

# **H M PRISON SWALESIDE**



## **ANNUAL REPORT**

**From: 1<sup>st</sup> May 2010**  
**To: 30<sup>th</sup> April 2011**

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## **STATUTORY ROLE OF THE INDEPENDENT MONITORING BOARD (IMB)**

The Prisons Act 1952 requires every prison to be monitored by an Independent Board appointed by the Secretary of State 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 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.

## **INTRODUCTION**

This report covers the period from 1<sup>st</sup> May 2010 to 30<sup>th</sup> April 2011.

## **FOREWORD**

The Prison was opened in August 1988 and now forms part of a group with HMPs Standford Hill and Elmley.

The establishment is primarily a Category B Lifer Main Centre training prison which accepts first and second stage lifers, section two automatics and IPP (Indeterminate Public Protection) prisoners (see IPP section).

The normal criterion for acceptance of determinate prisoners is that they are serving more than four years with a minimum of eighteen months to their parole eligibility date.

The certified normal accommodation is 1112.

## **EXECUTIVE SUMMARY**

Until April, Swaleside was clustered with Elmley and Standford Hill to form the Sheppey Cluster. There was a Central Strand which dealt with reducing re-offending and a number of administrative functions and the Cluster was overseen by a Chief Executive. From April 1, the Chief Executive post has been discontinued and the three prisons now stand alone although they continue to use shared services such as Finance. Responsibility for the OMU aspect of reducing re-offending function has reverted to the Governors. There is a Group Management Board, which is chaired by the Deputy Director of Custody for the Area.

## **ISSUES REQUIRING A RESPONSE**

There is a new top management structure for the group, which the Board hopes will be made permanent as prisoners regard the Governor as the person responsible for what happens in their prison life (Section 5, Page 10).

The service to Swaleside by OCA department at Elmley has regressed. The OCA function for Swaleside should be returned to Swaleside in view of the new structure (Section 6, Page 10).

The shortage of trades staff in the Works department is leading to lack of attention to minor works. The use of existing staff as escorts to contractors has made a bad situation worse (Section 7.1, Page 11).

Uncertainty over Kainos funding needs to be resolved. The Board considers that Kainos makes a valuable contribution to stability within the prison (Section 7.1, Page 11).

The rodent infestation problem has re-emerged, not helped by shortcomings in environmental hygiene, particular with rubbish thrown from landing windows and kitchen waste storage (Section 7.2, Page 12 and Section 12, Page 14).

Refurbishment of Reception has still not been completed (Section 9, Page 12).

The Visits Centre has inadequate space. The reduction in size from the original design was short-sighted (Section 11, Page13).

Works requested by the Local Authority during statutory food safety inspections have not been carried out (Section 12, Page 14).

The CCTV system in the Canteen workshop is inadequate. Hence, there is an unacceptable level of petty pilfering (Section 13, Page14).

Searching at the Gate should be more frequent (Section 15, Page 15).

The Board is concerned that suspended awards are being given at some adjudications for possession of hooch, given that possession is one step away from drunken prisoners and possible violence. There have been over 100 adjudications for possession of hooch (Section 17, Page 16).

The Board is pleased that OMU has performed well but, faced with a serious shortfall in staff, a large number of parole reports and OASYS reports are uncompleted (Section 18, Page17).

There is still a lack of resources for prisoners with mental health issues. The Day Care Centre has not materialised. (Section 19, Page 18).

The drug testing unit is inadequate both in size and furnishing (Section 25.1, Page 22).

The reduction of voluntary testing is handicapping prisoners seeking to remain drug free. Voluntary testing is a crucial part of the rehabilitation process (Section 25.1, page 22).

There is low morale amongst the Education staff and the Board is concerned that some staff fear dismissal if they speak to the IMB (Section 26.4, Page 23).

There are problems with Internet access and Open University software, which are affecting students (Section 26.4, Page 24).

The workshops space needs to be increased to allow greater employment. No extra space was provided when G and H wings were built bringing another 360 prisoners to Swaleside. All workshop spaces were filled at 31 December (Section 26.5, Page 24).

Consideration should be given to removing people who have failed a drugs test and who operate machines to other parts of the workshops until they have given a clean test (Section 26.5, Page 25).

There are a number of IPP prisoners who are either over tariff and/or Category C, who need to be moved to an appropriate level prison Section 26.7, Page 26).

Recruitment Clusters have yielded considerable benefits and it is not satisfactory that the Secretariat is not going to provide support (Section 27.5, Page 28).

### **ISSUES NOT REQUIRING A RESPONSE**

The continued clustering of workshop contracts is welcomed (Section 5, Page 10).

The major upgrade of the roofs on the original accommodation blocks and associated administration blocks has started (Section 7.1, Page 11).

The prison is in reasonable decorative order (Section 7.1, Page 11).

The showers on C and D Wings suffer from poor ventilation (Section 7.1, Page 11).

There was a serious incident on D Wing in January. Staff, despite injuries to a number of officers, did well to re-establish control in short order (Section 7.1, Page 11).

There is evidence of the emergence of a gang culture, particularly on F Wing (Section 7.1, Page 12).

There has been an increase in bullying on H Wing due to housing drug taking/dealing prisoners alongside those striving to be drug free. The Board welcomes the recent decision to reorganise the wing as a drug free wing (Section 7.1, Page 12).

61% of prisoners used the gym (Section 8, Page 12).

The number of movements through Reception is way in excess of the profiled numbers with a consequent impact on the response to property applications (Section 9, Page 12).

Over 550 prisoners have passed through the induction process, over twice the profiled number (Section 10, Page 13).

The kitchen provides food of both acceptable range and quality (Section 12, Page 13).

The Canteen operation services 10 prisons in addition to Swaleside (Section 13, Page 14).

DHL staff have not all received Breakaway training (Section 13, Page 14).

Responsibility for the Canteen operation is now with the Industries (Workshops) management team, which has addressed issues of poor working relationships and employment compacts (Section 13, Page 14).

