Annual Report
of the
Independent Monitoring Board
at
HMP/YOI CHELMSFORD
for reporting Year
1st September 2017 – 31st August 2018
Published
January 2019

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

The Board’s major concern during the period September 2017 to August 2018 has been the prison’s poor safety record. The main features of this have been increasing levels of violence including assaults on staff, high levels of self-harm, widespread availability of drugs and bullying as a result of indebtedness.

Sadly, during the reporting year there were five more deaths in custody.

In our report for the year 2016-2017 we expressed concern at staff shortages, leading to frequent cancellations of the regime and prisoners consequently remaining locked in their cells for much of the day.

In the current reporting year, we have been pleased to note that the staff recruitment drive that has taken place has brought the number of officers much nearer to the benchmark figure of 174. However, this means that 70% of officers have been in the service for less than two years and lack experience in “jailcraft”.

The declared aim of prison policy is to reduce reoffending. If this is to work properly, prisoners need appropriate opportunities and support. In particular, they need to have access to education, training and employment to improve their chances of productive work upon release. However, access to these facilities is in the main still only part-time, and there continues to be an unacceptably high non-attendance rate. The introduction of the key worker scheme, under which an officer mentors up to six prisoners, is welcome but this is not working properly yet.

We also have serious concerns relating to healthcare. As reported last year, there are often long delays in giving appropriate care to prisoners with mental health problems, including transfer to external secure mental health places. The demand for inpatient facilities far exceeds supply (12 beds for a population that can be as high as 750), and staff shortages in this key area of the prison lead to delays in treatment and a raised level of prisoner complaints.

Finally, the collapse of Carillion partway through the reporting year and transfer of Works to Government Facility Services Limited (GFSL) has meant significant delays in repairs to the fabric of the buildings.

Despite the concerns mentioned, the Board continues to be impressed by the care, professionalism and dedication shown by individual staff and members of the prison’s senior management team in a very challenging environment. It is clear to the Board that many of the failings mentioned in this report are not the fault of HMP Chelmsford but are attributable to government policy, which has starved the Prison Service of resources over a period of years.

We are pleased to note the decision in May 2018 to put the prison in Special Measures, which has meant extra resources being allocated to staff training and refurbishment of wings in the older part of the prison.

HMIP also expressed confidence in the ability of the senior management team to drive forward the necessary reforms. We echo this assessment, provided the management are given the necessary resources.
To the Minister

We urge the Minister:

- To continue to ensure funding for the refurbishment of the rest of the older part of the prison so that it can be a decent, respectful environment for prisoners to live in;

- Not to allow the roll to return to a level which, in the past, has led to 40% overcrowding - this is in conflict with the requirements of decency and respect and tends to fuel unrest;

- To work with other government agencies to ensure that prisoners who are mentally ill can be moved on swiftly to secure mental facilities where their needs can be met. **We have made this plea for a number of years but nothing has changed;**

- To work with other government agencies to ensure that no prisoner on release is faced with the prospect of being of no fixed abode;

- To work with other government agencies to ensure that prisoners on indeterminate sentence for public protection are not kept in prison beyond the end of their sentence, a practice that is a clear denial of natural justice;

- To conduct a review of pay scales for prison officers. We understand that currently there are four different pay scales and that an officer seeking promotion to senior officer can stand to lose up to £4,000 p.a. In the interests of staff retention and the building of an experienced and committed workforce it is crucial that there should be a clear career pathway without unnecessary hurdles.

To the Governor

We urge the Governor:

- To take all necessary measures to reduce the levels of violence, self-harm, bullying, drug taking and drug smuggling;

- To work towards purposeful activity being full-time so that prisoners get the maximum opportunity to make themselves employable upon release;

- To make sure that the number of offender supervisors is up to the benchmark and that these posts are no longer occupied by uniformed staff, who can be allocated to other duties at a moment's notice, but by administrative staff, who can devote themselves full-time to the essential task of working with prisoners on their plan for release;

- To ensure that the key worker scheme becomes fully functional as a priority;

- To make every effort to ensure a clean and decent environment, including refurbishment of the older parts of the prison and elimination of accumulated rubbish around the exterior of the wings.

