



Report on an independent review of progress at

## **HMP Durham**

by HM Chief Inspector of Prisons

6–8 January 2025



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## Section 1 Chief Inspector’s summary

1.1 HMP Durham is a reception and resettlement prison for adult men; until the week of our visit, it was the only jail to service the courts in the north-east of England.

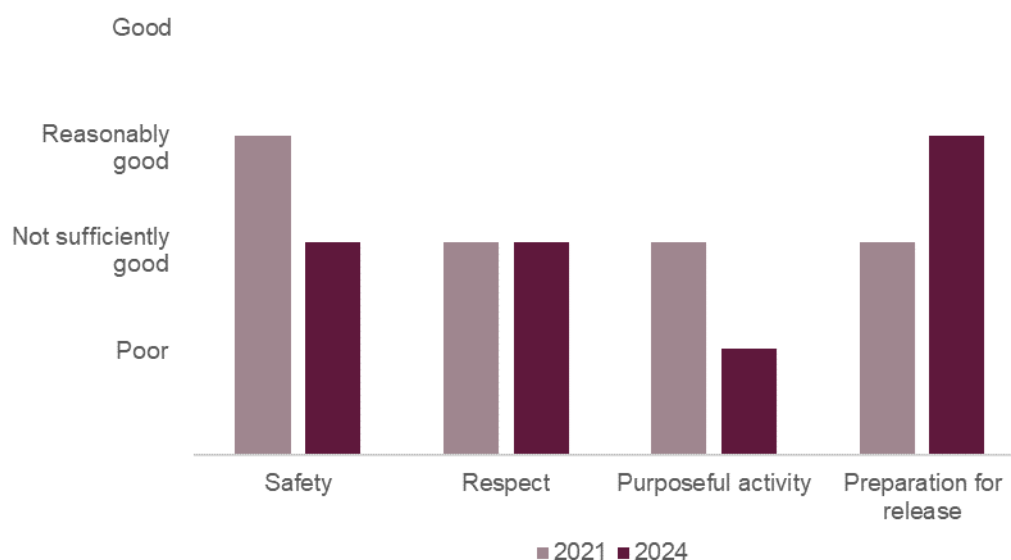
1.2 This review visit followed up on the concerns we raised at our last inspection of HMP Durham in May 2024.

### What we found at our last inspection

1.3 At our previous inspections of HMP Durham in 2021 and 2024, we made the following judgements about outcomes for prisoners.

**Figure 1: HMP Durham healthy prison outcomes in 2021 and 2024**

Note: rehabilitation and release planning became ‘preparation for release’ in October 2023.



1.4 Our inspection in May 2024 found a deterioration in outcomes for prisoners in two out of four of our healthy prison tests, safety and purposeful activity, which had declined to not ‘sufficiently good’ and ‘poor’ respectively. In contrast to this decline, we saw some improvement in preparation for release, where outcomes were now reasonably good.

1.5 We were particularly concerned about the poor time out of cell. Some prisoners spent 22 hours a day or more locked up in often crowded conditions, as there were not enough activity spaces for the population. It was, therefore, unsurprising to find that with many prisoners not meaningfully occupied, drug use and violence were increasing. In addition, not all new arrivals received appropriate safety and health screening to make sure they were sufficiently safeguarded during their early days in prison.

- 1.6 There were impressive opportunities for prisoners to maintain contact with their children and families, and resettlement services had improved overall. However, despite this far too many prisoners were released homeless.

### **What we found during this review visit**

- 1.7 At this review we were concerned that there were still insufficient safety and health screenings for new arrivals, a fundamental element of prisoner safety for a reception prison, and that these had deteriorated further since our inspection. Similarly, despite a revised daily routine and increased employment spaces, prisoner time out of cell had not improved since our last inspection. This was because their allocation to and attendance at education and work were not optimised, and staff had not implemented the improved routine.
- 1.8 The use of drugs had increased since our inspection and, unsurprisingly, violence had also risen. There had been recent efforts to disrupt supply routes into the prison and generally improve security processes. However, these needed to be sustained to improve outcomes, as some prisoners still felt unsafe.
- 1.9 There had been little movement on some external issues, which was hampering progress; these included the lack of secure mental health beds and availability of accommodation in the community for released prisoners, and national prison population pressures. However, leaders were making sure that areas within their control were delivered well, such as providing decent living conditions, completing housing referrals, and escalating concerns for prisoners needing mental health spaces.
- 1.10 Overall, there had been insufficient progress or worse in just over half of the concerns we reviewed. The governor and deputy governor who were newly appointed at the time of the last inspection remained in post, but there continued to be major changes in leaders at all other levels, and too many were in temporary positions; this was not helping progress.

