



Annual Report
of the
Independent Monitoring Board
at

HMP Maidstone

for reporting Year
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Monitoring fairness and respect for people in custody

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1 STATUTORY ROLE OF THE IMB

The Prison 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 or centre 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.

2 EXECUTIVE SUMMARY

Main judgements

It is the view of the IMB that prisoners at HMP Maidstone are treated fairly and humanely. In terms of preparing them for their release, the provision of appropriate education is improving, and the "Steps to the Gate" programme is helpful, as is the improved understanding of the Early Removal Scheme.

Main Areas for Development

TO THE MINISTER

Capital outlay is required to ensure that the gymnasium and sports hall stay in use. Any reduced availability of the stress release from exercise may have implications for the future good order of the prison.

TO THE PRISON SERVICE

That the loss of prisoners' property during transfer between prisons be promptly addressed with a nationwide prison estate system for tracking and recovery.

TO THE GOVERNOR

Whilst the efforts made by the SMT in attempting to disrupt the flow of drugs into the prison are to be applauded, it is clear from the number of MDT failures that there is some way to go on tackling the problem.

The new organisational structure of the prison estate should enable Foreign National prisons to develop and learn from good practice elsewhere.

Improvements

The IMB is very pleased to note the following improvements from the previous reporting year:

- The targeting and provision of education to the particular needs of the foreign national population of the prison and the high level of turnover of prisoners. (s9.2)
- The far greater understanding of the Early Removal Scheme and the provision of the contacts for support under the Steps to the Gate initiative. (s11.2 and 11.3)
- The improved relationship between the Prison council and Senior Management Team (SMT) bringing greater co-operation and understanding.

3 DESCRIPTION OF THE PRISON

3.1 HMP Maidstone is a Foreign National only establishment catering for Category C adult males. Almost all the population are of interest to the Home Office Immigration Enforcement Service (HOIES) and can expect to be deported at the end of their sentence.

3.2 Operational capacity is normally 600, but is currently running at a temporary over-capacity of 612. This can only be provided by repurposing some cells given over to "listeners" use and using double cells in ten instances.

3.3 Oxleas NHS Foundation Trust are the healthcare provider, but there is no in patient care, nor is the clinic open twenty-four hours. Novus provide much of the education services and workshop contracts are provided by 131, Coppermill, Floplast and FCC. Maintenance is provided by Carillion in line with national contracts. The substance abuse courses are provided by Rehabilitation for Addicted Prisoners Trust (RAPt). GeoAmey provide transfer transportation for both prisoners and their property between prisons and Tasco provide transportations for deportations and immigration courts.

3.4 Accommodation consists of four blocks with some double cells in three of the blocks. Although all double cells currently in use were constructed as double cells, a few only just meet the minimum requirements for double occupancy. Other prison buildings, (many of which are listed, hampering both use and repair), include a church repurposed as a multi-faith centre, an education unit and library, the healthcare clinic, five workshops and a large recycling unit. The gardens are extensive and well maintained, achieving runner up status in the Wyndham trophy this year. The on-site laundry was taken out of service this year due to safety issues with the equipment, which has resulted both in the loss of a workplace, and in other arrangements having to be put into place to wash both prison and offenders own personal clothing.

3.5 The gymnasium and sports hall are both suffering from disintegrating roofs which have progressed to such a state that their continued use is threatened, with obvious ramifications for the good order of the prison and the health and safety of those using the facility. Whilst there is a recreational ground available and the staff work hard to provide what they can for prisoners, there is currently no capital provision for the roofs to be replaced.

B Evidence sections 4 – 11

4 SAFETY

4.1 Reception and induction

It is a feature of Maidstone's status as a designated Foreign National offender prison that there is a high level of turnover of offenders as they are deported. However, the volume of prisoners arriving or leaving through reception is an average of 13 per day, creating a risk factor in the physically small reception area where they are processed and presenting difficulties in receiving, storing and correctly allocating their property. This is compounded with difficulties in tracing property from other prisons and remains the source of the highest number of applications to the IMB at 23%. For foreign nationals about to be deported, the issue of missing property is an acute one, and there is no adequate system to trace or obtain compensation for missing items other than applying to the Prisons and Probation Ombudsman. However, the induction process, which IMB take part in, has been much improved during the reporting period, not least because of some very effective and committed peer workers, who provide information, support and translation services to the newcomers.

4.2 ACCT procedures

ACCT documents are routinely checked by the IMB on each wing visit and procedures are being followed well and with care. There has been a reduction in the number of ACCT documents open in the prison during the reporting period, the causes of which are difficult to pin down, but there have been no rises in self harm or violence which would indicate cases being missed. The safer custody team are working hard to raise the quality of the ACCT documents with the use of checklists and quality assurance audits. The ethnic mix of those with ACCT documents shows an overrepresentation of those of Asian/Pakistani origin compared to the prison population, which is being investigated by the Safer Custody team.

