

REPORT
for
THE PRISONS & PROBATION OMBUDSMAN
on the
RELEVANCE AND EFFECTIVENESS
OF THEIR CURRENT
PUBLICITY MATERIALS

It is no secret that my office has been impatient for legislation setting out our powers and accountabilities, and enabling us to operate in a more independent and business-like fashion. Paradoxically, the Government's long-standing promise of such legislation has resulted in a form of 'planning blight' that is anything but business-like.

Nowhere has that been more in evidence than in respect of our promotional materials. The majority of our posters and leaflets date back to 2001 when my remit was extended from prisoners to those under probation supervision. They make no reference, therefore, to my office's work on deaths in custody or in the investigation of complaints from those in immigration detention. Our video also dates from 2001 (indeed, the very word 'video' manifests how out of date it has become). However, with the continuing prospect of the office being established as a statutory Ombudsman (and re-badged as HM Commissioner for Offender Management and Prisons), and wanting to avoid the profligate spending of public money promoting our current name, plans to revise our publicity materials were repeatedly put on hold. This cannot be allowed to continue any longer.

Our first step has been to establish the effectiveness of our existing methods of communication and, most importantly, to gather the views of those who use our services. This report by Jude Warrior, an independent communications advisor, and Sue Gauge, our senior research officer, sets out the results. Via focus groups with offenders, ex-offenders, staff and immigration detainees, Jude and Sue have sought to discover how much is already known about the Ombudsman's role and made recommendations about how we should improve our communications in the future. I am particularly pleased that time was spent considering the needs of offenders and ex-offenders with literacy problems, and those who rarely complain such as young offenders.

Not everything we have been told makes comfortable reading, and a distrust of the whole complaints system is deep-seated amongst some of those with whom we have engaged. Nevertheless, in taking forward the recommendations contained in this report, I hope we can both improve awareness of the office and access to it, and help reduce some of the cultural barriers that disadvantage potential complainants. Even the much-anticipated legislation would be of scant benefit if prisoners and others are disinclined to come to the Ombudsman for fear of suffering recriminations.

Stephen Shaw CBE
Prisons and Probation Ombudsman

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EXECUTIVE SUMMARY

This report recounts the findings of a project carried out to establish the effectiveness of the Prison & Probation Ombudsman (PPO) publicity materials, which have not been reviewed since they were produced in 2001. Talking to offenders and detainees, as the potential users of the system, was agreed to be a good way of achieving this and so discussions took place through a range of focus groups. Participants were asked about their understanding and experiences of the Ombudsman, the complaints process in general, and how they thought things might be improved. The group discussions lasted for about an hour and a half and were as informal as possible to create an atmosphere of trust and honesty. Staff opinions were sought via a brief meeting after the group sessions.

Very few offenders we spoke to had made a complaint following current official procedures although many said they had made verbal complaints. Most of them had not seen the PPO publicity materials or heard of the Ombudsman. Awareness amongst the staff we spoke to was varied, and it was difficult in some cases to gauge what the level of their knowledge of the PPO had been prior to our arranging to visit.

Reasons given by offenders for **not** complaining were plentiful, mainly focused around a fear of reprisal of one kind or the other. It may be that this topic was actually given more attention than was justified because the participants knew we represented the PPO and were there to discuss the complaints process. However, there did seem to be a widespread distrust of the system and a belief that formal complaints were a waste of time as they would not be dealt with, or would be blocked. There seemed to be little awareness that Rule 39 could be used when writing to the Ombudsman.

On the other hand, young offenders appeared to have less distrust of the system, relying, for the most part, on a good support system in the young offender institution to deal with most of their complaints. They were therefore less likely to have need of the Ombudsman.

Staff spoken to suggested that many complaints were dealt with verbally, at the time of complaining. They did not have much awareness of complaints going outside their establishments, although one manager wished the offenders he was responsible for would make formal complaints when the problem was beyond his jurisdiction.

As literacy problems amongst offenders had become a more high profile issue since the current PPO publicity materials were published, it was decided to talk to a focus group made up entirely from offenders with these specific problems. In many ways their responses regarding the complaints system reflected those of the other groups, but none of them had used the complaints process or had heard of the Ombudsman.

This group were openly unable to engage with any of the publicity materials, even though the PPO leaflets carry the Plain English Crystal Mark and the language used is straightforward and clear. Being reliant on another person to write a complaint raises issues of confidentiality and could be seen as a barrier.

It was also clear from the responses in the literacy group and many participants in other groups, that the complexity of the process and the time it takes for a written complaint to be dealt with was difficult for them to understand.

Literacy problems and an inability to understand the system could account for the large number of participants not making written complaints and being ignorant of the Ombudsman.

Consideration needs to be given to these offenders who make up at least 30% of the prison population.

The design of future PPO posters and leaflets also needs to be mindful of the difficulties experienced by people with learning disabilities and dyslexia as well as those who do not speak English. More use could be made of video and audio communication and advice sought from relevant stakeholders and offenders themselves, before materials are finally created and published.

Ongoing awareness of the Ombudsman and the availability of the service could be helped by regularly reviewing the distribution systems used, making more use of 'On the Case' as a communication tool, and exploring the possibility of using Channel 6 on the prison TV system as a way of directly engaging with offenders in prison.

Simplifying the complaints system is outside the remit of this project. Nevertheless there are some suggestions and recommendations in this report regarding the system that, if implemented, might go some way to influencing the direction of change.

The focus group participants certainly provided an insight into the various barriers to making a complaint but also, more positively, they came up with many interesting and constructive ideas for improving both the publicity materials and the system. Where practical these ideas have been included in the recommendations.

Jude Warrior
Communications Advisor
07 September 2008

The ideas and opinions in this report are those of the author and are not necessarily shared by the Prisons and Probation Ombudsman.

PROJECT AIM

To discover how successful the Prison & Probation Ombudsman (PPO) publicity materials have been since they were produced in September 2001 and identify possible areas for updating, improvement or change.

PROJECT OBJECTIVES

- To consult with potential users of the publicity materials and staff supervising them
- To talk with other interested agencies
- To cover all types of establishments and categories of offender/detainee that are served by the PPO
- Produce a report and recommendations

Locations suggested were:

- Local prison
- High security prison
- Women's prison
- Young Offender Institution
- Immigration Removal Centre
- Approved Premises/Probation Hostel

It was also agreed that offenders with literacy problems should be included as a separate group as it was thought participants might be unwilling to admit they had literacy problems in a group setting.

Existing publicity materials to be discussed:

- Leaflets – Prisoners, Probation, Immigration Removal, Young Offenders
- Posters – Prison, Probation, other languages
- Videos – Prison, Probation
- PPO website
- 'On the case'
- Annual Report & Executive summary
- Audio tape – this was not available until the end of the project and so was not discussed in any of the Focus Groups

METHODOLOGY

A complaint can only be made to the Ombudsman if the complainant has already used an existing offender complaints system up to appeal stage. It was therefore agreed that any research undertaken into the relevance and efficiency of the PPO publicity materials would have to encompass the whole complaints process to be properly effective. Offender focus groups were thought to be the best way of achieving this and so it was agreed that the majority of the research would be conducted using this method.

The project ran from April 2008 with the Report and Recommendations due in September 2008. Focus group discussions and interviews were conducted at various locations by Jude Warrior, Communicators Advisor and Sue Gauge, Senior Research Officer at PPO. All groups except one, lasted for between one and two hours and most were followed by a separate, brief discussion with relevant staff.

Participants were not given a list of questions before or during the sessions and all comments were anonymous.

An information sheet was sent to the contact person in each establishment and they were encouraged to give a copy to each participant prior to the session so there would be a general awareness of the purpose of the group. Participants in all groups were encouraged to join in an open discussion.

A topic guide was prepared for use by the facilitators during discussions to make sure all important subject areas were covered. Where possible the facilitators tried to record participant comments verbatim, but where this was not possible, what they said was paraphrased as accurately as possible.

It was made clear at the start of each group that individual complaints would not be dealt with during the session.

Details of Focus groups held:

<i>Date</i>	<i>Type</i>		<i>Participants</i>
22.04.2008	Approved Premises/Hostel	Probation	10 male offenders – of varying ethnicity & wide age range. No staff
07.05.2008	Approved Premises/Hostel	Probation	7 male offenders – all white, mostly under 30. 2 staff
15.05.2008	Immigration Removal Centre	Immigration	Approx. 16 male detainees, of varying ethnicity. Investigations officer/Welfare Officer
23.05.2008	General offender group	Probation	6 offenders on supervision or licence - 5 male & 1 female – of varying ethnicity. 2 HQ staff
30.05.2008	Young Offenders Institution 2 Groups	Prison	12 18-21 yr male offenders - white, black & Asian 5 male 16-18 yr offenders – white and black. 1 staff

06.06.2008	Offender Group with literacy issues	Probation	8 offenders on supervision or licence – 7 male, 1 female, varying ethnicity
10.07.2008	Female offenders	Prison	5 female offenders - of varying ethnicity & wide age range

Note:

Almost all participants from both Approved Premises and the general Probation groups had been in prison at some point and the experiences of complaining they recounted were mainly focused on their time in prison. Although the original plan had been to run groups at both male and female prisons as well as a YOI, by the time the last group was arranged it was decided that enough data had been collected about prisons from participants in other groups, so it was felt nothing extra would have been gained from a further group in a local prison.

