



INDEPENDENT MONITORING BOARD

HMP MAIDSTONE

ANNUAL REPORT FOR THE YEAR ENDING 29 FEBRUARY 2012

S1 STATUTORY ROLE OF THE IMB

The Prisons Act 1952 requires every prison to be monitored by an Independent Board appointed by the Justice Minister 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 Justice Minister, or any official to whom he has delegated authority as it judges appropriate any concern it has;
- (3) report annually to the Justice Minister 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 offender and every part of the prison and also to the offenders' records, with the exception of medical information.

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S3 DESCRIPTION OF MAIDSTONE PRISON

HMP Maidstone is a category C training establishment and uses its resources on programmes, education and training with the purpose of preparing prisoners for release with a reduced risk of offending. The prison is currently following the Working Prison Model.

The prison is a specialist treatment resource centre for Kent and Sussex and delivers the Sex Offenders Treatment Programme and related courses.

The prison's capacity is 600 prisoners comprised wholly of sex offenders and foreign nationals accommodated in four houses. Weald House (capacity 149) is an induction house for prisoners new to the prison. Thanet (capacity 174) Medway (capacity 101) and Kent (capacity 176)

With the exception of 38 cells in Weald House all other cells are for single occupation

The population of the prison is fully integrated thus sex offenders and those committed for other crimes live, work and learn alongside one another.

There are nine English Heritage listed buildings in the estate including the outer wall and main entrance, the Roundhouse, the Rotunda, the Theatre, the old Roman Catholic Chapel and the Church of the Good Shepherd. The English Heritage listing states that all these listings form a group. The Roman Catholic Chapel and the Church of the Good Shepherd are comprised within the same building. The main part of the church has been adapted to create a Multi-Faith Centre.

There are many later additions on the site. Where fixtures and fittings form part of the land and have done so since 1st July 1948, they are treated as part of the listing for listed building control, although they do not necessarily appear on the English Heritage Listing.

S4 EXECUTIVE SUMMARY

The Boards Report for the year ending 29 February 2012 indicates a settled establishment with few incidents requiring the use of force. Progress has been made in creating a Working Prison Model where 20% of the prisons population of 600 are employed in the Printing Department and are working a 33 hour week which gives them a work ethic on release something many will not have experienced in their lives.

The prison achieved level 4 status (the highest group for all prisons) for a short period before slipping back to the upper tier of level 3

An inspection by Her Majesty's Chief Inspector of Prisons (HMCIP) was carried out in September 2011 and the report was generally favourable. Two areas of criticism were Sex Offender Treatment Programmes (SOTP) and the treatment of Foreign Nationals.

The Board challenges the number of SOTP course completions during the year and understands that the prison is not resourced for more completions. The courses are very resource intensive and can be stressful for both prisoners and tutors.

The Board has received a disproportionate number of complaints from Foreign National prisoners than other groups but this is explained in section 6.2 and does not cause the Board concerns.

In the Boards report for 2010/11 serious concerns were raised about the condition of the windows in the Care and Separation Unit and are pleased to report that the necessary work has been carried out and the unit returned to full capacity.

ISSUES REQUIRING THE ATTENTION OF THE MINISTRY OF JUSTICE AND DIRECTOR GENERAL OF NATIONAL OFFENDER MANAGEMENT SERVICE

1. CARE AND SEPARATION UNIT

The Board requests that Healthcare presence is available for ALL reviews of prisoners held in the unit under Rule 45 as required by Prison Service Order (PSO) 1700

2. PURPOSEFUL ACTIVITY

The Board requests that increased meaningful work is allocated to Maidstone to continue and expand the workshops to provide prisoners with a work ethic which will help them find jobs when they are released into a very difficult employment market

3. INDETERMINATE SENTENCE PRISONERS.

Foreign National prisoners, particularly from Eire, who are serving Indeterminate Sentences are not able to obtain repatriation to serve the remainder of their sentence in their home country, due to the prison authorities being unable to agree what sentence should be served as this sentence is not passed in that country. It is understood that there are several prisoners

in this situation in English prisons who are costing the prison system for housing them. This matter needs resolving with the Irish Authorities and any other countries which do not have equivalent legislation.