- To ensure that full segregation data are available so that trends can be assessed accurately.

- To continue to pay attention to staff morale.
3 DESCRIPTION OF THE PRISON

There has been a prison on this site in Chelmsford since 1819. The original prison (A-D wings) was built on the traditional “spokes of a wheel” design of three storeys.

Two new residential units were added in 1996 (E and F wings) and a third (G wing) was opened in 2006. There are a variety of other facilities including a 12-bed, 24-hour healthcare centre, educational facilities, a gymnasium and artificial sports pitch, a multi-faith room, library, kitchen, laundry, recycling centre, visitors centre and a variety of offices housing prison and agency staff.

Segregation is on A wing and vulnerable prisoners have separate accommodation. At the beginning of the reporting period this was on D wing, but it has now changed to G wing. E wing provides the drug treatment programme, F wing is the first night and induction unit.

Chelmsford is currently designated a Category B local prison serving local courts and holds those who are sentenced, on remand or on trial. It holds adults and young adults and some foreign national prisoners. The average stay of a prisoner is just a few weeks, which leads to a high turnover, with a large number of transfers to and from court and other establishments each day.

The prison’s operational capacity during the first nine months of the reporting year was ca. 750, declining as a result of special measures and refurbishment projects, and standing at 670 on 31st August 2018.

During most of this reporting period Steve Rodford was the prison’s governor, but following his retirement in May 2018 Penny Bartlett has been appointed to succeed him.

Essex Partnership University NHS Trust (EPUT) had responsibility for health care. PeoplePlus provided education, and Sodexo was the Community Rehabilitation Company (CRC) that subcontracted the “Through the Gate” contract to NACRO.
Evidence sections 4 – 11

4 SAFFETY

This includes safer custody of prisoners and care of at-risk prisoners as well as providing a safer prison environment for prison employees and members of the public.

The Board is concerned that:

- Following its most recent inspection of the prison, in May/June 2018, in summary, HMIP found that:
  - “Levels of violence were very high and more needed to be done to address the underlying causes;
  - Force had been used on 420 occasions in the six months preceding the inspection, more than double that at the time of the last inspection;
  - Drug use was stubbornly high;
  - Levels of self-harm were extremely high and were far higher than at other local prisons;
  - Until recently, violence reduction work had been under resourced;

- Sadly, these conclusions were mirrored in the Board’s observations throughout the reporting year. The number of incidents involving prisoner fights and assaults rose by more than 17% and assaults on prison staff more than doubled.

- Self-harm among prisoners, including suicide, also continued to be a serious problem, and for most of the year, the number of ACCTs (arrangements for the close monitoring of prisoners believed to be at significant risk) was running at a similar level to last year. (The number began to fall towards the end of the reporting year.)

- The widespread availability of drugs continued, despite the efforts of the prison to detect their importation into the prison and prevent their use. Bullying too, often as a result of prisoner indebtedness, remained a major issue, and these are two primary causes of prisoner violence, injuries, and self-harm.

- The prison’s ability to maintain discipline, despite the recruitment of more officers, has continued to be constrained by the lack of experience of many new officers and we believe that training in certain key areas should be improved.

- During the reporting year there were five deaths in custody (DIC).

The Board however is pleased to note that:

- The prison has recently introduced more officers into its Safer Custody team and that in particular it has implemented continuous officer development for staff with up to three years' service.
• A new strategy to try to reduce self-harm has recently been introduced.

The Board continues to be impressed by the care, professionalism and dedication shown by individual officers and members of the prison’s senior management team and other employees, in what has remained a very challenging environment.
5  EQUALITY AND FAIRNESS

The prison has a duty to uphold the 2010 Equality Act which protects against discrimination, harassment and victimisation of protected groups, as well as promoting equality of opportunity.