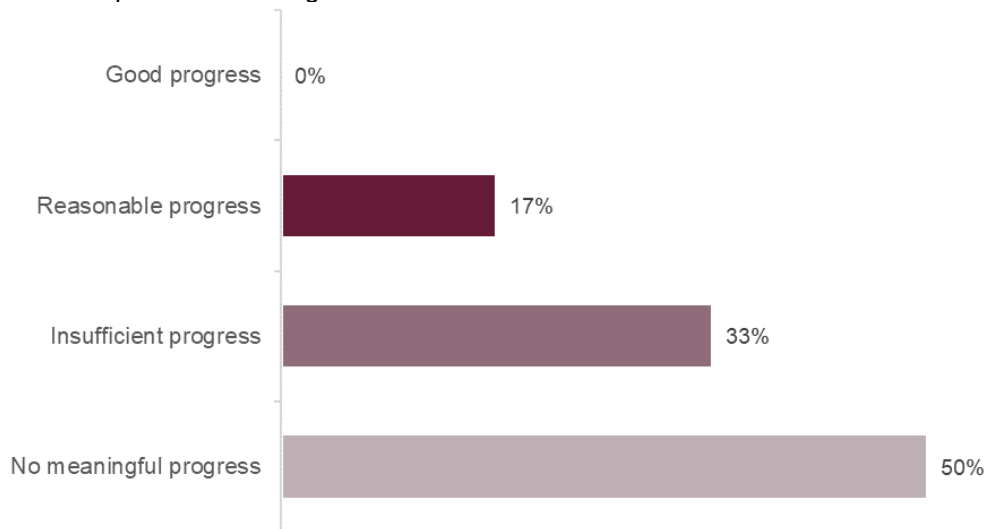
**Charlie Taylor**  
HM Chief Inspector of Prisons  
January 2025

## Section 2 Key findings

- 2.1 At this IRP visit, we followed up six concerns from our most recent inspection in May 2024 and Ofsted followed up three themes based on their latest inspection.
- 2.2 HMI Prisons judged that there was reasonable progress in one concern, insufficient progress in two concerns and no meaningful progress in three concerns.

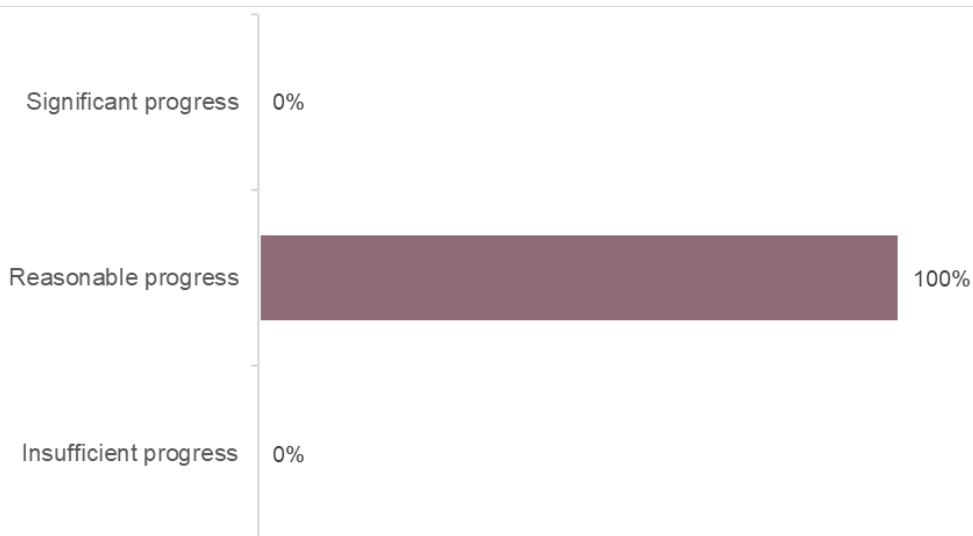
**Figure 2: Progress on HMI Prisons concerns from May 2024 inspection (n=6)**

This bar chart excludes any concerns that were followed up as part of a theme within Ofsted's concurrent prison monitoring visit.