In all the prison establishments, and to some extent with the probation groups, we were subject to their strict timetables and rules and the availability of staff to assemble and prepare the offender groups. This meant that there was some variation in group settings which may have had some influence on the nature of the feedback, e.g. staff were present in some cases (see above).

Participants at one of the Approved Premises and the Immigration Removal Centre had had little or no pre-briefing and thought the facilitators were there specifically to listen to their complaints. At the IRC participants were brought into an office in pairs to meet the Facilitators; the Investigations Officer was present throughout seated behind the desk, and this made it difficult to progress the discussions beyond individual grievances.

SUMMARY OF FEEDBACK FROM THE GROUPS

Offenders' awareness of PPO publicity materials

Most participants had no recollection of having seen the leaflets or videos. A few had seen the posters, mainly in prison and the young offender institutions, but no-one had seen them in hostels or probation offices -

"got hold of a [PPO complaints] leaflet from the probation office in prison"

Reactions to these materials were mixed, but there seemed to be a general agreement that the young offender 'brick wall' leaflet was the best of the current design -

"yeah, can see where you're coming from..."

Women offenders liked it because "you feel like you're running into a brick wall every day in prison"

No-one had seen either of the videos, but there was some enthusiasm for the possibility of a DVD explaining the workings of the complaints system.

None of the participants had looked at the PPO website. Many were unable to do so as there was no internet access in prison or in hostels, and those with learning difficulties were unlikely to have a computer.

Offenders' experiences of the complaints system

Very few participants had actually made a complaint by following the current official procedures despite the fact that many of them felt they had issues to complain about -

One participant in the literacy group had made a complaint at a probation office reception after receiving abusive language from the receptionist. He did not think to (or could not) put his complaint in writing - he had asked for the manager who had made a note of his complaint. The Manager said he would follow up on it with the offender, but never did

Most of the complaints that had been made seemed to have been done verbally rather than in writing -

A male offender had made lots of complaints to prison about resettlement issues and the fact that he did not feel he was being helped to go straight and resettle. He did not use the appropriate forms but did it verbally to different Governors and to personal officers. He had not been advised to put anything in writing. "They all said, 'leave it to me and we'll get back to you'" but they never did and he now "can't be bothered any more"

Offenders' awareness of how complaints system works and the Ombudsman's role

When asked about this, it was clear that the majority of the participants were uncertain about what they could complain about, the stages involved, and how the complaints system worked -

Some knew about the official complaints form in prison and one said it was better to use that than the general applications as "it has got to be dealt with"

Very few knew there was an Ombudsman prior to our visit -

One resident, when asked 'did you know anything about the Ombudsman before today', answered "it's like the saviour"

In the women's prison two participants had heard of the Ombudsman (although they couldn't pronounce it)

At the Immigration Removal Centre we were told that the PPO leaflet was routinely sent with the reply to a complaint, however none of the detainees we spoke to seemed to have an awareness of the PPO. In the Young Offender Institution there was a personal officer assigned to each offender and participants considered they would be the best person to talk to about any problems. There seemed to be less of a need to use the official complaints system amongst young offenders.

Offenders' perceived barriers to making a complaint

This was the principle topic of conversation among all the groups to whom we spoke. Fear of reprisal, of one kind or another, seemed to be a major reason for not complaining, for instance -

"Make a complaint against a member of staff and then all his colleagues will make your life hell...go to the Governor and he'll take the prisoner officer's word against yours"

Someone in a hostel stated, "if you start rocking the boat you'll end up back in jail"

Participants also expressed concerns that the complaint would be dealt with by the officer complained against -

One offender said she put a complaint in the box and it was answered by the officer she'd complained about. Her thought was "If I make a complaint about you then why are you dealing with it?"

If the complaint reached the Governor it was often referred back to the officer the complaint was about

There was a general lack of confidence in the complaints system and a belief, by many of the participants, that their complaints were not taken seriously or were ignored -

"Like anything's going to get done about it. Why would they believe a convicted criminal over a prisoner officer?"

Or their written complaints disappeared -

Someone said "I know for a fact that the complaints form doesn't get past the wing staff"

Or would not make it out of the prison -

*"can't get it out unless it's smuggled out" either through visitors or via solicitors
"Prisons try to make sure complaints never get to the Ombudsman"*

However someone said that property complaints get put in because -

"it ain't going to rub anyone up the wrong way"

There was no apparent knowledge that letters to the PPO could be sent under Rule 39.

Worries about confidentiality were an issue for some of the participants. For instance one of the female participants said -

"The officers talk too much about inmates without any confidentiality, so that if you make a complaint suddenly everyone is talking about it"

Lack of confidentiality was also mentioned as being a problem for those who could not read or write, as they may be reliant on staff or other inmates to write out the complaint on their behalf.

Another deterrent to making a complaint was said to be the time it took for a complaint to be dealt with and the complexity of the process -

"The process is so long and drawn out that it takes so long you just turn round and say 'forget it'. The longer they make you wait the more likely you are to get disillusioned by the whole thing"

When the procedure was explained to participants who were unaware of it, many appeared to lose interest and looked daunted by the prospect.

Most of the participants agreed that they wanted an immediate answer to their problems -

"When you put in a complaint and it's 2-3 months before you get a reply then you can't be bothered"

But it was also suggested that -

They felt "a person on the edge will be pushed over" by the process and the time it takes

Use of the phone to contact the PPO was made difficult as –

they would need to make an application to get the PPO number added to their phone PIN, which would increase the delay

Timescales were especially important for detainees, offenders in hostels and young offenders, as they were more likely to be on the move -

"I'm being deported in two weeks' time but these complaints take months and you don't know how long it's going to take"

Lack of information about the outcome of their complaint had led to frustration and anger, as participants felt this meant their complaint had been ignored, or not taken seriously -

"If you put in a complaint and you don't get an answer, you put it in again in a different way and then in the end you just give up"

There did seem to be some discrepancies between the staff version of how complaints were dealt with and the participants' experiences as related to us. Staff told us they sent an acknowledgement within 3 days, yet participants frequently told us they didn't hear anything -

"Just need a standard acknowledgment letter dated so that you know they've had it and you know when the 14 days are up"

However many participants admitted that when they did not get the answer they wanted (which was often the case) -

"8 times out of 10 it's not going to be the answer you want"

it could be interpreted as the complaint not having been dealt with. This was supported by a staff member in the Young Offenders' Institution who said they -

"Tend to get complaints about staff when the prisoner does not get what he has asked for"

And when one detainee was asked 'do you think it's easy to complain?' answered –

"Yes, but it depends what the response is"

Although in many cases the problems the participants related to us were not very serious, we did hear of issues that might well warrant further investigation but were unlikely to be taken as far as the Ombudsman. For example -

One young offender, who had previous catering experience and was working in the kitchens, had witnessed frozen food being returned to the freezer after it had been left out and defrosted. He wanted to complain as several people had been sick after the incident, but thought he would lose his work privilege if he did, so he had kept quiet

And some participants had issues that related to wider criminal justice policy –

“Can’t complain about the really big things like resettlement”

or as stated by a detainee -

“being detained for years for a minor offence with no prospects of release”

Learning difficulties / literacy problems

Literacy problems were explored with a specially selected focus group all of whom had problems reading and writing. A Learning & Skills Manager with Probation was also present and made comments throughout. None of these offenders had ever made a formal complaint and were not aware of the role of the Ombudsman. On the whole their comments regarding the complaints process reflected those of the other groups and, where appropriate, their comments have been included above.

They were shown the posters and leaflets which none of them had seen before. Their comments were mainly about the pictures and illustrations used, which they did not find helped their understanding –

“The pictures are not useful – they add no value to the leaflet and do not indicate what the leaflet is about”

The Learning & Skills Manager suggested that –

The capital letters make it more difficult to read, as well as the different sizes of the font on the front cover.

Also that –

The form enclosed inside has very small print, and is difficult to read, as well as there not being much space to write in

Participants suggested that -

They would have to get their tutors to help them fill in such a form – however this may prove problematic if they wanted to complain about their tutor (which none of them did incidentally).