S5 ISSUES THAT MUST BE REPORTED UPON

5.1 CARE AND SEPARATION UNIT

The Care and Separation Unit (CSU) has a small number of cells of various types to hold prisoners for disciplinary or good order/protection reasons. The unit has a special unfurnished cell for particularly disruptive or refractory prisoners but it has not been necessary to use this cell other than for very short periods during the current year.

IMB members are required to see all prisoners located in the CSU within 72 hours of their first location to ensure they are held there for legitimate reasons. Following this initial visit prisoners held in the unit are visited by members at least weekly to check on their wellbeing. Members also attend regular reviews to consider the continued segregation of a prisoner in the unit at which they may express their dissatisfaction if they do not agree with the management's decision. Members check on the progress towards return of prisoners to normal location or transfer to another establishment.

Prisoners found guilty of a breach of prison rules may be awarded a period of cellular confinement (CC) which is served in the unit.

It is the responsibility of the prison management to ensure that members of the Board are advised of the movement of prisoners to the CSU (Prison Service Order 1700) and in the majority of cases this has been done.

Two cells in the unit enable constant observation of prisoners who are deemed to be at high risk of self harm. The cells have been used infrequently and for relatively short periods while the risks are reduced and the prisoner can be returned to normal location.

Staff must be congratulated on the compassionate manner and understanding they show to prisoners who may be experiencing severe difficulties.

The Segregation Monitoring and Review Group (SMARG) meet quarterly and the meeting is attended by an IMB member. The group reviews reasons for location, ethnicity, use of force and religion of residents and the quality and completeness of a sample of prisoners Segregation records.

The Board is pleased to report that the serious concerns about the condition of the Segregation Unit windows in last years' report has been addressed and the unit was returned to full operational capacity in February 2012.

5.2 DIVERSITY

The prison Equalities Team meet monthly to examine statistics which monitor all aspects of equality within the prison and a member of the IMB usually observes the meeting.

Maidstone, in common with many other prisons is experiencing an increase in the number of older and infirm prisoners that it houses. In 2011 Maidstone housed 167 older prisoners (over 50) and in 2012, 183. The number of prisoners with disabilities has also increased from 179 to 201 during the same period, these prisoners have additional needs and these are currently being provided but are creating a strain on resources available. Given the nature of the buildings and facilities available the prison provides adequately for their requirements so that older and infirm prisoners are not disadvantaged.

The additional health and wellbeing requirements of the older population are catered for and special Gym arrangements are made for the infirm and those with special mobility needs

5.3 FOREIGN NATIONALS

Foreign national prisoners constituted approximately 35% of the prison population with up to 70 languages being spoken. All prisoners attend induction sessions when they arrive at Maidstone and those who have difficulty with English were paired with another prisoner to act as an interpreter. When necessary the external interpreting service was used during adjudications. A number of forms, policies and documents were translated into the main languages.

Bi monthly forums for all foreign nationals provide an opportunity for speakers on specialist subjects such as the Facilitated Release Scheme and for prisoners to ask questions. A committee of foreign national representatives, prison and UK Border Agency staff meet quarterly to share information and address issues.

Despite shortage of chaplaincy staff prisoners were able to practice their religious observances and the festival of Eid at the end of Ramadan was celebrated with a meal in the multi faith centre. The head of the chaplaincy team was able to find a Greek Orthodox minister but unsuccessful in his search for a Pagan practitioner.

Many prisoners made complaints that they were unable to obtain Release on Temporary Licence (ROTL) and ReCategorisation to Open Conditions as part of their preparation for release. This issue has been resolved.

Prisoners can apply for repatriation to their country of origin to serve the remainder of their sentence. However if a prisoner is serving an indeterminate sentence (ie without a release date) their home country may not have an equivalent sentence to apply so the repatriation cannot take place. There are a number of prisoners in the UK prison system wishing to be repatriated to Eire who find themselves in this situation.

5.4 HEALTHCARE AND MENTAL HEALTH

The Board has a statutory duty to monitor the provision of healthcare on a regular basis has carried out throughout the year with no major shortcomings ascertained in the provision of healthcare to the prisoners in custody at Maidstone. The timeliness of appointments and range of services available in general is at least as favourable as that experienced by the public locally.

