

# H M PRISON SWALESIDE



## ANNUAL REPORT

**From: 1<sup>st</sup> May 2014**  
**To: 30<sup>th</sup> April 2015**

## **Section 1**

### **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 availability 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.

## Section 2

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## Section 3

### DESCRIPTION OF THE PRISON

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

Sheppey prisons have separate Governors and administrative services are no longer shared. Finance and Human Resources are now part of the national structure and the Finance and HR Business Partners are shared with Standford Hill. Resettlement Services could be provided from Swaleside if a high-risk prisoner is directly released from the prison.

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. As at end April 2015 there are 871 B category, 206 C category and 33 D category prisoners in the overall population. The number of category C prisoners has been substantially reduced since the last annual report because of the National Population Reconfiguration Project. Between 1<sup>st</sup> May 2014 and 30<sup>th</sup> April 2015, 64 prisoners were released from Swaleside. At the end of April, there were no foreign national prisoners who had completed their sentence awaiting deportation.

Following implementation of the National Reconfiguration Project the previous criteria relating to length or sentence or offence type has been relaxed and no longer applies to acceptance of prisoners at Swaleside. Prisoners will normally be sent to establishments nearer to their homes about three months before their release date.

The certified normal accommodation is 1112 in single cells over eight wings.

The contractor delivering Healthcare is IC24 Integrated Care. Inreach (Mental Health) is provided by Oxleas and Education by The Manchester College.

All figures recorded in this report are as of 30<sup>th</sup> April 2015 unless otherwise stated.

## Section 4

### EXECUTIVE SUMMARY

A continuing shortage of experienced staff has meant that the move to New Ways of Working mentioned in our last report has still not been achieved. Some of the staff shortage has been ameliorated by the use of detached duty staff from other establishments and by the use of a bonus overtime system for staff. With the use of this additional manpower the Governor has managed to institute an acceptable regime to avoid long periods of lockdown and to support the day to day requirements of the prison. The information given to prisoners about proposed lockdowns and loss of association is published in advance and thus allows forward planning and prevents many of the objections which would otherwise be raised. The manpower shortages and the presence of such a relatively high number of detached duty staff has meant pressure on all departments within the establishment and the frequent move of uniformed staff to different areas of the prison, often at short notice. This has led to a dilution of the Personal Officer Scheme and a lack of personal knowledge of prisoners by staff.

The introduction of a National Reconfiguration Scheme has meant the move out of a large number of C category prisoners to be replaced by B category for which Swaleside is designed. However, as part of this reconfiguration, the removal of the previous criterion of prisoners having 4 or more years of their sentence to serve before coming to Swaleside has meant the arrival of younger, shorter sentence prisoners who have proved to be less stable. This change, together with the staffing situation mentioned above, has contributed to an increase in instability and an increase in assaults, both prisoner on prisoner and prisoner on staff.

Drugs, particularly prescription drugs and psychoactive substances (spice) now seem to be a major part of the trade within the prisoner population and this gives the Board concern not just for the well-being of the prisoners and the consequent rise in incidents but from the fact that debts incurred by prisoners to other prisoners seem to be the cause of an increase in prisoners seeking the protection of Rule 45 to allow them to be segregated from other prisoners. The Board has been particularly concerned to note that a number of prisoners (some 14 at the time of writing) are choosing to stay behind their cell doors on the residential wings rather than mix with their fellows either on association or purposeful activity. Lack of staff resources mean that these prisoners receive minimum support (eg meals) and are not always able to be offered regular showers or use of telephone. This situation should not be allowed to continue. Many of the threats supposedly faced by prisoners allegedly emanate from so-called gangs. Some of these may be racially or religiously motivated but are also related to home areas of the country.

Despite an amnesty in December, weapons, some of increasing sophistication, continue to be found on a regular basis and there is evidence of their use in some of the incidents mentioned. The use of intelligence-led security work has forestalled many incidents and the staff are to be commended for this.

Work with prisoners with personality disorders was mentioned in our previous report and the Board is pleased that this is continuing and expanding. When staff resources allow, this area will support up to 125 prisoners. In addition a pilot scheme to reduce violent and disruptive behaviour by one to one working with prisoners has started and is showing encouraging early results.

Hospital appointments continue to be cancelled due to the lack of escort staff and this is to be regretted because of the stress caused to prisoners and the waste of NHS resources.

The in-patients facility now houses only patients with genuine conditions preventing residence on the wings which has reduced the pressure there. However, the extensive use of agency nurses with a lack of knowledge of a prison regime does cause some concern.

The constant watch cell remained in regular use and is still located in an unsuitable position within the in-patients unit.

The Segregation Unit has been largely full for most of the year with some prisoners remaining there for excessively long periods. The Board appreciates many of the reasons for this but would like to see prisoners moved on more swiftly where appropriate. The special cells have been in use frequently and the reasons for this are understood by the Board and accepted except where caused solely by the lack of Segregation Unit cells.

The Board is pleased that dramatic improvements have been made in the turnaround time of Request Complaints Forms although lack of response from other establishments continues to cause aggravation.

Complaints regarding lost or missing property remain at a high level.

