



Annual Report
of the
Independent Monitoring Board
at
HMP Maidstone

for reporting Year
March 2017 -Feb 2018

Published
July 2018



Monitoring fairness and respect for people in custody

TABLE OF CONTENTS

Introductory Sections

Section	Topic	Page
1	Statutory Role	3
2	Executive Summary	4
3	Description of Establishment	6

Evidence Sections

4	Safety	7
5	Equality and Fairness	8
6	Segregation/Care and Separation Unit	9
7	Accommodation (including communication)	10
8	Healthcare (including mental health and social care)	11
9	Education and Other Activities	12
10	Work, Vocational Training and Employment	13
11	Resettlement Preparation	14

	The Work of the IMB	15
	Applications to the IMB	16

A Sections 1 - 3

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.

Main judgements

Are prisoners treated fairly?

Overall prisoners are treated fairly in this establishment, which is of particular importance given the wide diversity of the foreign national population. (s.5.1)

Are prisoners treated humanely?

The regime is focussed on providing Foreign National prisoners facing repatriation with the necessary skills to build a future. Improved staffing levels and more employment opportunities are key. Efforts to improve prison life are hampered by the age and poor maintenance of the establishment (s3.5, 7.4, 7.8). Improvements to reception, induction and resettlement, the support provided during the move to non-smoking and the work being done on developing a model for Foreign National establishments demonstrate that humane treatment is considered to be of prime importance.

Are prisoners prepared well for their release?

Preparation for release is supported well by both the education and resettlement departments of the prison management (s9.2, 10.1). The prison is working hard to co-ordinate across the establishment to meet individual needs.

Main Areas for Development

TO THE MINISTER

The lack of capital investment in deteriorating buildings and equipment has put a major strain on prisoners, management and staff. Last year we requested replacement of the sports hall before winter weather and cessation of smoking within the establishment created tensions which could not then be alleviated by exercise. Nothing is yet in place. Other projects have also apparently been mothballed; the Officers' Mess has been out of action for some months, affecting staff and also the prisoners who work there to gain qualifications for future employment. Available resources have not been used to best effect with poor quality work and delays for essential work. (s3.4, 3.5, 7.3, 7.4, 7.8)

TO THE PRISON SERVICE

The Offender Management In Custody (OMIC) system may help to alleviate the problems caused by understaffing in giving personal support to prisoners who often lack the language skills and cultural understanding to cope in a UK prison. It is regrettable that the prison is unlikely to have suitably trained resources to bring this into effect in 2018.

TO THE GOVERNOR

The board recognises the efforts made to continually improve the way the prison is run, despite the difficulties highlighted elsewhere. Pressures on recruitment and retention of Senior Management Team (SMT) members have resulted in some lack of consistency, with excellent initiatives sometimes going no further than the planning stage, potentially wasting time and effort. Examples include addressing the blue/red code (s8.5). The analysis by the Equalities Action Team (EAT) has not yet led to an action plan (s5.1).

Improvements

The IMB is pleased to note that the work done to prepare the prison for the cessation of smoking enabled the initial implementation to pass off smoothly. The Induction process, including the effective use of peer workers has improved immensely. The Prison Council, with elected members working hard to support communication and offer potential improvements to processes, has been very effective despite patchy support from User Voice. The Citizens Advice Bureau are now supporting efforts to reunite prisoners with missing belongings.

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 removed from the UK at the end of their sentence. There are 21 professed religions in the prison population together with 87 different nationalities and an even bigger number of languages and dialects spoken.

3.2 Operational capacity is normally 600 but has been running for much of the past year at up to 612. This can only be provided by using cells normally designated for 'listeners' use and by extra double occupancy. (s. 3.4)

3.3 Oxleas NHS Foundation Trust are the healthcare provider. 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 and Floplast. Maintenance is provided by Government Facilities Services Ltd, after the demise of Carillion in line with national contracts. Substance abuse courses are provided by the Forward Trust. GeoAmey provide transfer transportation for prisoners and their property between prisons and Tasco for deportations and immigration courts.

3.4 Accommodation consists of four blocks with three containing some double cells. 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. There are no on-site laundry facilities, and at the time of this report, prisoners' personal laundry is taken by van by a prison officer to be washed at another establishment.

