The Open Estate does not accurately record purposeful activity. It is likely that the prison will fail to meet its intended target for purposeful activity hours for this current reporting period.

**Recommendation 42: The Open Estate should ensure that purposeful activity is recorded accurately.**

**STANDARD 26**

**The programme of work and related training focuses on equipping prisoners for employment on release.**

26.1 The range of work and training programmes available to prisoners provide opportunities to extend their existing skills and to develop new ones.

26.2 The Learning Centre involves prisoners in forward planning. Prisoners are provided with good opportunities to review their previous work experience and qualifications and to plan for release.

26.3 Almost half of Open Estate prisoners who responded to the 2011 Prisoner Survey found that work opportunities provided to them by the Open Estate helped them to work with people, work regular hours and

assisted them in taking more responsibility.

26.4 A number of prisoners are achieving work related industry recognised qualifications in food safety and hygiene, cleaning, health and safety, manual handling and first aid.

26.5 Open Estate and Learning Centre staff work together effectively to provide very good cookery skills training. This provides prisoners with opportunities to develop their cooking skills and supports the transition to independent living. Cooking skills training provides avenues to further training and employment on release.

26.6 Vocational training and work skills qualifications have reduced since the closure of Noranside.

**Recommendation 43: The Open Estate should review the provision of vocational training.**

26.7 The Open Estate provides training to prisoners who require formal qualifications in order to work in the construction sector. Courses have included asbestos awareness, working with abrasive wheels and cutting discs. In addition, prisoners are released to attend training in off-shore survival techniques, which is a certificated course.

26.8 The Open Estate enables prisoners to take part in work placements in the community through a Community Work Placement Scheme. Ninety two placement providers are involved in offering placements to prisoners. Of these, 70% are provided by private bodies and 30% by charitable organisations.

26.9 Work placement providers are visited on a monthly basis by

placement supervisors. Supervisors have developed very positive relationships with the providers. However, as a result of the increasing number of prisoners involved with the scheme, the regularity of contact with providers has been reduced. This has the potential to have a negative impact on relationships and the confidence of providers in the scheme.

**Recommendation 44: The Open Estate should ensure that resources are reviewed if placement opportunities increase to ensure that providers and prisoner participants benefit from regular support visits.**

26.10 The Open Estate makes good use of Individual Learning Accounts (ILAS) to support and fund training with 246 courses being accessed during 2010/11.

26.11 During 2011/12 a total of 323 prisoners participated in the Community Work Placement Scheme, with 40% of the prison population involved. At the time of the inspection 106 prisoners were involved in community placements for at least half of their week.

26.12 Work placement and community support schemes saw a significant increase in the total hours of prisoner involvement, rising from 4,838 hours in November 2010 to 8,448 hours in November 2011. However, as a possible consequence of the closure of Noranside, hours declined slightly to 7,387 hours in January 2012.

26.13 The Community Work Placement Scheme won a Butler Trust Award at the National Criminal Justice Awards in recognition of staff commitment and success in assisting

30 prisoners to secure full time employment on release.

**Recommendation 45: The Open Estate should evaluate the benefits prisoners gain from each placement, what each placement can offer, and use this information to support the planned progression of prisoners' capacities and attributes.**

#### **STANDARD 27**

**A broad and relevant education programme is available.**

27.1 The Open Estate provides prisoners with a broad and relevant educational programme. Education is delivered in a dedicated Learning Centre. Prisoners have free and open access to this during the working week. There is no access to learning facilities in the evenings or at weekends. **This is a weakness** and limits the potential for prisoners to take part in learning.

27.2 Prisoners can access full time and part time education courses. A small number of prisoners take up full time opportunities, with many more taking up part time options. On average, 30% of prisoners attend at least one education class each month.

**Recommendation 46: The Open Estate should improve access to education facilities and provision at weekends and in the evenings.**

27.3 Prisoners taking part in education are paid less than those taking part in work. This acts as a disincentive for prisoners to engage in Learning Centre programmes or activities. **This is a weakness.** Since the pay of prisoners involved in education has been reduced the

number of prisoners taking part in education has declined.

**Recommendation 47: The Scottish Prison Service should consider the impact of the current Prisoner Wage Earning Policy to ensure that those attending education are not disadvantaged.**

27.4 Prisoners are provided with opportunities to follow areas of interest and participate in learning activities which lead to recognised qualifications. Distance learning educational opportunities are available from Dumfries, Perth, Dundee and Angus Colleges and the Open University.

27.5 During 2011/12, 23 prisoners benefitted from open learning and Open University learning opportunities arranged through partnerships with these Colleges. **This is positive.**

27.6 Between August 2011 and March 2012 26 prisoners achieved 43 Scottish Qualification Authority (SQA) awards across a range of subjects including: IT; Numeracy; Communications; Mathematics; and Web-design at Scottish Credit and Qualifications Framework (SCQF) levels 3, 4 and 5. **This is positive.**

27.7 The Learning Centre includes a classroom for IT courses and an attractive open area for art classes. Art classes would benefit from larger drawing boards to support larger pieces of work. SQA units need to be made more obvious during the learning process. Prisoners could be gaining SQA units for the work that they produce in art.

27.8 There is also a small kitchen area for cookery classes. This can accommodate up to six prisoners.

27.9 Educational provision takes account of effective good practice. This is used to effectively adopt and implement new approaches. However, provision would benefit from being more closely linked to the needs of prisoners.

