



Annual Report of the **Independent Monitoring Board**

at

HMP Swaleside

for the 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 resident and every part of the prison also to the prison's records.

2 EXECUTIVE SUMMARY

As previously, the Board's report concentrates on major elements of concern or required improvement, with a focus on the treatment of residents under the headings of Fair and Humane treatment and on Preparation for Release.

The new Governor has now been in post for a year. Over that period of time staffing levels have increased and the prison has a better atmosphere. There have been a number of Management and staff changes throughout the period. Inevitably this caused earlier proposed initiatives to be reviewed. OMIC's Keyworker scheme is one example, where there has been delay in implementation. At the time of writing only H and F Wings are up and running, whilst at other prisons the system has been fully in place for over 6 months.

The Board wishes to recognise the work undertaken by Prison Officers and Governors, often under very demanding and sometimes unpleasant circumstances, to safeguard vulnerable residents. These duties are carried out with the well-being of the individual as the clear priority. The Board thanks all the staff of this prison for their help and for supporting the Board in carrying out its statutory role.

The Board feels that the general state of the Prison is much more settled and calm than a year ago, much more so than statistics may suggest.

We still have concerns over the levels of violence. Violence is always unacceptable. However, the level of serious violence against staff, though somewhat erratic, is down on the previous year. Given the size and role of the prison, this is encouraging, as is the 'feel' of the prison, which continues to improve.

Debt is still the main contributor to violent acts, a situation which seems to be common within this part of the estate, though retaliation and gang related reasons closely follow. All of this is inextricably tied in to the drug culture. *(Section 4: Safety).*

Though the prison has been fully staffed during the year, latterly with some POELTs leaving and the lure of better pay at UKBA for some staff, there are some 30 plus vacancies across the prison. With this, and with many of the officers inexperienced, issues arise at times. It is hoped that under OMIC the Keyworker system will help to alleviate any problems and also lift some of the burden from some areas such as OMU, Reception and the Business Hub (Complaints). The Board applauds the establishment of a Dedicated Search Team. *(Section 12: Staffing).*

It is disappointing that some residents choose to stay behind their doors. The most significant underlying reason is debt, usually brought about by drug trading, and unless this is addressed then this situation will worsen. It is recognised by the Board that the setting up of B Wing as a Vulnerable Prisoner Unit has helped in this respect, but may merely have slowed the problem down. *(Section 4: Safety).*

Last year we reported on the appalling state of the showers on the Wings. This situation developed to the point that the Board took the unusual step of writing to the Minister when the funding, which had been put in place around May/June 2018 after continued pressure from staff and Management as well as IMB, was withdrawn.

The response from the Minister was far from satisfactory, effectively confirming the status quo, in that work on A and B Wings would continue, but that C to H would be refurbished as and when funds were available. Subsequently the Board has learned that

this refurbishment has been factored into the 2022/2023 budget. *(Section 7: Accommodation)*

The change from Carillion to GFSL (Government Facility Services Limited) has ultimately proved to have had marginal effect on the delivery of service and maintenance. Even minor repairs or replacements seem to take an inordinate amount of time. Equipment failures on the Wings – heating, hot water, self-cook area (ovens) and in the Kitchen have taken too long to put right. This is not decent. *(Section 7: Accommodation)*

The kitchen is continuing to produce good quality meals in numbers far exceeding its original planned capacity. The Board still deem it essential that the requirement to support Standford Hill residents is removed from Swaleside. The Catering Manager has continued to try to be innovative and the introduction of new menus has been a success, both from the viewpoint of ensuring correct choices and saving wastage. *(Section 7.1: Accommodation)*

The Healthcare contract remains with IC24 but the Board continues to receive complaints regarding the treatments offered and the waiting times for services. The Board does try to help residents understand that, in many cases, similar problems arise in the outside world. *(Section 8: Healthcare)*