Reading and writing difficulties emerged implicitly in all the focus groups through responses given to certain questions. This was noticeable when the posters and leaflets were circulated for comment and several participants set the leaflets aside without looking at them. Other participants were more explicit -

“Sending these things (posters/leaflets) out don’t help ‘cos there’s so many girls that can’t read”.

A participant who had dyslexia said (of the poster) that he would just be able to make out a few words and would go by the picture which “doesn’t tell you anything”.

These comments are supported by recent research which suggests that between 20-30% of prisoners have learning disabilities.

Prison Reform Trust, Bromley Briefings Prison Factfile, June 2008 on www.prisonreformtrust.org.uk)

FEEDBACK FROM OTHER AGENCIES (via phone calls)

Francesca Cooney – Advice Line Prison Reform Trust

Francesca said it was very difficult to get information out to prisoners on the prison wings as she thought each prison handles things differently. She said the main way that prisoners know things is from other prisoners, as verbally is the best way of communicating. It was better, she thought, that prisoners understood it themselves than rely on others to explain. She thought that some prisoners have access to cassette players. In terms of posters and leaflets, she felt these needed to be bright and colourful to make any impact and the leaflets should be easier to read – the simpler the better for any written materials.

Nick Hammond, London Probation Area Probation Officer – specialising in Foreign National offenders

Nick did not feel there was much difference between the needs of ordinary prisoners and foreign nationals as many foreign nationals are held in the prison estate rather than in immigration removal centres. He had not seen the languages poster and suggested the main poster could show that the complaints procedure is produced in other languages.

He felt the leaflet was not clear in what it was offering and could be more explicit. He also mentioned that there could be a problem regarding possibility of complaint backfiring – that this might stop a complaint being made in the first place. Also that time was a factor as foreign prisoners are moved on quickly.

He suggested talking to the NGOs who work with foreign nationals and that publicity materials should be sent to all Embassies to inform them of PPO and its work.

Communications Staff at National Probation Service :

Communications/PR staff in the Probation Area Offices are usually responsible for distributing publicity materials throughout their areas. A note was therefore circulated to them all via the NPS Communications Unit at Probation HQ, checking on their awareness of the material, what they thought of it, whether they had ever had any feedback and what would improve it.

The response was disappointing in that only three Areas replied - Greater Manchester, Lincolnshire and Suffolk. This might have contributed to the observation that most focus group participants had not seen PPO materials in probation offices. These are the responses received:

GREATER MANCHESTER PROBATION

They are aware of the posters and leaflets. They think the poster in particular is very good/useful, it raises awareness of the fact that people can take their complaints to a higher body if they are not satisfied. They make sure these are posted in every office and they have the leaflets available to give out if asked. Leaflets are on display in reception areas. They think the leaflets are brightly coloured and noticeable and the message is clear.

They had seen the Annual Report and thought it was just like any other annual report – had to be produced!

They felt that *On the Case* is easy to read and easy to scan through quickly for items of interest. They found it interesting to see what kind of complaints are dealt with and how and what the outcomes are. It should help Probation Areas to become more knowledgeable and capable in dealing with complaints because they can see the reasons why people were not satisfied, and maybe it would help them to improve their services.

They were not aware that the video was for staff and they had not visited the website, although assumed there would be one. They would like a copy of the video if possible.

LINCOLNSHIRE PROBATION

They had never seen leaflets, posters and presumed they go direct to prisons.
They had not seen the video or the Annual Report.
They do get copies of *On the Case* and send it out to all senior and middle managers
They had just looked at website for the first time and found it clear and easy to use, but a bit dull and old-fashioned.

SUFFOLK PROBATION

They had just looked at the 'new' leaflet. They thought it was great, but suggested one change. The leaflet talks about Area Probation Boards but these are gradually being replaced by Trusts. They suggested it would be more long-lasting if it was replaced with "your local Probation Service".

SUGGESTIONS FOR IMPROVEMENTS

Posters

The current PPO publicity posters and leaflets were passed around the groups and comments were invited on the impact and the clarity of both.

Several participants wanted the poster to explain how you made a complaint rather than how to appeal -

They thought it would be useful to have a poster which told you how to make a complaint, rather than what to do if you want to appeal about your complaint (they looked at the poster and thought 'what complaint?')

Others felt the poster had too much writing on it –

Use clear images on posters rather than words

Or that it should explain what you could complain about –

The pictures on the posters and leaflets should show the sorts of things you might complain about, such as bullying, and suggested it could have "someone threatening to punch someone"

It was also suggested that the poster should exist to create an awareness of how to make a complaint saying –

"You only want to know about how to complain when you have something to complain about". If it isn't relevant at the time you are told about it, it won't sink in...it should catch the eye so it's there in the back of your mind"

The literacy group did not like the colours much and did not find the pictures useful at all –

"It doesn't tell you what the poster is about"

The women's group pointed out that –

The two smiling women's faces on the poster are in contrast to the words that say 'not happy' when the women look very happy.

Other group members thought "a comic strip style" might be good

The literacy group was also shown the other languages poster and they felt that the poster itself and the font used were too small and that it wouldn't attract attention.

Recommendations for posters:

- Produce a poster that creates awareness of PPO and how to make a complaint rather than how to appeal
- Use the poster to tell people what can be complained about
- Limit the number of words used
- Use pictures that enhance the understanding of what poster is saying
- Consider a poster in style of 'Bullying' one that was available in some establishments and was easily understood by the offenders who had seen it (*accessed on website www.ricgroup.com.au*)
- Use bigger font on Languages poster

Leaflets

Of the leaflets, the young offender graffiti style one was most popular -

*The text is clear and large and there is not much writing and it is to the point.
Also there is a free phone number included*

However the women offenders group thought this one was -

"Eye-catching but a lot of girls wouldn't be able to read it. Should have the words more spaced out"

On the whole participants didn't appear to engage with the leaflets very well. People in the literacy group felt they would have difficulty using them -

"I would have to get my tutor to help me fill in such a form"

and -

They thought the form had too small print and there was not much space to write in

Simplicity seemed to be favoured by all the groups -

"Would like to have a simple leaflet to explain how to make a complaint - who to see, what to do"

Someone suggested they might be pocket-sized so that it would be more discrete. Another thought that they should include case studies. The emergency instructions you get on an airplane or train were also suggested as a useful format.

Recommendations for leaflets:

- Use pictures in the leaflets to get the message across and help the complainant to understand what is required of them, how to fill the form in, etc.
- Consider having a pocket-sized leaflet to help privacy and confidentiality
- Create more space on the application form for writing name, etc.
- Possibly re-use brick wall design but not graffiti wording
- Include a checklist in the form "have you done x, y, z" for the complainant's use prior to sending the form
- Emphasis that if a Prisoner writes 'Rule 39 correspondence' on the envelope then it should get to PPO without being interfered with

Video/DVD

As mentioned, none of the participants had seen either of the videos. The author of this report watched both and her general impressions were as follows:

Prison: Although a bit old fashioned now, it was clear about how complaints were dealt with. Stephen Shaw is camera friendly and sympathetic and comes over well. It did give the idea, however, that he was the only person dealing with complaints and you would end up in a one-to-one with him if the complaint got to PPO and was dealt with. The prisoners who spoke on the video were clear and believable. This could form the basis for a DVD although the offender representation would need to reflect the current ethnic mix in the prison population.

Probation: Not clear who this was aimed at - it seemed to be speaking most of the time to probation staff not offenders. There seemed to be a prison focus at the beginning which was confusing as it was too wordy. Scenes of offenders on probation could be better and could include females and probation offenders speaking.

Participants were not shown the existing two videos but were asked whether a DVD explaining the process would be helpful -

Young offender group thought a video or DVD would be useful. "Showing other complaints, showing that something was done and how you could see the progress"

Staff were also quite keen on the idea of visual and audio aids and told us about Channel 6 that was continuously available and operated by prison staff:

All prisoners have tv in their rooms so why not have an information DVD on a continuous loop on Channel 6. (Channel 6 is controlled by Wing Staff)

A DVD could be produced by the Prison Service and have information about all other organisations like IMB, as well as info about how to make complaints, etc.

We mentioned this to some of the participants -

The women offender group said the idea of showing a DVD on a loop on their televisions had been discussed before at meetings

(This was in the context of having all sorts of information constantly available).

They thought it was a really good idea but, "everyone always says it's a good idea but who would make it, who would pay for it?"

Recommendations for a DVD:

- Create a DVD along the lines of the PPO Prison video or
- Use the audio tape script, with additional information on Immigration, as the script for a DVD
- Ensure that offenders represented reflect the current ethnic mix of offenders
- Consider possibility of creating a DVD that covered prison, probation and immigration

Audio Tape

A copy of the existing audio tape was not available until after the Focus Group sessions were over, therefore this was not mentioned to participants. Jude Warrior subsequently listened to it and her comments are as follows:

The information is given clearly and it is easy to follow. It encompasses both prisoners and those on probation. It gives examples of what can be complained about, which is useful. The content of this tape could be used with only a little updating, e.g. IMB instead of Board of Visitors.