27.10 Progress is being made in redesigning vocational learning programmes to incorporate literacy and numeracy skills.

27.11 The provision of education at the Open Estate would benefit from being modernised.

27.12 While Individual Learning Plans are in place for prisoners engaged in education these require to be more focussed on specific steps and actions to be taken and include smarter targets to support reflection, dialogue and progress.

**Recommendation 48: The Open Estate should improve the quality of Individual Learning Plans.**

27.13 The Learning Centre identifies and provides support to prisoners requiring assistance with literacy and numeracy.

27.14 Prisoners are rarely transferred in the middle of their education or training courses. On the few occasions where prisoners have been transferred back to closed conditions, Learning Centre staff update prisoners' electronic records and send hard copies of the prisoners' materials to the receiving prisons' Learning Centre staff to ensure that courses can be progressed as smoothly as possible.

27.15 Education classes are rarely cancelled. Should such occasions arise, then all reasonable steps are taken to inform prisoners.

27.16 The Open Estate provides prisoners with high quality facilities for taking part in physical education. These include a mini games hall, three weight training areas with free weights, multi-gym and cardiovascular equipment. An outside all-weather area is complemented by a grass football field and extensive grounds. Toilet facilities in the gymnasium are unsatisfactory with only one toilet and wash hand basin for what could be around 50 prisoners attending an evening PE session.

**Recommendation 49: The Open Estate should ensure that there are sufficient toilet facilities for those using the gymnasium.**

27.17 There are very good relationships between PEI's and prisoners. The working environment is both attractive and motivating with quality equipment and significant natural light.

27.18 Often there is no access to the gymnasium on a Saturday afternoon as a result of PEIs being involved with the prison football team games. Opening hours for the gymnasium in the evening are limited.

27.19 Around 100 prisoners access at least one gymnasium session across each week. On average between 50 and 60 prisoners approximately, one quarter of the population, access the gymnasium each day.

27.20 Staff organise outdoor learning opportunities for prisoners on a fairly regular basis at both weekends and during the week, which include mountain biking trips and hill walks and recreational walks to cater for all levels of fitness and ability.

## **STANDARD 28**

**A range of interventions is in place to encourage prisoners to address those behaviours which may contribute to their offending.**

28.1 Generally, generic assessments of prisoners are conducted within the closed estate and identified interventions completed prior to transfer to open conditions.

28.2 However, where previously unidentified risks or needs are found, appropriate assessments are undertaken and interventions provided either in the Open Estate or, where the risk is deemed too high, on return to closed conditions.

28.3 The RMT meets regularly. On a daily basis it is convened to consider those prisoners who present an immediate risk. A weekly RMT takes place to consider those with less pressing concerns; mainly assessing and managing community placement matters.

28.4 Information gained from attendance at a weekly RMT meeting and scrutiny of previous minutes demonstrated adherence to the policy guidance and a robust approach to the identification and management of risk within the Open Estate.

28.5 The Open Estate encourages prisoners to address the behaviours which may lead to them reoffending following their release. Two programmes are currently provided to assist them with this. These are the 'Sense of Balance' and the SMART recovery programmes.

28.6 Prisoners with sentences of eight years or longer or who have served two or more long sentences are provided with the Sense of Balance

programme. Prisoners with a history of substance misuse are provided with the SMART recovery programme.

28.7 Phoenix Futures provide a range of individually tailored support packages. **This is positive.**

28.8 There is a gap in provision around domestic violence.

**Recommendation 50: The Scottish Prison Service should provide an intervention designed to address the risks posed by prisoners with a history of domestic violence related offending.**

28.9 Post-programme reports for Smart Recovery and Sense of Balance are completed to a good standard.

28.10 Prisoners find that the programmes available which are designed to address behaviours that may lead to reoffending are helpful. **This is positive.**

**STANDARD 29**  
**There is a programme of cultural and voluntary activities.**

29.1 The Open Estate provides prisoners with in-cell access to television and a limited range of popular radio stations. No newspapers are provided by the Open Estate for prisoners. **This is a weakness.**

**Recommendation 51: The Open Estate should take action to provide prisoners with access to newspapers.**

29.2 The Open Estate has a small library, which is run by prisoners themselves. Opening times allow for regular access throughout the day, in the evenings and at weekends. The library has an appropriate range of

materials including texts to support the development of prisoners' literacy skills. Prisoners have access to a good range of resources and prisoners take responsibility for organising and requesting new materials.

29.3 Prisoners do not have regular access to evening activities. Few activities take place in the evening. Only Murray House has any recreation facilities that are fit for purpose. However, these facilities only consist of a table tennis table, two pool tables and a television. Wallace Wing has one pool table, while Bruce Wing has no recreational facilities at all. Prisoners highlighted the lack of recreational equipment and facilities within the wings as a significant concern to them.

**Recommendation 52: The Open Estate should provide additional recreation resources in the wings.**

29.4 The gymnasium is open in the evenings and is well used by prisoners, although there is little evidence of structured classes and instead prisoners manage their own activity.

29.5 During the week, prisoners can access external areas of the prison in the evening until approximately 20:45hrs allowing them access to the football field and the Astroturf area where exercise can be taken and football and bowls played.

29.6 Members of staff promote the involvement of a large number of prisoners in a range of community initiatives with around 100 prisoners being involved in the community initiative programmes across any one session. Work has in the past included landscaping at a local primary school, improving access to a Scottish

Natural Heritage local interest site, the refurbishment of a juvenile football team's changing pavilion and the clearing of Church grounds.