Outstanding OASYS reports, especially where not supplied from a sending establishment remain unacceptably high and cause delay to the progress of prisoners. Changes to the National Probation Service have not assisted in this regard but the strenuous efforts to correct this situation are again hampered by the movement of staff.

The Board has been perturbed by the man-hours lost during the year throughout the establishment due to the delays to the upgrade to the National computer system.

Staff sickness levels average at 14.31 days absence per staff member over the year. The Governor has introduced a rigorous process of return to work interviews in an attempt to improve the position.

The catalogue of problems above should not detract from the fact that the Governors and Staff are carrying out a thoroughly professional job and are achieving good progress. The communications to both staff and prisoners from the Senior Management Team have been instrumental in achieving a largely acceptable environment and good working relationships. Most prisoners seem to have a good respect for the staff.

#### **4.1 Particular Issues Requiring a Response from the Minister**

- 4.1.1 Agreed staffing levels do not allow for satisfactory handling of volatile and difficult prisoners (*Section 5.5 Residential Services*)
- 4.1.2 Agreement needed between NOMS, KCC and IC24 on matters relating to Social Care (*Section 5.2*)
- 4.1.3 Ensure that relevant prosecutions for assault are pursued (*Section 6.1 Adjudications*)

#### **Particular Issues Requiring a Response from IC24 Integrated Health**

- 4.1.4 Shortage of permanent nursing staff (*Section 4 Executive Summary; 5.2 Healthcare*)

## **Particular Issues Requiring a Response from NOMS**

- 4.1.5 Agreement needed with Parole Board on the funding of Psychiatric Reports. *(Section 5.5 Residential Services)*
- 4.1.6 Segregation Unit size often inadequate for prison population *(Section 5.4 Segregation)*
- 4.1.7 Retention of prisoners in Segregation Unit in excess of three months *(Section 5.4 Segregation)*
- 4.1.8 NWOV has not been implemented due to shortage of staff. *(Section 4.3 Overall Judgement)*
- 4.1.9 National Reconfiguration Project has resulted in increased instability and volatility due partly to change of profile of prisoners *(Section 5.5 Residential Services)*
- 4.1.10 National Reconfiguration Project has resulted in 1650 prisoner movements against a profile for Reception of 500 pa. *(Section 4 Executive Summary; 5.5 Residential Services; 6.11 Reception)*
- 4.1.11 There are many prisoners with incomplete OASys reports. Prisoners should not arrive from other prisons without these. *(Section 6.7 OMU)*
- 4.1.12 Reorganisation of Probation Service has brought about reduced support and lack of OASys provision. *(Section 6.9 Probation; 6.11 Reception)*
- 4.1.13 Timely responses to Request Complaints addressed to other establishments *(Section 4 Executive Summary)*
- 4.1.14 Adequate availability of Psychiatrist. *(Section 5.2 Healthcare)*
- 4.1.15 Adequate pastoral support for large Muslim community by provision of permanent Imams *(6.4 Chaplaincy)*

## **Particular Issues Requiring a Response from Governor**

- 4.1.16 Lack of a suitable room in Healthcare where ACCT interviews can take place *(Section 5.5 Healthcare)*
- 4.1.17 The need to relocate Constant Watch cell *(Section 5.5 Healthcare)*
- 4.1.18 The Segregation Unit requires a regular number of staff experienced in the working of the unit to function effectively *(5.4)*
- 4.1.19 Scheme to support prisoners remaining in cells at their own request *(Section 4 Executive Summary; 5.5 Residential Services)*
- 4.1.20 Lack of escort staff *(Section 5.2 Healthcare)*
- 4.1.21 Focus on regular deep cleaning of the kitchen *(Section 5.5.2 Residential Services)*
- 4.1.22 Unacceptable use of 50% deduction from income for those receiving only £5.00 per week rather than increasing other sanctions *(Section 6.1 Adjudications)*
- 4.1.23 Non availability of courses in ATB which impacts prisoner ability to progress *(5.1 Purposeful Activity (ATB))*

## **4.2 Other Issues of Concern or Excellence Not Requiring a Response**

- 4.2.1 Intelligence led security work has produced good benefits *(Executive Summary Section 4, Section 6.13 Security)*
- 4.2.2 The Pathways service to support prisoners with emotional, relationship and/or behavioural difficulties continues to give positive results. *(Section 6.8 Pathways)*
- 4.2.3 Communication from the Governor to staff and prisoners is excellent. *(Section 4 Executive Summary; Section 5.3 Safer Custody)*
- 4.2.4 Governor introduced a rigorous process of Return to Work Interviews which has reduced sickness levels. *(Section 4 Executive Summary)*
- 4.2.5 There is no Dental waiting list as reported in previous years – this is to be applauded. *(Section 5.2)*

### 4.3 Overall judgement

The Board commend the Governor and all staff for managing a consistent and satisfactory regime despite facing a year of continuing difficulty caused by shortages of permanent staff. Nevertheless, although the prison environment is largely acceptable, the growing number of assaults and incidents give the Board some concern.

The continuing increase in violence and the quantities of weapons, phones and contraband being found emphasises the necessity for agreed staffing levels to be met without delay.