Recommendations for the audio tape:

- Update where necessary
- Identify ways of utilising the tape

On the Case & the Annual report

None of the focus group participants and only a few of the staff had seen *On the Case*. Those who had seen it were positive about it and we received neither adverse comments nor any suggestions as to how it could be improved. It could be redesigned in line with any other changes to publicity materials, but otherwise left as is.

The Annual Report had not been seen by anyone we spoke to. Again the look of this document could be brought in line with any changes made to other publicity materials.

General recommendations:

- For all written publicity materials reference should be made to Mencap's Make it clear: a guide to making information easy to read and understand which can be found on their website: <http://www.mencap.org.uk/document.asp?id=1579>.
- Prior to publication road test materials with an offender focus group; appropriate staff (e.g. Learning & Skills Managers or equivalent from the Prison and Probation services); and representatives from other relevant agencies, e.g. Prisoner Advice Service, Prison Reform Trust, IMB.

RAISING AWARENESS OF THE WORK OF THE PPO

As so few of the participants seemed to know about the Ombudsman and his role, participants and staff were asked what other ways could be used to inform them about the process.

Suggestions included –

“complaints leaflets be put in Exit Packs from prison”

However a hostel staff manager thought exit packs from prison would not be useful as

“we bombard them with information”

In the hostels the complaints forms appeared to be handed out by staff on request -

An offender in an Approved Premises thought they should have a similar system to prisons of having complaints forms “all lined up so you can take them”

But someone else thought

“they would get thrown on the floor or torn up to make roaches”.

and that the process -

“could be explained during the ‘role check’ in hostel held each morning”

But many participants felt that it was important just to know where the forms were if you ever needed one -

“You only want a form when it’s relevant. Need to be aware of how to get hold of one, so if it happens you know where to go and how to proceed”

It was explained to us that induction procedures both in prison and hostels involved passing on a lot of important information at the point of arrival and it was felt by many of the participants that information on complaints was not helpful at this time -

“When you come from prison [to an Approved Premises] you’ve got too much to think about. Complaints procedure should be explained 2-3 weeks after you arrive”

The free sheet newspapers in prisons were considered by one staff member as being the best way to communicate with prisoners because -

“they read them from cover to cover”

Another staff member thought a DVD would be useful to use with hostel residents, plus a questionnaire to make sure they had understood it. Another felt the DVD should show WHY they should complain as well as HOW.

Some participants had expressed the view that sometimes staff could be better informed about the process and suggested that -

Staff ignorance of complaints system needs looking at

And that the understanding of the various stages of form-filling could be improved by

“making sure land/wing offices in prisons have the right forms”

Recommendations for raising awareness of the PPO:

- Regular mailings to Complaints Clerks/Officers in Prison establishments to make sure they are aware of PPO; know how to obtain publicity materials; and receive 'On the Case'
- Establish contact with Education Departments/other Departments dealing with basic skills in Prisons to make sure they are up to date with what is available and where to access it
- Review the circulation methods to Probation Areas: liaise directly with National Probation Service Communications Unit at Probation HQ, Abell House regarding the best way of distributing PPO materials to Probation Areas
- Send materials to Embassies, Refugee Centres, voluntary agencies dealing with prisoner problems, eg. PAS, IMB, Voice, and other organisations that help and support offenders
- Use mailing lists/email lists to periodically remind establishments and organisations of PPO existence and availability of materials
- Make sure the Prison Service and Probation Service intranet sites have links to the PPO website
- Use 'On the Case' to raise awareness of new publicity materials and to remind staff how to get it
- Explore different ways of informing offenders who have learning difficulties, learning disabilities or suffer from mental health problems
- Find better ways of informing foreign offenders/detainees of PPO and its existence: Consult with Nick Hammond, Probation Officer in the London Area, specialising in Foreign National Offenders regarding communication with foreign offenders/detainees
- Use of translation service (recent research suggests that nearly 90% of prisons holding foreign national prisoners were not making regular use of the translation service available).
- Liaise with HMPS Diversity Section on foreign language leaflets
- Liaise with Mencap, Dyslexia Association, etc. to find alternative ways of communicating with people with learning disabilities and mental health problems
- Present ideas to Learning & Skills, or equivalent, staff in one of each type of user service prior to creation
- Explore possibility of putting DVD on Prison Channel 6 on a continuous loop so prisoners can access it at any time
- Check out possibility of including PPO information on prisoner free newspapers, perhaps as an advert
- Hold an 'Awareness' day to launch new materials and generally raise profile

COMPLAINTS PROCESS REVIEW

All the groups were asked for their ideas on how the system could be improved. Once they understood the role and purpose, many of the participants expressed a preference for direct contact with the Ombudsman –

I want to go to the Ombudsman directly cos that's the only one that's going to listen to me"

and

they would like a "travelling Ombudsman" to visit so they could voice their complaints. They wanted someone who is independent, not part of the system

Complaining directly, and contact that avoided writing and form filling, was highly favoured by those in the literacy group -

One offender suggested a phone line that they could call and leave a message on with their complaint, as well as their contact details

This method had also been referred to by other group participants who –

mentioned a direct phone line as being useful for "those who had reading and writing difficulties"

The telephone as a method of communication was particularly popular –

One group suggested they would like a free phone number

and another that they -

"Need a direct phone line to PPO"

However, they would still need to go through the prison written complaints process.

There was a lot of support for a complaints process which was separate from the prison -

"Should be dealt with by someone independent of the prison"

"Should have an Ombudsman's box on the wall that only the PPO has a key to so no-one can interfere with it"

It was explained that the PPO already had a high volume of complaints to deal with which could become unmanageable for PPO staff in the light of the above. Participant responses to this were -

"If the PPO has too many complaints he should tender out his work and delegate it to other organisations"

And one probation group member suggested using -

Volunteers to help sort complaints out, deal with prisoners directly and sift out complaints to go through to Ombudsman

And it was suggested that -

"inmates could help sort out complaints and that it would give them 'work experience'"

This participant also suggested there should be -

"a surgery in the prison where people could go in and talk about their complaints"

She said there had been a system like this in her prison, which had been run by prisoners and then every other week someone from the Prisoners Advice Service had attended too.

They felt the time it took to get a response to a complaint could be improved -

One group thought that it would be a good idea to have a bypass route to PPO for complaints which were really serious and which might get hidden by the system

And that it would be helpful to know what the timing was likely to be -

Someone suggested the length of time a complaint will take should be clear on the leaflet/poster so they (detainee) would know whether they had time before they left

Recommendations for changing the complaints process:

- Consider ways of simplifying the process that ends in access to the Ombudsman along lines of other national organisations (two large companies – British Gas and Lloyds TSB and both have 3 clear steps to making a complaint, with the third being the Ombudsman in both cases – *(see Appendix Ten)*)
- Encourage both prison and probation to standardise the process (Prisoner Reform Trust Advice Line suggested it varies between prisons, which might add to offender and staff confusion)
- Case studies could be helpful – perhaps included in a DVD (similar to the current Prison video) or presented in combination with a leaflet, to help offenders understand what they can complain about and how the system works
- Make it clearer in publicity the length of time the complaint procedure might take
- Consider ways of improving staff understanding of how the complaints process works – perhaps via a targeted leaflet or information sheet that is also included on the intranets
- Explore ways of making a complaint that do not involve putting everything in writing
- Consider the use of voluntary agencies to assist with filtering complaints made by prisoners
- Consider possibility of prisoners running a ‘surgery’ on behalf of PPO at which complaints could be filtered

Acknowledgments:

Research information:

Prison Reform Trust, Bromley Briefings Prison Factfile, June 2008 on
www.prisonreformtrust.org.uk)

Advice on managing discussions with prisoner groups:

Her Majesty's Inspectorate of Prisons Inspection Manual 2008, Appendix IIIa Prisoner groups –
good practice guide

Help & support gratefully received from:

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Sherine Arafa, Equality & Diversity, London Probation
and

Kimmet Edgar, Prison Reform Trust

and

All the staff and offenders in the establishments we visited who were so cooperative in the
arrangement, management and participation of the focus group meetings