The Board is concerned that:

- The prison’s efforts to raise awareness of equality and fairness matters among prisoners is proving difficult to achieve. A letter to 640 prisoners, seeking to establish whether they understood how incidents of discrimination can be reported, elicited responses from just 5%.

- Also, the prison's intention, outlined in last year’s report, to develop and introduce a buddy system for older prisoners and prisoners with disabilities, has failed to get off the ground, we are told because of funding issues.

- Again, as reported last year, not all areas of the prison are yet fully accessible to older prisoners or those with mobility difficulties.

- Continuing issues with both the prison's own and the national recording processes make it impossible for us to assess the prison's progress in ensuring that all members of staff have completed online equality training. Last year, we reported that only around one third of staff had completed this training.

The Board is pleased to note that:

- During the period covered by this report, the number of officers has increased, enabling further training and work with the various ‘protected characteristic’ groups. (The nine protected characteristics are age, disability, gender reassignment, marriage/civil partnership, pregnancy, race, religion/belief, sex and sexual orientation.) Forums for all of these groups, and for foreign national prisoners have now been established.

- Quarterly equality meetings are proving productive in ensuring that each protected characteristic group is overseen by a member of the Senior Management Team.

- The prison has produced an updated equality strategy for 2018 -2019, setting out its aims, objectives and legal responsibilities.

- Internal equality data is now produced at each forum, providing detailed analysis of areas of concern, enabling action plans to be drawn up. The prison's continued reliance on this analysis is necessary as the national ‘equality monitoring tool’ is still not always available.

The Board notes that:

- During the reporting year only five applications which were equality/fairness specific were received, which is the same number as the previous year.
The segregation unit is where prisoners are held to maintain good order or discipline (GOoD) within the establishment, or in cellular confinement (as a punishment following adjudication).

The Board is concerned that:

- As reported in previous years, the physical condition of the segregation unit continued to be very poor, with the showers and servery in particular need of attention. The unit is housed in the oldest part of the prison and although generally it is kept clean and tidy, at times the physical environment makes the otherwise excellent work of the officers and staff much more difficult.

- During the reporting period, cells were often out of order, due mainly to damage caused by prisoners, with flooding and ‘dirty protests’ the main causes. As the HMIP inspectors also reported, following their latest inspection, “holding rooms contained graffiti, the condition of the ‘special accommodation’ was poor and the exercise yard was littered with rubbish and clothing.”

- Flooding and dirty protest damage regularly extends beyond the cells, when gravity washes human waste into other areas of the wing, including offices and the servery.

- Once more the inconsistent and incomplete data made available by the prison has meant that it has been difficult for the Board to comment on the number of prisoners who were held in the segregation unit during the period under review, and the reasons for their confinement. However, the HMIP report says, inter alia:

  - Since their previous inspection, the number of adjudications had increased significantly and was comparatively high;
  - The use of special accommodation had increased; these uses were, in the main, justifiable, although some prisoners spent too long in these conditions.

The Board is however pleased to note that:

- When Board members attended GOoD reviews and adjudications, these were found, in general, to be sensitively and appropriately managed and demonstrated the continued professionalism of officers towards some very difficult and/or troubled prisoners.

- Work is underway to improve the physical condition of the showers and servery. We know of no such plans to refurbish the remainder of the unit however.
7 ACCOMMODATION

For the purposes of this report, “accommodation” includes cells, food, maintenance, showers, toilets, serveries, regimes, kitchens and gym.

Carillion

Following the collapse in January 2018 of Carillion, who had managed the facilities of more than 50 prisons in the UK, including Chelmsford, the Ministry of Justice announced the creation of a new government owned facilities management company - Government Facility Services Limited (GFSL) to take over the work which Carillion had been contracted to do.

The Board is concerned:

- At the length of time taken by GFSL to establish a fully operational works department within the prison. We are told that permanent staff cannot be recruited until GFSL’s terms and conditions have been agreed. In consequence, at the time of reporting, ‘works’ was heavily under-resourced and unable to provide an adequate maintenance service.

- That overdue and much needed major capital projects are currently being undertaken by a separate project group, with ‘works’ restricted to a progress monitoring role.