Staff morale is maintained but is under continuing pressure due to the problems faced. The Board hopes that the long-awaited introduction of NWOW will help to provide some relief and to allow a settled environment.

### 4.4 Previous Years Concerns

- 4.4.1 Low numbers of staff have impacted the Regime to the unacceptable detriment of the prisoners. The shortage has been alleviated to some extent by the use of detached duty staff. Recruitment is continuing, albeit slowly. **Concerns are still valid.**
- 4.4.2 Lack of space on vans for property. **This continues to be a concern.**
- 4.4.3 Prescribing and Control of Tramadol. **Prescriptions have been reduced.**
- 4.4.4 NWOW has not been implemented due to shortage of staff. **This continues.**
- 4.4.5 Lack of Escort Staff. **This continues**
- 4.4.6 Lack of Access to Justice Facilities. **These are now in place.**
- 4.4.7 The Segregation Unit requires a regular number of staff experienced in the working of the unit to function effectively. **This remains a requirement.**
- 4.4.8 Backlog in Reception Work. **Backlog has been dealt with.**

## **Section 5**

### **SPECIFIC AREAS**

#### **5.1 Purposeful Activity**

##### **Attitude, Thinking and Behaviour Training (ATB)**

Loss of uniformed staff due both to the necessity to support the prison regime and to several officers taking jobs with better paid sectors of the public service meant that this has been a difficult year. The Resolve and TSP courses were suspended from April until December but since then have been run together with SCP, HRP and BBR courses. Non-availability of courses on a prisoner's sentence plan can lead to delays in meeting parole board requirements with a consequent impact on a release date.

Over the year a total of 133 course completions were achieved from a projected total of 197.

##### **Education, Learning and Skills**

An HMIP/Ofsted inspection took place in June 2014 following which a post inspection plan was produced to cover the whole area of Learning, Skills and Employment. The quality of the teaching has continued to be a matter of concern and TMC have put in place a number of initiatives to deal with this. The Learning and Skills manager has worked with TMC to develop improved offerings covering Peer Mentoring, ESOL, Business, Virtual Campus and Functional Skills training.

##### **Industries**

The Industries Department employ 343 prisoners in 9 workshops and gardens and recycling.

The major employer is DHL who employ 85-90 prisoners on a daily basis and at busy times this can increase to 97. DHL have the contract for supplying canteen orders to 11 prisons in the London and South East area and, in addition, are supplying one other area on a temporary basis. Four of the workshops: DHL, Engineering and Woodwork, and Gardens supply NVQ qualifications. One of the success stories is the Woodwork shop which amongst other items produces Fire doors. They are the runner up in the prestigious Elton awards for which everyone concerned should be congratulated. The Elton Award scheme rewards highly creditable performance in prison workshops and over 500 workshops in the prison estate take part.

One disappointment is that the food preparation company that were going to occupy one of the workshops and possibly provide NVQ qualifications in Food Handling failed to complete the agreement. Other options for the workshop are now being examined.

Contact has been made with the Engineering Industries Training Board with a view to enhancing the skill of workshop instructors to allow delivery of vocational qualifications.

The transferring out of the prison of the remaining Category C prisoners is causing some problems in the short term as they generally had a higher security clearance for certain jobs in the department but hopefully these posts will be quickly filled.

##### **Library**

The Library continues to be popular and footfall has increased month on month until recently. Disconcertingly, staff shortages seem to have contributed to this as it has been reported that

*Monitoring fairness and respect for people in custody*

two Wings have not been releasing prisoners allegedly informing them that the Library is closed when in fact it is open.

The Six Book Challenge was again well supported with 160 signed up and 109 completed. In September a member of the Library Staff attended a Reading Agency reception at 11 Downing Street as a representative of prison libraries and to recognize the success running the six book challenge.

Three well known Authors have visited the Prison during the year. Martina Cole and Patrick DeWitt both gave a talk to prisoners and Elizabeth Haynes conducted a half day Creative Writing class. Each was well received.

The popular DVD service for enhanced prisoners was resumed in November with the introduction of a £5 fine for lost/non returned DVDs. Each month the Library have a new display with supporting issues on topics such as Healthy Living, Black History Month, World War 1 and Football and the World Cup. They also run a monthly Book Club.

## **5.2 Healthcare, Mental Health and Substance Misuse**

Some matters arising from last year's Annual Report still have not been resolved. The interviews for ACCTs still take place in the Day Room in Healthcare and this has been deemed inadequate by both management and the Safer Custody Team. The constant supervision cell has still not been relocated to a wing from Healthcare, however, the matter is being dealt with by the Governor. This cell has been occupied for most of the last year.

The primary Healthcare is run by IC24 Integrated Care. Recruitment of nurses continues to be a major problem resulting in a large number of agency nurses being required daily. The GP service provides consistency of doctors and a choice of doctor for the prisoners.

The level of Tramadol prescriptions has reduced mainly through the reintroduction of a Pain Clinic which runs weekly where patches are provided for prisoners. There has been a review into the reorganisation of medication supply. This has now been completed and will address prolonged waiting in queues for medication.

A No Smoking policy has been introduced in all areas of Healthcare in line with the NHS. This policy has aided the drive to reduce inappropriate use of healthcare beds.