29.7 Prisoners involved in community placements also undertake work with a range of charitable bodies and community groups such as sheltered housing complexes and charity shops.

29.8 The Open Estate is asked on a regular basis to provide prisoners as staff support for community family days, village galas and to work as marshals at road races.

29.9 The Six Circle voluntary group visit the prison with vulnerable adults, some of whom have mental health needs, in order to benefit from sport and recreation sessions led by prisoners with Community Sports Leaders Award (CSLA) qualifications. This particular work has been evaluated very positively by the partners of the Open Estate.

29.10 Five prisoners work as peer tutors across literacy and art activities supported by the Shannon Trust.

29.11 Staff and prisoners feel positive about the community projects that groups of prisoners undertake. Projects are successfully completed and provide a good level of satisfaction for all involved. Prisoners are positive about the impact of their involvement and about the skills they gain.

### **STANDARD 30**

**Opportunities to practise their religion are available to all prisoners.**

30.1 The Chaplaincy team consists of a full-time Church of Scotland Minister and a part-time Roman

Catholic Priest. No other religions are represented on the Chaplaincy team on a regular basis. However, the Open Estate has good links with the community and representatives from other faiths can be accessed when required.

30.2 Prisoners from the Open Estate, with high levels of community access, can attend their own places of worship in the community. Muslim prisoners attend a Mosque in Dundee on a weekly basis. In addition, prisoners who are on home leave can practice their faith within their own communities.

30.3 Church of Scotland and Roman Catholic services are celebrated on a weekly basis. In addition, events are organised to celebrate Easter, Christmas and Prisoners' Week, with carol services, coffee mornings and discussion groups forming part of these activities.

30.4 The Open Estate provides prisoners with a Multi-Faith Centre to enable them to practise their religion. In addition it is used as a café every Monday evening and welcomes prisoners of any or no faith for refreshments and lively discussion.

30.5 The Multi-Faith Centre is a small portakabin which is divided into a staff office and small communal area where services are held and café facilities provided. Unfortunately the portakabin is not in a suitable state of repair. It would benefit from a degree of renovation or indeed replacement.

**Recommendation 53: The Open Estate should renovate or replace the Multi-Faith Centre.**

## **STANDARD 31**

**Suitable arrangements to enable prisoners to buy a range of personal and other items that meet prisoners' needs are in place and available and accessible as necessary.**

31.1 The prisoners' canteen does not stock cards which mark family, religious or cultural events. Prisoners wishing to purchase such items are expected to do so whilst in the community on home leave. This policy means that prisoners with no access to the community or those who do, but are not on home leave, will not be able to purchase these items. **This is a weakness.**

**Recommendation 54: The Open Estate should ensure that the canteen stocks suitable cards to allow prisoners to mark family, religious or cultural occasions.**

31.2 The range of goods available to prisoners from the prison canteen broadly matches the needs and tastes of a typically white British population and does not reflect those of the different cultural groups which may be in the prison at any given time. Requests from prisoners for items which are not held in stock are considered on an individual basis.

31.3 Goods in the prisoners' canteen are procured from the same source as supplies HMP Barlinnie and HMP Shotts. Costs are on average, no higher than they would be in the community.

31.4 Feedback from prisoners regarding items stocked is provided to management via the passmen who work in the canteen. They report that prisoners frequently make suggestions about new stock items. Feedback is

also obtained from the Prisoners Forum. A suggestion box has recently been installed directly outside the canteen to enable prisoners to make suggestions about additions or deletions to stock or about canteen prices. **This is positive.**

31.5 There is little demand for sundry purchases for items which are not available from the canteen as prisoners are able to bring such items into the prison on their return from home leave if accompanied by a pre-approved pro-forma.

31.6 Effective arrangements for the purchase of fresh fruit and certain over-the-counter medications such as skin creams, hair products and contact lens fluid are in place.



## OUTCOME 8

**Healthcare is provided to the same standard as in the community outside prison, available in response to need, with a full range of preventative services, promoting continuity with health services outside prison.**

### STANDARD 32

**Health services of a high quality are available to all who need them.**

32.1 Prisoners have direct confidential access to qualified medical personnel. Health screening is carried out as part of the reception process. Should health issues be identified, appropriate follow up and medical referrals are made.

32.2 The Open Estate operates a self-referral system. Prisoners complete a self referral form and post it in a specific secure mail box within the prison grounds. Informal arrangements are in place to support prisoners who have difficulties with literacy; officers support those wishing to access healthcare by assisting with the referral process or advocating on the behalf of prisoners with healthcare staff.

32.3 Referrals are triaged daily and appointments given to prisoners as required. **This is an area of good practice.**

32.4 Pharmacy request slips are available to all prisoners who are able to order their own prescribed medications, as required, from the healthcare centre. This promotes independence, ownership of care and places responsibility on the prisoner in preparation for life in the community. **This is an area of good practice.**

32.5 Arrangements are in place for prisoners to access healthcare out with prison healthcare centre hours.

32.6 Prisoners are able to access medical services out with normal hours and at weekends.

32.7 If healthcare needs are required to be met out with the Open Estate, local NHS referral processes are followed.

32.8 Prisoners are provided with information on how to access health services during their induction. The information provided is not always clear or consistent. Prisoners may benefit from written information to supplement the oral explanation.