As with many other facilities within the prison, workshop sizes were designed to cater for around half of the current operational capacity. This fact together with the lack of current work in some shops means that too many residents are unemployed and therefore remain unoccupied and inadequately prepared for release. The SMT and the Head of Reducing Reoffending are working hard to remedy this situation but it is essential that more purposeful work is found and that work available to the current workshops is increased. More opportunities for NVQs and similar qualifications must be found for the residents and this, in itself, requires the availability of more qualified instructors. The immediacy of the retirement of the Woodworking craftsmen, and the inability to replace even one tradesperson for more than six years does not bode well in this respect. *(Section 10: Work, Vocational Training and Employment)*

It is of concern that, despite the notional unemployment around the prison population, there is an almost daily failure to meet the required allocation to workshops and education. It does seem to the Board that there is a failure to apply the discipline necessary to ensure that residents are required to engage in employment or education for their own benefit, however the Board does accept that with residents serving life or indeterminate sentences it is difficult to apply the correct balance of incentive or punishment. *(Section 9: Education; Section 10: Work, Vocational Training and Employment)*

The Board very much supports and commends the Community Hub and its resident workers who are available to assist residents with their issues. It has been suggested that, with in-cell telephony, it should now be possible for residents to contact the support workers, both in and out of hours, by phone, which could help reduce waiting times for assistance. *(Section 5: Equality).*

The Board fully supports the moves towards 'dedicated' wings which has also allowed the staff themselves to develop enhanced skills to support the services provided; though it must be noted that with both a Wing housing Men Convicted of Sexual Offences and a Vulnerable Prisoner Wing there are logistical problems with movement of residents. *(Section 3: Description of the Prison)*

The success last year in reducing the number of residents in the Care, Separation and Reintegration Unit (CSRU) has not continued. The unit is almost always full. The member of staff who had been successful in moving residents on, has himself moved on and the new team has yet to make its mark. Too many residents are placed here on GOOD (Good Order Or Discipline) and more effort should be made to locate them elsewhere. (*Section 6: Segregation*).

Overall, the Board is pleased with the progress which is being made on many fronts and do see the indications, not only of a more safe and secure prison, but that an improved caring environment is being put in place for the residents. Management focus is firmly on the improvement of conditions for all residents.

Main judgements

Are residents treated fairly and humanely?

When the prison is fully staffed, despite any shortcomings in experience described in (*Section 2: Executive Summary; Section 12: Staffing*), together with the introduction of OMIC (Offender Management in Custody), which will essentially provide 'keyworker' availability for all residents, there should be a positive impact on the prison regime. Negative aspects which work against the fair and humane treatment of residents include:

The appalling current state of resident showers is detrimental to the common decency required for residents. (*Section 2: Executive Summary; Section 7.2: Accommodation*)

The lack of meaningful and rewarding work, generally, and in particular for B and H Wing residents. (*Section 5: Equality; Section 10: Work, Vocational Training and Employment*)

The apparent easy acquisition of drugs, phones and weapons by residents which not only increases violence and causes problems for other residents but multiplies debt problems, causes suicide attempts and is the root cause of residents electing to stay behind their doors. (*Section 4: Safety*).

The rodent infestation, and its causes. (*Section 8: Healthcare*)

The lack of equal opportunity for B and H Wing residents. (*Section 5: Equality; Section 9: Education; Section 10: Work, Vocational Training and Employment*)

The lack of a satisfactory waiting area in Healthcare for H Wing residents. (*Section 5: Equality; Section 8: Healthcare*)

Are residents prepared well for their release?

The answer in respect of those residents nearing the end of their sentences is simply 'No'. Swaleside is not regarded as a resettlement prison. The Community Hub, PACT and MSAP (Medway and Swale Advocacy Partnership) do help in dealing with basic requirements but this approach is not consistent or reliable. Importantly, residents have not generally been able to be transferred to their local resettlement prison within about 12 weeks of their release date as intended, partly due to the re-rolling of the prison into the LTHSE, and population pressures. However, the OMU Executive Officer has worked tirelessly to resolve this issue with the result that residents are now being moved out to HMP Belmarsh, when appropriate, prior to release.