Healthcare Services had been provided by Prison Service staff until December 2011 when the contract was let to a non prison service provider. This had led to uncertainty for the permanent healthcare staff not knowing who their employer would be.

A lack of permanent staff required bank and agency nurses to cover vacancies. Although temporary staff were qualified they did not attend Segregation Reviews and on many occasions there was no Healthcare presence as required by PSO 1700

Most clinics (hepatitis, asthma, dressings and “stop smoking”) have taken place. The doctor, dentist, chiropodist, in-reach team and psychologists together with a visiting medical consultant all run clinics on a regular basis. Self help mental health courses have been run.

5.5 LEARNING AND SKILLS INCORPORATING PURPOSEFUL ACTIVITY

Education

Earlier in the reporting year education provided by Manchester College seemed to be struggling to achieve full classes, this was turned around in the last quarter by a close working partnership with the prisons work allocation department. Classroom numbers have improved by some 20% and the improvements are a credit to the cooperation between Manchester College and prison staff. There is still room for improvement and this is an ongoing process. The inclusion of education, from basic literacy and numeracy to distance learning with English as a second language (ESOL), in prisoners’ sentence plans will ensure that education receives a higher priority.

There is a down side to the processes in place as for the second time in three years the contract for the provision of education has gone out to tender. This is causing concerns amongst staff about who their new employer or employers will be and the security of their jobs

Purposeful Activity

There is a wide range of work available within the prison which includes residential house cleaning, food servery, gardens, kitchen, print shop, laundry, brick shop, and recycling of almost all waste produced within the prison.

Many of these areas provide the opportunity to achieve qualifications which can be of benefit when seeking employment on release. The Print Shop has acquired over the past three years a number of large and modern machines and is now the most modern printing facility in any prison. It has expanded its capacity substantially and employs 125 prisoners in all aspects of composing, printing and print finishing. The print shop is now part of the Working Prison model where production is much more like a business with a 33 hour week being worked. Increased working hours has led to a significant increase in output and printing machine efficiency. The work carried out is primarily in house for government bodies and is of a very high standard which has led to the ISO 9001 quality standard being obtained

The Board has commented for the last three years about the failure to recruit a painting and decorating instructor. Although this has been finally addressed with the workshop reopening in April 2012 some 75 prisoners have missed out on the opportunity to obtain useful skills which would have been an asset in finding employment on release.

5.6 SAFER CUSTODY

A Safer Custody Meeting takes place monthly under the chairmanship of a Governor. Officers and prisoner representatives from each of the four houses are present, as well as the Supervisor/Tutor from the Samaritans who train prisoners to be Listeners able to support their fellow prisoners in time of difficulty.

During each Statutory Visit open Assessment and Care in Custody Teamwork (ACCT) documents are examined to check that the correct procedures are being followed and the quality of entries. Some members have also from time to time attended ACCT reviews when they have expressed their satisfaction at the constructive and sympathetic attitude of the reviewing panel. Where language has been a problem arrangements have been made for an interpreter to be present or for the use of an interpretation service (by telephone).

S6 OTHER AREAS

6.1 ADJUDICATIONS

Adjudications are heard by a Governor in cases where a prisoner is charged by staff with a breach of prison rules. Board members attend the adjudications on an ad hoc basis to monitor the processes and ensure that prisoners have appropriate interpreting facilities if needed. Board members have observed that Governors usually conduct Adjudications with good humour and sensitivity.

Certain adjudications are heard by an Independent Adjudicator (a Judge) who hears cases that when proven can merit additional periods in prison.

The Board received only three complaints from offenders about the conduct or outcome of adjudications.

6.2 APPLICATIONS TO THE BOARD

The Board monitors applications received on a monthly basis by reference to the source, reason and ethnic background of applicants. Statistics which record this monitoring are contained in Appendix 1 and 2.

Of the 204 applications made many were from serial complainers (see below) all of which take time to investigate and do not always provide the answer the prisoner is hoping for.

The number of applications received has reduced during the year particularly, the second half, the Board believes that this is due to greater emphasis during inductions for prisoners to use the prisons Formal Request and Complaints procedures before making a complaint to the Board and also the effect of the Prison Council has had in improving communications.

