



Her Majesty's Prison

**KENNET**

The Fifth Annual Report

of the

**Independent Monitoring Board**

**2011**

Isobel Macdonald-Davies  
Peter McFall

## **Statutory Role of the IMB**

The Prisons Act 1952 and the Immigration and Asylum Act 1999 require every prison to be monitored by an independent Board appointed by the Home Secretary from members of the community in which the prison is situated.

The Board is specifically charged to:

- (1) satisfy itself as to the humane and just treatment of those held in custody within its prison and the range and adequacy of the programmes preparing them for release.
- (2) inform promptly the Secretary of State, or any official to whom he has delegated authority as it judges appropriate, any concern it has.
- (3) report annually to the Secretary of State on how well the prison has met the standards and requirements placed on it and what impact these have on those in its custody.

To enable the Board to carry out these duties effectively its members have right of access to every prisoner and every part of the prison and also to the prison's records.

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## **Description of the prison**

HMP Kennet was converted from part of the Ashworth Hospital complex and opened in June 2007. The original buildings were built soon after the Second World War. It is situated close to Junction 1 of the M58 and is a sprawling site, open and airy, but most inhospitable on a windy winters day in the rain. The land is leased from Mersey Care Trust, although we understand the Home Office owns the land.

It is a Category C establishment designed for 342 offenders. Accommodation for offenders consists of seven single storey buildings, holding between 30 and 69 offenders and is generally two per cell. Each cell has a washbasin and toilet and the latter is generally screened by ceiling high curtains. There is standard two bunk sleeping provision with storage for each offender including a small security safe for personal items. Television sets are available for offenders on Standard and Enhanced Status. Cell locking incorporates protection of property with each resident having his own cell key, which the staff can over ride with their keys. There are showers in each unit, which are available during each association period.

There are two administration buildings. Wordsworth House contains offices for the Governor, Deputy Governor, Security, the Performance Monitoring Unit (PMU) and the Staff Training Unit with the remaining Administration work is in the building opposite Wordsworth House. Reception, Healthcare, Prison Chaplaincy, Library and the Workshops are all located in a complex in the centre of the Prison Site. The Gymnasium incorporating an all weather football pitch is situated nearby. Visits take place in a separate single story building. The facilities are limited but comfortable. Refreshments are available and there is a supervised child's play area, but the supervision is sometimes limited by shortages of staff.

Healthcare was provided by Sefton Primary Care Trust until 31 August 2011. Liverpool Community Healthcare NHS Trust took over responsibility from 1 September 2011. Education and training is provided by The Manchester College.

# **EXECUTIVE SUMMARY**

## **4.1 Issues for the Minister**

### **4.1.1 Healthcare**

The Board first raised the issue of overnight healthcare provision in its 2007 Report and again in its 2008, 2009 and 2010 Reports. While there were no incidents in 2011, the Board remains concerned that there could still be an issue if there is a need for an offender to be seen on site by a health professional at night to check his fitness. We hope that the move to a new provider (Liverpool Community Healthcare NHS Trust) will improve the situation. While healthcare provision at night is very rarely needed at Kennet, it is vital that there is a system in place which delivers it when needed. A failure could have significant implications.

### **4.1.2 Transfer of Category D offenders**

The lack of places in the open estate meant that throughout the year there were a significant number of offenders who had been recategorised to Category D who were awaiting transfer. Locally, offenders waited in a queue with those waiting longest at HMP Kennet being transferred when a place became available. One of the wings became a Category D transition unit which allowed the offenders some additional privileges while they awaited transfer. Laudable as this is, at a strategic level the lack of Category D places needs addressing urgently.

### **4.1.3 Loss of property when transferring between establishments**

This year, the Board dealt with a higher number than usual of cases where an offender's property had got lost when they transferred to Kennet. This can cause significant distress to the offenders affected and is time consuming to resolve. The Board is concerned at the level of cases and do not see anything in place which is likely to resolve or reduce the problem.

### **4.1.4 Budget pressures**

HMP Kennet has higher costs than other similar establishments, some due to the nature of the establishment eg a kitchen outside the establishment and several small wings. We are monitoring the impact of the reduced funding closely and have not

seen any significant reduction front line offender provision during 2011. We continue to be concerned about the impact of outside factors. On occasion, the quality of the meat provided via the standard contract was not acceptable and the only recourse available to the kitchen was complaint to the provider.