4.3 Substance misuse

Over 50% of all adjudication charges related to banned substances, and the prison continues to attempt to disrupt the supply with use of searches, dogs and CCTV, whilst also offering support through the RAPt service. Their voluntary groups are well attended, but there was a 30% failure rate of Mandatory Drug Tests in December, and 33% in January this year. The year to date target of 5% failure rate is currently standing at 12%.

4.4 General Atmosphere of the prison

Maidstone continues to be largely settled, with the introduction of a non-smoking wing being a good example of a wing with a calm and peaceful atmosphere as noted by the IMB on statutory visits. The staff work very hard to maintain a friendly and relaxed atmosphere, and the strong teamwork was displayed during the short period of time of loss of control of a wing in August after violence broke out following the Friday Muslim prayers at the end of Ramadan. Subsequently, a variety of improvements to equipment and communication have been implemented following the open and honest debriefings after the incident.

5 EQUALITY AND FAIRNESS

5.1 Mix of languages, religions and ethnic backgrounds

As a Foreign National prison the establishment has 89 different nationalities, 22 different religions and numerous different languages. The mix of ethnic backgrounds coming before adjudications largely mirrors the ethnic makeup of the prison (although there is a high degree of churn as prisoners are deported and replaced during the year). During attendance at adjudications the IMB have not reported any discrimination. The chaplaincy staff make strenuous efforts to provide access to religious services and religious festival celebrations: over 95% of religions professed by the prisoners are catered for. The high price of the required religious diet of prisoners (e.g. £4.85 for a kosher Jewish meal) makes it very difficult to remain within the constraints of the £2.02 per day per prisoner budget. It is great credit to the kitchen staff and the prisoners working there that they have done so and that the food, which is randomly tasted by the IMB, is of good quality.

5.2 Family visits

Prisoners at Maidstone have family living in many varied parts of the UK, often some distance from the prison which makes visiting difficult and adds to the pressure and distress of some prisoners. The prison has responded to this by increasing the frequency of family day visits to once a month, allowing the children and family of the prisoner to visit and providing activities for the children to allow the prisoners to interact as parents in a safe and comfortable environment. The IMB have attended these sessions and report that the atmosphere is friendly and relaxed, although the security on visits generally is now being upgraded to ensure that illicit items do not enter the prison this way. The sessions are popular with prisoners and are often oversubscribed.

5.3 Complaints

The mix of backgrounds of those using the prison complaints process broadly mirrors the prison mix, and no indications of discrimination have been identified during monitoring. However, the adequacy of the responses given is variable, and there has been a disappointing trend of missing the response deadlines. The difficulty of obtaining responses from a sending prison involved in the complaint (particularly where missing property is involved) has contributed to this, but nevertheless given the turnover of prisoners' timeliness should be a priority.

5.4 IS91s

Maidstone has a number of prisoners who have completed their sentence but have not yet been deported and that HOIE consider are unsuitable for a detention centre. They continue to be held at Maidstone with their agreement under IS91, but their conditions are unchanged. The IMB believes that these prisoners should have the same rights as remand prisoners and should be treated as such, whilst recognizing the difficulties in doing so in this particular prison.

6 SEGREGATION/CARE AND SEPARATION UNIT

6.1 Special Accommodation and the Close Supervision unit

After the criticism in the HMIP 2016 report of the condition of the Victorian special accommodation, this has now been put out of use as there is no capital provision for amending it. The location of the Care and Separation unit in the Segregation block was also criticised, but again, there is no capital provision or practical way that it can be moved. IMB closely monitor the use of the CSU and can report that they are routinely informed of prisoners being placed in the CSU and can freely visit them.

6.2 The Segregation unit.

The Board is supported well in its dealings with the Segregation unit and members are able to speak with prisoners freely as and when required despite staffing sometimes being insufficient for an immediate unlock. All prisoners are seen by the IMB within 72 hours of being placed in Segregation. When prisoners are re-categorised to a B category it is taking increasing amounts of time to find a place for them at another establishment, which has led to an increased usage of the Segregation block being used to house these offenders, culminating in one recent case being held on GOOD for a total of 35 days. This has the knock-on effect of altering the punishments that can be given for adjudications as the Segregation block is full.

6.3 Adjudications

These are attended by the IMB on a random basis, and rota reports are generally very complimentary about the conduct of governors and officers, the clarity of communication, access to translators and legal advice if required and the general treatment of the prisoners. The SMT hold meetings and review statistics to ensure fairness and equity of treatment.