Some of the courses offered in the workshops and Education do go some way to preparing residents for release, however, these are very few in number compared to the overall population, and also do not address the lack of availability of vocational courses to sex offenders and other vulnerable residents. (*Section 5: Equality; Section*

10: Work, Vocational Training and Employment; Section 11: Resettlement Preparation)

Main Areas for Development

TO THE MINISTER

In our report last year, we mentioned that it is essential that residents are provided with Resettlement Services, preferably in a prison nearer to their home as they reach the end of their sentences. This service has not been provided from Swaleside, even though 42 residents were released from the prison in the last year. *(Section 3: Description of Establishment; Section 11: Resettlement Preparation)*

The kitchen at Swaleside was originally designed to cater for about 650 residents, but nevertheless does a good job in catering for the current prison population. A problem arises in having to cater additionally for residents at Standford Hill, bringing the total for meals prepared to around 3000 daily. The Board have recommended that this added work should be removed from Swaleside. We understand that this will not happen due to prohibitive cost. The Board must add that, given the pressure on equipment, more failures should be expected and given the time taken for repairs/replacements to be obtained, then these will ultimately become critical. *(Section 7: Accommodation).*

The state of Swaleside showers has been mentioned in several previous reports. Recently they have been defined as 'the worst seen in any prison in the country'. This does not fit with a 'Fair and Humane' mantra. Nothing seems to change. This is a situation that would not be accepted or condoned in the wider world. *(Section 2: Executive Summary; Section 7.2: Accommodation)*

The length of time taken by the Prisons and Probation Ombudsman (PPO) to investigate complaints, one particular example of which is quoted in this report. However, the Board is continually reminded by residents of long delays to resolution, which causes irritation and a lack of belief in the system. We have been advised that there is a backlog due to heavy workload. *(Section C: Work of the Board)*

Replacement windows are essential if the prison is to prevent littering, improve hygiene and curb the rat problem. However it needs the budget to be able to do this. *(Section 7: Accommodation; Section 8: Healthcare)*

We highlight the work of the SOS team. *(Section 8: Healthcare)*

TO THE PRISON SERVICE

Workshops at Swaleside were originally designed to support a prison with 4 wings. Swaleside now has 8 wings with certified occupancy of 1111. This results in an unacceptably high level of unemployment and continued lack of vocational training, and this should be remedied by creating more meaningful work for residents. The Board does not accept that this shortfall can be satisfied by the creation of innumerable cleaning jobs (at one time one Wing had 47 cleaners on its roll). *(Section 10: Work, Vocational Training and Employment)*

The lack of equal opportunity for Men Convicted of Sexual Offences (MCOSO) and Vulnerable Residents should be addressed. *(Section 5: Equality; Section 7: Accommodation; Section 10: Work, Vocational Training and Employment; Main Judgements)*

The unacceptable number of cancelled outside hospital appointments which, apart from the distress that it causes patients, places a burden on the public purse and

wastes NHS time which could usefully be used for other patients. *(Section 8: Healthcare)*

The number of residents released directly from HMP Swaleside. *(Section 11: Resettlement Preparation)*

TO THE GOVERNOR

The efforts to improve the appearance of the prison and cleanliness have been considerable, but some of the results have been disappointing. Efforts must continue in order to remedy this issue. *(Section 7: Accommodation; Section 8: Healthcare)*

The efforts to prevent the ingress of weapons, phones and drugs are well appreciated and must continue unabated in order to improve this problem. *(Section 4: Safety)*

Attendance at both Workshops and Education regularly falls short of expectations. This needs to receive more attention. *(Section 10: Work, Vocational Training and Employment; Section 9: Education)*

A sustained effort is needed to try to reduce the number of residents on GOOD in the CSRU. *(Section 6: Segregation)*

IMPROVEMENTS

- The re-staffing of the DHL workshop with H Wing residents.
- The introduction of in-cell telephony.
- The use of the pygmy goats to attempt to create a calming influence on some of the more volatile residents, and subsequent introduction of therapy dogs.
- The Board commends the establishment of the Life Limiting Illness committee.
- The Board commends the work of the SOS team in dealing with very demanding residents.
- The use of the drug sensing machine, Rapiscan, has had a positive impact in reducing the ingress of illicit substances through the postal route.
- The installation of a brand new X-Ray machine in Healthcare.