3.5 The state of repair generally at Maidstone gives serious cause for concern; Senior Management Team (SMT) have a continual battle to ensure that the basics of heating, lighting and water are available on a daily basis and staff and financial resources are under constant pressure. The loss of the in-house laundry and Sports hall has added to the problem of low morale for both staff and prisoners. Even before the collapse of Carillion the agreed schedule of works was more than 8 months behind. It is to be hoped that the Government Facilities Service can redress some of the balance.

3.6 Low levels of staffing have an impact on every area of prison life with delays in the handling of complaints and meetings with Offender Management Unit exacerbating the problems already identified. Encouraging levels of recruitment this year will have a positive effect dependent on the completion of training and retention of existing experience staff as well as the new recruits. There have also been staffing issues with Home Office caseworkers and HOIES. SMT and staff deserve credit for maintaining a well-run prison despite these difficulties, exacerbated by the issues identified at 3.5, coinciding with extreme weather conditions and the non-smoking policy implementation.

B Evidence sections 4 – 11

4 SAFETY

4.1 Violence reduction

The topic of Safer Custody is taken very seriously and with significant ownership by those involved in the process. Violence, coercion and bullying is forcibly addressed whenever brought to attention, with action to remove perpetrators or victims from HMP Maidstone where necessary to ensure safety. During the past year a new process, SAFE (Safer Atmosphere For Everyone), aimed at managing behavioural risks has been developed in conjunction with the regional Violence Reduction Task Force. There are two documents in the process, one is a control document for case management of Anti-Social Behaviour similar to an ACCT and the other a workbook for the prisoner to recognise and self-identify and manage his behaviour.

4.2 ACCT Documents

The opening of ACCTs remains low and is routinely monitored by prison staff and the IMB with regular quality audits taking place by the Safer Custody team and by the IMB on their rota duties.

4.3 Drugs and mobile phones

Banned substances and mobile phones continue to be an issue that demands constant effort by SMT. However, positive mandatory drug testing in Maidstone is running at around 13% as opposed to around 40% in comparator prisons. This year has seen the installation of further internal zonal fencing to deter the retrieval of packages thrown over the wall. The senior management have held 25 Crime Clinics in conjunction with Kent Police which have resulted in the issue of more than 12 search warrants subsequent to forensic investigation of throws of packages over the wall. Consequential arrests have been made and a number of convictions followed. It remains to be seen if the introduction of the 'no smoking' policy in February will have any longer term effects on the use of drugs.

4.4 Induction and Property transfer

Prisoner induction continues to be extremely well managed and benefits from commitment of peer workers, all prison departments and the IMB. Whilst the percentage of all prisoner applications to the IMB concerning property lost on transfer into HMP Maidstone has marginally reduced (from 23% last year to around 16%), it is still a major concern for prisoners who are anxious to retrieve property before subsequent deportation. (s7.5)

4.5 Deaths in custody

There were no deaths in custody during the reporting period.

5 EQUALITY AND FAIRNESS

5.1 Promoting Equality

As a Foreign National prison, HMP Maidstone has the challenge of maintaining fairness and equality across a wide and frequently changing range of nationalities, languages, religious faiths and dietary requirements in addition to the other protected characteristics of age, disability, sexual orientation, gender/gender reassignment and marital/partnership status. A Deputy Head of Residence and Equalities was appointed during the year to ensure focus on the issues. Posters promoting the prison's policy on equality are readily visible throughout the prison. Cultural or religious events are acknowledged, accommodated (by changing daily regimes if necessary), and promoted by encouraging participation where appropriate. An LGBT themed equalities day was held in January for staff, prisoners and visitors and a Cultural Awareness and Celebration Calendar created to highlight Awareness Days through the coming year to cover issues such as autism, dyslexia, mental health and black history in addition to the protected characteristics. New offenders are now being asked to complete surveys during induction to capture equalities information to improve data accuracy.

5.2 Religious diversity

The multi-faith centre is well used for religious and musical activities and during the past year efforts were made to ensure that Christian services continued while reappointments were made for a Church of England chaplain and Roman Catholic priest. (See also 7.2)

5.3 Challenging discrimination

The Prison Council provides a valuable and respected link for the airing of any issues or grievances. Discrimination Incident Report Forms (DIRF) are available on every wing so that confidential issues of discrimination can be raised, and the prison has carried out an audit so it can improve how these are processed.

