



**INDEPENDENT MONITORING BOARD
HMP Maidstone**

ANNUAL REPORT FOR THE YEAR ENDING 28 FEBRUARY 2016

S1 STATUTORY ROLE OF THE IMB

The Prison's Act 1952 requires every prison to be monitored by an Independent Board appointed by the Justice Minister from members of the community in which the prison is situated.

The Board is specifically charged to:

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

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

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S3 DESCRIPTION OF MAIDSTONE PRISON

Maidstone Prison is a category C establishment with a capacity of 600 accommodated in 4 Wings:-

Weald (capacity 149) is an Induction Wing for prisoners new to this prison.

It is the only Wing with double cells (38)

Thanet (capacity 174)

Medway (capacity 101)

Kent (capacity 176)

The estate has nine listed buildings and includes a self-contained kitchen, a gymnasium and playing field and numerous workshops. The Roman Catholic Chapel and Church of the Good Shepherd occupy a single building, the main part of which has been adapted to create a Multi-Faith centre. Education is supplied on-site by Manchester College. Healthcare is supplied by Oxleas NHS Foundation Trust. The Healthcare Unit has no in-patient accommodation, nor is it open 24 hours.

Maidstone is currently a wholly Foreign National Prisoner establishment.

Home Office Immigration staff are also housed on-site to facilitate repatriation.

S4.

S4.i) EXECUTIVE SUMMARY

This report reflects a period of continued development. Re-role as a prison for Foreign Nationals commenced at very short notice in 2013. Its purpose; to house prisoners prior to repatriation, was not confirmed until re-role was almost completed. The provision of resources for an effective resettlement process was overlooked. Identification of the particular needs of this type of prison (as a new concept) took time, making it difficult for prisoners and staff to adjust. The Senior Management team (SMT) have worked hard to clarify the purpose of the prison and develop appropriate strategies but this is still a work in progress.

2015 saw numerous reviews including that of Her Majesty's Inspector of prisons (HMIP) in August 2015. The board are pleased to note that following re-benchmarking; some resourcing pressures have been eased, especially in relation to the reception and induction process for inmates new to the prison. A further review of resources required to manage the Segregation Unit recently commenced. The Healthcare manager has also identified resourcing needs due to increased demand. It is hoped these reviews will result in improvements in the coming year.

A reduction in capital budgets resulted in postponement or modification of planned improvements to Reception and Visits. Wet weather severely increased deterioration of the gym roof. The Multi-Faith centre also has a leaking roof and was without heating during the coldest period.

The continuing abuse of SPICE is of great concern to the Board and SMT. Lives are put at risk by unlooked-for consequences of taking different compounds. Disruption to the prison regime is considerable, with particular pressure on the Segregation Unit. Legislation to criminalise possession of psychoactive substances will be welcome. The Board are pleased to report the retention of a Drug Detection dog after review.

Possession of mobile phones is also an ongoing challenge, exacerbated by the development of ever smaller and more sophisticated devices.

The prison has a high volume of prisoner transfers in and out (churn), with consequential volumes of property and paperwork. Post re-role, the average number of new receptions each week has increased four-fold. The majority of these still arrive without Offender Assessment System (OASyS) reports.

Catering continues to be a concern due to budget cuts combined with the pressures of a wide range of ethnic and religious requirements, constantly

changing with churn. Some meals come at a disproportionately high price reducing the amount per head available for other prisoners. The prison's noteworthy recognition of many different religious holidays requires the tight budget to be used even more inventively

Education and purposeful activity continue to change to meet the skills and needs of Foreign Nationals facing repatriation. The Board is keen to monitor these developing areas closely as the HMIP/OFSTED report identified some weaknesses.

S4ii) PARTICULAR ISSUES REQUIRING A RESPONSE

4.1 IS91 (Warrant of Detention)

12-15 detainees at any one time remain in the prison after completing their sentence, as a result of deportation issues. Some of these detainees are violent and likely to re-offend but may be released into the community as there is no potential for deportation. The Board would like to know what is being done to address this problem, which is not unique to Maidstone. The board would like to see legal advice available to these detainees on site, similar to that at an Immigration Remand Centre (IRC).