#### **4.1.5 Support from Ministry of Justice**

During 2011, the IMB at Kennet had seven members in their initial probationary year. The remaining five members had to take the lead in the Board's monitoring work as well as recruiting, supporting and training the new members. Board members also spent significant time dealing with problems in the Ministry of Justice, notably with the move to a new website (and the associated failure to update it) and the move to a new expenses system. This meant the Board had to reduce its monitoring to the absolute minimum – for example pressures on the time of the established Board members meant that an IMB member only attended 18 of the 42 segregation reviews. This situation is not acceptable. See 7.1 for further information.

## **4.2 Issues for the Prison Service**

### **4.2.1 Double cells**

As stated in our last three reports, almost all the cells are double cells. Generally the toilet is screened by a curtain which provides little privacy. Many offenders eat meals in their cells. The Board is pleased to note that dining out is now available on all wings and there are sufficient tables in the wing recreational areas to allow for anyone who wishes to 'dine out' to do so. However, these arrangements continue to fall significantly short of good practice.

### **4.2.2 Cost of phones**

While the Board realises that the cost to offenders of using the phones is set to cover the whole cost of the phone service, the Board remains concerned about the cost. The retendering of the contract did provide for some additional phones on the residential wings, but it is unfortunate that the unit cost of calls remains so high.

### **4.2.3 Educational provision**

The opening of the virtual campus in the summer increased the range of opportunities on offer. Progress continued during 2011 with Category D offenders working in the kitchen and on a painting works party outside the establishment. The Board is pleased that HMP Kennet is making more use of Category D offenders including in the laundry, library and grounds as this will provide a good quality educational and occupational experience for those offenders.

Current educational and training provision includes painting and decorating, joinery, bricklaying, plastering, tiling, industrial cleaning, catering and horticulture. Qualifications offered to offenders have improved, with an industry recognised Diploma being offered in more areas during 2011 (eg catering and joinery). However, the Board noted many occasions of low attendance at workshops. While the Board recognises that offenders may have legitimate reasons for absence (eg visits or gym), this does result in underuse of resources.

There is a range of other classroom based activities including creative writing, IT and business and the PASRO (Prisons Addressing Substance Related Offending). A new domestic violence programme (healthy relationships) is being delivered by Merseyside Probation Trust.

### **4.3 Overall judgement**

In 2011, the good relationships between offenders and staff at HMP Kennet continue. There is a positive culture with staff generally treating offenders with respect. The Board is pleased to note the improvement in the Key Performance Targets in 2011 though the level of staff absence has risen again. The improved quality and volume of education provision and the established wings for Category D transition and Resettlement are positive developments. At a local level, there is a culture of continual improvement and staff generally value and use feedback, eg from the Offender Focus Group and from the Monitoring Board.

The Board is pleased to note that there are fewer problems with car parking than in previous years.

The Board wishes to record its thanks for the help it has had from the Governor and staff at HMP Kennet during 2011.



## **MANDATORY AREAS**

### **5.1 Diversity**

Due to the lay out and construction of the establishment, generally all that is necessary to comply with the Disability Discrimination Act (DDA) is 'reasonable adjustment' for the specific needs of an individual. There are some wings with a cell designed for an offender who has limited mobility.

An offender with a disability should have information on his needs recorded in the records which transfer with him from his previous establishment which would then be used at HMP Kennet. Any unrecorded needs should be identified during the reception process with the information being passed to the Disability Liaison Officer for follow up. Similarly a gay, bisexual or transgendered offender should be identified during the reception process if it is not already recorded.

The Race Equality Action Team (REAT) meets regularly and Offender representatives attend. The mandatory Single Equality Impact Assessments were completed. These fed into the Equality Action Plan which is updated regularly and is overseen by the Governor.

The number of offenders having minority ethnic backgrounds rose from 15 (4.6%) in December 2010 to 19 (5.6%) in December 2011. Information leaflets and instructions for offenders in many languages are on the Prison Information pages of the computer so they can be accessed or printed as needed. The establishment put on activities for Black History Month in October and celebrates Muslim religious festivals.