**Recommendation 55: The Open Estate should review, in partnership with healthcentre staff, the information it provides to prisoners on how health services can be accessed, to ensure that it is accurate and provided in a consistent way.**

32.9 Healthcare is provided in a setting conducive to ensuring privacy and confidentiality.

32.10 Prisoners are provided with treatment within a satisfactory period of time, although there can be delays in accessing some specialist services. For instance, there is a waiting time period of ten weeks for prisoners requiring access to dental services. The Open Estate is utilising additional dental services to address waiting times.

32.11 The Open Estate does not always receive prisoners' medical files when they are transferred in. Medical

files should be provided when prisoners are transferred to the Open Estate from other establishments. In some instances medical files do not arrive as they have been sent to the wrong prison. In addition, some medical files are incomplete, with for example, prescription sheets missing. This is poor practice and reflective of failed systemic arrangements.

**Recommendation 56: NHS Tayside should work in partnership with health service providers in other prisons to ensure that medical files are properly collated, are complete and properly transferred.**

32.12 The Open Estate ensures that liaison and information sharing takes place with appropriate services and organisations prior to prisoners undertaking home leave or being released. Multi-disciplinary and multi-agency approaches are used including:

- The Care Programme Approach;
- Individual Case Management (multi-agency representations invited);
- Liaison with Community Mental Health Teams;
- Community Integration Plans (including home call whilst on leave);
- Confirmed clinical appointments with relevant services for follow-up or on-going intervention/support organised by prisoners in conjunction with healthcare staff and
- Transfer of relevant medical records to the receiving NHS Board.

32.13 The Open Estate faces challenges in providing relevant clinical and medical information to appropriate

services in the event of prisoners being released at short notice, which can occur, for example, following a parole board review. A particular specific risk is where a prisoner is being treated for substance misuse and there is limited opportunity to ensure follow-up support is in place prior to release. This may lead to prisoners being vulnerable and at an increased risk of relapse.

**Recommendation 57: NHS Tayside should take action, in cooperation with external partners, to ensure that prisoners released at short notice are provided with adequate medical and other support.**

32.14 At the time of inspection, the system of medical record storage within the Open Estate was inadequate in ensuring confidentiality is maintained as records were accessible in an open shelving system with no secure locking device to control access and this was located within an open plan office. There was a risk of medical records being accessed without authority. However, a new storage facility has been installed which will ensure that medical records are securely stored.

32.15 At times, medical records are left unattended in a clinical room and not securely stored. Medical records when not securely stored should not be left unattended at any time.

**Recommendation 58: NHS Tayside should ensure that all medical records are treated as confidential. It should take action to ensure that record storage and sharing of information is aligned to their policy and protocol and satisfies the requirements of national guidance including the Records Management: Code of Practice (2008).**

32.16 Prisoners who experience significant or serious mental health problems are not transferred to a more appropriate setting such as a psychiatric hospital, but are returned to closed conditions, normally HMP Perth. While this **is a weakness**, there is a low incidence of prisoners being transferred on mental health grounds as enhanced support is available within the Open Estate from appropriate healthcare staff.

32.17 The Open Estate ensures that the special medical needs of all individuals and groups are met. In addition to the multidisciplinary service provided by the prison healthcare team, specialist health services are available from community based services and private providers. These include Optometrist, Podiatry and Dental services.

32.18 General healthcare provision is of a good standard. Clinicians are well informed and knowledgeable about delivering care in a prison setting and engage well with prisoners. There are good facilities to conduct routine medical treatments and consultation and treatments are recorded well. **This is positive.** However, there can be delays in prescribing as a result of the availability of Consultants.

**Recommendation 59: NHS Tayside should consider providing training to nurses within the Open Estate in non-medical prescribing.**

### **STANDARD 33**

**Addictions are dealt with the way most likely to be effective and when they conflict, treatment takes priority over security measures as far as possible.**

33.1 Services are in place for prisoners with drug misuse problems.

Interventions aimed at reducing or stabilising individual drug misuse are in place and available to all who need them. Services are available from addictions healthcare staff and EACS. Expert medical support is also available from a GP with specialist knowledge and from a Consultant.

33.2 The Open Estate ensures that all prisoners undergo the National Harm Reduction Awareness Session following admission and have full access to addictions services.

33.3 Prisoners with a history of substance misuse are offered an assessment on admission and a reassessment within 28 days following admission. All assessments are completed and fully documented.

33.4 At the time of the inspection 40 prisoners were being supported by addiction services with 34 being treated with Methadone.

33.5 All prisoners are tested prior to and after home leave. Urinalysis is used to inform clinical judgement. Intelligence-led testing is carried out by security staff as and when required.

33.6 The Open Estate provides a range of interventions and support to prisoners with substance misuse problems. This includes:

- One-to-one support sessions with addictions staff;
- Detoxification programmes;
- Sign-posting to harm prevention resources;
- A weekly alcohol support group;
- A methadone replacement programme;
- Cognitive Behavioural Therapy and
- Motivational Interviewing.

33.7 Addiction services are well supported by other health colleagues and operational staff. Communication is good between health and operational staff and working relationships are constructive. **This is positive.**

33.8 The Open Estate makes good use of ICM, EACS and RMT where positive multidisciplinary working occurs.

33.9 The Open Estate works to support prisoners during transitions to the community. This includes ensuring that the arrangement for home leave accommodates any detoxification taking place; the provision of pre and post home support, not implementing alterations to medication until the successful completion of two periods of home leave; ensuring that the medication regime of prisoners are conveyed to external prescribers and dispensers prior to home leave or on release.