4.2 The Early Release Scheme

Prisoners eligible for ERS receive a letter which gives a date normally 9 months before end of sentence. It is not made clear that this is the start of the eligibility period and many prisoners expect to leave on that day. Despite efforts of staff and IMB this causes a great deal of stress for prisoners and consequently staff. Many inmates end up in the Segregation Unit or CSU as a result of their inability to comprehend. It is suggested that the letter is amended. We suggest; 'Your ERS period starts on (date). Early release is subject to behaviour, appropriate paperwork and the agreement of the receiving country'.

4.3 Offender Assessment System (OASyS)

The majority of prisoners arrive without OASyS documents. This severely affects the prison's ability to identify and address risks and has a negative effect on the prisoner. Each prison is resourced to complete OASyS documentation for prisoners at the beginning of their sentence and the IMB cannot understand why prisoners coming from elsewhere are so badly affected.

4.4 Resettlement

When the prison was re-rolled it was not designated as a resettlement prison and was given no resources. It is clear that prisoners being repatriated, sometimes to countries where they have few or no contacts, need to be given advice and

support. Foreign National prisons need to be able to develop appropriate programmes.

4.5 Healthcare

Healthcare was resourced for a sex offenders' prison with a less volatile and more settled population and this no longer meets the need. The provision of dentistry has been and continues to be inadequate with long waiting lists. NHS England has commissioned a needs analysis which is due for publication early in the new reporting year.

4.6 Purposeful activity

The prison aims to have all prisoners engaged in work, education or both. The lack of OASyS delays the process. Work contracts are negotiated by the Home Office (131) but there are long periods of inactivity in some of the workshops. This is demoralising for prisoners wanting to use time effectively and also for those who are unable to get a job and associated pay. Inspirational work is done in teaching prisoners to run a restaurant/kitchen, maintain gardens, and develop brick work and painting and decorating skills. Some of the workshops also teach basic skills. More needs to be done to provide skills which will benefit those repatriated to establish themselves.

S4iii) Previous concerns

The number of IS91 prisoners has been raised as a concern for a number of years, as has resourcing to the needs of a Foreign National prison. There have been improvements in the latter but it too remains an issue of concern.

S5

5.1 Resourcing

Senior Management Team (SMT) shortages have required the acting up of a number of staff, reducing staffing levels at lower grades. Resource benchmarks were drawn up prior to the change of role but reviewed at the latter end of this reporting year. It was found that various activities were under-resourced. Further reviews are in train. Active management of sick leave and support for staff in improving attendance has had a positive effect and with the (temporary?) closure of Dover Immigration Centre a number of staff are currently seconded. New recruits are also now being deployed. These increases in resource, although at an early stage, should reduce pressure on staff thus enabling prisoners to spend more time out of cell and for specific needs to be met more effectively. It should also ensure that staff are more easily able to take leave, undertake essential training and engage with prisoners. The prison has staff on detached duty supporting other regimes which has a negative impact.

Once again the IMB have to report that the rapid turnover of prisoners (churn) and the very high number of prisoners who arrive at Maidstone without an OASyS report and without other important data such as ‘ next of kin’ and risk assessments has a negative effect on prisoners and puts considerable pressure on Offender Management and Reception. With a small increase in resources, work is now underway to improve the reception and induction process for incoming prisoners, who will stay within the Induction process until property, education needs and OASyS are dealt with.

5.2 Communications

There are approximately 30-40 different languages spoken in the prison at any one time. Work has been done to produce clear and concise notices on the wings. Illiteracy is identified and addressed and there are peer interpreters but staff often have to rely on other prisoners to act as informal interpreters in the day to day running of the prison. Small minority groups may not have anyone to assist. The official telephone interpretation system works for reviews and adjudications but is underused in other areas.

The recent Prisoner Council elections appeared to bring about an improvement in prisoner’s communications with SMT, with the assistance of User Voice. SMT engages well at regular monthly meetings.