The Board was pleased to note that a visitor received a 7 year sentence for Possession with Intent to Supply after an attempted pass in Visits (Section 15, Page 15).

The Board was pleased to note the passing of a 5 year sentence at the Old Bailey on a prisoner, who seriously assaulted 2 members of staff in 2009 (Section 16, Page 15).

There has been a considerable increase in the use of Control and Restraint and Special Accommodation confirming the less stable state of the prison (Section 16, Page 15).

Healthcare staff sometimes fail to attend Segregation reviews and are also sometimes unaware of the subject's health details when they do attend (Section 16, Page 16).

Following the serious incident in January, the Board recognises the action of the Area Manager and Governors at a number of prisons in resolving the overcrowding of the Segregation Unit (Section 16, Page 16).

The number of prisoners in Segregation for their own protection has been reduced (Section 16, Page 16).

The Segregation Unit is a non-smoking area (Section 16, Page 16).

The use of the Independent Adjudicator for serious matters is to be applauded (Section 17, Page 15).

The levels of adjudications for refusing a direct order, violence and threats of violence are disturbing and point to the instability of the prison (Section 17, Page 17).

Return of responsibility for the Offender Management Unit to the Governor is welcomed as is the introduction of clinics on the wings (Section 18, Page 17).

Recruitment of Healthcare staff to replace the need for Agency staff is improving (Section 19, Page 17).

The dentist waiting list is almost 300, partially due to the change in Care Quality Commission requirements for infection control, which led to another complete refurbishment of the dental surgery (Section 19, page 18).

Better Cluster partnership working has led to a number of health awareness initiatives, which are welcome (Section 19, Page 18).

The Chaplaincy team has liaised with 125 prisoners' families where there has been serious illness or bereavement (Section 21, Page 19).

There have been two deaths in custody, one due to natural causes and the other a suspected suicide (Section 22.2, page 19).

There has been a significant increase in violence and anti bullying investigations reflecting the less safe atmosphere within the prison (Section 22.4, Page 20).

A proactive approach has been taken to reducing violence. Prisoners considered violent may find their movements, visits and gym sessions curtailed (Section 22.4, Page 20).

Training of wing diversity reps has increased confidence in the system (Section 23, Page 21).

The Board welcomes the introduction of RAPT courses for alcohol addiction (Section 25.2, Page 22).

The number of prisoners on IDTS is now 6 (at one time 45-50), who receive monthly rather than quarterly reviews (Section 25.2, Page 22).

Psychology Department struggles to achieve the right level of resources and needs clerical support (Section 26.1, Page 23).

The library book ordering system works well. Usage of the library is excellent with an average of 270 prisoners, double last year, using the facility (Section 26.3, Page 23).

The Education Department is now fully staffed with high teaching standards and good student commitment (Section 26.4, Page 23).

A Learning Support class has been started for prisoners with learning difficulties (Section 26.4, Page 24).



There is now greater coherence in prioritising activities within prisoners' sentence plans (Section 26.6, Page 25).

There is some evidence that some staff are pointing prisoners at the IMB rather than seeking to resolve the problem themselves (Section 27.2, Page 27).

### **OVERALL JUDGEMENT**

Swaleside is a well run prison considering the staff shortages and the Governor, Senior Management team and staff need to be praised for this. Staff and prisoner relationships are generally good and the Personal Officer scheme is reasonably effective. However, the stability of the prison is deteriorating due largely to the activities of some prisoners who are banding together in small gangs. This is making the work of the staff and management harder. This is borne out by the level of adjudications for refusal of direct orders and threats to staff and actual violence (see Section 17, Page15).

There continues to be a significant, if reduced, drug problem in the prison despite the best efforts of the Security Department and staff surveillance to eradicate it. Any reduction in accessibility to drugs appears to lead to a significant increase in the production of fermenting liquid, "hooch".

The return of responsibility for prisoner activities to the individual Governors is to be welcomed and may remove some of the frustrations felt by prisoners over their lack of progress.

1. **MATTERS FOR THE SECRETARY OF STATE FOR JUSTICE AND THE NATIONAL OFFENDER MANAGEMENT SERVICE (NOMS)**

- Executive Summary
- Section 5, The Cluster
- Section 7, Residential
- Section 16, Segregation
- Section 25, Drug Strategy
- Section 26, Resettlement (particularly 26.7 IPPs)
- Section 27, Work of the Board
- Section 28, Conclusion

2. **MATTERS FOR THE PRISON SERVICE**

- Executive Summary
- Section 5, The Cluster
- Section 6 Tactical Management
- Section 7, Residential
- Section 11, Visits
- Section 12, Kitchen
- Section 13, Canteen
- Section 15, Security
- Section 16, Segregation
- Section 18, Offender Management Unit
- Section 19, Healthcare
- Section 25, Drug Strategy
- Section 26, Resettlement (particularly 26.7 IPPs)
- Section 27, Work of the Board
- Section 28, Conclusion

3. **MATTERS FOR THE SECRETARIAT**

- Executive Summary
- Section 5, The Cluster
- Section 27, Work of the Board
- Section 28, Conclusion

4. **MATTERS FOR THE PRIMARY CARE TRUST**

- Executive Summary
- Section 19, Healthcare
- Section 24, Drug Strategy

## **5. THE CLUSTER**

The Cluster was formed in 2006 with the intention of merging administrative services to improve efficiency and reduce costs. The Governors of the three prisons reported to the Chief Executive Officer (“CEO”). A number of functions were removed from the Governors’ control and placed under separate management, also reporting to the CEO. In previous reports, the Board has criticised the Central Strand management for being inaccessible

Following a review, the CEO position has been discontinued with responsibility for several functions affecting prisoners, most notably Offender Management, reverting to the Governors. One of the Governors will take a more senior role and a Senior Management Board will be chaired by the Deputy Director of Custody for the area (formerly, the Area Manager).