- The introduction of in-cell devices to enable prisoners to make their own appointments for medical appointments or to access prison services, which would have freed up officers’ time, has been postponed.

The Board is however pleased to note that:

- All wings now have in-cell telephony, making it easier for prisoners to maintain relationships with friends and family on the outside. Security restrictions are in place to prevent prisoners calling unauthorised numbers.

- Work on a number of much delayed but much needed projects has now begun, and in some cases been completed. These include the construction of a fence separating the exercise yards of B&C wings, the A wing shower and servery refurbishment, and the refurbishment of one level of B wing.

Kitchens

The Board is concerned that:

- Throughout the reporting period, this vital area of the prison has often struggled to operate efficiently, as a result of equipment which is defective or unavailable, and staffing issues. Repair or replacement often takes far too long and specifically, a lack of cold storage space has impacted menu choices.

The Board is however pleased to note:

- That despite these difficulties the prison has, in general, continued to provide meals on a timely basis and the introduction of brunch on Saturdays and Sundays has proved popular with prisoners. The kitchens have also managed to cater for religious and/or cultural festivals, occurring during the year.
Essex Partnership University NHS Trust (EPUT) provides a healthcare service within the prison, equivalent to that provided in the outside community.

The Board is concerned that:

- There are often long delays for prisoners with mental health problems to be seen by psychiatry and also for patients, who need to be transferred to external secure mental health facilities.

- There continues to be significant prisoner non-attendance at healthcare appointments, despite improvements to the prison’s unlock list management.

- The demand for inpatient services far exceeds supply. There is provision for only 12 inpatient beds to serve a population of 750. The inpatient unit serves a mixture of prisoners with physical and/or mental illness.

- Significant staff shortages in all sections of healthcare adversely affects the level of services provided and causes delays in dealing with prisoner’s health issues, leading to a high level of complaints.

- Optician services are subject to delays.

- The number of applications received by the IMB in the reporting period, relating to healthcare, nearly doubled from 31 in the previous reporting year, to 61 this year. It appears from conversations with these applicants that there is a lack of awareness of healthcare’s complaint procedures and how to escalate complaints.

The Board is however pleased to note that:

- EPUT now provide weekly drop-in sessions on all wings, where nurses are on hand to help prisoners with their health issues.

- Smoking cessations programmes are excellent and all prisoners needing support receive assistance.

- Dental services, generally meet the needs of patients.

- The in-patient provision now operates the same regime as other areas of the prison, thus allowing more time for recreational activities for in-patients.
9  EDUCATION AND OTHER ACTIVITIES

Education

As the Coates review (2016) specifies, education is part of prison strategy to reduce reoffending. In HMP Chelmsford, education is provided by the Offender, Learning and Skills (OLASS) provider PeoplePlus and is designed to equip prisoners with skills to make them employable on release. Most men enter the prison with Entry Level E1 -3 (the equivalent of primary school) levels of literacy and numeracy. PeoplePlus are funded to provide education from entry level E1 up to and including L2 (the equivalent of GCSE) level.

The Board is concerned at:

- Insufficient time out of cell and poor attendance rates at education and work:
  The HMIP report from June 2018 commented:
  "Time out of cell was severely restricted because of ongoing staffing issues. Many men had very limited time out of cell and extended periods of lock-up, which added to their frustrations. Ofsted found education, skills and work required improvement. There remained insufficient activity places, and attendance and punctuality were poor. Too much teaching and learning needed to improve but mentors were well used. More activities needed to be accredited. Outcomes were good if men completed an activity, but many did not. Outcomes for prisoners were poor against this healthy prison test."

The Board is however pleased to note that:

- Since we expressed concerns in last year’s report, improved staff levels have allowed a fuller regime, with the result that there has been less disruption to prisoners’ learning experience.

- We have been advised by the prison that progress has been made in the standardisation of education/training awarding bodies across the prison estate, e.g. City and Guilds for all construction courses, one body for English and maths, one for cleaning, and so on, which should help to alleviate the Board’s concern that prisoners who move to other prisons before they have completed a particular course often had to start again at their new institution because of differences in provision from prison to prison.