5.4 Family contact

The cost of telephone calls for prisoners seems exceptionally high especially for international calls - to the disadvantage of those trying to keep in touch with family members in another country. The issue needs to be addressed when contracts are renewed. As regards emails and post, high demand and increased costs for translation services in the winter months resulted in the facility going over budget and services being suspended for a short period. The Visits Hall has had a refurbishment and Family Days are accommodated on a regular basis. (see also 11.3)

5.5 The IMB Board

The Board itself represents a diversity of working backgrounds and skills but is limited on extending this diversity by the shortage of appropriate applicants and recent losses.

6 SEGREGATION / CARE AND SEPARATION UNIT

6.1 The Segregation unit

The unit is well run with capable and caring staff who ensure prisoners are treated appropriately during their stay in the unit. Time is spent talking to individuals and taking into account any special needs they might have. The accommodation is old but is kept to a high standard. Documentation is completed in a timely manner by both prison staff and healthcare, the latter ensuring all prisoners are seen on arrival on the unit.

6.2 Adjudications

The Board is informed in a timely manner of all new arrivals and are welcomed to sit in on all adjudications and reviews. There has been a decrease in the numbers in the unit from last year. Over 90% of arrivals are the result of adjudications relating to drugs and mobile phones, the resultant Cellular Confinement being done in the segregation unit. This is felt a more appropriate venue than on the wings. During the reporting year there has been 1 prisoner who has exceeded more than 40 days in the unit. The official protocols have been followed and the length of time is due to the inability to transfer to another establishment.

6.3 Care and Separation (CSU)

The CSU is located within the segregation wing, separated by a gate, although not ideal, it is difficult to comment on where else it might be located without appropriate funding. The accommodation is similar to the segregation cells and if there is a need for constant watch then the narrow corridor makes this difficult for staff. During the reporting year the CSU has been used 17 times, stays are short and the IMB has observed good care by staff.

6.4 Use of Force

Force has been used 78 times over the reporting year. Such events are normally recorded by bodycam or video and are followed by mandatory debriefings. IMB members have been present on some occasions and are satisfied that Controlled Response Team (CRT) responses have been appropriate to the circumstances.

7 ACCOMMODATION (including communication)

7.1 Regime

Staff shortages resulted in increased periods of lockdown, with prisoners remaining in cell for long periods of time. Every effort is made to avoid this and at times the Senior Management Team (SMT) have assisted on wings to ease the situation. The consequences of lockdown include problems for prisoners needing to make phone calls at certain times and reduced association. There are clear and timely communication of regime changes, reducing prisoner dissatisfaction.

7.2 Kitchen

Food continues to be good and prepared to high standards of hygiene with few complaints. Menus for feast days are now available for all prisoners on that day, addressing complaints of inequality. Faulty refrigeration has resulted in the hiring of portable units for at least the last 4 months, apparently at a cost of £4,000 per week.

7.3 Laundry

The closure of the in-house facility was reported last year. All laundry has been outsourced to another prison. Issues around the personal laundry (requiring additional staff resources which can be ill-spared) have caused disquiet and discontent among prisoners. One consequence has been prisoners washing and drying clothes in cell which in some cases has resulted in damp conditions and the development of mould. The old Laundry contained asbestos and there have been lengthy delays in making it fit for installation of the new machines for personal use, which have been purchased and are awaiting installation.

7.4 Showers

The last report referred to a programme to upgrade shower facilities. Problems with sub-contractors and poor management of the project by Carillion caused major delays and numerous problems with the standard of work and materials, which is still ongoing.

7.5 Property

If property does not travel with the prisoner, retrieval can be extremely difficult. Migrant Help ceased to retrieve property outside the prison estate mid-way through the reporting year and Citizens Advice Bureau have only recently taken the work on; it is hoped that the situation will improve with dedicated resource. Much time is wasted by staff and IMB pursuing property lost in transit, with complaints meeting a poor response from other prisons. Lost property is particularly stressful for prisoners facing imminent removal.

7.6 Canteen

Delivery of food and personal items for weekly purchase by prisoners is outsourced. In this year there have been problems with supply resulting in routine and pre-ordered items being missing and delays in crediting prisoners' accounts. Prisoners have limited access to such items and so inability to obtain what they need can cause great discontent. SMT have been in dialogue with the Company responsible and it is hoped the issues can be resolved.

7.7 Personal Officers

Prisoners new to the prison have a designated 'Personal Officer' to advise and assist with understanding and conforming to the regime. Staffing pressures have had an adverse effect on this. The new Offender Management In Custody (OMIC) system of key workers having 45 minutes weekly per prisoner to fulfil this role is welcomed but is not likely to be fully operational until mid-way through the next reporting year.