The Board was concerned that the Industries function might be broken up. It is pleased that, while it is the Governors’ responsibility to get the prisoners to work, the finding of contracts and the overall strategy remains clustered. There remains the ability to switch workshops between prisons to ensure the best use of resources and to meet any security issues.

The Board hopes that the restructuring becomes permanent as prisoners regard the Governor as the person ultimately responsible for what happens in their life in prison and have not understood the previous division of responsibility. The accessibility issue will also disappear.

## **6. TACTICAL MANAGEMENT**

Dealing with transfers for the Cluster and some re-categorisation, the OCA (Observations, Classifications and Allocations Department), is based at Elmley. After an improvement last year, the service for Swaleside has regressed particularly with regard to the movement of segregated prisoners. Given the new structure and the return of prisoner related issues to Governors, the Swaleside OCA function should be returned.

## **7. RESIDENTIAL**

### **7.1 Wings**

There are eight wings:

A Wing	Mixed Determinate and Lifer
B Wing	Mixed Determinate and Lifer/Kainos
C Wing	Main Lifer Centre
D Wing	Main Lifer Centre
E Wing	Mixed Determinate and Lifer
F Wing	Mixed Determinate and Lifer
G Wing	Prisoner Induction

## H Wing Drug treatment, Mixed Determinate and Lifer

A major upgrade of the roofs of the four original accommodation blocks and the associated administrative buildings commenced early in 2011. Initial complications arose due to delivery of incorrectly sized components in connection with these works but the problems now appear to be resolved. It is a pity that the project did not extend to the workshops, which are of a similar vintage and where rainwater penetration is a regular occurrence. C and D Wing showers suffer from poor ventilation

The wings and the prison in general have suffered from the perennial problem of recruitment in the Works Department. There are currently shortages in trades such as electricians, builders and painters. The situation has not been helped by the need to deflect these scarce resources to act as escorts for contractors working in the prison. These problems led to a decision to restrict Works operations to defects and damage to cells (and to the kitchen), an approach that was still being followed at the end of the period covered by the report. To some extent, the problem has been managed by overtime payments from within existing budget and time off in lieu but the position remains far from satisfactory.

There have been serious problems with the drains serving the oldest wings, which need to be addressed with some urgency.

The prison is in reasonable decorative order. Each wing has a self-cook kitchen and the improvement in cleanliness, referred to last year, has been maintained.

B Wing houses Kainos, which is a faith based course on which prisoners are encouraged to associate and live together as a community. Two courses are held each year and for several years has been a successful project which has altered prisoners' attitudes and behaviour. Uncertainty over the future funding is a matter of considerable concern to the Board as, particularly in the current increasingly unstable environment in the prison, the relative calm on B Wing is undoubtedly influenced by Kainos.

C, D and E Wings have been relatively stable despite, in the case of E Wing, it becoming a static wing following the transfer of Induction to G Wing. D Wing, however, was the scene of a serious incident in January with a number of staff being injured. The prison's staff did well to restore order in a relatively short time (See also Section 16, Page 14).

F Wing, having gone through major changes at the end of the last reporting year when RAPT moved to H wing, the wing became less stable. There was a considerable loss of experienced staff that were replaced by staff with much less experience. There have been a number of problems on the wing that have led to a general instability, particularly the South side, where there have been signs of a gang culture emerging. Steps are being taken to address the situation.

G Wing took over Induction and H Wing has made good progress with RAPT. Bullying and violence have increased on H Wing during the year, due in no small measure to the wing having housed prisoners who are striving to be drug free alongside those suspected of having and/or selling drugs. A recent decision to house only drug free prisoners on the wing is welcomed by the Board.

## **7.2 Gardens/Grounds**

New ground works and plantings have improved the appearance of the open spaces outside and within the prison and are to be welcomed.

The problems with rodent infestation noted in previous reports, which appeared to have been brought under control, re-emerged during the spring of 2011. This may be connected to the defects found in the drainage system referred to above (see Section 7.1, Page 11) and is undoubtedly exacerbated by shortcomings in environmental hygiene, particularly in connection with rubbish thrown from wing landing windows and kitchen waste storage. The issue needs to be dealt with as a matter of urgency.

## **8. GYMNASIUM**

The gymnasium has had another successful year increasing the hours of purposeful activity by nearly 30,000 to almost 170,000. 10% of the hours were directed at learning and skills. 239 work skills awards were achieved by prisoners from level 1 to level 2.

61% of prisoners attended the gym weekly. The Health trainer Scheme continued to deliver excellent service focussing on staff and offender wellbeing. Discrete education for numeracy, literacy and IT skills were provided by gym and education outreach personnel with many achieving level 1 or 2.

The Gym continued to produce dedicated sessions for RAPT and Kainos. Four family days were run successfully.

The Gym helps to provide stability, security and helps sentence progression through its embedded learning regimes.

## **9. RECEPTION**

Refurbishment of Reception has still not been completed and has led to much frustration. Staff are having to cope with a large number of movements. Over 1,000 prisoners have been received or discharged, quite apart from the escorted visits to outside hospital, etc. There are inevitable problems caused by the uneven number of movements, which occur frequently and cause overload. The overload affects the ability to respond to the large number of applications relating to property which the reception

staff face on a daily basis. They are doing their best in trying circumstances.

There is a difficulty in meeting the staffing requirements because of the general shortage.

## **10. INDUCTION**

The induction process is excellent and very well administered by staff.

All prisoners including life sentenced prisoners normally go to the induction wing and move to their residential wing when induction is completed.

The induction involves input from numerous staff from different departments in the prison, i.e. chaplaincy, healthcare, etc. An induction pack together with the IMB leaflet is issued to each prisoner who is individually seen by induction staff. Progress through induction is closely monitored and recorded and other trained experienced prisoners help new arrivals.

570 prisoners, more than twice the profiled number, have passed through the induction process during the reporting year.

Any requests to speak to the Board are treated as a priority, and the Wing is regularly monitored to ensure that prisoners know how to contact the Board.