### **5.2 Learning and Skills**

There are vocational courses in painting and decorating, bricklaying, joinery, plastering, catering, tiling and horticulture. The Physical Education facilities include an all weather football pitch and a wide range of traditional gym equipment. Various courses leading to Sports training qualifications are available and trained offenders can work as a gym orderly. There is also a range of classroom based activities such as numeracy, literacy, ICT, business administration and creative writing. A continuing success is the provision of new courses which are more advanced and lead to industry recognised qualifications eg Diplomas in Bricklaying and Catering. The introduction of Category D offenders in the Kitchen and their training in a genuine environment is a further example of better provision. The introduction of the 'Virtual Campus' during 2011 is facilitating a much wider range and higher level provision.

There is also a well stocked library and the Board were pleased to see that use and access was better in 2011.

### **5.3 Healthcare and mental health**

There is a well equipped healthcare centre. There are regular nurse led, GP and dental clinics as well as many specialist clinics such as chiropody, mental health, phlebotomy, psychiatric. There are targeted sessions such as stop smoking and well man. The PCT managed to recruit a permanent dentist. The successful integration and support of IDTS offenders continued during 2011 and some offenders have come off opiate based drug treatment such as methadone. There were occasions, where the transfer of offenders to HMP Kennet was hindered by a lack of accompanying records supporting their treatment.

The Board's main concern is with the provision of care overnight which is covered elsewhere (see 4.1.1)

### **5.4 Safer custody**

There are three safer custody cells on wings. The ACCT's and TAB's system in HMP Kennet is one of its strengths with excellent training of all staff and the senior officer responsible for the system being a strong advocate of its benefits

As a whole, we feel the regime fulfills the criteria of humane and just treatment of those held in custody. In addition to our regular discussions with offenders, we have seen letters to the Governor with positive comments.

### **5.5 Segregation Unit**

The Segregation Unit is the only purpose built unit in the Prison. It is very rare to find more than two or three offenders in the unit. The quality of the care is high and the cells are comfortable, clean and airy. There is closed circuit television coverage on the Unit generally and in two of the ten cells which comprise the residential section and in the two reception cells. They have safety provisions to prevent self harm. Alarm calls from the cells are linked to the Communications room for monitoring by staff.

Few offenders are in the Unit for more than a few days. It was very unusual for an offender to report an issue other than the slowness of arranging a transfer.

# **AREAS OF GOOD PRACTICE AND AREAS OF CONCERN**

## **6.1 Adjudications**

Adjudications are held in a room adjacent to the segregation unit and those accused of offences against prison discipline are held in two specially set out rooms opposite the adjudication room. During 2011, adjudications were held as needed, generally in the morning. Those the Board has observed were fair and unrushed.

## **6.2 Catering and kitchens**

The Kitchen is outside the perimeter of the Prison, staffed by industrial grade staff and a catering manager, and during 2011 Category D offenders based at HMP Kennet continued to work in the kitchen.

The menus are checked for quality and dietary balance. There is a good selection and different menus for special times eg black history week and Christmas. The catering manager has continued with the regular survey of offenders which asks them to rate six dishes in each category. The top three in each category are then incorporated into the main menu and less popular options are dropped.

Food is loaded in trolleys and then transported by van into the prison then the trolleys are used to transport the food to each wing. Trolleys and used containers are returned to the kitchen for cleaning. Temperature records are well kept by the offenders who serve the food in each wing servery.

For the first time, this year offenders have raised the quality of the food with the Board and it is monitoring the issue.

Staff and offenders prepared a successful series of Christmas meals for pensioners from the local community.

## **6.3 Chaplaincy**

The Chaplaincy is led by the Church of England Chaplain and there was a change of incumbent during 2011. He manages the Unit and is one of the Chaplains. Chaplains are on regular and visible duty around the establishment. The Chaplaincy team has an innovative approach. All faiths are catered for either with full time or sessional ministers. Any offender wishing to speak to a chaplain can do so very quickly and easily and if requested a minister of the religion to which the offender belongs can be seen very soon after the initial request.

The Chapel is multi-faith, with curtains available to produce a screen to ensure that items associated with other faiths and denominations can be out of sight. Chaplains play a key role in the emotional wellbeing of HMP Kennet. They see offenders in segregation, those who are on cell rest or who have newly arrived at HMP Kennet. They also work with offender's families running the Family days and, under contract, they manage the visitor centre.