33.10 Addiction services have a positive effect on the behaviour of prisoners in relation to substance misuse. Prisoners feel well supported by addictions, healthcare and Phoenix Futures staff. At the time of the inspection, several prisoners requested that their Methadone be reduced. **This is positive.**

33.11 Healthcare and addictions staff provide security staff with information about addictions. This is provided through formal discussions at case reviews, through involvement in ICM, EACS and RMT processes, informal discussions and during formal training, for example, through the 'toolbox talks' initiative.

33.12 The Open Estate provides a good level of support to prisoners and

their families who have challenges with substance misuse. Therapies and interventions are reflective of those generally available in the community setting.

33.13 The Open Estate has processes in place to ensure that interventions and support are available and continue when a prisoner is released.

33.14 Arrangements are communicated to appropriate community based supports as part of the pre-release process. Preparation for release involves good communication and testing of arrangements during home leave/pre-release period. This involves external providers including local NHS addictions teams, third sector support organisations, Community Mental Health Teams, General Practitioners and local pharmacists.

33.15 When considering home leave, addictions healthcare members of staff contact the local community pharmacy located nearest to the prisoner's home leave or release address and provide it with appropriate information regarding the prisoner's current prescription requirements. In addition, there is opportunity for throughcare providers to be involved in any pre-release/pre-discharge meetings and discussions. **This is positive.**

33.16 Ensuring that follow-up support is in place and that appropriate information is conveyed to the receiving services can be challenging since prisoners are released to various locations across the UK. Open Estate healthcare staff should ensure that they are aware of referral routes and associated requirements of each relevant NHS Board, Trust or other organisation. Consideration should be

given to ensuring that methods of referral, where possible, are aligned to that of the receiving organisation, with preference being given to electronic formats where available.

**Recommendation 60: The Scottish Prison Service should ensure that it is represented on relevant national health strategy groups and attends local and national information sharing events.**

## **OUTCOME 9**

**Appropriate steps are taken to ensure that prisoners are integrated safely into the community and where possible into a situation less likely to lead to further crime.**

### **STANDARD 34**

**The prison has a policy on links with families and with the local community and allocates staff time to implement it.**

34.1 The Open Estate allocates resources to extending family contact and family involvement in its work to prepare prisoners for release. Two FCOs work to enhance and develop the involvement of families.

34.2 The Open Estate seeks to include family members in ICM meetings. This is included in the Open Estate's Children and Family Strategy Management Action Plan. Records demonstrate that family members take part in about 12 percent of meetings.

34.3 The Open Estate initiates contact with families as part of the pre-home leave process and also follows this up, where necessary, as part of post home leave review system.

34.4 The Open Estate holds an open day for families on an annual basis to encourage good family and child contact.

34.5 A group, made up of representatives from management, staff, prisoners and the third sector organisation, Families Outside, has been established to design and implement a Children and Family Strategy. Records show that at the time of inspection, this group has only met three times and many of the action points highlighted in their Management Action Plan are still outstanding.

**Recommendation 61: The Open Estate should ensure it makes appropriate progress in taking forward the Action Plan associated with its Children and Family Strategy.**

34.6 The Open Estate has good links with the community and a wide range of community organisations who regularly visit the prison in order to work with prisoners. These organisations include Six Circle, Families Outside, Alcoholics Anonymous, Prison Fellowship and the Samaritans. The Open Estate works well with the community and community organisations.

### **STANDARD 35**

**Arrangements are made for prisoners to leave with somewhere appropriate to live, healthcare, continuity assured, a chance to find work and build social links.**

35.1 The Open Estate ensures that appropriate risk assessments are undertaken prior to prisoners being released. We found that the Lifer Liaison Officer (LLO) is very experienced and makes a valuable contribution to effective risk management. Parole procedures are well organised and robust. The Open Estate has a good approach to managing Home Detention Curfews (HDC) and Multi-Agency Public Protection Arrangements (MAPPA)

35.2 However, there are some weaknesses. These include:

- Insufficient training for LLOs.

**Recommendation 62: The Scottish Prison Service should ensure that it provides formal training to Lifer Liaison Officers.**

- Limited LLO succession planning.

**Recommendation 63: The Scottish Prison Service should ensure that it has appropriate succession plans in place for Lifer Liaison Officers.**

- Records of RMT meetings do not always clearly identify those in attendance.

**Recommendation 64: The Open Estate should ensure that Risk Management Team records include a list of attendees.**

- Failure to obtain comprehensive Home Leave reports from Criminal Justice Social Workers (CJSW) in relation to HDC

**Recommendation 65: The Open Estate should ensure that Community Justice Social Work provide Home Leave Reports that include appropriate information regarding Home Detention Curfew suitability.**

35.3 The Open Estate does not yet have a formal Service Level Agreement in place with local authority CJSW. However, PBSW work well with prison staff and other service providers, contributing to effective risk management and pre-release arrangements.

35.4 The Open Estate has a good approach to ensuring that prisoners are involved in all aspects of their pre-release preparations and afforded maximum personal respect.

## RECOMMENDATIONS

### PART 1 - SAFETY

#### STANDARD 1

**Prisoners are safe at all times; while being escorted to and from prison, in prison and while under escort in any location.**

**Recommendation 1:** The Open Estate should ensure that all prisoners on transferring into the prison are given a full strip search (paragraph 1.3).