- 2.3 Ofsted judged that there was reasonable progress in all three themes.

**Figure 3: Progress on Ofsted themes from May 2024 inspection (n=3)**



## Notable positive practice

2.4 We define notable positive practice as:

Evidence of our expectations being met to deliver particularly good outcomes for prisoners, and/or particularly original or creative approaches to problem-solving.

2.5 Inspectors found one example of notable positive practice during this IRP visit, which other prisons may be able to learn from or replicate. Unless otherwise specified, these examples are not formally evaluated, are a snapshot in time and may not be suitable for other establishments. They show some of the ways our expectations might be met, but are by no means the only way.

### Example of notable positive practice

- |    |   |                    |
|----|---|--------------------|
| a) | The recall duty officer saw every prisoner recalled into custody. These prisoners spent a short time in Durham, typically 14 days or less, and this early intervention meant that their housing needs were identified swiftly and referrals into the community could be made as soon as possible. | See paragraph 3.46 |
|----|---|--------------------|

## Section 3 Progress against our concerns and Ofsted themes

The following provides a brief description of our findings in relation to each concern followed up from the full inspection in 2024.

### Early days in custody

**Concern:** Many prisoners arriving late in the evening did not receive a health care or safety interview, putting those who might self-harm or with drug or alcohol dependency at risk.

- 3.1 The prison was still not carrying out critical safeguarding measures consistently for all prisoners on their first night, such as initial health screenings and first-night custody interviews. At this review of progress 340 health screenings had been missed in the previous six months, which was high, and the figure was rising.
- 3.2 Although prison leaders had attempted to track the number of missed screenings, record-keeping among operational staff was inadequate and did not, for example, align with the more reliable records we saw maintained by health care staff.
- 3.3 Health leaders and staff were frustrated at their inability to screen new prisoners into the evening when the prison entered night state (see glossary) and cell doors could not be opened. Although clinical staff used available information, such as the escort records, and their clinical judgement to prioritise health screening for those with greatest needs, this did not fully mitigate the considerable risks to the safety of prisoners.
- 3.4 Staff completed outstanding health screens on the following day. This impacted on other services and clinics, which were often cancelled as clinicians sought to make up any shortfall.
- 3.5 Although prison leaders had reviewed operational processes and extended reception staff hours, these efforts had failed to produce meaningful improvements, leaving prisoners at increased risk.
- 3.6 We considered that the prison had made no meaningful progress with this concern.

## Security

**Concern:** Stability within the prison was undermined by easy access to drugs and other illicit items. Prisoners were getting into debt as a result and the rate of violence between prisoners had increased significantly.

- 3.7 As at the last inspection, drugs and violence remained a major problem and had, in fact, worsened. Positive mandatory drug test results had risen from 18% to approximately 24%, and violence levels were much higher than seen previously and continued to rise. Rates of assaults on staff remained comparatively low, but there had been a large increase in prisoner-on-prisoner assaults, which were up by almost 60%.
- 3.8 Leaders with key responsibilities to address drugs and violence had been newly appointed, and a well-coordinated action plan had been introduced that aimed to prevent entry and use of drugs at the prison. Actions included prompt referrals to substance misuse teams, enhanced coordination with local police, spot-checks on prisoner in-possession medication, and improved searching procedures. While these measures were promising, they were very recent and had not yet resulted in measurable improvements.
- 3.9 Some prisoners we spoke to said they felt unsafe.
- 3.10 We considered that the prison had made insufficient progress with this concern.