Feedback from Groups in Approved Premises

22 April 2008 & 7 May 2008

Offenders' experiences of complaint system

- They had lots of general complaints but no-one seemed to have made an official complaint about any of the issues
- They did not seem to have had much reason to make complaints other than an issue over courses
- Generally felt that the staff were helpful. "If I have an issue I'll go to the office and the staff are able to help me"
- "If your key worker's not there, there's always someone else to help"
- One resident had made a complaint in prison, which had been ignored, but when he managed to send a complaint outside the prison to the area manager, it was sorted out in a week
- One resident had tried to complain to the Chief Officer by going to the Area Office building in Birmingham but had been turned away. As far as we know his complaint had not been put in writing
- Someone else had made two separate complaints in prison and had gone as far as writing to the PPO but had received no reply. He attributed this to the letters never having got out of prison rather than to inefficiency of PPO as there had been issues about the prison opening his solicitor's letters
- One person stated that they had lost a watch during a transfer and the complaint had gone to the Ombudsman but no reply had ever been received

Awareness of ombudsman/complaints system/how it works

- There seemed to be little information given at any of their inductions into either prison or probation
- In the Approved Premises there appeared to be little awareness of the complaints system
- Induction in Approved Premises is done on arrival and there is a lot to take in and some residents agreed they might not have remembered it
- Induction was mostly just a tour of the hostel but not very detailed. They were not told how to make a complaint
- Some Approved Premises residents said they had heard of the Ombudsman whilst in prison but not in the Approved Premises
- One resident, when asked did you know anything about the Ombudsman before today answered, "it's like the saviour"
- Offenders in the group claimed that nothing had been said to them about the complaints system when they arrived at the Approved Premises and they had never been given the leaflets
- No poster was in evidence
- One Approved Premises had their own leaflet but residents claimed not to have seen it
- Some Approved Premises residents said they had heard of the Ombudsman whilst in prison but not in the Approved Premises
- Some knew about the official complaints form in prison and said it was better to use that than the general applications as it "has got to be dealt with"
- One resident had seen a PPO poster after a fatal incident in prison but had thought "Why do I want to know this? Who is he? I've got my own things to worry about"

Offenders' awareness of publicity materials

- None of them had seen the PPO leaflets. One or two had seen the poster in prison or in other hostels
- Someone had got hold of a PPO complaints leaflet via the probation office in prison

Perceived barriers to making a complaint

- Lack of knowledge about the complaint system
- "Staff are helpful but you can't make a complaint to them about the Manager"
- "The Manager said at the hostel meeting that it's pointless speaking to the Chief Officer"
- They felt that "nothing gets done even if you do make a complaint"
- They said the manager had told them that he couldn't do anything about their problems. Someone stated "if you start rocking the boat you'll end up back in jail"
- "That's why people are reluctant to make complaints, cos they'll recall you"
- "The process is so long and drawn out that it takes so long you just turn round and say 'forget it'. The longer they make you wait the more likely you are to get disillusioned by the whole thing"
- Personally I'd be a bit scared of making a complaint in case I got stitched up – not that these guys would necessarily do it, but that's generally what happens – in life you get stitched up". One person did not agree with this and did not mind complaining. "It's the way you go about it – don't go in with all guns blazing"
- One resident did not want to go on a particular course as he felt it would "look dodgy in the future that he'd had to do it". He'd raised the issue but not made a complaint. "I won't take it further because I don't want to make waves"
- "By the time your complaint has gone through, you've gone...and once you've gone you've got other things to worry about"
- A resident in an Approved Premises felt that he would be scared to go into the office if he wanted to make a complaint about one of the staff as "management will side with the staff". So he would like to go direct to PPO "but if you don't go through the right channels it gets thrown back at you"
- "Get treated as a trouble-maker and they'll try any little thing to get rid of you"
- One offender had "been as far as the pink slip Governor and it still comes back defending their side"
- One person had made a complaint in prison which had been ignored but when he managed to send a complaint outside the prison to the area manager it was sorted out in a week
- "Make a complaint against a member of staff and then all his colleagues will make your life hell...go to the Governor and he'll take the prisoner officer's word against yours"
- They thought that their letters would be read and destroyed if they were making a complaint – "can't get it out unless it's smuggled out" either through visitors or via solicitors
- Making complaints in prison was described as "banging your head against a brick wall" as it just "gets torn up and thrown in the bin"
- One person had made two separate complaints in prison – during the process he was told he'd used the wrong form (he used a general application form as there weren't any complaints forms available) and was later told he'd missed the deadline, although he felt that was because it kept being sent back to him
- "establishment protects itself"
- Someone said "they know for a fact that the complaints form doesn't get past the wing staff"
- "In prison the staff wanted to keep the complaints 'in house'"
- Felt that sometimes the Governor would pass the complaint to an officer to deal with and it would be the one who the complaint was about
- There was a general agreement in the Approved Premises that sometimes it was not worth making a complaint if the stay (in prison or Approved Premises) was a short one

Suggestions for improvements

- One group said they would like a “travelling Ombudsman” to visit so they could voice their complaints. They wanted someone who is independent, not part of the system
- They suggested a “round robin of visits so we know we can see somebody who will write down complaints and act on them, without feeling intimidated”
- One group suggested they would like a freephone number
- Arrange regular visits to Approved Premises by Ombudsman staff to hear complaints at first hand
- One Approved Premises group said they would like to have regular meetings with staff where they could bring up issues. Such meetings had been suggested in the past but “had never happened”.... “You’d have the option to speak out. Sometimes it makes the situation better just knowing you have the option”...“Might find it brings people together”
- Someone said he would like to go direct to PPO “but if you don’t go through the right channels it gets thrown back at you”
- They felt it would help people who can’t read or write and who don’t like talking on the phone
- “I get all tangled up if I try to talk on the phone”
- “If you can’t read or write, you’re reliant on other people doing things for you”
- Complaints leaflets in Exit Packs from Prison
- Give prisoners more time to make complaints
- Although not specifically mentioned except by one person who had dyslexia, it was clear that several participants had reading and writing difficulties and filling in a form was not something they could undertake. In these circumstances face-to-face was a better option

NB. No access to the PPO website as Approved Premises residents do not have access to the internet because of the nature of their offences

Publicity leaflets and posters were passed around the groups and comments were invited on the impact and the clarity of both

- One group thought “more plain and simple would be better”
- The pictures on the posters and leaflets should show the sorts of things you might complain about, such as bullying and suggested it could have someone threatening to punch someone
- They thought it would be useful to have a poster which told you how to make a complaint, rather than what to do if you want to appeal about your complaint (they looked at the poster and thought “what complaint?”)
- Thought the YOI poster didn’t show anything – possibly that making complaints was like talking to a brick wall
- They would like to have a simple leaflet to explain how to make a complaint – who to see, what to do
- Use clear images on posters rather than words
- Needs to be plain and simple. Who to see, what to do
- The poster should exist to create an awareness of how to make a complaint. They said they only want to know about how to complain “when you have something to complain about”. If it isn’t relevant at the time you are told about it, it won’t sink in. They said it “should catch the eye so it’s there in the back of your mind”
- Poster could have a space so that each Approved Premises could add in the name of the key worker/staff member to whom complaints should be directed
- One group liked a poster on the wall in the Approved Premises about bullying. They felt it was easily understood and got the message across. (It had a black background with very large, multicoloured writing)

- One group thought that new people don't understand the chain of command and might think that all staff are equal when they are not. They thought it might be a good idea to have a poster which has gaps in for the names of the individuals to speak to at different stages of a complaint
- "I've heard it time and time again 'I'm going to my brief...' but if it was on the wall saying you've got a right to speak to someone about anything..."
- They didn't like the colour of the poster – thought it needs to "stand out and catch your eye"
- A3 was big enough as long as it was readable
- The picture on the poster looked like an advert for a training course and that it had been thrown together without any thought
- Someone thought the leaflets should be pocket-sized
- Thought it would be useful to have something up on the wall to explain what you have to do
- There should be boxes (in Approved Premises) for the leaflets
- Leaflets should be more easily available "if you have to ask for one then management know you are making a complaint"
- Someone in an Approved Premises thought they should have a similar system to prisons of having complaints forms "all lined up so you can take them". But someone else thought they would get thrown on the floor or torn up to make roaches
- Someone in an Approved Premises suggested putting a complaints leaflet in the Exit Packs from Prison
- One Approved Premises group suggested that the complaints procedure could be explained during the 'roll check' held each morning
- As there was too much info for offenders when they first arrived at an Approved Premises it was suggested they should be given the info when they leave court
- Did not want it at induction as there is too much to take in. However they did think it would be useful to have an induction pack like you get in prison which explains everything so you can refer to it later
- "When you come from prison [to Approved Premises] you've got too much to think about. Complaints procedure should be explained 2-3 weeks after you arrive"
- One group thought that it would be a good idea to have a bypass route to PPO for complaints which were really serious and which might get hidden by the system
- One resident asked "why change it [the design] if no-one has seen it"