**Recommendation 2:** The Open Estate should ensure that all prisoners' telephone calls are made on the prisoner pin phone system (paragraph 1.6).

**Recommendation 3:** The Open Estate should develop procedures to support the SPS Anti-Bullying/Anti-Violence strategy to meet local needs and ensure that staff are aware of its content (paragraph 1.8).

**Recommendation 4:** The Open Estate should ensure that all staff complete ACT2Care refresher training (paragraph 1.10).

**Recommendation 5:** NHS Tayside should take action to ensure that risk assessment tools used for prisoners with mental health problems are aligned with their relevant policy and procedures (paragraph 1.13).

**Recommendation 6:** The Open Estate should ensure that staff callout lists are accurate (paragraph 1.20).

**Recommendation 7:** The Open Estate should ensure that all staff required to be trained in First Aid at Work and Emergency Response have completed the required training (paragraph 1.21).

**Recommendation 8:** The Open Estate should ensure that at least one member of staff trained in First Aid is available at all times (paragraph 1.22).

**Recommendation 9:** The Open Estate should ensure that all staff complete Fire Awareness Training and appropriate numbers complete Fire Response Training courses 1 and 2 (paragraph 1.24).

**Recommendation 10:** The Open Estate should ensure that there are adequate staffing levels at all times (paragraph 1.25).

**Recommendation 11:** The Open Estate should ensure that senior staff make and record regular, unannounced visits to the prison during patrol periods (paragraph 1.27).

**Recommendation 12:** The Open Estate should take action to ensure that the provision of the Prisoner Listener Service is improved (paragraph 1.31).



## **STANDARD 2**

**Force is only used as a last resort and then strictly according to law and procedures.**

No recommendations

## **STANDARD 3**

**Prisoners are protected from violence and harm by other prisoners.**

**Recommendation 13:** The Open Estate should ensure that information on how prisoners can raise safety concerns regarding bullying and violence with the Intelligence Management Unit is made more widely available (paragraph 3.3).

**Recommendation 14:** The Open Estate should develop a local management plan to ensure that the good relations between prisoners and between prisoners and staff are maintained and enhanced (paragraph 3.4).

**Recommendation 15:** The Open Estate should ensure that operational staff competence in Control and Restraint techniques (Level One) is maintained at all times (paragraph 3.6).

## **STANDARD 4**

**Security Levels for individuals are no higher than is necessary to meet the risk presented by the prisoner**

No Recommendations

## **STANDARD 5**

**Procedures for deciding security levels are as transparent as is compatible with the sensitivities of the decision.**

No Recommendations

# **PART 2 - DECENCY, HUMANITY AND RESPECT FOR LEGAL RIGHTS**

## **STANDARD 6**

**The standards that apply to the treatment of prisoners in prison extend to all other places where they are held.**

No Recommendations

## **STANDARD 7**

**The accommodation is clean and provides a reasonable amount of space for each prisoner, with space for personal belongings, ventilation, a reasonable temperature and natural light.**

**Recommendation 16:** The Open Estate should ensure that all prisoners are provided with a chair and table or workspace which is suitable for reading, writing and studying (paragraph 7.1).

**Recommendation 17:** The Open Estate should ensure that all prisoners, regardless of location, are provided with a lockable storage facility for personal items (paragraph 7.3).

**Recommendation 18:** The Open Estate should obtain the views of prisoners, and take appropriate action should temperature and ventilation levels become uncomfortable (paragraph 7.4).

**Recommendation 19:** The Open Estate should connect the water dispenser in the dining room to the water supply (paragraph 7.5).

**Recommendation 20:** The Open Estate should ensure that all prisoners employed to undertake cleaning duties are trained to the appropriate standard (paragraph 7.8).

## **STANDARD 8**

**Prisoners are allowed into the open air for at least one hour a day every day.**

No Recommendations

## **STANDARD 9**

**Personal clothing is in decent condition, washed frequently and fits.**

No Recommendations

## **STANDARD 10**

**Bedding is supplied and laundered at frequent intervals.**

No Recommendations

## **STANDARD 11**

**Sanitary arrangements take account of health, hygiene and human dignity.**

**Recommendation 21:** The Open Estate should take action to upgrade the ablution facilities in Bruce and Wallace Wings (paragraph 11.3).

**Recommendation 22:** The Open Estate should upgrade the showering facilities within some areas of Bruce and Wallace Wings to ensure privacy and to meet basic hygiene requirements (paragraph 11.7).

## **STANDARD 12**

**Food is adequate for health, varied and religiously and culturally appropriate.**

**Recommendation 23:** The Open Estate should ensure that the recognised prisoner meal pre-ordering system is in place (paragraph 12.5).

**Recommendation 24:** The Open Estate should take action to increase the level of privacy afforded to the toilet facility in the dining hall (paragraph 12.9).

**Recommendation 25:** The Open Estate should ensure that prisoners are always

able to access clean cutlery at every meal (paragraph 12.10).

### **STANDARD 13**

**Respect is the underlying basis of all interactions between staff and prisoners.**

**Recommendation 26:** The Open Estate should ensure that prisoners are provided with clear information on the grounds under which they may be returned to 'closed conditions' and provided with reassurance that they will not be returned to 'closed conditions' for trivial reasons (paragraph 13.3).