## Living conditions

**Concern:** The prison was overcrowded and cells were very cramped. Almost all cells, originally designed for one person, held two men.

- 3.11 The number of prisoners held two to a cell that was designed for one remained unchanged. This meant that around 820 lived in cramped conditions with little privacy. Some of the cells were too small to hold sufficient furniture for two people, prisoners sharing one chair and cupboard between them.





**Cell on E wing**

- 3.12 Leaders had prioritised decency and worked hard to improve conditions where they could, and we found a much cleaner prison than at our last visit. Graffiti had been removed from most cells, curtains had been replaced, and better screening of toilets in cells had created more privacy. The refurbishment of A wing was ongoing.



**F wing**

- 3.13 Staff and leaders conducted weekly checks of all cells and reported any breakages, ensuring worn furniture was identified and replaced quickly. Waste was also moved from the wings swiftly, and the outside areas kept clean and litter free.
- 3.14 We considered that the prison had made insufficient progress with this concern.

## Health, well-being and social care

**Concern:** Transfers to hospital under the Mental Health Act took too long. Only three out of 20 transfers in the last year had been completed within the national guidelines on timeliness.

- 3.15 Acutely mentally unwell patients continued to face unacceptable delays in transfer to hospital. None of the four patients transferred in the previous six months had been moved within the national guideline of 28 days. We were very concerned that one transfer had taken over a year and, for much of that time, the patient was held in segregation. A further two patients were waiting for a transfer at the time of the review.
- 3.16 An analysis of the records and discussions with leaders revealed that the lack of an NHS secure bed had been the cause for lengthy delays for all six patients in receiving specialist care and treatment.
- 3.17 Mental health and prison leaders used established escalation processes to expedite transfers, but this was ineffective in the face of the underlying lack of secure beds.
- 3.18 We considered that the prison had made no meaningful progress with this concern.

## Time out of cell

**Concern:** Time out of cell was poor for many prisoners. Too many were locked in their cells during the working day with little time to complete essential tasks such as showering, outdoor exercise and making applications.

- 3.19 Leaders had increased the number of activity spaces in work and education for prisoners and created more part-time work to expand access to purposeful activity. However, inadequate allocation of these spaces, compounded by poor attendance, meant that prisoners were not realising these benefits. Consequently, in our roll checks we still found 36% of prisoners locked in their cells during the working day, which was not too different to the 40% found at the inspection.
- 3.20 A new core day routine introduced since the inspection aimed to improve the time prisoners had for essential tasks, such as showers and making applications, as well as making sure that they all had an hour a day to exercise outdoors. Leaders told us this increase in time would total two hours a day, but in the sessions we observed, prisoners were typically receiving only an hour and half, which was no better than at the previous inspection.



### Exercise yard

- 3.21 Prisoners received only around an hour and a half a day out of their cells at weekends, unless they were fortunate enough to have a job that included weekend work; this was poor.
- 3.22 The timings for the core day were published for prisoners on each wing, but they were greatly frustrated by the staff's inability, or unpreparedness, to deliver what was meant to be offered.
- 3.23 Although leaders were reviewing the staffing of the prison, we noted that this did not look at providing any commensurate increase in prisoner time out of cell.
- 3.24 We considered that the prison had made no meaningful progress with this concern.

### Education, skills and work



This part of the report is written by Ofsted inspectors. Ofsted's thematic approach reflects the monitoring visit methodology used for further education and skills providers. The themes set out the main areas for improvement in the prison's previous inspection report or progress monitoring visit letter.

**Theme 1:** What action have leaders and managers taken to ensure there were enough activities to allow prisoners to develop the skills, knowledge and behaviour to increase their opportunities for employment on release?