## **11. VISITS**

The Visitor Centre, opened in 2008/2009 as part of the redevelopment for G Wing, is inadequate for the size of the prison population. In last year's report, we described the conditions in the Centre as intolerable at times for both staff and visitors and the situation has not changed. The original design was for a larger building but was reduced in size, somewhat arbitrarily, on cost grounds, a decision that now seems very short-sighted.

Several successful family days took place in the year.

## **12. KITCHEN**

The kitchen continues to produce an acceptable range of food within increased budgetary constraints. However, the emphasis on maximizing work opportunities within the prison generally has led to manning levels within the kitchen that, at times, are well in excess of those which would be found in a comparable catering operation in the outside world. There has also been a degree of discontent among some prisoners at the more rigorous regime, which has been recently introduced. There is some concern that these issues might affect the quality of the product. In monitoring the

situation in the coming year, the Board will be mindful of the inevitable compromise that is required in the interest of providing employment.

There is also concern that, while standards of construction maintenance and cleanliness in the kitchen appear satisfactory, problems with the prison's Works operation (see Section 7.1, Page11) have prevented the carrying out of works requested by the Local Authority during statutory food safety inspections.

The waste storage needs to be improved. If steps are not taken, there is likely to be a rodent infestation problem. This matter has been raised with the Governor at Board meetings.

### **13. CANTEEN**

In addition to supplying canteen services to Swaleside prisoners, DHL provides similar services to 10 other prisons, a figure which may increase in the near future and will lead to expansion of the workshop into an adjacent storage area. Currently 67 prisoners are employed in the DHL operation.

The working relationship between DHL staff and prisoners has been unsatisfactory with prisoners being sacked for minor offences without good working practices being correctly followed. Responsibility for the workshop is now with the Industries management team and proper compacts have been put in place, which have to be signed by prisoners wishing to work in DHL. The compacts clearly lay out full terms and conditions including lunch arrangements and requirements for working on Public Holidays. A backlog of unanswered prisoners' complaints has been cleared.

Security in the workshop is a major issue with poor CCTV cameras. As a result, there is an unacceptable amount of petty pilfering of stock, especially edible items. Also, we understand that it is so out of date that images cannot be saved for use in adjudications. These defects should be remedied as soon as possible. The searching of prisoners, particularly when leaving the workshop needs to be improved.

The Board welcomes the fact that DHL staff are to have adjudication training but is concerned that not all DHL staff are up to date with "break away" training, a situation that needs to be addressed.

### **14. OFFENDER FINANCE**

In our last four reports we have been critical of Offender Finance and it is, therefore, pleasing to be able to report that there has been a significant improvement. We attribute this to the department having a stable location and staffing. The number of complaints to the Board about pay has dropped considerably.

## **15. SECURITY**

The Security Department has seen a lot of change in staffing but nevertheless continues to do excellent work. They have put in place good searching techniques especially at the gate, in visits, and the kitchen. The Board, whilst appreciating the call on precious staff resources, believes that gate searching of those entering the prison should occur more frequently and not just at peak times. Intelligence-led tips have been followed up speedily and with great success. A number of visitors have been prevented from passing unauthorised articles to prisoners and a number of arrests have been made. The Board was particularly pleased to note that a would-be passer of drugs to a prisoner in Swaleside recently received a 7 year sentence for "possession with intent to supply". Even so, the presence of drugs and mobile phones within the prison continues to be a major concern.

A Body Orifice Searching chair is operated in Reception.

There is a full time police intelligence officer in the prison and a part-time police liaison officer working across the cluster.

## **16. SEGREGATION**

The unit has no prisoners held in segregation long term. This is due in no small degree to the tireless work that staff put in trying to reintegrate prisoners back to normal location or to transfer them to other prisons.

Their work is difficult as they have to deal on a regular basis with prisoners who are violent and/or have a mental illness, and/or who will not co-operate with the prison authorities. We are very impressed by the hard work, compassion and commitment of the Segregation Unit staff. Their professionalism in the face of provocation is to be admired, as well as their good humour when dealing with difficult situations.

Once again, there has been a number of assaults on staff in the prison at large. The Board is pleased to note that the assailant, referred to in last year's report for a vicious assault which led to three Segregation Unit staff being injured, one seriously, was sentenced to 5 years at the Old Bailey; the sentence to run from his parole date.

The increasing indiscipline of prisoners is reflected in the use of force (where staff lay hands on a prisoner but not using control and restraint (C&R) procedures), C&R (where the prisoner is restrained by use of arm, leg and thumb locks) and the special accommodation (unfurnished and dirty protest cells). As can be seen by the table below, whilst use of force has been fairly consistent, use of C&R in 2010-11 has been almost twice as frequent as the previous year. Use of special accommodation has also risen significantly.



	Use of Force	C&R	Special Accommodation
2008-9	44	29	10
2009-10	29	49	32
2010-11	32	87	39

The Board is always notified when special accommodation and C&R procedures are used and our role is always respected by staff.

The Segregation Unit was full in January, when a serious incident occurred, which required more prisoners to be segregated. The Board wishes to recognize the prompt decision of the Area Manager (now Deputy Director, Custody) to remove all the prisoners, then in the Segregation Unit, to other prisons and the response from Governors at a number of prisons, who helped by accepting those prisoners at very short notice. The unit has been full again but, at the end of the reporting period, the number of segregated prisoners is manageable.

There has been a determined effort by Governors and staff to reduce the number of prisoners in the Unit, who were there under Prison Rule 45 for their own protection. Many of these prisoners were simply using the Rule as a means of getting a transfer. The aim is to make the Unit a place for punishment after adjudication and for removal of disruptive prisoners in the interests of good order and discipline within the prison.

SMARG (Segregation, Monitoring and Review Group) meetings are held quarterly.

Segregation reviews take place once or twice weekly, depending on the number of prisoners segregated. An initial review takes place within the first 72 hours a prisoner is held in segregation. They are usually attended by a Board member. Healthcare is usually represented (a representative should always be present) but the person attending is often not aware of the prisoner's medical status.