Property issues accounted for 21.5% of all applications received, these cover property which goes missing during transfers between prisons, and property permitted to be in the possession of prisoners

The Ethnic breakdown of prisoner applications (Appendix 2) at first indicates that a disproportionate number of applications were made by prisoners in the group B1, B2 and B9 and that this group could be being discriminated against. However 2 prisoners only were responsible for submitting 24 complaints (42% of the total), on further examination of these complaints the vast majority related to issues at previous prisons or were an attempt to use IMB to short circuit the prisons own Formal Request and Complaints procedures

6.3 CATERING AND KITCHEN

Prisoners are able to choose their meals a week in advance from a varied menu produced by the Catering Manager. Consideration is given to prisoners who, for a variety of reasons, require a special diet. Given the minimal sum allowed with which to feed each prisoner per

day, the Catering Manager is to be congratulated on the variety and quality of the meals provided to prisoners. This is reflected in the low numbers of complaints received by the Board (seven applications this year) about prison menus and food. The Catering Manager has catered for various religious festivals such as Eid and the special requirements of the holy month of Ramadan.

Board members visit the kitchen and the serveries on each Wing on a regular basis to satisfy themselves that food is prepared and served in clean and hygienic facilities. Food is sampled on a random basis at the serveries alongside prisoners, to check its quality, quantity and temperature.

A Catering Consultative Committee comprising prisoners' representatives and the Catering Manager meet regularly to discuss any issues that have arisen and requests for changes to menus.

A new servery opened in the Print Shop to provide food during the lunch break and the kitchen has experienced difficulties in ensuring that the food ordered by the prisoners working there is delivered to the right location. Improved control will need to be in place when more prisoners will be working in locations that are not their residential wing.

6.4 CHURCH / MULTI FAITH CENTRE

The Church of the Good Shepherd plays an important part in the life of the prison. It is now used for all faiths to worship. Family visit days are held there and various courses which address offending behaviour are run in the chapel. As the largest meeting place in the prison, it is also used for full staff meetings.

The Board has had concerns during the year about the composition of the Chaplaincy team due to the lack of a permanent Imam and Sikh Minister and a vacancy caused by the death of the Roman Catholic Chaplain.

The lack of a full chaplaincy team has resulted in representation at meetings and Segregation Reviews, where input is very desirable, being very much reduced.

These issues have largely been resolved by the appointment of a Sikh Minister, Imam and RC Deacon as a part time chaplain where other arrangements have been made for Masses to be said by a priest.

It is hoped that a replacement for the Co-Coordinating Chaplain, who retires in the middle of 2012, will be in place in time for a suitable handover period.

6.5 COMMUNICATIONS

A new concept of a Prison Council has continued to develop with the guidance of the charity User Voice. The Council consists of four parties, Diversity and Equality, Education and Training, Resettlement and Community and Residential. Prisoners and staff vote for a party

and the number council members from each party is determined by proportional representation.

The aim of the council is to bring forward requests to improve prison life in areas specific to the proposer's party manifesto or issues that are joint party proposals. The proposals where appropriate include costed solutions.

The Council meets monthly with the Senior Management Team (SMT) to put forward their chosen topic for consideration the meeting receives feedback from the SMT on progress of previous proposals.

The joint meeting provides the Governor with the opportunity to outline changes to various aspects of prison life being introduced as a result of budget cuts and directives from the National Offender Management Service.

One of the first proposals from prisoner representatives was to set up a joint communications group which would address on an on going basis issues and various means of communication.

This has resulted in much improved notice boards, information channel on prisoners' television and funding being sought for a prison radio station.

Staff communication has continued to revolve around wing briefings. Weekly Governors Newsletter and quarterly Full Staff meetings.

6.6 INDUCTIONS

Each week a member of the Board attends the prison to take part in the Induction Programme for prisoners new to Maidstone. The member informs them of the role of the IMB and how to make contact should a prisoner wish to talk to a member of the Board.

In many cases this is the first time prisoners have had face to face information about the IMB.

Board members endeavour to speak to all new members of staff with the similar aim of informing them of the IMB's role in the prison.

