MANAGEMENT STRATEGY FOR DISRUPTIVE INMATES

Action Required
This Instruction requires Governors to follow new procedures for dealing with the management of disruptive inmates, as set out in the attached notice and appendices.

Background
2. The need for a new strategy for dealing with disruptive inmates has been evident for some time. The arrangements set out in CI 37/1990 have become increasingly constrained, and the procedures for dealing with those inmates considered unsuitable or too disruptive even for CRC Special Units, have highlighted the need for more alternatives to those Units.

Proposed Changes
3. The new strategy will replace CI 37/1990 and provides a number of key changes to the management of disruptive inmates. These include:

- the provision of a graduated 5-stage management programme;
- the extension of the strategy beyond the dispersal estate to all inmates in Category B trainers and sentenced inmates in local establishments;
- a more co-ordinated allocation process which makes more effective use of existing accommodation for such inmates;
- HQ relieving establishments of the burden of arranging the transfer of inmates;
- a system for Governors to appeal against transfer decisions taken by HQ;

- a provision of a centrally run Continuous Assessment Scheme for those inmates who are unsuitable or who prove too disruptive for CRC Special Units.

Derek Lewis
MANAGEMENT STRATEGY FOR DISRUPTIVE INMATES

This notice sets out a strategy for dealing with disruptive inmates. It replaces CI 37/90.

General Principles

2. The guidance in this note reflects the need for more diverse solutions to the difficult problem of managing disruptive inmates. The strategy for tackling this problem rests on the following key principles:
   * local resolution of local problems;
   * central management of the strategy when wider ranging solutions are required;
   * progression of disruptive inmates through a five stage management programme.

Target Group

3. The strategy will apply to all inmates in dispersal and Category B training establishments and sentenced inmates in local prisons.

4. It is aimed only at those who pose serious control problems within such establishments. Governors should continue to use the existing arrangements for the central re-allocation of other inmates whom they wish to have transferred on operational grounds. These might include, for example, inmates who are unable to adjust to a particular regime or who appear inappropriately located but who clearly fall short of being regarded as seriously disruptive.

Aims of the Strategy

5. The main aim of the strategy is to secure the return of a disruptive inmate to a settled pattern of behaviour on normal location. It is hoped to achieve this "in-house" initially, then by a broader management programme. Where necessary, persistently disruptive inmates will be considered for allocation to CRC Special Units.

6. Beyond this stage, such inmates will be allocated under the provisions of a Continuous Assessment Scheme operated and controlled by Population Management Section in DOC1.

Authority for Allocating Inmates

7. Governors in parent establishments are responsible for authorising the temporary transfer of disruptive inmates to primary cells in local establishments, under the provisions of
Stage 2 of the strategy. PMS and LMU are responsible for authorising all other transfers under the strategy.

8. Governors may appeal to Area Managers over transfer decisions taken by PMS and LMU. Full documentation on the case must be submitted. Area Managers will discuss the individual cases with PMS and LMU and any failure to agree at that level will be referred to the appropriate Operational Director.

Common Standards of the Strategy

9. Where the segregation or transfer of a disruptive inmate is required in the interests of good order and discipline, all other local control options having been unsuccessful, the following points must be observed:

* no inmate should be transferred as a form of punishment;
* the reasoned grounds for transfer must be recorded and noted on the inmate’s record;
* inmates must be advised in writing of the reasons for their transfer or segregation within 24 hours of such actions;
* all appropriate security measures must be taken over the transfer of Category A inmates, including the prior approval of PMS in the case of Exceptional and High Risk inmates;
* Request/Complaints about a transfer must be replied to within 7 days by the Governor of the establishment where the transfer decision was taken;
* intending visitors should be notified of an inmate’s transfer, including where appropriate, by the inmate himself;
* decisions on segregating inmates under Rule 43 are matters for the Governor, and subsequently the Board of Visitors, in the establishment in which the inmate is then being held.