The Unit is now accepted a non-smoking area despite initial complaints.

## **17.ADJUDICATIONS**

Members of the Board continue to monitor adjudications on a regular basis. The Board remains concerned that there are regularly awards of 50% of earnings for prisoners only earning £2.50 a week rather than leaving their pay intact and increasing other sanctions. It is a matter of serious concern that suspended awards have been given to prisoners found guilty of being in possession of fermenting liquid (hooch). Possession of Hooch (there have been almost 100 adjudications for this) is one step away from having drunken prisoners and the possible attendant violence. Consequently, the Board feels that, given the potential danger, this offence should automatically attract an immediate award, even where the defendant claims that he was forced to hold it for others. The Board

still has serious concerns about the volume of mobile phones, especially camera phones in the prison.

It is pleasing to note that, for determinate sentenced prisoners, serious cases are referred to the Independent Adjudicator who regularly gives awards of added days.

In the reporting year there have been over 1000 adjudications, with some 300 refusals to obey a direct order, 80 of threatening behaviour to staff, 80 of violence (including 26 assaults on staff).

## **18. OFFENDER MANAGEMENT UNIT (OMU)**

Unlike Industries, where clustering has operated to the advantage of the three prisons and prisoners, a clustered OMU has never really worked. The populations of the three prisons are very different and therefore, the needs of the prisoners vary.

Although the Department has worked hard and is deserving of praise for their efforts to reduce the number of outstanding reports, referred to in last year's report, many remain uncompleted. Correspondence from solicitors remains at a high level and as a result, valuable time is taken up in responding.

The decision to return responsibility for OMU to the prison Governors is welcomed by the Board as prisoners regard the Governor as the person ultimately responsible for his progress in prison. The innovative plans to hold fortnightly, open clinics on each wing to discuss parole and categorisation issues and monthly clinics to discuss sentence plans are also welcomed and should go a long way to rebuilding prisoners' confidence in the system and reduce time-consuming delays.

## **19. HEALTHCARE**

This has been the first full year of commissioning a GP practice based on Sheppey to provide GP services at Swaleside. It has proved to be very popular with the staff and prisoners, especially the latter as they now have a certain amount of choice as to who they see.

Agency staff are still used but recruitment, Cluster wide, has improved. Vetting of applicants has also improved, ensuring that successful applicants can start promptly. One Healthcare officer has been seconded to Canterbury Christchurch College to undertake her Adult Nursing Degree and a second will start later in the year.

Patient Representative meetings continue to meet bi-monthly – the representatives on each wing act as advocates on behalf of their peers and as a conduit to resolve difficulties. The group has improved communication between the wings and Healthcare Following these meetings, there are

now dedicated Healthcare notice boards on each wing and secure post boxes for use by prisoners for appointments and other matters.

Dentistry continues to be a problem with a waiting list close to 300. The situation had improved during the year with a new, efficient dentist starting. All urgent cases were seen and the waiting list was going down. However, because of a change in dental service provision, the Care Quality Commission requirements for infection control meant the installation of 3 sinks as well as a few other adjustments. The dental surgery has been totally refurbished even though it was refurbished as recently as 2008. This has resulted in the surgery being out of action for 8 weeks leading to the rising waiting list and an increase in urgent cases waiting to be seen.

An Integrated Clinical Assessment Team, involving a pain specialist nurse and orthopaedic practitioner, is delivering a service to the prison with 2 sessions a month. The Community Podiatry Team also commenced a service within the prison. Better cluster partnership working has resulted in nurse led sexual health, coronary heart disease and diabetes clinics delivered by colleagues from Elmley. These are to be applauded.

Mental health continues to be an area of healthcare that does not seem to improve. There was talk of a Day care Centre for prisoners with mental health problems – but nothing has happened. There is a large number of prisoners with mental health problems, some very severe, in In-Patients, it seems to take a very long time to obtain places in Secure Units for treatment.

It is unfortunate that the number of healthcare applications to the Board has risen by 50% to 114. Whilst this may be partially attributable to the increased population following the opening of H Wing, a large number relate to dental appointments.

Staff cope well with some very difficult patients Staff morale is low due to the uncertainty about jobs and future working practices as a result of the present tendering for new commissioners. It is to be hoped that decisions will be made soon.

## **20. CARE TEAM**

The Care Team provides support to staff with problems and has many outside contacts who can give valuable help and advice and everything is treated as confidential. Staff are able to contact the team 24 hours a day.

The team's work often goes unnoticed because of the confidentiality but its members are extremely dedicated and the Board recognises the contribution that they make to the wellbeing of the staff. They have been heavily involved this year in supporting staff witnesses at the Old Bailey trial (see Section 16, Page 15), Coroner's Courts and following incidents within the prison.

## **21. CHAPLAINCY**

The excellent work of the Chaplaincy has continued throughout the reporting period. The arrival of the new assistant Imam almost 12 months ago is welcomed and is a valuable addition to the team. In addition to full time Anglican, Roman Catholic and Muslim chaplains, who minister to 245, 175 and 278 prisoners respectively, ministers of other faiths have attended the prison on a regular basis.

In addition to ministering to the spiritual needs of prisoners, the chaplains have also liaised with prisoners' families where there have been serious illness (50) and bereavement (75).

Where there has been a death in custody, a memorial service has been arranged attended by prisoners, staff and the family. Over 85 major religious festivals and holidays are recognised and special catering has been arranged when appropriate. 5 wedding ceremonies have taken place during the reporting year.

## **22. SAFER CUSTODY**

### **22.1 Safer Custody Participants**

A number of groups contribute to the Safer Custody Function

- a. Listeners – volunteer prisoners, trained by the Samaritans, who are available 24 hours a day to prisoners who wish to have a confidential talk with someone other than a member of staff.
- b. Insiders – volunteer prisoners who help newcomers to the induction wing to settle in and who are available to prisoners who may want advice on matters relating to their new prison.
- c. The Safer Custody Committee - The Committee meets monthly with Anti-bullying and Safer Custody staff, and prisoners' representatives from each Wing and representatives from Healthcare, Psychology, Chaplaincy, Operations, Regimes and Probation departments. The Samaritans and the IMB are also represented. Meetings are chaired by a Governor and information obtained at these meetings helps in assessing the volatility of the prison.