A new Clinical Nurse Manager has been appointed and this has led to more efficient auditing in the department.

The introduction of digital X-ray equipment has been completed and the provision of specialist physiotherapy has been increased.

RAPt, as from the beginning of April, has taken over IDTS – the substance misuse programme. All prisoners on Methadone and Suboxone are now on detox programmes. The number of prisoners on Methadone is 34 and for Suboxone 8.

There are increasing numbers of disabled prisoners residing at Swaleside, some with extremely challenging problems. Swaleside has been in negotiations with KCC Social Care concerning the introduction of Social Carers into the prison. However, at present, these prisoners do put an extra burden on the Healthcare staff. Added problems arise as some of the disabled prisoners have special beds and parts go missing or are broken. Who is responsible for paying for the parts? It is not in the Healthcare or prison budget.

Due to Swaleside staff shortages, many hospital appointments have had to be cancelled due to no staff being available for escort duties. The Management Team have had to prioritise each case.

Great strides have been taken in the last year to reduce the Dental Waiting list. There is now no waiting list – this is to be applauded.

Clinics are held weekly for Blood Tests, Dressings, Long term conditions – Diabetes, Asthma and Epilepsy, Pain, Blood Pressure and Weight, Well Man, Elderly – these are changing to NHS Check clinics – Smoking, Hepatitis B, Podiatry, Minor Surgery, General vaccinations – shingles, flu and viral pneumonia, and Optician.

Patients Representative Meetings are held bimonthly and a regular matter that arises at each meeting is that prisoners do not sometimes receive their attendance forms for Healthcare in sufficient time. An envelope with attendance forms is taken to the Wings in plenty of time for future appointments. Sometimes on the Wings, the distribution of these forms is overlooked. This often leads to DNAs (did not attend). This is particularly serious when blood tests are required.

The Inreach team provides psychiatric clinical care to prisoners with mental health problems. They combine their specialist knowledge to work in partnership with the Healthcare staff and staff on the wings. The Inreach department treats the condition and liaise with specialist hospitals. The Inreach team also attend relevant case reviews, constant watch reviews and ACCT reviews. There being only one Psychiatrist in the prison for 6 days a month who can prescribe or alter medication there are concerns that some treatment is delayed if there is no adequate cover to make clinical decisions during holidays etc.

### **5.3 Safer Custody**

There have been three deaths in custody (DIC) in the reporting year. Two of these appear to have been from natural causes. The third was an apparent murder and the two alleged prisoner perpetrators are currently awaiting trial.

The Board is pleased to note that the time between a DIC and the Inquest hearing by the Coroner has been much reduced.

There have been 235 ACCTs opened. The Constant Watch cell has been used nearly the whole of the year – not just by the prisoners of Swaleside but by those from other establishments, particularly HMP Rochester and by HMP Elmley when their Constant Watch cells were already occupied. Swaleside has also made use of a constant watch cell at HMP Elmley. The reviews of prisoners on constant watch have been well attended, not only by the Duty Governor or Custodial Manager, but by the Chaplaincy, IMB and Inreach.

During the reporting period there were 86 Discrimination Incidents reported 31 of which were from 4 prisoners. Overall 12 of the complaints were proven.

There are regular Safety Custody meetings which are often attended by a member of the IMB. There are currently 9 Listeners who were called out on 382 occasions. In addition there were 753 informal Listener consultations. There have been 272 Violence Reduction investigations completed from a total of 761 raised. The continuation of the process of advising prisoners when lockdown will occur has again been beneficial in reducing frustration and allowing prisoners to plan when they will shower and make telephone calls. The Governor is again commended for continuing this practice.

Action has been taken on all aspects of the Equality Act with the formation of 4 forums:

- An Older Prisoner Forum holding monthly meetings and older prisoner coffee mornings
- A GBT forum meeting monthly on the topics of Sexual Orientation, Gender and Gender Reassignment. This forum is by invitation because of the sensitivity of the issues.
- A Foreign National Forum meeting quarterly to discuss repatriation and deportation issues.
- A Forces Veterans monthly meeting attended by SSAFFA and RBLI and
- An Equality Action Team meeting monthly to discuss issues relating to race, disability, religion/belief, marriage/civil partnership and pregnancy or maternity.

The Equality Group has also taken on the social care plan of prisoners, to carry out an initial assessment of a prisoner's needs and to notify KCC OT, who come to Swaleside to carry out a further assessment.

#### **5.4 Segregation**

The Segregation Unit has been used heavily during the year and, certainly, in the last few months has been full most of the time. The Board fully understands and supports the desire to limit use of the unit for invalid reasons (e.g. attempts by prisoners to obtain transfers more quickly), but there have been examples of prisoners requiring 'own protection' under rule 45 having to be kept behind their doors on the wing. In the Board's view, this is a clear indication that the pressures caused by a population the size of Swaleside means that this unit does not serve its purpose. Continued attempts by prisoners who do not wish to stay at Swaleside to use the unit prevents its use for valid reasons. There have been occasions that as many as fourteen prisoners have been behind their doors on the wings who consider themselves 'under threat' but are not deemed to be Rule 45 by Governors. This is referred to more fully in the section on residential. The general staff shortage has meant that segregation staff have been moved to other duties too often leading to many occasions when the unit has been in lockdown for the afternoon. When this occurs, the prisoners on the unit are unable to have exercise or showers or to make telephone calls. However, it has to be said that the staff on the unit do their best to provide the required facilities when the unit is staffed.