Closer working between Immigration staff and the prison’s Offender Management Unit (OMU) continues to be more effective. There are issues with unclear communications and unexplained delays arising from Home Office caseworkers, based in Croydon, who are responsible for making decisions in relation to repatriation. The board receives many applications relating to these delays.

5.3 Equality and Inclusion

The population is volatile in both temperament and turnover and there are cultural and language barriers with 39 different languages spoken. Increased staff numbers will at last enable cultural awareness training to take place.

At the end of the reporting year 24 different religious denominations included:

190 Muslims
122 Christian
161 Roman Catholics
46mixed Orthodox

There are smaller numbers of Buddhist, Rastafarian, Hindu, Sikh and Jewish prisoners and a number of individuals of different denomination.

The chaplaincy works well as a team and supports the population regardless of religious denomination. There are difficulties in finding specific support for minority religions but staff and volunteers seek to fill the gaps as best they can. They have a good relationship with staff who identify those in need of spiritual guidance or at risk of indoctrination and notify the chaplaincy. The church as a multi-faith centre has its limitations especially considering its poor state of repair. Additional facilities have been provided to accommodate the large Muslim community with its particular needs and the Imam is now full-time. The Roman Catholic chaplain also supports Orthodox prisoners.

5.4 Education, Learning and Skills

Manchester College continue to hold the Education contract. HMIP's OFSTED partner was dissatisfied with the range of education available. The prison population has a need for basic literacy and also skills suitable for use in their home countries. The workshops seek to provide skills as well as employment. The end of the reporting year saw 194 prisoners in education and 361 in work.

5.5 Healthcare and Mental Health

The Board has a statutory duty to monitor the provision of Healthcare on a regular basis. Despite demand increasing by 50% since re-role without commensurate increases in resource, the timeliness of medical appointments and range of services has mainly been as favourable as that experienced by the public locally. Staff turnover is high and pressures arise from the increase in clinical activity, prisoners new to Maidstone and incidents. Provision of dental services is still a problem with the waiting list standing at 130 at year end.

There has been one Death in Custody this year which was self-inflicted.

The increasing use of SPICE and other psychoactive substances is of great concern. There is evidence that some prisoners may test the side effects on vulnerable prisoners. Normally compliant individuals can become completely uncontrollable, creating risks for staff and other prisoners as well as themselves. The criminalisation of possession of such substances in the coming year may assist the prison in managing the problem.

There appear to still be some difficulties in finding appropriate accommodation elsewhere for prisoners with serious mental health issues although Swaleside has been able to assist on a number of occasions.

The Board continue to monitor Assessment, Care in Custody, Teamwork documents (ACCTs), serious incidents and the prevailing mood in the prison.

5.6 Purposeful Activity

All prisoners are expected to be engaged in either education or full-time work (9-13 sessions per week) unless they have reached legal retirement age or Healthcare have assessed them unfit to work. Assessment of literacy and numeracy is made at Induction and prisoners are allocated to Education or low-risk work until they have attended an Activities Board which may re-allocate, or they may make a successful application to work elsewhere. If a prisoner is in part-time education they will be expected to work in another activity. IS91 Detainees are expected to attend their allocated activity. Prisoners are also eligible for gym sessions, the number of which is determined by their Incentives and Earned privileges (IEP) level.

There have been difficulties in achieving the aims and objectives of this policy resulting in prisoner complaints about enforced inactivity and the lack of opportunity to earn money. Much of this is due to the lack of contracts for existing workshops and the slow development of new, appropriate work and is outside the hands of SMT.

5.7 Resettlement

Most of the current prison population, being of interest to Immigration, will be leaving the UK at end of sentence or when the receiving country decides to accept them. The prison was not designated a resettlement prison when re-rolled and not therefore appropriately funded. HMIP were critical of the lack of resettlement facilities. A new strategy 'Step to the Gate' is being developed using current resources in partnership with Education.

5.8 Safer Custody

Open ACCT documents are routinely examined during each statutory visit by the IMB to ensure correct procedures, regular reviews and meaningful observations are recorded. No particular issues have been identified and HMIP were generally satisfied.

5.9 Segregation, Care & Separation, Close Supervision

The Segregation Unit (Seg) has a small number of cells to hold prisoners for disciplinary or own protection reasons.