Library

The Board is pleased that:

- Improved staffing levels have led to less disruption of access to the library, and to library activities such as Storybook Dads, which gives prisoners the opportunity to record stories for their children.

Chaplaincy

The Board is concerned that:

- At the end of the current reporting period, the chaplaincy team will have been without a lead chaplain for two years, even though the new lead chaplain’s appointment was agreed in February 2017. This unacceptable delay is the responsibility of the Ministry
of Justice’s recruitment and counter-terrorism checking system, and has meant that all staff in the unit are stretched, there is no room for forward planning, and the temporary lead chaplain has been put under pressure that has hampered him in the performance of his duties.

- Since August 2017 the prison has had no full-time Anglican chaplain, having to rely instead on part-time cover.

The Board is however pleased to note that:

- Chaplaincy staff have continued their valuable ministry to prisoners despite the pressures they have been put under; all prisoners have free-phone access to them; all faiths are catered for; the “Eye to Eye” counter-terrorism programme is being continued.
As with education, work, vocational training and employment are an important part of prison strategy to reduce reoffending.

The Board is concerned that:

- The planned Guild of Launderers and Waste Smart qualification has not been introduced, due to local issues related to the lack of an instructor and equipment. The Board regrets that this potentially useful practical qualification remains unavailable.

- The prison’s employment events, involving local employers such as Mitie and Veolia have stalled owing to the National Careers Service’s (NCS) loss of funding for work in prisons. Despite the fact that PeoplePlus have taken over some of NCS’s responsibilities, there has been disruption in this important area.

The Board is however pleased to note that:

- The number of workshop instructors increased during the year from five to eight, and there are plans in place to increase to nine, meaning that workshops are able to operate more often and with greater consistency.
11 RESETTLEMENT PREPARATION

Reducing reoffending

The Prison Safety and Reform White Paper (2017) focuses on preparing prisoners for life outside the prison, including rehabilitation as a goal of offender management policy.

The Board is concerned that:

• Only 25% of prisoners have a job to go to on release (August figures). (We reported 40% last year.)

• 38% of prisoners have no permanent place to live on release (August figures). (We reported 42% last year.)

The Board is however pleased to note that:

• In April 2018 the prison introduced a coherent ‘reoffending strategy’ setting out seven pathways towards reducing reoffending:
  
  o Education, training and employment;
  o Health;
  o Drugs and alcohol;
  o Finance, benefit and debt;
  o Children and families;
  o Attitudes, thinking and behaviour programmes;
  o Accommodation.

  Each pathway is described in detail, specifying the methodology, responsibility and timescale for each. Several different prison departments and external agencies have contributed to the pathways, and individual pathway meetings are overseen by an over-arching strategic committee.

• Since the introduction of this strategy, the prison reports that improvements have been seen in a number of areas:
  
  o Allocation of places in education has risen from 40% to 100%;
  o Attendance at education has risen from 41% to 63%;
  o Attendance at work on the wings and external areas (cleaning etc.) has remained constant at around 70%;
  o Attendance at work in “industry” (the laundry, recycling, wire stripping, tea packing) has increased from 54% to 72%.

• In addition to work in the laundry, VPs are employed making files for hospital records.

• There has been a significant increase in the use of Incentives and Earned Privileges warnings (IEPs) for prisoners refusing to attend work:
  
  o July 278 refusals – 41 IEPs issued
  o August 281 refusals – 169 IEPs issued
• A resettlement information booklet has been produced, setting out the resettlement journey from first night in prison to release, for the benefit of prison and agency staff, prisoners and their families.

• Bi-monthly reducing reoffending newsletters for prisoners were introduced in August, the intention being to raise the profile of support available and help recognise and celebrate success, motivating prisoners to attend work/education and resettlement provision.