### **22.2 Death in Custody and Family Liaison Officer (FLO)**

There were two deaths in custody in this reporting period. One was due to natural causes and the other a suspected suicide. The coroner's inquests are awaited. Memorial services were held in the prison and their families were able to visit the prison to meet staff and prisoners on the wings where their relatives were held.

Deaths in Custody are always very stressful times and we would like to comment that the staff concerned always acted professionally, compassionately and with sensitivity.

The prison has one trained FLO.

As we have written regularly in recent years about the Board's concern at the length of time it takes for Coroner's Inquests to be held; often two to three years after the death. We do so again. The delays are very stressful, both for the families and for prison staff who have to give evidence.

### **22.3 Suicide and Self Harm Prevention**

Assessment, Care and Custody, Treatment (ACCTs) are used throughout the prison if there is concern that a prisoner has self-harmed or is likely to do so. The use and completion of ACCTs is regularly reviewed to ensure that best practice is followed. 101 ACCTs, an increase of 28 were opened in the course of the year. 47 were for actual self harm 31 for threats of self harm and 23 due to staff concerns. Prisoners who self-harm are monitored by staff and fellow prisoners. This inclusive approach is valuable and may help the prisoner to cope better with his problem.

All staff (and the IMB) have been trained in the use of the "big fish", which is a tool used to cut down people attempting suicide by means of a ligature.

### **22.4 Anti-bullying/Violence Reduction**

Debt continues to be a major problem mainly due to the drugs, hooch and mobile phones, all of which exist within the prison. A consequence of debt recovery is violence. 580 investigations were undertaken in the reporting year of which 78 were proven.

A proactive approach is being taken towards reducing violence within the prison. Prisoners, who are believed to be violent, may have their movement around the wing curtailed and restrictions placed on their gym sessions (down to one per week) and their visits (reduced to 30 minutes per visit). The IEP (Incentives and Earned Privileges) scheme is also being used to address violence.

## **23. DIVERSITY**

Swaleside has a full-time Diversity Manager.

The Prison Service has a new training package. Good quality training is an important part of making Diversity concepts understood. The SMART Monitoring of Race Equality is used to provide monthly analysis of the key functions of prison life.

Regular meetings are held with representatives from each wing where any issues of concern are discussed. There are Racist incident report boxes on each wing and racist Incident report forms are freely available. Investigations of reported incidents are done thoroughly and a Community representative examines at least 20% of the reports produced. Wing diversity representatives have been trained to deal with racial issues, which has helped to increase prisoners' confidence in the system

There have been 85 racist complaints in the year – 50 by prisoners against staff 29 staff against prisoner and 6 prisoner against prisoner. This represents a sizable increase over last year (46), which may be in part due to the increased population but may also be due to prisoners having more confidence in the system and directly challenging inappropriate behaviour.

The UK Border Agency has visited Swaleside on a regular basis and holds surgeries every month to update or advise on current cases.

No engagements with the local community have taken place this year due to lack of funding.

Black History month was celebrated in November with a guest speaker on the subject. Special menus were prepared by the kitchen. A Diversity cricket competition was held in the Gym in December and was well attended by prisoners and staff.

The Festival of Eid took place in September. The event consisted of a service in the Gymnasium followed by a feast in the Visits Hall It was attended by 242 prisoners.

Swaleside has a number of prisoners with mobility problems. They are risk assessed on arrival and are located, if possible, on G and H Wings where there are specially designed cells. A lift allows these prisoners to access prison facilities. Each prisoner with mobility problems has a personal escape and evacuation plan in case of emergency.

There is an increasingly elderly population in the Swaleside community. Meetings have been arranged for the over 55s so that any concerns, relating to their age, can be raised and discussed.

A Quality of Prison Life Survey has been completed.

## **24. REQUEST AND COMPLAINTS (RCF)**

Almost 3,000 complaint forms were submitted during the year with 2,800 answered within the prescribed timescale. Responses to complaints to other prisons about property not received when prisoners are transferred to Swaleside continue to be late despite chasing by the RCF clerk. Prisoners understandably get frustrated.

## **25. DRUG STRATEGY**

### **25.1 Drug Testing**

A new drug testing unit opened during the year. Concerns that it would prove inadequate in both size and furnishing have proved correct. The cramped and difficult conditions, together with chronic and continuing testing staff shortages, have led to reductions in the service provided. At times during the year, only mandatory drug testing (MDT) has been carried out because of the shortage of resources. Giving priority to MDT over voluntary testing (VDT), prisoners on drug abstinence programmes, is understandable but short-sighted. While the MDT programme provides an estimate of sorts of the prevalence of drug taking in the prison as a whole and as such, is only one of a whole raft of measures directed at monitoring security within the prison, the VDT programme is an absolutely essential and crucial part of the treatment and rehabilitation of drug-addicted prisoners.

### **25.2 CARAT and RAPT and IDTS**

The transfer of the RAPT programme to the new H Wing presented the prison with the opportunity to create a drug-free area within the prison, where prisoners could be housed while undertaking the programme and could remain following graduation from it. However, this has proved difficult because pressure from elsewhere in the prison has meant that drug-using and drug-dealing prisoners have at times been placed on the wing and have posed a considerable threat to its drug-free ethos. Working to create and sustain a drug-free wing will require the support and additional resources from elsewhere in the prison but also from the higher echelons of the Prison Service. The Board supports and encourages the Governor in his efforts.

The introduction of RAPT courses for the treatment of alcohol-addicted prisoners is overdue and welcomed.