Operation of the Strategy

Stage 1 - Internal Action at the Parent Establishment

10. When an inmate becomes disruptive or subversive, the initial response should be to consider the case for disciplinary action; identify the reason; and counsel the inmate or persuade him to change his behaviour.
11. Where appropriate, re-location within the establishment should be considered, as should the case for segregating the inmate under Rule 43 (Good Order and Discipline).

12. Other than in exceptional circumstances, transfer to another establishment should be considered only after these options have been tried unsuccessfully. Such transfers will follow the guidance set out in Stage 2.

Stage 2 - Temporary Transfer from the Parent Establishment

13. Occasionally, the Governor of a dispersal or Category B training establishment may consider that the temporary transfer of seriously disruptive inmates is unavoidable. If so, he or she should arrange for the inmates to be moved to primary cells (formerly known as 37/90 cells) which are specifically reserved for such inmates in a number of local prisons.

14. PMS should be consulted when such a transfer is necessary. Staff there will advise the holding establishment of the availability of primary cells, taking full account of the national distribution of disruptive inmates and all other relevant information.

15. Having been advised of a suitable location, the Governor should inform the receiving Governor accordingly and fully brief him or her about the background to the move. The temporary transfer to the receiving establishment must not exceed one calendar month and expectation will be that the inmate will be returned to the sending establishment by the end of that period.

16. The Governor at the sending establishment is responsible for arranging the transfer of an inmate and any relevant documentation, including disclosure of the reasons for the transfer. The Governor at the local prison is responsible for reporting an inmate's arrival on the form listed at Appendix A to:

- PMS;
- LMU;
- his or her Medical Officer and Board of Visitors.

17. Staff in both prisons should be working with the inmate to a common goal of returning him to the parent establishment on normal location. It is important that the inmate's behaviour and responses to initiatives are fully recorded.

18. If the parent establishment Governor does not wish to have the inmate back, he or she must submit a reasoned case to PMS or LMU using Form 1672A at Appendix B on which has been added a recommendation on a suitable re-allocation. This must be done
within 14 days of the initial transfer date.

19. PMS and LMU may reject the case and insist on the return to the parent establishment. If the case is accepted, PMS or LMU will arrange an appropriate re-allocation.

Stage 3 - Centrally Managed Transfers to Training and Local Establishments

20. Under Stage 3, all re-allocations will be to other dispersals, Category B training and local establishments.

21. PMS or LMU will allocate disruptive inmates in close co-operation with receiving establishments. All relevant information will be considered including PROBE data, the distribution of other disruptive inmates, the scope for inmate exchanges etc.

22. Governors will be required to accept all such allocations. The appeal procedures in such cases will be the same as previously shown at paragraph 8.

23. Establishments can continue the existing practice of requesting the centrally arranged temporary transfers of inmates to non-primary cell locations on operational grounds. These are likely to occur, for example, when pressure on Segregation Unit places becomes unacceptable. Inmates transferred in such circumstances will be returned to their parent establishment at the first available opportunity when operational circumstances permit.

Stage 4 - Transfer to a CRC Special Unit

24. Eligibility for a place in one of the 3 Special Units at Hull, Parkhurst and Woodhill is likely to involve an inmate who has a history of disruptive and aggressive behaviour and who:

* has been violent to staff and/or inmates;
* has regularly incurred disciplinary reports;
* has caused serious damage to property in prison;
* has shown dangerous behaviour, such as rooftop protests, hostage taking;
* has a history of mental abnormality (Parkhurst Unit only);
* has failed to respond to the earlier strategy measures to improve control.

25. If a Governor believes that an inmate meets the above criteria, he or she may refer the case to the Special Units
Selection Committee which meets every 6 weeks under the responsibility of the Head of DOCI Division. The standard referral form is attached at Appendix C. Dispersal Governors may also submit cases on the basis of regular PROBE data on potential candidates. In such cases, it is only necessary to submit reports from a Wing Governor and Medical Officer.