General

- "You feel like people think 'you're a criminal so your opinion doesn't matter'. You should be treated like a normal man not like a criminal. Treat me equally and then I'll try to do something good"
- Use clear images on posters rather than words

APPENDIX II: FEEDBACK FROM IRC GROUP

Feedback from Immigration Removal Centre Focus Group

15 May 2008

Detainees' experiences of complaint system

- The detainees we saw seemed to have a lot of issues around immigration which is dealt with separately by UKBA
- Property not being transferred from one establishment to another seemed common, as well as property being stolen whilst in the centre
- They also expressed frustration at being locked up for minor crimes and knowing they would not get out, and were locked up with hardened criminals who were released after serving their sentence. "Immigrants have no right to complain"
- Other complaints were around the centre being corrupt and the way staff treated them – "Am I an animal that they treat me like it?" and "They can write on our record whatever they like. They're just trying to screw our minds". "Felt as though staff played with them"
- Someone had made lots of complaints but said he hadn't heard anything for several weeks – "you make complaints and never get an answer. In prison you know you'll get an answer within two weeks but here they're not controlled when to do it"
- Someone said they had made a complaint about the internet sites they could not visit but they "haven't heard anything whatsoever, no response, no feedback"

Awareness of ombudsman/complaints system/how it works

- Someone said that they had been told the sites were blocked for security reasons but they didn't seem to understand the real reason or that if they didn't like the reply they got that they could then take it to the PPO
- Another detainee had had their complaint sorted out internally. Thought the complaints process is – "alright if its about staff or property"
- One person had made a complaint to PPO but they didn't get his stuff back for him and he decided that "it was going round in circles" so he gave up. PPO told him that he could take the IRC to court but "he's got bigger fish to fry"
- A detainee said – "I would probably not bother to go to the Ombudsman"

Detainees' awareness of publicity materials

None of the detainees seem to have any awareness of the leaflets or poster

Perceived barriers to making a complaint

- "When you put in a complaint and it's 2-3 months before you get a reply, then you can't be bothered"
- "I'm being deported in two weeks' time but these complaints take months and you don't know how long it's going to take"
- "95% you don't get an answer"
- "It's just the outcome, the speed and the process I haven't got a problem with it"
- "If you put in a complaint and you don't get an answer, you put it in again in a different way and then in the end you just give up"
- "If you make a complaint about staff they'll wait 'til you make a mistake then punish you more"
- "They're acting like a friend but the next day they'll find something to give you a warning for"
- "you can't win"
- "a lot of people would find the system difficult"

- “If you can read and write properly it’s easy but a lot of people round here would find it difficult”

Suggestions for improvements

- “Need to speed up the process”
- Considering the leaflet, someone suggested putting something to show how long it is likely to take so they would know whether they had time before they left

Feedback from London Probation Group

23 May 2008

Offenders' experiences of complaint system

- One participant had made lots of lots of complaints to prison about his resettlement. He did not use the Comp1 forms but did it verbally to different Governors and to personal officers. He had not been advised to put anything in writing. "They all said 'Leave it to me and we'll get back to you'" But they never did and he now "can't be bothered anymore"
- Most of the group participants' complaints related to their time in prison. One had complained about the state of her probation office (drug users, hygiene) through her solicitor and had been moved to another reporting office

Awareness of ombudsman/complaints system/how it works

- When asked if they knew what the Ombudsman is, someone answered - "if you're in prison, it's the person one step above the Governor if you want to take it further"
- Someone had been told to talk to the IMB but had thought they were "patronising do-gooders"
- When they come out of prison on ROTL they don't see a probation officer and don't get told about how to complain
- They don't know what they can complain about
- "Officers talk too much about inmates without any confidentiality, so that if you make a complaint suddenly everyone is talking about it"
- They said prisoners were reluctant to make complaints because they didn't want to lose privileges - "they'll all bite their tongues because they like getting their ROTL"
- Someone thought the POs were thinking "you're in a holiday camp, how dare you complain"
- "Property complaints get put in because it ain't going to rub anyone up the wrong way"
- Someone suggested using a solicitor rather than the Ombudsman as the threat of a solicitor seems to have an effect on prison officers

Offenders' awareness of publicity materials

- None of the group had seen the poster or leaflets

Perceived barriers to making a complaint

- If there is a minor incident - "is it worth complaining? Do I put it on a white form, pink form, etc. etc and then you'll get a red entry and da de da you're on basic"
- The participant who had complained about resettlement said he had been told by a prison officer that "the number one Governor would palm it off on someone junior and that really you need to take it to someone independent". He was concerned about how he could make a very top level complaint about the system (resettlement issues) rather than a complaint about an incident. "I can't give a complaint to the Governor and it be fed to a stickleback and expect him to act like a shark"
- "If people have got no faith in the complaints system, they're not going to complain"
- "People don't trust the system"
- "No transparency in the rules"
- "They take the piss out of you"
- "Why you treating me like a less of a human being because your name's officer and my name's inmate?"

- "If you're a raging drug addict then they'll help you, but if you're a normal person then they won't do nothing"
- "8 times out of 10 it's not going to be the answer you want"
- "If it's physical abuse then it would get sorted out but if it's about how the PO talked to you, then they'll just say they'll talk to him"
- Female participant said she – "put a complaint in the box and it was answered by the officer I'd complained about – if I make a complaint about you then why are you dealing with it?"
- One of the participants was a rep on a race relations liaison group and he said that the prison officers would "discuss the complaints and moan about them"
- She felt that – "you don't get nothing back from it (a complaint) – officers stick up for officers. Even if they know their colleague is 100% wrong they'll still defend their colleague"
- "You're making colleagues deal with complaints about other colleagues"
- Someone thought the "prisons try to make sure complaints never get to the Ombudsman"
- "The IMB are not independent of the prison, 'cos they'll sit down with the Governor and say 'blah, blah, blah'"
- "You can't complain to the Governor because he'll flex his muscles and intimidate you"
- There was some indication that if there was an incident with an officer, that the officer would tell them they should complain, knowing that if they do make a complaint they would suffer
- Female participant said she knew someone who "got shipped out because she complained too much. They treat you like furniture"
- Complaints process is too long – "three months later you'll have moved" (particularly if out of prison)

Suggestions for improvements

- "They should scrap the complaints system altogether"
- "Investigate how officers interact with each other regarding complaints as they may be bullied by other officers in the staff room if they stick up for an inmate"
- "Ombudsman should be like the IMB, be in the prison every week"
- "I want to go to the Ombudsman directly 'cos that's the only one that's going to listen to me"
- "Complaint system has to be independent from prison totally"
- They wanted a telephone number which would be on everyone's PIN list, or else a dedicated phone in a secluded place in order to contact the Ombudsman
- "Should have a surgery in the prison where people could go in and talk about their complaints". The female participant had a system like this in her prison, which had been run by prisoners and then every other week someone from the Prisoners Advice Service had attended too. They found that complaints were always about the same prison officer or about ROTL
- She suggested that there should be a rep in each prison from the PPO who could tell prisoners whether it's worth complaining or not. You could get a volunteer prisoner who could help sift the complaints and this would be good work experience
- If the PPO has too many complaints he should tender out his work and delegate it to other organisations
- The poster should be in different languages
- The leaflet should include case studies
- There are "lots of people who can't read"
- "Happy prisoners make happy prisons"

Feedback from Groups at Young Offender Institution

30 May 2008

18-21 year olds

Offenders' experiences of complaint system:

- One offender had made four complaints, one about a racist incident. They came and told him it was being processed but nothing more happened
- Another offender had been beaten up by officers for being aggressive. He had taken out a complaint after seeing a doctor (not sure if in writing or verbally) and had been seen by the Governor. The case had gone to adjudication and then he had heard no more
- Another offender had a complaint but had done nothing about it

Awareness of ombudsman/complaints system/how it works

- When asked if they had ever been told how to make a complaint someone answered – “maybe when I first came but I can't remember”
- Some knew more about it and knew there were “complaints forms by the complaints box”
- Induction was very brief and basic and they get a booklet like a rough guide to prisons
- Best person to talk to you about any problems would be your personal officer
- “If I'd sat there like a lemon they wouldn't have done anything about it, but I kicked off in my cell so they sorted it out. I know my complaint form would be discarded (if I made a complaint about it). They only start listening to me when I start throwing my chair about”
- When asked how long they thought the complaints process should take they disagreed – 1 week, 2 weeks, 1 month

Offenders' awareness of publicity materials

- There wasn't much awareness of the publicity materials
- Someone thought they had seen the graffiti leaflet
- The graffiti leaflet looks like you can complain directly to the PPO. “It does explain but not very clearly”
- “Should be more detailed”