The Board was sceptical when the Integrated Drug Treatment System was introduced into the prison. Initially, the IDTS team was seeing 45-50 prisoners. Currently, there are only 6 in the programme. They have monthly reviews rather than quarterly and the team get to know their clients well. The team promotes abstinence but also talk through emotional and behavioural problems when administering the drugs. It is to be hoped that an even more integrated programme can evolve for prisoners with mental health problems.

## **26. RESETTLEMENT**

### **26.1 Psychology**

The Psychology Department remains clustered serving the three prisons. It also assists, as required, with forensic psychology services to HMP Maidstone and is involved in sex offender courses there.

The department continues to bear a heavy workload. There is a continuing struggle to achieve adequate resources, particularly clerical assistance.

### **26.2 Probation**

The Probation Department had a new manager at the end of 2010. Planning has been impacted by proposals for de-clustering (not yet implemented), which has led to considerable uncertainty over the future. The appointment of a full time Public Protection Officer, whose role includes explaining decisions to the affected prisoners, is welcomed. It has led to a reduction in applications from prisoners and in solicitors' letters.

### **26.3 Library**

The computer book ordering system is working well with books arriving a few days after the placing of the order. A service has been introduced enabling Enhanced status prisoners to order DVDs. Random checks are carried out on the status of prisoners attempting to order DVDs and anyone found to be abusing the procedure faces a ban from the library of six months. On average, 270 prisoners a day use the library, almost double last year's figure.

### **26.4 Education**

The year has been a period of low staff morale, largely attributable to the changes in terms and conditions of employment and new staffing model implemented by the Manchester College (TMC) since it was awarded the contract for education. Some staff have been reluctant to speak to the IMB regarding TMC because, rightly or wrongly, they feared dismissal as a consequence of so doing.

The new Head of Learning and Skills is very willing to engage with the IMB and has demonstrated a clear appreciation of the issues with regard to the changes in the protocols for distance learning. Unfortunately, the same cannot be said of the former Head of Re-offending, who failed throughout the reporting year to engage despite repeated requests to do so.

During the last six months, TMC has ensured that the Department is fully staffed. An additional Administration Officer has been appointed along with a Student Support Officer and Deputy Manager. The delivery of contract hours is now over 95% of those agreed with the Skills Funding Agency.



The Department will be offering a level 2 short course, Developing and Using Research Skills and/or a level 3 course, Developing Personal Study Skills. It is hoped that these will help offset the loss of access to specialist academic advisors, a major concern in last year's report.

The decision to return responsibility for education to the governor has met with strong approval because it restores a sense of ownership to Swaleside and operational issues will be resolved within the prison.

There have been few complaints from prisoners about the quality of teaching showing that, despite the morale issue, standards have remained high both in terms of teaching and support given to students. As a result, there has been a high level of student retention and commitment reflected in the quality of their work.

The current curriculum has been agreed by TMC, The Skills Funding Agency and the Prison Service in order to be responsive to the resettlement needs of the prison population.

Prisoners are aware that any application to study for Open University (OU), Higher or Further Education and Distance Learning courses will need to demonstrate that such study will improve improved employment prospects.

A number of issues have arisen in relation to OU courses, particularly with regard to computers. There is no Internet access and the highly secure networks are not always compatible with OU supplied software. The closure of the PICTA workshop has meant the loss of a valuable facility. This problem has led to several complaints to the Board. Funding of OU courses is now largely through Charitable Trusts. There is no funding via the TMC contract.

At the other end of the spectrum, a Learner Support class, with suitably qualified tutors, is available for those with learning difficulties. The Outreach programme also supports those prisoners with mental and physical health issues.

## **26.5 Workshops**

It has been a successful year with a small but effective team responsible for running and promoting the workshops. They have recruited new enterprises, maximising the employment of prisoners and securing the future of the workshops through extra revenue. Two workshop operations have been moved to Elmley in order to make space for a larger employer. At 31<sup>st</sup> December, every workshop position was filled.

Despite this, the Government's objective of full employment for prisoners is unachievable. G and H wings brought a further 360 prisoners into Swaleside and whilst Healthcare, the Gym and other areas were expanded and provide some extra employment, the workshops were not expanded.

Consequently there is still a major unemployment issue. Although space has been subsequently found for the Print Shop, further workshop space is required to enable more prisoners to be employed.

It has been projected that, if the space is found, the current level of 200,000 prisoner employment hours across the three prisons will rise by 30% in 2011-12 and 100% in 2012 -13 reaching 740,000 in 2013-14. Over the period, workshop employment will increase from the current 200 prisoners to 750.

Although Engineering, Woodwork and the Print Shop, by area, employ fewer prisoners, the Board considers that they are the most effective for teaching prisoners new skills. A good example is Engineering with skills such as welding, metal forming, cutting, etc being learned. These skills will stay with the prisoner and enable him to have a better chance of employment on release. Unfortunately, work carried out by these shops is "soft charged", i.e. Prison Service contracts. While it is understandable, in order to keep Prison Service costs down, obtaining outside "hard charged" contracts should be sought to ensure that the workshops remain viable.

Some NVQ qualifications are no longer available in the workshops. These were a useful step towards reducing re-offending and the Board hopes that the funding will be found to restart the courses.

It is unfortunate that the PICTA (Prisoner ICT Academy) Workshop closed during the year. It is difficult to understand why it came under the aegis of Industries rather than Education and hopefully funding will be found in the Education budget for similar courses to run in the Education area.

All workers now have contracts of employment setting out their hours of work, etc.

For health and safety reasons, consideration should be given to moving prisoners, who operate machines and who have failed a drugs test, to other parts of the workshops until such time as they have provided a clean test.

In addition to the running of the workshops, the Industries team has taken over the responsibility for DHL (See Section 13, Page 14). Whilst the Board welcomes this step, there would appear to be a need for clerical assistance. Given the predicted increase in revenue, it should be able to fund the position.