• The prison’s library received a bronze award in the 2017/18 ‘Reading Ahead’ project, which encourages men to read six books and review them in a diary which is provided to the library - HMP Chelmsford had 74 men that completed this. They have been awarded a certificate and a dictionary.

• Stronger links have been formed with Full Circle, a charity which helps people overcome drug and alcohol problems. A formal, detailed process has been introduced to ensure Full Circle are made aware of, and follow up on, mandatory drug test failures and intelligence reports about substance misuse.

The Offender Management Unit

The Board is concerned:

• That the number of offender supervisors (OS), who play a key role in planning prisoners’ progress towards release, is currently five compared with the benchmark of nine. Of these, four are uniformed staff who may be redeployed at any time to other duties. In addition, key workers, who are supposed to work in tandem with OSs, checking on the implementation of prisoners’ sentence plans, are also regularly being redeployed. If the prison is serious about sentence planning, it needs to ensure that OSs and key workers are able to do their work unhindered.

• At the high recidivism rate amongst prisoners with a sentence of a year or less. During the reporting year, 302 individuals had their licenced release rescinded and were recalled to prison.

• That immigration detainees are still being held well beyond the end of their sentence. In August 2018 there were three such prisoners, who had been held for 69, 40 and 39 days respectively, past their release dates. This was a clear denial of natural justice and this issue needs to be addressed immediately.

The Board is however pleased to note that:

• The number of prisoners being released under a home detention curfew (HDC) has risen sharply, from 32% to 86% (but remains concerned at the lack of housing for prisoners on release).

Visits

The visiting facility exists to help prisoners maintain relationship with family and friends, in preparation for release.

During the course of the past year the visits hall has been refurbished with a new layout and more comfortable furniture. The hall is now designed with three distinct areas for ‘enhanced’,
‘standard’ or ‘basic’ prisoners. The largest area is for enhanced prisoners, a smaller area for standard prisoners and a smaller area still for basic prisoners.

The Board is concerned that:

- These visiting areas are not being fully utilised. For example, when enhanced and/or standard space is full but basic has availability, enhanced or standard prisoners’ visitors are not always asked if they would accept a basic space. As a result, some prisoners and their visitors are being disadvantaged.

- It still takes too long for visitors to actually gain entry to the prison, due to security measures, which in some instances limits actual visiting time.

The Board is however pleased to note that:

- When we have engaged with visitors, they have, in the main, been positive about their visits. There is currently little delay in getting a booking for a visit.

- Visitors are treated with respect by staff on entry to the prison and in the visits hall. The atmosphere is good and has improved since the refurbishment.

- Facilities for children are good, both in the visits hall and in ‘Story Book Dads’ and reading with children visits, albeit space can be limited for the latter.
## The Work of the Board

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<td>Number of Board members at the end of the reporting period</td>
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## 13 APPLICATIONS TO THE BOARD

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<td>Miscellaneous</td>
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<td><strong>Total number of IMB applications</strong></td>
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GLOSSARY

ACCT Assessment, Care in Custody and Teamwork

Adjudication The formal internal disciplinary procedure for prisoners.

Application A request by a prisoner for a personal interview with the IMB

CRC Community Rehabilitation Company

CSU Care & Separation Unit (The Seg)

DIC Death in Custody

GFSL Government Facility Services Ltd

GOoD Good Order or Discipline

EPUT Essex Partnership University NHS Trust

HMP Her Majesty’s Prison

IEP Incentive-based Regimes and Earned Privileges

IS91 Refers to those detained by the immigration authorities

IMB Independent Monitoring Board

Key Worker A prison officer with 5-6 prisoners to manage on a one-to-one basis

NCS National Careers Service

OASys Offender Assessment System used in England and Wales by Her Majesty’s Prison Service and the National Probation Service to measure the risks and needs of criminal offenders under their supervision

OMU Offender Management Unit

OP Older prisoners

OS Offender Supervisor

Safer Custody The mechanism employed by the Prison, to keep prisoners from harm

Storybook Dads A Charity that helps prisoners record messages for their children

VP Vulnerable Prisoner

YOI Young Offenders Institution