7.8 Recreation facilities

The Sports hall, frequently mentioned in earlier reports, has been condemned and is beyond repair. The IMB was concerned that reduced exercise facilities coinciding with the winter period and the cessation of smoking would create serious unrest. It was agreed that a 'pop-up' gymnasium would be obtained but this has not happened.

8 HEALTHCARE (including mental health and social care)

8.1 Provider

Healthcare at HMP Maidstone is provided by a dedicated team, boosted this year by recruitment but still with vacancies that are difficult to fill. Oxleas have won the re-tender process. The new 3 year contract provides for extended shift patterns giving wider cover; 07:30 to 19:30 on weekdays and 09:00 to 18:00 at weekends. However, any hospital attendance for treatment or diagnosis requires Prison Officer escort which puts extreme pressure on the prison detail. This is anticipated to pose an even more significant problem after April 1st when out of hours on-call doctor services will cease.

8.2 Dentistry

Despite extending the service into as many hours as unlock makes available, Dentistry remains a major issue with a waiting list that stretches typically to eight months. As a Foreign National prison with an extremely high percentage of prisoners due for deportation the desire for comprehensive remedial work is high. The department is currently investigating the provision of a dual waiting list that prioritises pain over more cosmetic issues. However, there are concerns that as soon as the prisoners understand this approach they may well manipulate symptoms to gain early places.

8.3 Clinics

Successes to report are the increased use of visits by specialist nurses for in-house clinics for Hepatitis, HIV, Genito Urinary/Sexual Health, Physiotherapy, Optician and Social care, rather than external consultations that require escorts and offer a less than ideal quality of consultation due to the requirement for handcuffs.

8.4 Smoking ban

Preparation for smoking cessation was comprehensive, with staff taking the lead in advance of prisoners. Courses, patches and vaping equipment have all been made available, with tobacco removed from the canteen list in advance. Facilities to enable some personal food preparation on the wings were brought in at around the same time as a form of compensation.

8.5 Blue / red codes

Blue/ red codes are used by staff to determine the appropriate response to sudden illness. Several instances early in the reporting year identified a lack of understanding and confusion, especially among workshop staff. This was formally reported to Senior Management Team at the time and there are now posters with clear instructions on display with more work planned.

9 EDUCATION AND OTHER ACTIVITIES

9.1 Provision of education

Novus are the main education supplier. Provision continues to improve with management keen to develop carefully tailored appropriate training and vocational courses for the population. At induction, educational needs are assessed and worked upon so that success is achieved moving forward. The overall forecast success rate for courses is 97% (currently 80%). Most modules last approximately six weeks, meaning that the students are able to complete the course and potentially progress. The retention rate is excellent at 99% and indicates most prisoners are fully engaged. These statistics have improved year on year since the change of role for the prison in 2013. However, the closure of the National Career service is likely to create a gap in terms of how the prison is able to support the prisoners' needs.

9.2 Meeting the needs of the foreign national population

The number of inmates taking ESOL (English for Speakers of Overseas Languages) has increased by 40% in comparison with last year. The ESOL classes are oversubscribed and consideration is being given to a pre-ESOL bridging course to support those inmates in need of improving their literacy. Given the Foreign National population, there are increasing numbers of prisoners needing to attend the pre-ESOL courses.

9.3 Range of courses

The range of courses is expanding: Skills for Life Challenge involving team building and working with others will be run three times a year and Art therapy classes have started as a bridge to other courses with drama, media, Tai Chi and meditation part of the varied provision on offer. There are a number of Level 1 and 2 NVQ practical courses, for example Catering Hospitality run as a business. A Level 3 Business Enterprise course is also being launched. In addition, there are also nine applications for distance learning courses being processed.

9.4 Peer mentoring

The peer mentor programme in Maidstone is particularly effective. An award was made by the Prison Learning Alliance to the best peer support worker in HMPs for 2017 and, in addition, the High Sheriff's award to the Shannon Trust team who work to support and improve the literacy of prisoners.