- 3.25 Leaders and managers had created more purposeful activity places since the previous inspection. There were now sufficient places for prisoners who were available for work to be purposefully occupied. Additional spaces included those that were contained in new areas, such as painting and decorating, a range of mentor roles and a manufacturing workshop building transformers.
- 3.26 Communication with prisoners had improved with the introduction of employability, attendance and career centre mentors on each wing. Prisoners had regular contact with the mentors who, in turn, could help to facilitate changes for them, when required, in a timely way.
- 3.27 In industries, prisoners developed good employment-related skills. They valued the feedback that they received from their instructors on how they could improve and what they had done well. Many prisoners stated that they had increased their confidence in their own abilities. Industries staff had also received a wide variety of training that improved how they evaluated and promoted work-related skills with the prisoners with whom they worked.
- 3.28 Wing cleaners were appropriately trained and deployed in part-time roles. A rolling programme ensured all received appropriate training to do their job safely and effectively. Servery workers were trained in food hygiene, and they followed hygiene practices well and wore appropriate personal protective equipment.
- 3.29 The senior leadership team had placed a strong focus on increasing prisoners' attendance and participation in the expanded range of activities. However, significant improvement in attendance and participation were yet to be seen.
- 3.30 Activities available for the small number of vulnerable prisoners to develop the skills, knowledge and behaviours for employment on release were extremely limited. They had only one choice of vocational training, which was a digital skills course. In industries, the only job available was tea packing.
- 3.31 Ofsted considered that the prison had made reasonable progress against this theme.

**Theme 2:** What action have leaders and managers taken to provide enough enrichment activities for prisoners to explore and develop wider interests outside education, skills and work activities and to be fully occupied?

- 3.32 Since the last inspection, leaders and managers had increased the range and volume of enrichment activities available. However, with so many prisoners working part-time, the volume of enrichment activities that leaders provided was not sufficient to meet the full level of demand. Enrichment was delivered by a broad range of departments in the prison and other agencies. For example, the library offered chess clubs and recreational art, the gym delivered yoga, and charitable

organisations had run sessions for lesbian, gay, bisexual, transgender and queer or questioning prisoners. Education information, advice and guidance and careers services staff also offered wing-based services throughout the week for part-time workers.

- 3.33 Structured, on-wing enrichment targeted those with the greatest level of need. Those who were hard to reach and struggled to engage in the wider regime, or prisoners with poor reading levels, benefited the most.
- 3.34 Leaders and managers placed a strong focus on reading, as part of the enrichment curriculum. Prisoner reading champions promoted reading for all, and emergent readers benefited from the support of a staff reading specialist and Shannon Trust literacy programme mentors.
- 3.35 Wing-based career hubs effectively supported applications for prison jobs and promoted distance learning courses, such as those with the Open University and Prison Education Trust. However, demand for distance learning courses was low and since the previous inspection there had been few applications.
- 3.36 Leaders provided 50 laptops for loan to prisoners, which was a valuable aid for in-cell study. These served to supplement the learning taught in classes and supported subjects that were not routinely delivered on site, such as construction skills certification scheme cards. The laptops also provided access to useful activities to improve individual prisoners' health and well-being.
- 3.37 Ofsted considered that the prison had made reasonable progress against this theme.

**Theme 3:** What action have leaders and managers taken to improve the prison's local pay policy, which favoured those who worked full-time and disadvantaged prisoners choosing to attend education, vocational training, or industries?

- 3.38 Leaders and managers had refreshed the prisoner pay policy in response to the findings of the previous inspection, and it was now significantly improved and more equitable. Leaders ensured that the new policy was carefully considered and demonstrated a measured response to previous concerns, but although its redesign had begun immediately after the last inspection, it had taken too long to roll out.
- 3.39 The new policy satisfactorily addressed previous concerns that wing cleaners were on higher pay, by virtue of being in full-time roles, by converting these jobs to part-time. Leaders combined this policy change with an increase in the number and range of jobs available in other areas of the prison, such as prison industries, vocational training, and new wing mentor roles. The new mentor roles, as well as providing a valuable service to prisoners, also offered a promotion opportunity for those who had completed education courses. The prisoner pay policy now better reflected leaders' and managers' aim to motivate prisoners

to work towards qualifications, sentence plan targets, rehabilitation and positive resettlement.