IMB members are required to see all prisoners located here within 72 hours of their arrival to ensure they are held for legitimate reasons and at least weekly thereafter to check their well-being. Members also attend regular reviews to consider the continued segregation of a prisoner and are able to express dissatisfaction with management decisions.

HMIP were critical of the siting of the Close Supervision Unit, used for vulnerable prisoners and a move elsewhere is planned. The special cell for uncontrollable prisoners was used only for a few very short periods (hours only) this year. HMIP were extremely critical of its condition and consequently it can now only be used with Senior Governor's express permission.

Owing to an increase in violence both prisoner to prisoner and prisoner to staff, high churn of prisoners and some inappropriate transfers in, Seg has been under considerable pressure and has required assistance from Control and Restraint teams from time to time. There have been occasions when providing timely showers, exercise and telephone calls for compliant prisoners has been severely compromised by lack of staff. A review of resources is underway. Some prisoners with mental health issues have remained in the unit for longer than ideal, due to difficulties in finding appropriate accommodation elsewhere.

Staff changes have meant that some experience has been lost but prisoners are treated well even under the most trying circumstances and the IMB are kept up to date with movements and events.

5.10 Residential Services

i) Accommodation

All areas of the prison are inspected regularly by members of the Board. In this reporting year we have continued to have issues over standards of cleanliness within and outside some wings. The showers in several wings are in very poor condition and there are associated health and safety risks. The gym and Multi-Faith Centre both have leaking roofs which continue to deteriorate. Budget constraints prevent effective solutions. The Multi-faith centre was without heating for some time. Although an emergency boiler was installed after the coldest period of the year, a permanent replacement has not yet been arranged.

ii) Food/Catering/Kitchen

Delivering appropriate food for a wide range of dietary and/or religious needs under a tight budget is a considerable challenge. Some meals which have to be bought in especially to meet religious requirements are disproportionately expensive. Comments books, which should be available for the use of prisoners at the servery during mealtimes, frequently cannot be found for inspection and this problem continues despite being raised many times.

iii) Waste Management

Contract changes and the prison's failure to clean recyclables caused a massive build-up of waste this year. This has now been addressed but delays in removal

added to the vermin problem which is inevitable in such an establishment, especially when prisoners throw waste from their windows.

S6

6.1 Induction/ Reception

The Board were concerned that prisoners are not called until the IMB member is present to give their talk, causing delays and prisoner dissatisfaction. The process is being revised and it is hoped these problems can be resolved with the additional resource provided by re-benchmarking.

Reception has been under enormous pressure from time to time due to the high rate of churn, high volumes of property and the limited space available. Once again it is hoped that the revised process will reduce pressure. Access to property remains a frequent cause of applications to IMB.

6.2 Time out of Cell

Staff pressures have meant that prisoners are sometimes locked up for longer periods than ideal. Guidance (PSI 30/2013) suggests that Enhanced status prisoners should have increased time out of cell but it is difficult to see how this can be achieved other than through their activities as, for instance, peer workers, especially given staffing pressures.

6.3 Security

Mobile phones, drugs and other prohibited items continue to find their way into the prison. Intelligence is effective but staff need to be encouraged to report information received. CTV and mobile detecting equipment would be cost effective.

6.4 IMB Members

This last year has been difficult, with failed or delayed recruitment drives and the loss of some members through illness or tenure and others who were unable to contribute for part of the year for a number of reasons. Of 4 joining as dual boarders, only 1 remains. Patchy support from the Secretariat has exacerbated the problems. The board is currently just above half strength with the assistance of the dual boarder who will leave shortly. We are hoping to recruit in the next reporting year when we would hope to improve diversity again but will need to train new members alongside the usual roles and responsibilities, putting additional pressure on current members. Previous experience of recruitment drives indicates low take-up is likely, with long delays before appointment can be confirmed.