7 ACCOMMODATION (including communication)

7.1 Accommodation wings

Given the age of the buildings of most of the establishment the accommodation blocks are largely in good order, and are kept clean and tidy. The showers in all the blocks are undergoing a refurbishment programme. There is a particular problem with litter and food detritus being thrown from the windows of one wing, ostensibly to cover packages being thrown over the wall, but with the additional effect of encouraging vermin. The SMT have assured the board that a variety of measures are being put into place to prevent the packages being thrown and regular cleaning is undertaken. One wing is now entirely smoke free and contains only those who are on an enhanced level of IEP and who apply to go on to that wing. This particular wing now has a calm and pleasant atmosphere, but given the high percentage of smokers on other wings, the IMB are concerned that the implementation of the national smoke free policy will be met with resistance.

7.2 Kitchen

The hygiene standards in the kitchen are high, the food is good and meets the various requirements of the religions in the prison; a substantial task, especially within budget constraints. The month of Ramadan was also well supported by the kitchen.

7.3 Laundry

The closure of the on-site Laundry this year (see 10.1) has caused problems with the washing of prisoners' non-prison issue personal laundry. It is currently being sent to HMP Elmley with an officer who is doing the washing. This is designed to allay prisoners fears that their clothing will be lost or misappropriated which have been voiced in inductions, applications to the IMB and complaints, and referred to in the recent MQPL survey. This is not a good use of an officer's time and the board welcome the SMTs intention to provide a few appliances that the prisoners can use themselves.

8 HEALTHCARE (including mental health and social care)

8.1 Dentistry

The provision of dentistry services now has a waiting list of roughly six weeks, which is similar to civilian provision locally. The turnover rate of the prison population means that the waiting list never seems to reduce, but patients do now undergo a triage system to enable more urgent cases to be prioritised.

8.2 Staffing

During the year, there has been a recalculation of the amount of staff needed to serve the changing needs of the offender population. This has resulted in positions being recruited for, which should help alleviate pressure on staff.

8.3 Provision of mental health services

The prison benefits from two full time personnel in the InReach team, who are supported by a dedicated team of peer worker listeners on each wing (there is an ongoing training course to replenish this team as they are deported). The substance abuse courses run by the RAPt team are well attended, and although mental health is undoubtedly a problem in the prison, the reducing number of ACCT documents shows the care that is taken by the staff and other prisoners to support the offenders. The IMB is satisfied, as far as it can be, that the reduction in ACCT documents is not due to cases being missed or closed prematurely.

8.4 Health screening open day

In advance of the Christmas period (a period often characterised by increased amounts of distress and illness) a health screening day was held for offenders in the prison and well received by those able to attend. BMI and blood pressure checks were offered as well as the promotion healthy eating and the work of the RAPt team, the chaplaincy and the Citizens Advice Bureau with the aim of increasing mental resilience over the difficult Christmas season. This kind of preventive work is strongly approved of by the IMB and seemed to have aided what was a calm Christmas.

9 EDUCATION AND OTHER ACTIVITIES

9.1 Education provision

The board are pleased to report that Education provision has improved considerably, with proactive management on the part of Novus and SMT seeking to deliver appropriate training to a Foreign National population. There are 160 learners at any one time with an aim of 1905 courses in year with an average of 250 started each month. The forecast success rate for the year is 96% (currently 84%) with the main problem being non-availability of prison staff earlier in the year causing sessions to be cancelled. The retention rate is also good at 93% and indicates most prisoners are fully engaged. These statistics have improved year on year since the change of role for the prison in 2013. The average stay at HMP Maidstone is 80 days, so the aim is for each course to be completed within 6 weeks.

9.2 Appropriateness of education offered

Education needs are assessed at Induction with a face to face meeting with each prisoner. The assessment form has been expanded to allow assessment of reading, speaking and listening and free writing skills. 26% of prisoners are at the lowest level of literacy, 22% of numeracy. English, IT and Maths courses are now tailored to meet the needs of non-English speakers. 'Survival English' is being developed for delivery as part of this Induction process. User Voice have assisted by identifying a booklet of symbols, which with some modification will aid communication between prisoners and staff. The Board will monitor the effect of these initiatives which should make life in prison less stressful for non-English speakers who do not share a common language. Regular meetings are held between the Governor, Novus and Learner Voice peer workers, who are active in supporting prisoners and identifying educational needs. Feedback boxes have been installed in each wing and the peer workers collect and evaluate feedback, formulating proposals for improvement. The majority of Educational needs are provided by Novus but Band 3 officers managing such areas as horticulture and deep-cleaning have City and Guilds qualifications which enable them to provide in-work instruction at NVQ level. In this reporting year, training courses have been reassessed; new and updated courses teach practical skills which will enable prisoners returning to their home country to earn a living. Practical skills certified at NVQ level include, bricklaying, painting and decorating, catering etc. The business course, previously theoretical and classroom based, is now linked with skills- based training to make self-employment a real possibility. Additional resources have also been provided for 'Life Challenge skills' which is aimed to reduce re-offending and sits well with the resettlement programme 'Steps to the Gate' which aims to support those being repatriated.