The special accommodation has been used on 107 occasions and the Board has mostly been notified of these and, mostly have agreed it is appropriate. There have been several occasions where the special accommodation has been used to house prisoners who are validly on the unit but where no other cell has been available. These prisoners have been moved as early as was practicable. The body belt has had to be used on one occasion – a member of the Board was present and agreed that there was no reasonable alternative to preventing the self-harm that was occurring.

Two prisoners have been in the unit for over 3 months. We are told that they have been accepted by the high security estate but the Board must state that the delay to their transfer is unacceptable. One of these prisoners has been held in a cell with no TV facilities.

As was the case last year, the unit continues to suffer from lack of regular experienced staff due to all of the movements which occur and there has been a degree of uncertainty due to change in Management of the unit. At the time of writing there is hope that this aspect has been resolved by the presence of a regular CM and also by the move back to management of the unit by the Safer Custody Governor. There have again been examples this year where

inexperienced staff have not understood the role of the Board and the necessity for regular rounds.

### **5.5 Residential Services** (includes accommodation, food, catering and kitchens)

During the course of the year, the Board discovered that up to fourteen prisoners were 'behind their doors' on their wings although they were not regarded as Rule 45 and subject to the required visits by the Board, Governors, Healthcare and Chaplaincy. In general these prisoners were claiming to be under threat from individuals or the various gangs said to be operating in the prison. Where Security staff were unable to verify a valid threat to the individual prisoner, adoption of Rule 45 was refused. In any event, because the Segregation Unit was very full, transfer there would be unlikely. The Board established a regime of visiting these prisoners on a regular basis but it did prove difficult to obtain regular information as to their location. The Board has expressed concern over this situation and are pleased that, at the time of writing, a panel of Governors and senior staff is being established to consider individual cases with recommendations from the wings to ensure that, where justified, Rule 45 will be used, and that the necessary safeguards and welfare issues will be put in place.

The staff on the residential wings have been operating under extreme pressure which is not surprising given that the uniformed staff is 46 under strength. The regime introduced by the Governor, with the help of 27 detached duty staff has been a great improvement with limited lockdown announced in advance to the prisoners. We very highly commend the Governor and all staff for this achievement and the success they are having. However, there remains a great pressure on the staff and the prisoners electing to be behind their doors on the wings as mentioned above makes the situation more difficult for them, often meaning that showers and exercise cannot routinely be offered. The violence and the attacks by prisoners on other prisoners and on staff have been at an all-time high. In the year concerned there were 111 attacks prisoner on prisoner and 57 prisoner on staff, some serious. As mentioned elsewhere one prisoner was murdered and the two prisoners allegedly involved in this are awaiting trial. The use of drugs such as spice, allied with the actions of alleged gangs, appears to have been a major cause of the problems with many prisoners suffering because of incurred debts with the consequential problems this inevitably brings.

Problems for Swaleside have been exacerbated by the National Reconfiguration Project requiring the move out of Category C prisoners and the move in of Category B. This change also removed consideration of offence type and sentence length from the criteria previously applied. Whilst Swaleside has resisted allocation of sex offenders due to safety considerations, this change has led to shorter-term younger prisoners arriving. In turn this has contributed to a great deal of instability to the detriment of staff and the well behaved prisoners, especially older prisoners.

The extra workload caused to staff by the above problems highlights the difficulty caused by the reduced number of staff on wings even if account is taken of the shortages. The Board remains concerned that even if the full quota of staff is achieved it will be difficult to satisfactorily handle those prisoners who are becoming more volatile and difficult. We urge the Minister to look again at the agreed staffing figures.

The Board found at least one example of a prisoner having consideration of release delayed because of a disagreement as to who should fund the cost of a psychiatric report. In the case in question, the Parole Board had requested such a report but provided no funding. The prisoner in question had never been under the care of a psychiatrist in the prison and the prison therefore had no funding available or facilities to provide the report. We urge the Parole Board and NOMS to agree as to how this type of funding should be provided.

### **5.5.1 Accommodation**

The lower floor of B Wing (B1) houses the Inclusion Programme Support Unit. This offers a constructive regime for prisoners who are either in crisis or unable to function on normal location. The unit is self-contained which enables it to provide an environment comparable to normal locations but allows individuals to live in a quieter location with the provision of multi-disciplinary support to aid integration back into mainstream prison life.

An education programme based around the needs of the prisoners has been established by TMC utilising an employment skills module. The focused outcome is to give prisoners the skills to integrate back into the whole prison community.

Generally the standard of cleanliness on wings has deteriorated. On some wings the showers need better maintenance. For example on one wing a shower has been out of action since May 2014.

### **5.5.2 Food, Catering and Kitchen**

The kitchen at HMP Swaleside continues to produce significant quantities of food, not only for the population of Swaleside, but also for the unit at Stanford Hill. This is done within the confines of a challenging budget, equating to £2.04 per prisoner per day, and this challenge is increased by the need to accommodate the production of food for different faiths and other special requirements (medical for example) all at a far greater cost.