10 WORK, VOCATIONAL TRAINING and EMPLOYMENT

10.1 Range and amount of prison work

The percentage of prisoners employed during the year is 84, which is laudable. The contract with FSS to repair and recondition Dyson vacuums for resale has been cancelled due to difficulties obtaining payment, which has reduced the amount of work places available. The proposal to replace this with soap recycling for hotel use has not come to fruition as there is no exhaust ventilation system in place. The qualifications earned from the very successful Bricks course are now both NVQ and City and Guilds qualification to ensure better recognition in the prisoners' home countries. The workshops for Coppermill (rag ripping) and Floplast (packaging plumbing kits) have been largely predictable in flow during the year, and well attended. Unfortunately, it has been almost impossible to achieve a steady flow of work coming into the print shop and Tailors, which has resulted in various phases during the year of prisoners with little work to complete.

10.2 Live Labour Boards

In order to improve attendance at work and to focus on the skills that the prisoners have to fit them for release, a process of live labour boards has been instituted. Once the results of the Maths and English tests have been assessed, the prisoner is visited by either the head of resettlements, or the head of industries at Maidstone and the various options of work and education discussed with the prisoner to build on what the prisoner has achieved up to that point. This has reduced the problem of non-attendance to 16%. Gym sessions are now arranged outside of education classes to reinforce the importance of training and education.

11 RESETTLEMENT PREPARATION

11.1 Sentence management

Very few of the prisoners at Maidstone are eligible for either Home Detention Curfew (HDC) or Release On Temporary Licence (ROTL) as they are, by virtue of their presence at Maidstone, of interest to the Home Office and therefore likely to be removed from the country or deported. The Offender Management unit (OMU) and the Home Office Immigration Enforcement Service (HOIES) work closely together at Maidstone to facilitate these removals and deportations.

11.2 Resettlement preparation

As a foreign national prison, there is no specific budget for resettlement and rehabilitation. Nonetheless, the Governor has earmarked 10% of the education budget so that the prison provides a variety of support. The 'Steps to the Gate' initiative assesses the needs of each prisoner in terms of help with issues such as addiction, education, and mental health. A central spreadsheet is kept so that those providing the help and support know who they need to see, and the resettlement team can check that all prisoners' needs have been met as far as possible before they leave. Courses are run by the charity Hibiscus to support and prepare prisoners for when they are removed from the UK, sometimes to a country they have not lived in as an adult. The processes of deportation and early removal are explained, and the prisoners are helped to find further information on the country. Focus is put on working out both what transferrable skills they have and how to build social networks in a new country to avoid reoffending and to enable them to build a new life. Hazlitt Theatre have also been running Teamwork and Leadership courses, in particular with those identified as needing mental health support.

11.3 Family contact

Family visits are very well supported, with staff working hard to provide a welcoming atmosphere for the monthly family days, supported by the charity Spurgeons who provide activities for the children and support with the social care side of dealing with a relative in prison. Extra PIN phone credit is available to those who do not receive visits due to their family being overseas. The buildings are not ideal for this purpose and although there are strategic plans for their improvement this depends on both money and the government replacement for Carillion.

11.4 IS91s

There is often confusion among prisoners about their rights once their sentence has come to an end and they have not yet left the country. Those not eligible for an Immigration Removal Centre in the HOIES view, are classed as IS91. As Maidstone cannot provide the remand conditions that these prisoners are entitled to, they have a choice of moving establishment, or accepting an unchanged regime at Maidstone. Without an end date in sight, many of them find this difficult. Over the last year, there has been an average of 13 IS91s resident at Maidstone each month, but for the last five months the figure has consistently been over 15.

C Section – Work of Board

BOARD STATISTICS	
Recommended Complement of Board Members	12
Number of Board members at the start of the reporting period	10
Number of Board members at the end of the reporting period	11
Total number of visits to the Establishment	329
Total number of segregation reviews attended	Not known

D Section - Applications

Code	Subject	Current reporting year	Previous reporting year
A	Accommodation including laundry, clothing, ablutions	9	10
B	Discipline including adjudications, IEP, sanctions	18	21
C	Equality	3	6
D	Purposeful Activity including education, work, training, library, regime, time out of cell	9	11
E 1	Letters, visits, phones, public protection restrictions	14	12
E 2	Finance including pay, private monies, spends	25	14
F	Food and kitchens	4	0
G	Health including physical, mental, social care	21	56
H 1	Property within this establishment	22	14
H 2	Property during transfer or in another establishment or location	38	63
H 3	Canteen, facility list, catalogue(s)	7	0
I	Sentence management including HDC, ROTL, parole, release dates, re-categorisation	40	56
J	Staff/prisoner concerns including bullying	12	10
K	Transfers	16	4
	Total number of IMB applications	238	277