6.7 INTEGRATED REGIME

All four wings have populations made up of sex offenders and prisoners with convictions for other offences. Workshops, education, gymnasium and the kitchen all have complements made up of prisoners regardless of offence.

This arrangement only applies in a small number of prisons as it would probably be unacceptable in many prisons due to long standing animosity between prisoners convicted of other offences and sex offenders.

Integration generally works very well.

6.8 PROBATION

The staffing complement of Offender Supervisors was reduced at the end of December 2011 by 6% (1 out of a group of 13).

There is a gradual move towards grouping as many high risk prisoners as possible under the Probation Officers within the Offender Management Unit, (OMU) to better use their specialist skills. On average Offender Supervisors will have an extra 4 cases to manage each but the ones with the biggest caseload will have a higher share of the low and medium risk prisoners, therefore, not as work intensive.

Staff are working under extreme pressure and this is being carefully monitored. Steps will be taken if stress related problems arise and/or if there is an increase in absenteeism or staff complaints. To date no such problems have occurred.

6.9 PSYCHOLOGY

Psychology is currently undergoing reorganisation to an area model and is in the transitional phase.

It was hoped that this would be effective from 1st April 2012 when finance was transferred but the transition will take time as recruitment is difficult due to the recruitment freeze. This has had an impact on contact time with prisoners.

When reorganisation is completed there will be more emphasis on SOTP, management and supervision, completion of end of programme reports and psychological assessments and not so much on delivery of programmes.

The area model will be based at Sheppey.

6.10 RECYCLING

A number of prisoners work in this unit sorting all waste that is created in the prison, food waste is recycled into compost that is used in the prison gardens, wood is used to make bird nesting boxes to be given to schools and wildlife organisations, paper metal and plastics are sold to recycling companies. Very little waste is sent to landfill.

Prisoners are able to obtain qualifications in waste management which are very helpful in obtaining work in the recycling industry upon release.

The recycling instructor has been nominated for a Prison Officer of the Year, in the Working in Partnership Category, for his work in the department.

6.11 RESETTLEMENT

Prisoners are interviewed prior to release by resettlement staff and peer workers to give them assistance with accommodation employment medical facilities and the introduction to agencies and charities all aimed at reducing the risk of re-offending on release.

The department held an open day when a range of organisations brought displays and literature detailing the help they could offer to prisoners on release; this was very well attended by prisoners and the staff.

6.12 SECURITY

During the year the number of packages coming over the wall into the prison was reduced by the installation of extra fencing behind Thanet Wing. At the other favoured area of access near the Education department staff vigilance was stepped up and movements of prisoners outside the main movement times was reduced. Staff identified and monitored dealers and runners and moved to disrupt smuggling routes.

Intelligence reports have indicated that the use of drugs in the prison has continued to be low and this is reflected in the low level of positive drug tests results and search finds. The Board believes that this is in no small measure due to the presence and work of the search dogs, while the deterrent value of the search dogs is difficult to quantify the Board feels that they have played a key part in maintaining security.

Searches for mobile phones continued to be carried out regularly and following intelligence with significant finds even though prisoners use increasingly ingenious methods of concealment.

Although there have been incidents and altercations and some violence towards staff and between prisoners on the wings during the year, on the whole wings are felt to be safe. Officers consistently observed and monitored prisoners' behaviour and associations and steps were taken to deal with any causing concerns and moved quickly to disperse gangs.

The incidences of use of force during the year were low, probably due to a more settled population and the skill of staff defusing potentially volatile situations.

6.13 VISITS

The prison's visiting facilities have improved immeasurably over the past few years. The Dinsmore Centre which is within the prison walls opens an hour before visits begin and provides a pleasant environment where visitors can wait before going through the security checks. The centre is warm and has toilet and baby changing facilities.

Once in the Visits Hall there is a refreshment facility run by an outside organization with sandwiches rolls etc being made by prisoners and staff in the Officers' Mess. The opportunity to have family photographs taken during visits has been introduced following suggestions made by the Prison Council

Family Days have continued during the year. They are very popular and help maintain family links. To qualify prisoners have to have a record of no adjudications and to have enhanced status in the prison incentive scheme.

The Prison Council is working with staff to improve the visits booking system.