The kitchen operates a four week menu cycle, which has been changed recently, and generally the quality and quantity of food is well received by the prisoners. There have been recent changes in the management of the kitchen team, and there is a constant challenge not only to maintain the prisoner workers in sufficient numbers, but also the employed personnel, where sickness absence and retirements have affected the numbers.

Routine daily problems seem to be well managed, but there is concern that a lack of focus on regular deep cleaning of the kitchen could lead to future problems of hygiene and food safety.

## **Section 6**

### **OTHER AREAS OF THE PRISON REGIME:**

#### **6.1 Adjudications**

Members of the Board continue to monitor adjudications on a regular basis. As the Board has commented in the Annual Reports for several years, it remains concerned that there are regularly awards of loss of 50% of earnings for prisoners earning only £2.50 a week rather than leaving their pay intact and increasing other sanctions.

The level of adjudications has almost doubled on last year at just over 1,820 (930), including as follows:-

530 cases of possessing an unauthorised article (up 180),  
80 for administering a controlled drug (up 55),  
365 for refusal to obey a lawful order (up 165),  
230 for threats to staff (up 155),  
125 for damaging property (up 70),  
215 for violence (up 85),  
135 for breaches of Health and Safety (up 90)

145 adjudications were dismissed or did not proceed (up 25).

Adjudications laid for possession of mobile phones and chargers, etc at 214 were more than double that for last year. There was a small increase in adjudications for possession of fermented liquid (hooch). Adjudications for assaults, both prisoner on prisoner and prisoner on staff and fights between prisoners have risen by 150%, which taken together with the huge increase in threats to staff and the rise in damage to prison property, presents a very worrying picture.

Some assaults are referred to the police but rarely do the referrals lead to any charges. Although one can argue that it is not in the public interest to prosecute those already in prison, failure to do so does nothing for staff morale, nor does it provide any deterrent to those perpetrating the violence. Unless some action is taken, some prisoners will believe that they can act appallingly and suffer only the limited sanctions that can be imposed through the adjudication system.

#### **6.2 Access to Justice**

The laptops for Access to Justice were successfully initiated earlier in the year and are available and in use by prisoners for appropriate purposes. As of April 2015 there were 8 laptops for prisoner use and 3 were in possession of prisoners.

#### **6.3 The Care Team**

The Care Team has a suite which has proved invaluable for talking to staff in a neutral area. The team make contact with staff after incidents and sickness. Reassurance and understanding of situations is so important to the morale of staff. Every call for help or advice, day or night, is answered. The Care Team continues to be invaluable to Swaleside staff and provides outstanding support including being available to staff who have given evidence at inquests, which can be a highly stressful experience.

The Board is impressed with its work.

#### **6.4 Chaplaincy**

The Chaplaincy Team continues to minister to the spiritual and pastoral needs of prisoners. The team has been under strength throughout the period. Given the number of Muslim prisoners in the establishment, the requirement is for the Chaplaincy team to have two Imams. However, the two Imams in place at the beginning of the year left for other posts resulting in five weeks with no Muslim Chaplain and 8 months with only one. This placed a considerable workload on the Church of England and Roman Catholic chaplains even though visiting Imams were used for most services.

In addition to 170 Church of England, 210 Roman Catholic and 322 Muslim prisoners, other faiths are represented and the department has visits from Pagan, Mormon, Quaker, Jehovah Witness, Buddhist, Sikh, Jewish, Hindu, Salvation Army, Free Church and Methodist chaplains. All new prisoners are seen by a member of the Chaplaincy team soon after arrival. During the last year the Chaplaincy Department has liaised with prisoners families where there has been serious illness (51) and bereavement (108).

Major religious festivals are recognised and, where appropriate, special catering arrangements made. Memorial services have been held in the prison for prisoners who died in custody for family and prisoners to attend.

#### **6.5 Gymnasium**

The gymnasium continues to be well used. During the year, some sessions were lost due to the need for gym staff to assist on wings due to staff shortages. This particularly affected working prisoners. However, the impact was mitigated by flexible working and by the end of the year, the gym was operating normally.

#### **6.6 Information Technology**

The Board has been perturbed by the man-hours lost during the year throughout the establishment due to the delays to the upgrade to the National computer system.

#### **6.7 Offender Management Unit (OMU)**

For many years the Board has raised concerns about the high number of outstanding OASys reports (Offender Assessment System). This has been generally caused by the low staffing level of the OMU department and officers being taken to fill shortfall of staff elsewhere in the Prison. Although the outstanding reports are still too high it is anticipated that with the transfer of category C prisoners to be replaced with category B the more settled population will enable the backlog to be reduced. It is unacceptable that many of the new arrivals have arrived at Swaleside with no OASys reports at all increasing the workload of a department already under pressure. It has been suggested that it could take as long as 2 years to get completely up to date with all reports. Despite the staffing constraints, good progress has been made in a move towards a risk management approach. This has resulted in a reduction in valid appeals and in the number of judicial reviews required. The foregoing reduction, in turn, allows staff to concentrate on reducing the backlog in reports.