# THE WORK OF THE INDEPENDENT MONITORING BOARD

## 7.1 Membership and workload

In January 2011, there were 13 members on the Board at HMP Kennet, one over the complement of twelve. Six were members recruited in the second half of 2010 and seven had been on the Board for some time. One of the seven was on a sabbatical for a year due to family commitments and resigned in Summer 2011. A second also resigned around the same time. Two of the members recruited in 2010 resigned early in 2011 - one due to family commitments and one deciding that the IMB work was not for him. The Board recruited a further three members who started in September 2011 taking the Board back to the full complement of 12. Two of the five experienced members are also members on another Board and helped to set up the original Board at HMP Kennet. The Board has a good mix of people with varied backgrounds. Many are in employment and/or have family responsibilities. People have commented of the number of younger people on the Board - three quarters are under 60 with the youngest in his twenties and a good spread of ages in between.

During both 2010 and 2011, the Board spent a lot of time on recruitment and induction of new members. Because of the new members work or family commitments, induction was tailored around their needs with visits during the school day/term or at weekends. It is unfortunate that the National IMB provision does not take account of all members needs. During 2011, there was no Foundation Course in the North West and the course is a mandatory part of the Induction process. All courses were residential and needed to be booked well in advance to secure a place – difficult if one is in employment with variable or unpredictable work patterns or has caring responsibility for a family member with additional needs.

With the introduction of the Criminal Justice Secure Network (CJSM), the Kennet IMB moved to electronic rather than paper based administration and document management. This worked well until early in 2011. The rationalisation of Government websites led to a decreased functionality of the IMB Website in particular the website was not updated with the Dear Chair and Dear Member letters. While they were sent to the Chair of the Board via CJSM, they rapidly filled the CJSM space allowance and forced printing a copy as the only guaranteed way of having access to the information. Given uploading a word document onto a website is done routinely everywhere else, one is left wondering why the issue remains ten months after the move to the new website.

During 2011, while supporting the new members, the experienced members of the Board spent a lot of time trying to sort out issues with routine systems. With only a few days notice, IMB members were moved to the Ministry of Justice's I Expenses system. For any member the transition was not easy, but it was very difficult and time consuming for new members to get any expenses payments. Similarly, while the concept behind CJSM is excellent, using it is not intuitive and during 2011, members have had to be supported by another Board member acting as CJSM administrator. The Board is pleased to note that the IMB Secretariat has recently introduced CJSM support for Boards.

Facilities provided by the Governor to the Board are very good. We have a small but comfortable room, with desks, storage capacity, telephone and a computer.

We held 11 Board meetings in the Boardroom in 2011, one in each month except December. Attendance averaged 77%. The Governor or an appointed representative attended every meeting.

During 2010, the Board has made at least one Rota visit each week and dealt with 73 applications from offenders. There have been very few incidents in the prison, all minor. In addition to this, the Board has focused on recruiting and supporting new members though there were some attendances at Committees, particularly the Offender Focus Group. This is due in part due to the burden of the members being engaged in the work of two Boards and the relative inexperience of the Board. Board members have attended National training, including the Board Development Officer Course and the National Conference. They are also involved in the North West meetings of Chairs of Independent Monitoring Boards and other regional meetings.

## 7.2 Key IMB statistics 2011

Recommended Complement of Board Members	12
Number of Board members at the start of the reporting period	13
Number of Board members at the end of the reporting period	12
Number of new members joining within the reporting period	3
Number of members leaving within reporting period	4
Total number of visits to the prison (including all meetings)	253
Total number of applications received	73
Total number of segregation reviews held	42
Total number of segregation reviews attended by IMB	18

### 7.3 Applications to IMB

Code	Subject	Jun-Dec 2007	2008	2009	2010	2011
A	Accommodation	3	2	2	2	3
B	Adjudications	0	1	2	4	3
C	Diversity related	0	7	1	0	2
D	Education/employment/training	4	2	17	3	5
E	Family/visits	5	8	19	6	10
F	Food/kitchen related	2	0	1	1	0
G	Health related	3	9	6	21	7
H	Property	3	7	17	13	17
I	Sentence related	8	25	16	22	18
J	Staff/prisoner/detainee related	2	3	6	8	2
K	Transfers	9	7	14	10	2
L	Miscellaneous	6	11	20	18	7
	<b>Total number of applications</b>	45	82	122	108	73

This number is low compared to some prisons that Board members have served in. In part, this is due to the low number of offenders in the establishment. However, the quality of the Personal Officer system means that officers deal effectively with many issues which would otherwise become applications to the Board.