S7 THE WORK OF THE INDEPENDENT MONITORING BOARD

The Board meets once a month to discuss the previous month's report from the Governor, individual reports of Statutory Visits, notes of meetings attended, statistics, and to plan areas for special attention during future visits. Prior to the Board meeting commencing, a half hour slot is allocated to a member of staff or visitor to give details of the work of their department or function which enhances the knowledge base of members.

The Board Chair and Vice Chair meet with the Governor once a month to raise issues that require responses at the following Board meeting.

DUTY MEMBER

The Duty Member is required to be on 24 hour call for 7 days attending the Care and Separation Unit as necessary and to be present at prisoner reviews in order to ensure that prisoners are being held for valid reasons and are receiving appropriate care and attention. A report of all prisoners held in the Unit and when they are seen and spoken to is circulated to Board members. The Duty Member will attend incidents and make a record of their observations.

STATUTORY VISIT

A member will make an unannounced visit to the prison and inspect: Residential Houses, Healthcare and the Kitchen together with other areas identified for particular attention. The member makes a written report of the inspection which is circulated to all other members and the Governor, highlighting any issue that requires a management response.

INDUCTIONS/APPLICATIONS

Each week a member gives a talk to prisoners new to the prison on the work of the Board and how to make contact should they wish to speak to a member. The member also speaks to new members of staff about the role IMB has in the prison. The same member collects prisoner applications to the Board from residential houses, records details of the application, carries out an investigation and responds to the offender, recording the response given.

BOARD STATISTICS

Recommended Complement of Board Members	12
Number of Board members at the start of the reporting period	11
Number of Board members at the end of the reporting period	11
Number of new members joining within the reporting period	2
Number of members leaving within the reporting period	2
Number of attendances at meetings other than Board Meetings	257
Total number of visits to the prison	361
Total number of applications received	204

BOARD ACTIVITIES

Apart from the main duties of the Board, members have areas of special interest where they attend meetings as observers and report back to the Board.

Two members completed their induction training and attended new members' National Training courses organised by the IMB Secretariat. They also visited Kidlington to observe advanced Control and Restraint training at the National Tactical Response Group Centre. Two members joined the Board one left after a very short time and the second, a very experienced member from Cookham Wood commenced full duties after a period of familiarisation. Two members attended the IMB National Conference.

A visit was made to HMP/YOI Rochester by six members to develop their knowledge of different types of prisons and exchange areas of best practice with their colleagues.

During the year Board Development was promoted by a variety of prison staff being invited to speak at Board meetings about their duties and matters of interest in the prison and several Board members sat in on staff training sessions.

In addition a special session of the Board was held following a completion of a performance questionnaire by members. The analysis of the questionnaires revealed some shortcomings and measures were taken to address them

Ian Fraser
Chair

APPENDIX 1

OFFENDER APPLICATIONS 2011/2012

		2011/12 No	2010/11 No.	2009/10 No
A	ACCOMODATION	7	17	8
B	ADJUDICATIONS	3	2	4
C	DIVERSITY RELATED	12	7	9
D	EDUCATION/EMPLOYMENT TRAINING inc INCENTIVES AND EARNED PRIVILIGES	34	34	23
E	FAMILY/VISITS	19	28	34
F	FOOD/KITCHEN RELATED	7	4	13
G	HEALTH RELATED	15	20	19
H	PROPERTY	44	55	44
I	SENTENCE RELATED	20	30	20
J	STAFF/PRISONER RELATIONSHIPS	16	13	10
K	INTER PRISON TRANSFERS	3	11	5
L	MISCELLANEOUS	24	25	43
	TOTAL	204	246	232

APPENDIX 2

OFFENDER APPLICATIONS 2011/12

ETHNIC ANALYSIS

ETHNIC GROUP	APPLICATIONS	% OF TOTAL	% OF PRISON POPULATION (600)
Asian British (A1,A2,A3,A9)	14	6.9	3.9
Black or Black British (B1,B2, B9	57	27.9	16.2
Mixed	1	0.5	1.5
Chinese or other Ethnic Group (O1,O9)	0	0	1.7
White (W1,W2,W9)	131	64.2	76.6
Not Stated	1	0.5	0.1