#### **6.8 Pathways**

The Pathways Service which opened in January 2014, is a Psychologically Informed Planned Environment (PIPE) designed for men who are at high risk of re-offending and who have

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emotional, relationship and/or behavioural difficulties that prevent them completing their sentence plan. There is a commitment on Pathways to creating a positive and effective social environment, incorporating the principles of an Enabling Environment. The long-term goals of the service are enhanced quality of life, desistance from offending and enriched interpersonal relationships.

The service currently has two components based on F Wing South:

- **Engagement Service** (30 Places) for men who are not yet ready to engage in treatment
- **Treatment Service** (30 places) for men who are ready to engage in treatment. Treatment addresses personality, emotional and relationship difficulties and encourages desistance, within a flexible and sustainable programme.

Throughout both Engagement and Treatment services men take part in fortnightly keywork, structures groups and socially creative groups. These include some third sector activities, eg Geese Theatre and Good Vibrations. These components make up the PIPE model along with staff support, supervision and training.

Plans are in place to develop a PIPE for 60 men on F Wing West. This service would offer an enabling environment where men who have completed treatment are offered support in order to consolidate what they have learned and prepare for progression/resettlement.

## **6.9 Probation**

The continued reconfiguration of the Probation Service over the past period resulting in a reduction of Probation staff at Swaleside has caused issues due to the unavailability of reports from them. An example is that, at the time of writing, there are 222 OASYS reports outstanding which are due from the Probation Service. The lack of prison escort staff has meant that video conferencing between probation and prisoners has almost entirely been replaced by telephone conferencing. Even so, many of these conferences are also cancelled due to lack of available staff. Swaleside has restricted access to the Senior Probation Officer who covers the three Sheppey prisons.

## **6.10 RAPt**

RAPt is housed on H Wing, which is the drug free wing. The RAPt team operates the related courses to provide assistance to the prisoners in becoming and remaining drug free. Although the aim is for the wing to be free of all drugs, the staffing and space difficulties have meant that this has not been met and the required searches and blood testing have not taken place. This has led to the aims of the wing being taken less seriously by some residents, who think that they can “get away” with drug use. The necessity to use space on this wing for prisoners, who are not committed to remaining or becoming drug free, also waters down the ethos of the wing. It has to be said that despite these difficulties, the wing staff do a professional job in difficult circumstances to try to ensure that the drug level is contained.

The RAPt team are now also responsible for administration of IDTS; methadone and similar are administered to prisoners on G wing.

## **6.11 Reception**

Reception is profiled to cater for some 5 transfers in and 5 out per week. During the year, over 800 prisoners have transferred in and almost 850 transferred out, triple the profiled number. This has been particularly affected by the National Reconfiguration of the prison

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population, which is intended to place prisoners in the appropriate category prison. Over 400 Category C prisoners have moved out of Swaleside with an equivalent number of Category B prisoners being received. This has been on top of what might be termed normal movements for hospital appointments, court appearances and funerals, etc which exceeded 1,050 in with a similar number out. 64 prisoners were released into the community.

The effects have been that Reception has had to deal with a vast increase in prisoners' property and inevitably, there have been delays at times in processing. This, in turn, led to a high level of complaints, the responses to which were delayed. At one point, staff worked through the night to reduce the backlog. At the end of the reporting year, the level of outstanding complaints was minimal.

The Board can only applaud the efforts of the staff but the profiles need to be revisited in order to provide for realistic levels of movements and appropriate staffing.

The catalogue orders are handled in Reception. Before Christmas, there was a large backlog in placing prisoners' orders, approximately 3 months. This has been significantly reduced and the backlog is now 2 weeks. It is anticipated that orders will be placed weekly in the near future.

### **6.12 Requests and Complaints (RCF)**

2551 complaint forms, a decrease of 950 compared to last year, were submitted during the year. This reflects efforts by the Senior Management Team to prevent prisoners abusing the system by putting in complaints that should more properly be applications. Offending complaint forms are returned to the originator with an appropriate message. Steps have also been taken to ensure timely responses to internal complaints. However, complaints by prisoners to other prisons are regularly not responded to within the required timescale and a lot of effort is spent chasing responses.

### **6.13 Security**

As reported last year the proactive intelligence-led searching has continued and results in finds of fermented hooch, distilled hooch, drugs and weapons. An increasing number of mobile phones, SIM cards and communication devices have been found and there has been some notable successful 'finds' on visitors. Search dogs have increasingly been used very successfully. It is of concern that during the year the use and availability of 'spice' has increased dramatically. Spice is causing longer-term problems for prisoners and the prison has had several during the year who have been caused severe mental problems resulting in lack of awareness and control. In some cases prisoners have had to be held in the Segregation Unit or the Constant Watch cell because of their behaviour 'under the influence'. The use of drugs and hooch is part of the cause of increased violence and perhaps accounts for some of the alleged gang activities. Many prisoners suffer because of the debts they incur to others.

The increase in sophistication of weapons, phone technology and hiding places continues with security staff having many successes in detection.

The concern expressed in our last report at the pressure placed on prisoners to convert to Islam remains current and there is some evidence of extremism although no direct knowledge of radicalisation.