**Recommendation 27:** The Open Estate should take action to promote the positive aspects of the regime and the benefits of assuming responsibility (paragraph 13.6).

### **STANDARD 14**

**Security measures such as searching are carried out with regard to the protection of human dignity.**

No Recommendations

### **STANDARD 15**

**Family visits are given high priority in terms of frequency, length and quality and are not restricted as part of any disciplinary or control process.**

**Recommendation 28:** The Open Estate should take action to involve families in the induction process for new prisoners and ensure that they are routinely provided with relevant information (paragraph 15.3).

**Recommendation 29:** The Open Estate should provide a shelter or waiting area for visitors (paragraph 15.9).

### **STANDARD 16**

**Visitors are well treated.**

**Recommendation 30:** The Open Estate should ensure that baby changing facilities are available to all visitors (paragraph 16.3).

### **STANDARD 17**

**Visits take place in the most relaxed environment compatible with security.**

**Recommendation 31:** The Open Estate should ensure that the play area for children is safe and risk free (paragraph 17.2).

**Recommendation 32:** The Open Estate should take action to ensure that play facilities for children are fit for purpose (paragraph 17.3).

### **STANDARD 18**

**Telephone contact is made as easy as possible.**

No Recommendations.

## **STANDARD 19**

**Letter contact is made as easy as possible.**

No Recommendations.

## **STANDARD 20**

**Staff are aware of their duty to give prisoners their legal rights. They know what these rights are. They accept the legitimacy and meet their obligations under it promptly.**

**Recommendation 33:** The Open Estate should take action to ensure that staff are able to provide assistance to prisoners should they wish to contact Visiting Committees, Members of Parliament or the Courts (paragraph 20.2).

## **STANDARD 21**

**Staff are aware of their duty to observe the human rights of prisoners. They know what these rights are. They accept the legitimacy of that duty and meet their obligations under it promptly.**

No recommendations.

## **STANDARD 22**

**Staff are aware of their duty to treat prisoners in accordance with fairness and natural justice. They know what this involves. They accept the legitimacy of that duty and meet their obligations under it promptly.**

No recommendations.

## **STANDARD 23**

**Segregation is used sparingly and in accordance with procedures.**

**Recommendation 34:** The Open Estate should ensure that all Rule 95(1) documentation clearly states the reason why the order has been made and that they are all signed by, or on behalf of the Governor (paragraph 23.4).

## **PART 3 - OPPORTUNITY FOR SELF-IMPROVEMENT AND ACCESS TO SERVICES AND ACTIVITIES**

### **STANDARD 24**

**The regime of the prison encourages prisoners to make the most of their time there and to exercise responsibility.**

**Recommendation 35:** The Open Estate should reinstate the peer support service (paragraph 24.4).

**Recommendation 36:** The Open Estate should take action to ensure that the quality of the full induction is improved, that sessions facilitate prisoners' retaining

information and encourage them to fully engage with the opportunities available to them (paragraph 24.10).

**Recommendation 37:** The Open Estate should increase the opportunities for prisoner involvement and consultation (paragraph 24.14).

**Recommendation 38:** The Open Estate should ensure that the Prisoners' Forum meets on a more regular basis (paragraph 24.15).

**Recommendation 39:** The Open Estate should ensure that the Prisoners Forum makes progress with the issues arising (paragraph 24.16)

**Recommendation 40:** The Open Estate should review the level of administrative support provided for the effective delivery of the Integrated Case Management process and ensure that it is adequate to meet demand (paragraph 24.20).

## **STANDARD 25**

**A full day's out of cell activities such as work, education, leisure and cultural pursuits, is available for seven days a week.**

**Recommendation 41:** The Open Estate should take action to enhance the provision of activities and cultural pursuits at weekends and in the evenings (paragraph 25.3).

**Recommendation 42:** The Open Estate should ensure that purposeful activity is recorded accurately (paragraph 25.5).

## **STANDARD 26**

**The programme of work and related training focuses on equipping prisoners for employment on release.**

**Recommendation 43:** The Open Estate should review the provision of vocational training (paragraph 26.6).

**Recommendation 44:** The Open Estate should ensure that resources are reviewed if placement opportunities increase to ensure that providers and prisoner participants benefit from regular support visits (paragraph 26.9).

**Recommendation 45:** The Open Estate should evaluate the benefits prisoners gain from each placement, what each placement can offer, and use this information to support the planned progression of prisoners' capacities and attributes (paragraph 26.13).

## **STANDARD 27**

**A broad and relevant education programme is available.**

**Recommendation 46:** The Open Estate should improve access to education facilities and provision at weekends and in the evenings (paragraph 27.2).

**Recommendation 47:** The Scottish Prison Service should consider the impact of the current Prisoner Wage Earning Policy to ensure that those attending education are not disadvantaged (paragraph 27.3).

**Recommendation 48:** The Open Estate should improve the quality of Individual Learning Plans (paragraph 27.12).

**Recommendation 49:** The Open Estate should ensure that there are sufficient toilet facilities for those using the gymnasium (paragraph 27.16).

## **STANDARD 28**

**A range of interventions is in place to encourage prisoners to address those behaviours which may contribute to their offending.**

**Recommendation 50:** The Scottish Prison Service should provide an intervention designed to address the risks posed by prisoners with a history of domestic violence related offending (paragraph 28.8).

## **STANDARD 29**

**There is a programme of cultural and voluntary activities.**

**Recommendation 51:** The Open Estate should take action to provide prisoners with access to newspapers (paragraph 29.1).