Perceived barriers to making a complaint

- Some said “they don't always have the forms”
- “Once it goes in that box it's the last you'll see of it”
- “Some people don't know you've got a personal officer 'cos they don't tell you”
- “But if you make a complaint, who they going to believe”
- “Like anything's going to get done about it. Why would they believe a convicted criminal over a prison officer?”
- “Probably looked at it and thought this would look bad on the prison and screwed it up and threw it in the bin”
- The offender who had not done anything about his complaint – “If I make a complaint then it might come back on me and I'd get sacked from my job (working in the kitchens where he'd noticed food which had thawed being put back in the freezer). They wouldn't see it as trying to make it better. They shouldn't teach us one thing and then do something else themselves”
- “If you ask what happened to the complaint they'll tell you to put in an application to find out about the first complaint”

- "If PPO phone number PIN isn't free I'd have to put in an application then wait a week to have the number added to my PIN"

Suggestions for improvements

- "Should be dealt with by someone independent of the prison"
- "Need a direct phone line to PPO"

Publicity materials

- There was some disagreement about which of the materials they liked best
 - "yellow leaflet is better – more detailed – gives you more confidence"
 - "This one (yellow) you'd want to complain but this one (graffiti) I wouldn't really bother"
- They thought a video would be useful, showing other complaints, showing that something was done and how you could see the progress
- They thought the posters looked alright
- Thought that a large graffiti poster would be good

16-17 year olds

Offenders' experiences of complaint system

- One participant had made a complaint and got a reply within 3 days which he was happy with

Awareness of ombudsman/complaints system/how it works

- None thought they had been told how to make a complaint
- They knew that there was a complaint box with complaint forms
- At induction Voice (an advocate organisation for under 18s) came to visit them
- If they had a literacy problem they were helped by Voice or IMB with a complaint

Offenders' awareness of publicity materials

- None had seen any posters (although there were some on the walls outside the room we were in)
- One thought he had seen the graffiti leaflet but couldn't remember where

Perceived barriers to making a complaint

- They didn't really seem to have anything that they felt they needed to complain about (there does seem to be a strong support system in place for this age of offender)
- There was a suggestion from them that they didn't trust the system
- And that it was – "too much of a long process"
- - "but that [complaints] takes time. I'll be out of here before it's dealt with"

Suggestions for improvements

- "should be more quicker"
- "Face to face would be better"
- DVD or video would be helpful
- Poster "has to stand out"
- "Don't know what to put on a poster until you've got a problem"

Feedback from literacy group

6 June 2008

Offenders' experiences of complaint system

- None of these offenders had ever made a formal complaint (whether in prison or on probation)
- One participant said he had "come close to complaining" but changed his mind the next day due to apathy
- One participant had made a complaint at a probation office reception after receiving abusive language from the receptionist. However he did not think to put his complaint in writing, as he had asked for the manager who had made a note of his complaint and said he would follow up with him but never did

Awareness of ombudsman/complaints system/how it works

- Participants were not aware of the role of the Ombudsman
- Most were aware that there was a complaints system in place in prisons
- Few were familiar with the complaints procedure in Probation, although a couple said that they were given leaflets
- Several participants said that if they did have a problem with one of the probation staff, they usually dealt with it in person "face-to-face"
- One said that they complained at reception of their probation office
- None of the offenders had used their solicitor as a channel for complaints or had considered it

Offenders' awareness of publicity materials

- One person thought they had been shown a video about complaints in prison
- None of the participants had seen the PPO Probation video

Perceived barriers to making a complaint

- Participants said they felt that there was "no pointing in complaining since you can't beat the system"
- Two of the participants said they felt that they could not make complaints because they felt patronised – "it's not worth it to complain, they talk to you like you are a child"
- Participants felt that there were double standards in the system; that if they had acted in the way described for making complaints they would have to suffer the consequences
- The group generally felt apprehensive about complaining in Probation because if offender managers found out they had complained about them they would "get back" at them. Also they may inform all other offender managers, branding the offender as a "trouble maker", or they would be breached
- There was a general cynicism about complaining and a suspicion about whether or not they could be guaranteed anonymity if they did complain
- There was a general apathy and cynicism expressed towards complaining and several participants said "I can't be bothered to complain" and "you can't beat the system – they (probation/prison staff) all work together" or "my complaint would get put in the bin"
- "In prison you see the same people every day, so it's not the same as being on Probation"
- "Screws will beat you up" (if you complain)

Suggestions for improvements

- It would be better to make complaints over the phone, rather than put it in writing which makes it more difficult
- One participant suggested a phone line that they could call and leave message on about their complaint and their contact details

Publicity materials

- They suggested using a pictorial representation of the complaints procedure to aid people with literacy problems, similar to a comic strip
- Posters need to have better pictures, maybe someone looking distressed?
- Posters need to be more colourful, with clearer and larger font and more attention-grabbing
- Posters/leaflets should be more like the safety instructions given on a plane or train
- Someone suggested that the poster could show stages of complaint procedure in 'steps' going across the poster
- Posters should have a white background with bigger text

APPENDIX VI: FEEDBACK FROM WOMEN'S GROUP

Feedback from Female Offender Group

10 July 2008

Offenders' experiences of complaint system

- One participant was in the process of making a complaint and had been told to put it in writing but hadn't had an acknowledgment so far. She thought it might be because of the weekend when complaints staff don't work. But she didn't think "you should have to go through all the system and the time they have to respond is not acceptable. The prison was sticking to its deadlines"
- They were vociferous about the food. Black and minority ethnic offenders were not catered for – "we get rice and peas and chicken but the only thing that's Jamaican is the name"
- They claimed there had been a can-lid baked inside an apple crumble, but there was no apology given
- "We get visitors in the salad, hairs in the food (and not just one hair, big clumps like you've pulled it out of your hairbrush) and slugs in the veg"
- They have a good kitchen complaints book but all the entries just say "being investigated" and they never get a proper response
- They said the IMB had investigated the food one day and the next it was much better
- One of the girls was a Wing Rep but although everyone came to her with their problems, there had never been a meeting with staff where she could pass them on. She had complained repeatedly – "all looks good for the auditing but no real action"
- Other wings did not have Wing Reps – "they're scared of us having voices"

Awareness of ombudsman/complaints system/how it works

- The two who had been in the system for a long time had heard of the Ombudsman but couldn't pronounce it
- Others were a bit less sure – "the Ombudsman is not like the IMB, cos everyone knows what they do and you see them every day"
- IMB members were described as "middle class stay-at-home wives. Middle aged men. Freemasons. Church of England. Bunch of do-gooders - more for the prisoner officers than inmates"
- IMB "come in every day but it took me three months to know who they were. They say 'you alright?' every day but they don't explain what they do"

Offenders' awareness of publicity materials

- None of them had seen the posters or leaflets
- "Sending these things (posters & leaflets) out don't help cos there's so many girls that can't read"
- They liked the graffiti one because "you feel like you're running into a brick wall every day in prison"
- They thought the graffiti one was "eye catching but a lot of girls wouldn't be able to read it. Should have the words more spaced out"
- They were strongly against the two smiling women's faces especially as the words say "not happy" but the women look very happy
- They also thought the poster was "too cheesy"

Perceived barriers to making a complaint

- One had no faith in letters to the PPO getting there: "you're going way, way over everybody's head and so it will be binned by the night staff"
- "You can put it in an envelope for the Governor and that's what I do now"
- "Letters won't get out of the prison – it's getting it past the gates"
- "Rule 39 letters get opened, and then they say 'opened in error'. They open all the letters, slit, slit, slit and then go back and look at them"
- "They have meetings and things get promised but nothing happens and it's been like that since 1986"
- "Argue and they'll give you a warning"
- "They need to act on it quickly because otherwise you'll put in another complaint and they'll be looking at two complaints for the same issue"
- Group complaint can't be made – eg. about the standard or choice of food as it would be considered to be a riot

Suggestions for improvements

- "Just need a standard acknowledgment letter dated so that you know they've had it and you know when the 14 days are up"
- We passed the idea of a DVD on a loop by them and apparently it had been discussed before at meetings in the context of having all sorts of information constantly available. They thought it was a really good idea but "everyone always says it's a good idea but who would make it, who would pay for it"
- One of the participants had just been involved in making a DVD about Healthy Living to be used at Induction so it must be possible
- "Should have an Ombudsman's box on the wall that only they have the key to so no-one can interfere with it"
- "A box on the wall will take ten years, so if PPO letters can go through Rule 39 it should be advertised"
- "The PPO should visit prison twice a month and take notes and write back and move it on". They thought this was a good way of helping with literacy problems

APPENDIX VII: FEEDBACK FROM STAFF

Approved Premises

Managers at both Approved Premises were asked for their views and comments were made by two staff members who attended one of the groups

Awareness of PPO:

[Manager X]

- He was aware of the PPO fatal incidents investigations as they had had a death at the hostel. Also aware that PPO covers complaints but thought the residents were not aware.
- He thought the furthest any complaint had gone from the AP was to the Chief Officer.
- He had not seen the Probation leaflets nor the PPO one and stated that such materials would come to him from the Communications dept. at HQ.