9.3 Practical training

There are practical benefits for the prison and its population as a whole. Carillion is 8 months behind with the redecorating programme and prisoners are delivering improvements to the environment whilst also gaining skills and qualifications. SMT investment in new catering equipment, including coffee making facilities has increased training opportunities and the quality and variety of output. Improvement is still required in the delivery of 'In-Cell' learning but the use of packs devised at HMP Lewes is a starting point. Efforts are made to support vulnerable and/or disabled prisoners although resources are limited and there is only one ground floor classroom in the main Education block.

9.4 Gymnasium and Sports Hall

The gymnasium facilities are at crisis point. The training equipment is good but the gym roof now has several leaks. The hall used for badminton and other indoor games is frequently flooded, in a very poor state and urgently needs major work. The recreation ground is fine but obviously cannot fulfil the needs of 612 prisoners. Any reduction in the

level of exercise possible will not only have a detrimental effect on the levels of stress in the prison, but will also have a knock-on effect on those who are exercising as part of a healthcare programme: Prisoners undertake exercise targeted on relieving/improving their symptoms and this holistic approach is to be welcomed and supported.

10 WORK, VOCATIONAL TRAINING and EMPLOYMENT

10.1 Supply of work to Workshops

The laundry at HMP Maidstone was closed this year (see 7.3) due to safety concerns about the equipment used. There is no capital available to repair or even to safely decommission the equipment. This has resulted in a loss of 20 workplace spaces, however, the prison has managed to beat the 80% purposeful activity target (it is at 87% at the time of writing) for this year as a new workshop repairing and recommissioning Dyson machines for resale started during the year. A breakdown in the contract during the year, which meant that work stopped until payments were received, is currently being resolved. The print shop contract for work is negotiated centrally, but the intermittent nature of the work being supplied has meant that those working in the print shop have not always had enough to do, negating the point of purposeful activity. The IMB suggest that the print contract is changed to allow work to be requested by the prison to allow better scheduling of projects.

10.2 New work policy

During the year, a new local work policy was implemented. This aimed to increase the number of offenders engaging with the work at the workshops, by employing the incentive of bonus pay for higher quality of work, and the punishment of IEP warnings for those who refused to work. The IMB rota reports prior to this note numbers of offenders playing cards at the workshops rather than working, so the board support the policy and it's aims, but question whether the lack of work available to do under the contracts is not sometimes also to blame for inaction.

10.3 Life skills

The IMB wish to make mention of the work being done alongside the Bricks workshop in HMP Maidstone to provide life skills courses to equip prisoners to face the challenges of life by teaching them to prioritise, come to consensus agreements within groups, and build their self-confidence and self-esteem. This broad ranging course is particularly positive in terms of preparing the prisoners for their release.

11 RESETTLEMENT PREPARATION

11.1 Sentence progression

The MQPL report showed that prisoners do not feel that they can progress towards release as for most there is no opportunity to gain Category D status, or to leave the prison on Release on Temporary Licence or Home Detention Curfew as they will be deported. The number of IMB applications regarding sentence management (20%) underlines the stress felt by those being deported and points up the need for constant co-operation between the prison service and HOIE.

11.2 Steps to the Gate

A positive response to concerns has been the Steps to the Gate initiative, which aims to provide those leaving the country with at least some information of support groups or charities to approach in the destination country that can offer them some sort of help on arrival.

11.3 Early Removal Scheme

Due in large part to the work of prison peer workers, there is a much improved understanding of the provisions of the Early Removal Scheme (ERS) amongst the prison population and this has helped to manage expectations of when deportation will happen and thus reduce the stress and uncertainty experienced.

C Section – Work of Board

BOARD STATISTICS	
Recommended Complement of Board Members	12
Number of Board members at the start of the reporting period	9
Number of Board members at the end of the reporting period	8
Total number of visits to the Establishment	327
Total number of segregation reviews attended	

D Section - Applications

Code	Subject	Current reporting year	Previous reporting year
A	Accommodation including laundry, clothing, ablutions	10	3
B	Discipline including adjudications, IEP, sanctions	21	4
C	Equality	6	5
D	Purposeful Activity including education, work, training, library, regime, time out of cell	11	11
E 1	Letters, visits, phones, public protection restrictions	12	18
E 2	Finance including pay, private monies, spends	14	0
F	Food and kitchens	0	4
G	Health including physical, mental, social care	56	40
H 1	Property within this establishment	14	1
H 2	Property during transfer or in another establishment or location	63	69
H 3	Canteen, facility list, catalogue(s)	0	4
I	Sentence management including HDC, ROTL, parole, release dates, re-categorisation	56	50
J	Staff/prisoner concerns including bullying	10	14
K	Transfers	4	16
	Total number of IMB applications	277	239