**Recommendation 52:** The Open Estate should provide additional recreation resources in the wings (paragraph 29.3).

## **STANDARD 30**

**Opportunities to practise their religion are available to all prisoners.**

**Recommendation 53:** The Open Estate should renovate or replace the Multi-Faith Centre (paragraph 30.5).

## **STANDARD 31**

**Suitable arrangements to enable prisoners to buy a range of personal and other items that meet prisoners' needs are in place and available and accessible as necessary.**

**Recommendation 54:** The Open Estate should ensure that the canteen stocks suitable cards to allow prisoners to mark family, religious or cultural occasions (paragraph 31.1).

## **STANDARD 32**

**Health services of a high quality are available to all who need them.**

**Recommendations 55:** The Open Estate should review, in partnership with healthcentre staff, the information it provides to prisoners on how health services can be accessed, to ensure that it is accurate and provided in a consistent way (paragraph 32.8).

**Recommendation 56:** NHS Tayside should work in partnership with Health Service providers in other prisons to ensure that medical files are properly collated, are complete and properly transferred (paragraph 32.11).

**Recommendation 57:** NHS Tayside should take action, in cooperation with external partners, to ensure that prisoners released at short notice are provided with adequate medical and other support (paragraph 32.13).

**Recommendation 58:** NHS Tayside should ensure that all medical records are treated as confidential. It should take action to ensure that the record storage and sharing of information is aligned to their policy and protocol and satisfies the requirements of national guidance including the Records Management: Code of Practice (2008) (paragraph 32.15).

**Recommendation 59:** NHS Tayside should consider providing training to nurses within the Open Estate in non-medical prescribing (paragraph 32.18).

### **STANDARD 33**

**Addictions are dealt with the way most likely to be effective and when they conflict, treatment takes priority over security measures as far as possible.**

**Recommendation 60:** The Scottish Prison Service should ensure that it is represented on relevant national health strategy groups and attends local and national information sharing events (paragraph 33.16).

### **STANDARD 34**

**The prison has a policy on links with families and with the local community and allocates staff time to implement it.**

**Recommendation 61:** The Open Estate should ensure it makes appropriate progress in taking forward the Action Plan associated with its Children and Family Strategy (paragraph 34.5).

### **STANDARD 35**

**Arrangements are made for prisoners to leave with somewhere appropriate to live, healthcare, continuity assured, a chance to find work and build social links.**

**Recommendation 62:** The Scottish Prison Service should ensure that it provides formal training to Lifer Liaison Officers (paragraph 35.2).

**Recommendation 63:** The Scottish Prison Service should ensure that it has appropriate succession plans in place for Lifer Liaison Officers (paragraph 35.2).

**Recommendation 64:** The Open Estate should ensure that Risk Management Team records include a list of attendees (paragraph 35.2).

**Recommendation 65:** The Open Estate should ensure that Community Justice Social Work provide Home Leave Reports that include appropriate information regarding Home Detention Curfew suitability (paragraph 35.2).

## **GOOD PRACTICE**

### **PART 2 – DECENCY, HUMANITY AND RESPECT FOR LEGAL RIGHTS**

#### **STANDARD 7**

**The accommodation is clean and provides a reasonable amount of space for each prisoner, with space for personal belongings, ventilation, a reasonable temperature and natural light.**

**Good Practice 1:** The grounds are particularly well maintained (paragraph 7.7).

#### **STANDARD 9**

**Personal clothing is in decent condition, washed frequently and fits.**

**Good Practice 2:** The Open Estate has very good laundry facilities and provides a high quality service (paragraph 9.1).

### **PART 3 – OPPORTUNITIES FOR SELF IMPROVEMENT AND ACCESS TO SERVICES AND ACTIVITIES**

#### **STANDARD 24**

**The regime of the prison encourages prisoners to make the most of their time there and to exercise responsibility.**

**Good Practice 3:** ‘First Night’ induction sessions ensure that those with low literacy levels are provided with information without them having to divulge their literacy issues to others (paragraph 24.5).

#### **STANDARD 32**

**Health services of a high quality are available to all who need them.**

**Good Practice 4:** Referrals are triaged daily and appointments given to prisoners as required (paragraph 32.3).

**Good Practice 5:** Pharmacy request slips are available to all prisoners who are able to order their own prescribed medications, as required, from the healthcare centre (paragraph 32.4).



## **Inspection Team**

Brigadier Hugh Monro CBE, HM Chief Inspector of Prisons for Scotland

Margaret Brown, Deputy Chief Inspector of Prisons

Tony Martin, Inspector of Prisons

John Carroll, Associate Inspector, HMIPS

Ralph Henderson, Associate Inspector, HMIPS

David Thomson, Healthcare Improvement Scotland

Donnie MacLeod, Education Scotland

Karen Corbett, Education Scotland



HM Inspectorate of Prisons for Scotland is a member of the UK's National Preventive Mechanism, a group of organisations which independently monitor all places of detention to meet the requirements of international human rights law.



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Dorothy Halliday  
HM Inspectorate of Prisons for Scotland  
Room Y.1.4  
Saughton House  
Edinburgh  
EH11 3XD

Tel: 0131 244 8482  
Fax: 0131 244 8446  
E-mail: [Dorothy.Halliday@scotland.gsi.gov.uk](mailto:Dorothy.Halliday@scotland.gsi.gov.uk)

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