[Manager Y]

- He was not aware of the Ombudsman/complaints procedure prior to working in the Approved Premises and had not seen the leaflets or poster.
- Other posters were sent out to him on a regular basis from HQ but the PPO one had never been received.
- He had not seen the video but thought a DVD would be useful to use with residents plus a questionnaire, to make sure they had understood it.
- The Area Office had its own complaints procedure and its own complaints leaflet (not the NPS one).

Complaints process and residents

[Manager X]

- He holds a monthly meeting with residents to discuss legitimate issues. There is an agenda and it is quite a formal process. He agreed that some people might find this a bit off-putting.
- Induction lasts about 1-1.5 hours and there is not much time to talk about complaints.
- He felt that if the process was easier the Ombudsman would end up getting a lot of "trivial complaints".
- He thought that residents are generally "not motivated to complain and don't feel empowered". He wishes they would complain about some issues which are above his head and "finds it a difficult line to tread being a middle manager".
- In terms of literacy issues, he disagreed with the Probation Service system of having to put all complaints in writing, seeing it as a "deterrent immediately". He would take complaints verbally.
- He said he is "inclined to believe his staff" and would expect that the residents would "take the view that that's the case". He was aware that some would think that staff would "get back at them if they complain".

[Manager Y]

- He said complaints were usually about property.
- The process for a complaint was from Approved Premises to Senior Probation Officer to Area Manager to Chief Officer to Board to Ombudsman.
- Finds that his staff tend to apologise if a complaint gets to the manager but actually he sees it as useful if they can facilitate a resolution with manager.
- He thought a DVD could "weave in" to one of the courses or group work sessions. (Residents had expressed disdain for these courses however).

[staff]

- There was a purple complaints form which residents were shown on arrival. She said that "if residents come to the office with a complaint that they can't deal with they would tell them to put it in writing" and then it would go to the manager.
- Felt that anyone who was not good at writing would be able to ask someone else to help them. The staff regularly help people to write letters, either by hand or typewritten, for other situations. They would also make phone calls for them

Improvements

[Manager X]

- He thought a DVD for staff and for residents would be useful. He thought it would be good to show WHY they should complain as well as HOW.
- If he was given leaflets he would pin them up and would leave them on tables in the lounge. He thought it was a good idea to give every resident a leaflet but it should be more basic, black and white, than the Probation one.
- He thought communications could be improved by focusing on the message that 'you can complain' and by removing obstacles like requiring a complaint to be made in writing.
- He said there used to be Probation volunteers who would have been useful in helping residents draft letters etc. as they were neutral.

[Manager Y]

- Thought the free sheet newspapers in prisons are the best way to communicate with prisoners as they "read them from cover to cover".
- Thought exit packs from prison would not be useful as we "bombard them with information".
- After three weeks in the AP they give residents a feedback form (RFF) asking about various issues of their care. Data is collated and fed back to staff and individual issues may be followed up if thought appropriate.
- A questionnaire to go with the DVD would be useful so they could check that the info had 'gone in'. Use it as a mini training course. "Staff are the gatekeepers".

[staff]

- Suggested a checklist in the form "have you done x, y, z" before sending the form in.

On The Case:

[Manager X]

- Had seen this but not on a regular basis and he would like to get it regularly.

[Manager Y]

- He does get this and thinks it is the right mix of content.

Immigration Removal Centre

This privately-run establishment, appeared to have an efficient complaints system and we were given a detailed breakdown of the system and tour of the premises by the Investigations Manager.

Awareness of PPO:

- He told us that the PPO is mentioned in induction, where they explain to the detainees that if they are not happy with the outcome of their complaint they can take it to PPO. Their induction takes about 2 hours and includes a DVD about the centre.

Complaints process and detainees:

- Complaint forms in 21 languages are displayed in wooden dispensers all round the centre, on each unit, outside the library, in the healthcare centre. In the beginning the leaflets did tend to get taken & thrown around but generally its OK now.
- There are 10 complaints boxes, next to the complaints forms, for which only UKBA has keys (the centre staff do not).
- They send a “comprehensive reply to every complaint” and tell the detainee in the letter that if they are not happy they can either appeal or go to PPO. They also include a PPO leaflet and an envelope addressed to PPO.
- Have an open door policy and the welfare manager has his office in the centre so it is accessible to everyone. “If they have a problem they can talk to the manager”
- They have a detainee rep on every unit and a liaison meeting where issues are discussed, but they don't have suggestions boxes
- Staff will help people write their complaints if they have difficulty. When a complaint comes in written in a different language they send it away for translation even if they have staff who can speak that language, so that it is independent. UKBA see the complaint but do not get it translated.
- Currently no PPO Poster for Immigration so do not have any displayed. Would like to display them. [They have lots of notice boards around the centre] Thinks A3 is the right size.
- Thinks the leaflet is OK. They print it off the website as they have run out of stock and PPO told them they didn't have any more.
- Did not know there were PPO leaflets in other languages but will in future print off in the same language as the original complaint

Improvements

- The Investigations Manager wondered whether PPO has anything in Braille as they recently had someone who was blind. [Also do we have a recorded version of the form? NO]

Young Offenders Institution

We spoke with the person who deals with complaints at the YOI and Unit Officers from both the juvenile and young adult sections of the Institution.

Awareness of PPO:

- Person dealing with complaints was aware of the Ombudsman.

Complaints process and detainees:

- They log all complaints received, acknowledge them and pass them on to Safeguard?? dept. who give options about dealing with it. If it is a civil matter it goes to the Police.
- They had done a survey amongst the offenders about complaints and got 41% positive and 41% negative comments. 600 forms sent out, 25% response rate.
- Tend to get complaints about staff when the prisoner does not get what he has asked for.
- Very few appeal against a decision because the complaints are made in the heat of the moment and it no longer matters to them.
- They thought the reason there are fewer complaints from young people is because their personal officers deal with issues for them.
- They have less property complaints than older prisoners because they leave the property behind when they go to court rather than taking it with them.
- If a prisoner cannot read or write they will ask the IMB or Voice to help them.
- Staff will help a prisoner to deal with a property complaint and use the system as this can speed it up.
- Quality of complaints is a problem – not serious enough to be written down.

- If prisoner makes a complaint against staff and it is dealt with it, it is not necessarily beneficial for the prisoner to be told what happened – “the complainant can’t know everything”.

Improvements

- They are bombarded with information on posters from many organisations.
- All prisoners have TV in their rooms so why not have an information DVD on a continuous loop on Channel 6. (Channel 6 is controlled by Wing Staff).
- DVD could be produced by the Prison Service and have information about all other organisations like IMB, as well as info about how to make complaints, etc.
- Make sure we speak to HMPS Diversity Section about foreign language leaflets.
- Maybe have case studies/examples in the leaflets as that’s what the prisoners get to see.
- VOICE is more in tune with the boys’ needs.
- IMB needs to be more similar in background to the boys – “not really people they can relate to”. They’d probably rather talk to someone in dreadlocks than in a shirt and tie”.

On the Case

- One staff member reads it and finds it useful. Thinks it should have more case studies of complaints.

Other comments

- Wondered why there are two complaints procedures for racist and non-racist complaints.
- Felt that HMPS won’t pay for anything and local Governors have to pay for everything, e.g. translation of leaflets.

Women’s Prison

Complaints Clerk

- The Clerk did not answer complaints but handled the administration by collecting, allocating, acknowledging and chasing up replies.
- She had been doing the job for about a year having previously done adjudications. She had been trained by the previous job holder. She had minimal awareness of PPO (although there were 13 existing PPO cases in this establishment).
- She had never seen any of the PPO leaflets or posters or On the Case although she did think she’d seen some sort of newsletter from PPO.
- She has a detailed log system enabling her to track the progress of the complaints and to chase up replies before the deadlines. She produces a monthly report for their senior management meetings.
- She was not sure what would happen if someone couldn’t write and assumed that the wing staff would help them.
- She did know that the complaints forms were available in different languages.
- She could not access the PPO website as she only had access to the prison service intranet and there were no links.
- She said she had phoned the PPO office to ask for some posters/leaflets but was told there was no-one who could help. Agreed to send her some posters & leaflets.
- She felt the complaints system in the prison works really well.

Prison Governor

- When asked if there was any requirement to report how many complaints there had been he said apart from the Clerk’s monthly reports, which are used internally, the only auditing is for the KPT in terms of timeliness, so there is no measure of quantity or quality.