- 3.40 The prisoner pay policy had introduced an increase in basic pay per session. Prisoners on English and mathematics courses could now also earn an additional bonus on receipt of awarding body confirmation that they had passed their course.
- 3.41 Education, skills and work sessions were delivered over five mornings and five afternoons each week, providing equity of pay between those attending part-time in the morning and those who attended in the afternoon.
- 3.42 Around a third of prisoners had low-level skills in English and mathematics, but the pay policy did not sufficiently encourage their participation in education. Education still attracted the lowest pay and relied on bonus payments to bring some level of parity to full-time roles.
- 3.43 Ofsted considered that the prison had made reasonable progress against this theme.

## Returning to the community

**Concern:** Too many prisoners were released homeless.

- 3.44 Leaders had sought to identify any potential housing issues for prisoners on their release at the earliest opportunity, as part of the initial resettlement screening.
- 3.45 The introduction of regular clinics on the wings by the accommodation support provider and prison offender manager (POM) was a good initiative to increase engagement with prisoners who needed accommodation. As a result, housing referrals had increased by around a third since our inspection.
- 3.46 A recall duty officer had also been introduced who was responsible for seeing all prisoners serving short-term recalls as they arrived; these prisoners spent a short time in Durham, typically 14 days or less. This early intervention meant that community offender managers and housing providers were contacted swiftly and had more time to source appropriate support for prisoners on release.
- 3.47 Pre-release boards had started for the small number of prisoners who had 12 weeks left to serve before they were released. These were multiagency and developed effective resettlement plans that included housing.
- 3.48 Overall, these improvements had increased the number of prisoners who entered sustainable housing (housing they could live in for more than 12 weeks) by around 21% since the inspection. Despite this improvement, the number of prisoners who ended up sleeping rough after release remained the same at around 25% of all releases.

3.49 We considered that the prison had made reasonable progress with this concern.

## Section 4 Summary of judgements

A list of the HMI Prisons concerns and Ofsted themes followed up at this visit and the judgements made.

### HMI Prisons concerns

Many prisoners arriving late in the evening did not receive a health care or safety interview, putting those who might self-harm or with drug or alcohol dependency at risk.

#### **No meaningful progress**

Stability within the prison was undermined by easy access to drugs and other illicit items. Prisoners were getting into debt as a result and the rate of violence between prisoners had increased significantly.

#### **Insufficient progress**

The prison was overcrowded and cells were very cramped. Almost all cells, originally designed for one person, held two men.

#### **Insufficient progress**

Transfers to hospital under the Mental Health Act took too long. Only three out of 20 transfers in the last year had been completed within the national guidelines on timeliness.

#### **No meaningful progress**

Time out of cell was poor for many prisoners. Too many were locked in their cells during the working day with little time to complete essential tasks such as showering, outdoor exercise and making applications.

#### **No meaningful progress**

Too many prisoners were released homeless.

#### **Reasonable progress**

### Ofsted themes

What action have leaders and managers taken to ensure there were enough activities to allow prisoners to develop the skills, knowledge and behaviour to increase their opportunities for employment on release?

#### **Reasonable progress**

What action have leaders and managers taken to provide enough enrichment activities for prisoners to explore and develop wider interests outside education, skills and work activities and to be fully occupied?

#### **Reasonable progress**

What action have leaders and managers taken to improve the prison's local pay policy, which favoured those who worked full-time and disadvantaged prisoners choosing to attend education, vocational training, or industries?

#### **Reasonable progress**



## Appendix I About this report

HM Inspectorate of Prisons (HMI Prisons) is an independent, statutory organisation which reports on the treatment and conditions of those detained in prisons, young offender institutions, secure training centres, immigration detention facilities, court custody and military detention.

All visits carried out by HM Inspectorate of Prisons contribute to the UK's response to its international obligations under the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). OPCAT requires that all places of detention are visited regularly by independent bodies – known as the National Preventive Mechanism (NPM) – which monitor the treatment of and conditions for detainees. HM Inspectorate of Prisons is one of several bodies making up the NPM in the UK.