26. There is also provision for potential Special Unit candidates to be transferred to the Special Assessment Unit (SAU) at Woodhill in advance of consideration of their cases by SUSC. This will be carried out where an inmate:

* meet at least one of the criteria set out in paragraph 24;
* has been on at least one temporary transfer under Stage 2 of the strategy;
* has been on Rule 43 GOAD for at least one month;
* has not been considered by SUSC for 2 years or located in a Special Unit for 5 years.

27. The arrangements for such a referral are that the Governor of the holding establishment should contact the Special Units Section of PMS about the particular case. They will then liaise with the SAU to confirm whether transfer is appropriate. If space is available, the Governor should then fax to the Governor in charge of the SAU:

* any medical reports on the inmate for management purposes over the previous 12 months;
* brief reports from the Governor and specialist staff summarising the inmate's behaviour over that period;
* page 20 of the F2050 covering that period;
* page 24 of the F2050, covering the previous 2 year period.

28. Inmates will be transferred to the SAU by Special Units Section within 5 days and may remain there for up to 3 months. Cases will be referred to SUSC for decisions on an inmate's future management and allocation.

29. Those inmates considered unsuitable for a Special Unit will be returned to the parent establishment without delay to avoid blocking SAU places. In such cases, and also those of inmates within Special Units whose disruptive behaviour is deemed unacceptable, consideration will then be given to moving the person on to Stage 5 of the strategy.
Stage 5 - Continuous Assessment Scheme

30. The management of persistently disruptive inmates considered unsuitable for a Special Unit or de-selected by SUSC because of their behaviour will involve a continuous assessment scheme operated by Special Units Section. Such a scheme represents the final stage of the strategy and will cover those inmates for whom all previous options have proved unsuccessful.

31. Under the continuous assessment scheme, the most persistently disruptive inmates will be allocated to another establishment on the basis of reports prepared by the parent and holding prisons and the national distribution of other disruptive inmates.

32. Once Special Units Section have directed that the Governor of the receiving establishment is to hold the inmate and transfer has taken place, a co-ordination system should be set up as part of the continuous assessment process. This might involve using a liaison officer to deal with that Section and to collate all the relevant local documentation on the inmate.

33. The case of every inmate on the Continuous Assessment Scheme will be reviewed by SUSC every 6 weeks. Continued disruption may result in further transfer in order to relieve the pressure on the holding establishments. The need for the segregation of such inmates will be a matter for the Governor and Board of Visitors in receiving establishments, in consultation with Special Units Section. It may be necessary to segregate an inmate until such time as a return to normal location can be safely considered.

34. Advice on the strategy for disruptive inmates is available from:

Stages 1 - 3 Population Management Section

Edd Willetts (DOC establishments)
Room 604, Cleland House
(071-217 6268)

Trevor Williams (DIP establishments)
Room 604, Cleland House
(071-217 6776)

Dave Walmsley (DIA establishments)
Room 604, Cleland House
(071-217 6681)

Lifer Management Unit

John Court (all non-Category A lifers)
Room G5, Abell House
(071-217 5712)
Stages 4 - 5  Population Management Section
Special Units Section

John Golds
Room 648, Cleland House
(071-217 6319)
MEMORANDUM

From: The Governor
HM Prison

Telephone:
Extn:

To:

Your ref:

Our ref:

Date:

TEMPORARY TRANSFER OF A DISRUPTIVE INMATE TO A PRIMARY CELL:
INSTRUCTION TO GOVERNORS [ ]/1993

The following inmate was received from

.............................................................. prison

on ..........................................

Surname: ..........................................................

Forename(s): ..........................................................

Index Number: ..........................................................

Offence: ..........................................................

Sentence: ..........................................................

Reason for Transfer

The inmate has/has not been placed under Rule 43 (GOAD).

A copy of this memorandum has been sent to:

Population Management Section
Lifer Management Unit
Board of Visitors
Inmate's record

Governor
FORM A

Typewritten please

WING MANAGEMENT REPORT

(To be completed by Governor 5 or Principal Officer)

Pen picture, including relationships with staff and prisoners; strengths and weaknesses; interests; domestic circumstances and importance of visits.

Name: .............................. Signature ..............

Grade: .............................. Date: .........................