S7

7.1 BOARD STATISTICS

Recommended Complement of Board Members	12
Number of Board members at the start of reporting period	9
Number of Board members at the end of reporting period	8
Number of new members joining during reporting period	1
Number of members leaving within reporting period	4
Total number of Board meetings during reporting period	12
Total number of visits to the Establishment	346

7.1

Application to IMB - HMP Maidstone

March 2015 to February 2016

Reason	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Total 2015/16		
Cell Quality															
Wing/cell allocation			2									1	3		
Adjudications - Internal			1					1					2		
Adjudications - External															
Racial issues referred to staff					1		1					1	3		
Racial issues not referred to staff															
Other diversity issues e.g. disability						1					1		2		
Education/employment		1	3	1		2	1		1			2	11		
IEP									1			1	2		
Visits				1									1		
Resettlement issues	2	1	1			1							5		
Mail/pin phones	2		4		2		2	2		2	1	2	17		
Food/Kitchen issues	1		1	1	1								4		
Health related	7	4	4	3	3	2	6	1	1	2	2	5	40		
Property related to previous prison	7	10	7	6	4	6	11	4	6	3	5		69		
Property related to current prison			1										1		
Canteen/Argos/facilities list					1				2	1			4		
Basic sentence/remand time															
HDC	1				1			2			2	1	7		
Immigration/deportation	1	2	3	4		3	5	1	3	1		4	27		
Categorisation	3		2		2		1		1		2	4	15		
Police days															
ROTL	1												1		
Applications re staff			2				2	1	5	1		3	14		
Applications re other offenders															
Applications from staff															
Transfers	4		1				5				1		11		
Miscellaneous	1	1	3	3	1	5	3				1	5	23		
Already resolved - no details on app			1			1				1			3		
Monthly totals			30	19	36	19	16	21	37	12	20	11	15	29	265

7.2 Ethnic Monitoring

			March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb		
	Totals		0	0	0	7	15	18	35	13	19	10	17	28		162
GROUP	DESCRIPTION	CODE													CODE	
	INDIAN	A1	NS	NS	NS		2	1	5	1	1			1	A1	11
ASIAN BRITISH	PAKISTANI	A2	NS	NS	NS		2								A2	2
	BANGLADESHI	A3	NS	NS	NS										A3	0
	ANY OTHER ASIAN	A9	NS	NS	NS				1		1	1	2	2	A9	7
BLACK OR	CARRIBEAN	B1	NS	NS	NS	1	3		1		1	3		1	B1	10
	AFRICAN	B2	NS	NS	NS	3	1	2	3	8	5	2	3	5	B2	32
	ANY OTHER BLACK	B9	NS	NS	NS	1			4		4	1	5	6	B9	21
MIXED	WH/ BLACK CARRIBEAN	M1	NS	NS	NS			1							M1	1
	WH/BLACK AFRICAN	M2	NS	NS	NS		1	1	1						M2	3
	WH/ASIAN	M3	NS	NS	NS			1							M3	1
	ANY OTHER MIXED	M9	NS	NS	NS										M9	0
OTHER ETHNIC	CHINESE	O1	NS	NS	NS										O1	0
GROUP	ANY OTHER	O9	NS	NS	NS						1			1	O9	2
WHITE	WHITE BRITISH	W1	NS	NS	NS										W1	0
	IRISH	W2	NS	NS	NS										W2	0
	ANY OTHER WHITE	W9	NS	NS	NS	2	6	12	20	4	6	3	7	12	W9	72
NOT STATED	NOT STATED	NS													NS	
TOTALS	Monthly Totals		0	0	0	7	15	18	35	13	19	10	17	28	162	

7.3 Numbers

	SEG	KENT	MEDWAY	THANET	WEALD	Total	Year
							to date
March	0	6	8	5	10	29	29
April	0	6	5	8	0	19	48
May	1	12	4	10	7	34	82
June	1	6	2	7	4	20	102
July	0	3	4	2	5	14	116
August	0	10	3	3	3	19	135
September	0	15	6	3	11	35	170
October	1	7	0	0	6	14	184
November	0	4	1	9	6	20	204
December	0	2	0	7	2	11	215
January	0	4	3	2	6	15	230
February	0	4	1	5	13	23	253
Totals	3	79	37	61	73	253	