Independent reviews of progress (IRPs) are designed to improve accountability to ministers about the progress prisons make in addressing HM Inspectorate of Prisons' concerns in between inspections. IRPs take place at the discretion of the Chief Inspector when a full inspection suggests the prison would benefit from additional scrutiny and focus on a limited number of the concerns raised at the inspection. IRPs do not therefore result in assessments against our healthy prison tests. HM Inspectorate of Prisons' healthy prison tests are safety, respect, purposeful activity and rehabilitation and release planning. For more information see our website: [Expectations – HM Inspectorate of Prisons \(justiceinspectorates.gov.uk\)](https://justiceinspectorates.gov.uk)

The aims of IRPs are to:

- assess progress against selected priority and key concerns
- support improvement
- identify any emerging difficulties or lack of progress at an early stage
- assess the sufficiency of the leadership and management response to our concerns at the full inspection.

This report contains a summary from the Chief Inspector and a brief record of our findings in relation to each concern we have followed up. The reader may find it helpful to refer to the report of the full inspection, carried out in [May, 2024] for further detail on the original findings (available on our website at [Our reports – HM Inspectorate of Prisons \(justiceinspectorates.gov.uk\)](https://justiceinspectorates.gov.uk)).

### IRP methodology

IRPs are announced at least three months in advance and take place eight to 12 months after a full inspection. When we announce an IRP, we identify which concerns we intend to follow up (usually no more than 15). Depending on the concerns to be followed up, IRP visits may be conducted jointly with Ofsted (England), Estyn (Wales), the Care Quality Commission and the General Pharmaceutical Council. This joint work ensures expert knowledge is deployed and avoids multiple inspection visits.

During our three-day visit, we collect a range of evidence about the progress in implementing each selected concern. Sources of evidence include observation, discussions with prisoners, staff and relevant third parties, documentation and data.

Each concern followed up by HMI Prisons during an IRP is given one of four progress judgements:

**No meaningful progress**

Leaders had not yet formulated, resourced or begun to implement a realistic improvement plan to address this concern.

**Insufficient progress**

Leaders had begun to implement a realistic improvement strategy (for example, with better and embedded systems and processes), but prisoner outcomes were improving too slowly or had not improved at all.

**Reasonable progress**

Leaders were implementing a realistic improvement strategy, with evidence of sustainable progress and some early improvement in outcomes for prisoners.

**Good progress**

Leaders had already implemented a realistic improvement strategy to address this concern and had delivered a clear improvement in outcomes for prisoners.

When Ofsted attends an IRP its methodology replicates the monitoring visits conducted in further education and skills provision. Each theme followed up by Ofsted is given one of three progress judgements.

**Insufficient progress**

Progress has been either slow or insubstantial or both, and the demonstrable impact on learners has been negligible.

**Reasonable progress**

Action taken by the provider is already having a beneficial impact on learners and improvements are sustainable and are based on the provider's thorough quality assurance procedures.

**Significant progress**

Progress has been rapid and is already having considerable beneficial impact on learners.

Ofsted's approach to undertaking monitoring visits and the inspection methodology involved are set out in the *Further education and skills inspection handbook*, available at <https://www.gov.uk/government/publications/education-inspection-framework>.

## **Inspection team**

This independent review of progress was carried out by:

Martin Lomas	Deputy chief inspector
Donna Ward	Team leader
David Foot	Inspector
Esra Sari	Inspector
Shaun Thomson	Health and social care inspector
David Everett	Ofsted inspector
Sheila Willis	Ofsted inspector

## Appendix II Glossary

We try to make our reports as clear as possible, and this short glossary should help to explain some of the specialist terms you may find.

### **Care Quality Commission (CQC)**

CQC is the independent regulator of health and adult social care in England. It monitors, inspects and regulates services to make sure they meet fundamental standards of quality and safety. For information on CQC's standards of care and the action it takes to improve services, please visit: <http://www.cqc.org.uk>

### **Leader**

In this report the term 'leader' refers to anyone with leadership or management responsibility in the prison system. We will direct our narrative at the level of leadership which has the most capacity to influence a particular outcome.

### **Night state**

A period of time when prisoners are locked in their cells and there is minimal movement of prisoners within the prison and no external entry to the prison unless there are exceptional circumstances and/or correct authorisation.

### **Time out of cell**

Time out of cell, in addition to formal 'purposeful activity', includes any time prisoners are out of their cells to associate or use communal facilities to take showers or make telephone calls.

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