A member of the Board attends the monthly Security meetings.

## **6.14 Visits**

The booking system for visits is now working well. However, the start time for visits has on occasions slipped quite badly and there have been some complaints from prisoners about this. Although it is true that the overall hours for visits are longer than the minimum, it is frustrating for prisoners and visitors alike if they do not start on time, or near to being on time.

## **Section 7**

### **THE WORK OF THE INDEPENDENT MONITORING BOARD**

Apart from the main duties of the Board, members have areas of special interest which are reported on to the Board at its monthly meeting.

A member of the Board attends Senior Management Team meetings and the Chair attends quarterly meetings with the DDC, the latter being chaired by the IMB Area Representative.

#### **7.1 Membership**

The Board comprises 13 members, 3 of whom are in training. There are 5 women and 8 men including one JP. Two are on sabbatical. Only one member lives on the Isle of Sheppey.

#### **7.2 Recruitment**

During the year we have recruited three new members.

#### **7.3 Visits to the Prison**

Members of the Board made 534 visits to the prison in the reporting year. Apart from Board meetings, one member was usually in the prison each weekday. Compromises continue to be made as to which areas of the prison are monitored, though Members attempted to visit their areas of special interest as well as the Segregation Unit, Healthcare and the Kitchen and to attend Segregation Unit and ACCT reviews on their rota visits. The level of compromise has reduced but with 3 members taking sabbaticals in the coming year and 2 members retiring on completion of the 15 year limit, it may increase again.

#### **7.4 Training**

The Annual Team Performance Review Questionnaire was completed and some areas for improvement were identified.

One member completed their training during the year.

#### **7.5 Applications**

The Board received 1089 applications during the reporting period compared to 1063 last year. The level of applications about property remains a concern, particularly those relating to previous prisons. The Board has recently instituted a policy of referring prisoners to the RCF system to deal with property issues and bringing them to the Board only if there is not a satisfactory outcome to the complaint.

#### **7.6 Confidential Access**

The Board received 11 confidential access applications (10 last year). Only 2 were worthy of the Confidential Access procedure, the rest appearing to be an attempt to bypass the normal system. These applications were returned to the sender with an appropriate message.

7.7 BOARD STATISTICS	
Recommended Complement of Board Members	19
Number of Board members at the start of the reporting period	11
Number of Board members at the end of the reporting period	13
Number of new members joining within the reporting period	3
Number of members leaving within reporting period	1
Total number of Board meetings during reporting period	12
Total number of visits to the Establishment	534
Total number of segregation reviews held	Not available
Total number of segregation reviews attended	340
Date of Annual Team Performance Review	June 2014

**Section 7 (continued).**

Statistics on Applications

Code	Subject	2011/12	2012/13	2013/14	2014/15
A	Accommodation	109	38	34	19
B	Adjudications	36	33	74	68
C	Equality & Diversity (inc religion)	9	10	4	9
D	Education/employment/training inc IEP	79	75	58	63
E 1	Family/Visits inc mail & phone	75	52	79	58
E 2	Finance/pay			59	33
F	Food/kitchen related	19	27	15	20
G	Health related	80	95	111	116
H 1	Property (within current establishment)	105	84	142	150
H 2	Property (during transfer/in another establishment)	60	61	71	104
H 3	Canteen, facilities, catalogue shopping, Argos	32	13	44	24
I	Sentence related (inc HDC, ROTL, parole, release dates, re- cat etc)	113	70	85	86
J	Staff/prisoner/detainee concerns inc bullying	31	28	10	23
K	Transfers	84	134	84	95
L	Miscellaneous	165	189	193	221
	<b>Total number of applications</b>	<b>997</b>	<b>909</b>	<b>1063</b>	<b>1089</b>
	Of total: number of IMB Confidential Access was	<b>16</b>	<b>19</b>	<b>10</b>	11

## Section 8

### GLOSSARY OF PRISON-RELATED ABBREVIATIONS & TERMS USED

ACCT Assessment, Care in Custody & Teamwork (replacement for F2052SH)  
BBR Building Better Relationships  
Geese Theatre Theatre Based Groupwork  
Good Vibrations Charity which delivers workshops to develop team working communication and other important life skills through participation in Indonesian Percussion  
Gym Gymnasium  
HRP Healthy Relationships Programme  
IDTS Integrated Drug Treatment System  
IEP Incentives and Earned Privileges – Prisoners can be on Basic, Entry, Standard or Enhanced  
IMB Independent Monitoring Board  
IPP Indeterminate Sentence for Public Protection  
KCC Kent County Council  
KCC OT Kent County Council Occupational Therapy  
NWOW New Ways of Working  
OASys Offender Assessment System – computerised risk & needs assessment  
OMU Offender Management Unit – work on sentence planning & progress  
PIPE Psychologically Informed Planned Environment  
RAPt Rehabilitation for Addicted Prisoners Trust  
RBLI Royal British Legion Industries  
RCF Requests and Complaints  
SSAFA Soldiers Sailors Airmen and Families Association  
SCP Self Change Programme  
SMT Senior Management Team  
TSP Thinking Skills Programme