## **26.6 Attitudes, Thinking and Behaviour**

There have been improvements in bringing greater coherence in prioritising activities within prisoners' sentence plans. The result has been prisoners have not been put on offending behaviour courses before they had the necessary literacy ability.

The department exceeded their target figure for course completions (370 against a target of 357), broken down as follows:-

Course(number run)	Starters	Completions
Thinking Skills Programme (21)	210	189
Controlling Anger and Learning to Manage (15)	120	118
Cognitive Skills Booster (7)	70	63

Additionally 7 Victim Awareness courses were run with 56 starters and 54 completions. The Prison Fellowship ran 4 Sycamore Tree courses with 77 out of 80 completing the course.

As we have stated in previous reports, the department is very well run with a dedicated Manager and staff. However, there have been continuing staffing problems and at the end of the reporting year, there were 18 instead of the 23 required to deliver the accredited courses. Whilst that has been addressed in part, it is important that the Department is fully staffed, particularly as the Department is to place greater emphasis on a Resettlement programme, which will incorporate prisoners from Standford Hill and Elmley.

The Board is pleased to note that funding has been agreed for 2 further Sycamore Tree courses.

All issues raised by the Board have been addressed professionally and promptly.

### **26.7 IPPs (Indeterminate Public Protection)**

There is an increasing proportion of IPP prisoners, now over 200, in the prison's population. They are generally young and less tolerant and therefore, more problematic. Many find the adjustment to the regime of a long term prison difficult. As a result, their behaviour is often less than satisfactory and they are a drain on resources. Some are over tariff and/or are category C prisoners and need to be moved to a more appropriate prison.

## **27. THE WORK OF THE BOARD**

The Board has its own office with a computer, printer and telephone and to date, everything agreed in our Service Level Agreement with the prison has been honoured.

The Chair attends meetings with the Area Manager quarterly, although one meeting did not take place. Meetings with the Chief Executive Officer have been held and have been attended by the Chairs of Elmley and Standford Hill IMBs. These meetings will continue with the Senior Governor.

## 27.1 Board Meetings

The Board held 12 meetings during the period from 1<sup>st</sup> May 2010 to 30<sup>th</sup> April 2011. All members attended unless they had a valid reason not to, i.e. holidays, illness, etc.

## 27.2 Applications

The Board received 942 applications during the reporting period compared to 816 last year. The difference in the 2 years reflects, to some extent, the increased population of Swaleside as a result of the opening of H Wing. Nevertheless, the more than doubling of the number of applications relating to education and employment and the significant increases in applications relating to health and to property are a concern. There has been some evidence of staff pointing prisoners at the IMB to resolve complaints instead of addressing them themselves. The breakdown, with last year's figures in brackets, is as follows:-

Cell quality	00	(07)
Wing/cell allocation	07	(09)
Adjudications – internal	36	(37)
Adjudications – external	00	(01)
Rule 45/49 Segregation	27	(19)
Racial issues referred to prison staff	09	(08)
Racial issues not referred to staff	02	(03)
Other Diversity issues, e.g. disability	05	(03)
Education/employment	100	(46)
IEP (Incentives and earned privileges)	27	(28)
Visits	25	(29)
Resettlement issues	07	(12)
Mail/Pin phones	34	(30)
Food/Kitchen issues	10	(19)
Health issues	114	(76)
Property related to previous prison	58	(56)
Property related to current prison	101	(69)
Canteen/Argos/Facilities list	47	(35)
Basic sentence	13	(15)
HDC	11	(03)
Immigration deportation	08	(03)
Categorisation	57	(69)
ROTL	03	(01)
Parole Board	20	(30)
Apps about staff	31	(27)
Apps about prisoners	00	(01)
Apps from staff	01	(00)
Transfers	71	(60)
Miscellaneous	107	(120)
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TOTAL	942	(816)

Of the 120 miscellaneous applications approximately 49% (58%, last year) were about late or non-answers to Request & Complaints Forms submitted. 311 of the applications were taken 'on the hoof', the remainder being written applications. Details of all applications are fully recorded by the Board.

### **27.3 Confidential Access**

We received 17 confidential access applications (22 last year). Most of these were not worthy of the Confidential Access procedure and several appeared to be an attempt to bypass the normal system. These applications were returned to the sender with an appropriate message. All others were investigated and where appropriate were referred to the Governor

### **27.4 Membership**

The Board comprises 10 members, two in training; but we should be 19, a number that was established before the prison had the 2 new wings.

We consider that there is excellent communication between the Board and the Governor and his staff which makes life easier considering our small membership. However, communication with the clustered re-offending management has often been difficult but the problem will be resolved by the new Cluster arrangements. The Board comprises 4 women and 6 men and includes one JP. Only one member lives on the Isle of Sheppey. Our nearest member lives 10 miles away and the furthest, 46 miles.

### **27.5 Recruitment**

The Board is running under strength but, thanks to the Kent Recruitment Cluster, recruitment has been somewhat easier, albeit that most recruits do not live on the isle of Sheppey. Adverts have been placed in local newspapers and other publications on behalf of all the prisons and attracted a satisfactory level of interest. It is a matter of regret that these groups will no longer be supported by the Secretariat.

All members of the Board are white and it is almost impossible to recruit members of ethnic minorities.

### **27.6 Visits to the Prison**

Members of the Board made 413 visits to the prison in the reporting year. Apart from Board meetings, one member was usually in the prison on weekdays. Compromises have had to be made in which areas of the prison are monitored, though Members attempted to visit at least their areas of special interest as well as the Segregation Unit, Healthcare and the Kitchen.

### **27.7 Training**

The Board had two members in training during the year. Both have progressed well.

Two Members, as usual, attended the IMB Conference.

Most members of the Board have had training in the new computer system

## **28. CONCLUSION**

Swaleside has a population of very serious offenders. Despite the dedication and professionalism of staff, with a changing population (younger and more difficult prisoners) and an increase in the number of serious incidents and general indiscipline, the prison feels less settled and consequently less safe than in the previous year.

Peter Judges  
IMB Chair