3 DESCRIPTION OF THE PRISON

The Prison was opened in August 1988 and was part of a group with HMPs Standford Hill and Elmley. However, from 1st April 2017 became part of the HMPPS Long Term and High Security Estate.

Resettlement Services are not directly provided by Swaleside, as Swaleside should not be releasing residents from custody, but use is made of these services from outside the prison.

The establishment is primarily a Category B Lifer Main Centre training prison which accepts first and second stage lifers, section two automatics and IPP (Indeterminate Public Protection) residents. As at the time of writing there are 943 B category, 105 C category (plus 11 category D residents who have been returned from open conditions) in the overall population. There are 280 Lifers and 68 IPP. Between 1st May 2018 and 30th April 2019 42 residents were released from Swaleside. At the end of April, there were no foreign national residents, who had completed their sentence, awaiting deportation.

The certified normal accommodation is 1111 in single cells over eight wings. The CNA includes the CSU and Healthcare.

The Wings are being developed to a situation where they specialise, allowing staff to receive and utilise specialist training:

- Induction
- Mental well-being
- Drug Addiction treatment
- Personality Disorder (being treated by a specialist team)
- Lifer Unit – providing Enhanced facilities
- Vulnerable Prisoners Unit - newly-established
- Sex Offender Wing

Prisoners should normally be sent to establishments nearer to their homes between three and six months before their release date.

Contractors delivering services are:

- Healthcare provided by Integrated Care 24 (IC24).
- Inreach (Mental Health) provided by Oxleas.
- Minster Medical Practice providing GP Services.
- Pen Optical for Optical Services.
- Education since April by Milton Keynes College (previously by NOVUS).
- Maintenance Services since the collapse of Carillion are provided by GFSL.
- Spurgeons provide support for families at visits.
- Forward Trust (Formerly RaPT) provides treatment for drug addiction.

All figures recorded in this report are as of 30th April 2019 unless otherwise stated.

4 SAFETY

In our report last year, the Board commented on the unacceptable level of violence in the prison. It is perhaps a strange anomaly that the prison 'feels safer' on an everyday basis than last year and yet the figures show that violent assaults remain unacceptably high. The finds of weapons, phones and drugs continue unabated although improvements to the search regime continue to be made. The Dedicated Search Team is now well established and has improved the situation. They have made innumerable 'finds' which, just prior to this report cut-off, amounted to approximately £800,000 in prison value. On one day 29 items were found secreted inside a radio. However it is a worry that if so many finds can be made, how much more is out there. Also, how are these items getting in?

During the year the establishment has again taken great care to identify and record all assaults. This means that there is a high level of confidence in the figures. Even 'barges' and 'pushes' are defined as assaults, so the Board is confident that nothing is being missed. There were 247 resident on resident assaults (220 Last year) and 182 resident on staff assaults (133 Last year). These rises appear to be a result of better recording. There appears to be no trend to the figures, which are erratic on a month to month basis; however the number of serious assaults on staff by residents is falling with only 14 recorded in our reporting year.

The use of spice and other drugs by residents undoubtedly fuels much of the violence, and the debt it causes remains a major reason for residents to try to get themselves to CSRU or remain Self-Secluded behind their cell door. The price of tobacco within the prison has risen to extremely high levels since the establishment of a smoke free environment in September 2017. There have been more instances of 'hooch' finds this year, maybe because it becomes a substitute for drugs as some of the ingress is curtailed. Of particular note is the number of finds made by the Rapiscan machine since its introduction.

The number of residents choosing to self-seclude has risen from our last reporting date and now stands at twelve. This however is misleading as the numbers over the last two years have dramatically fallen from the 30 to 50 range, down to single figures.

Resident Emotional Well-Being Monitors (EWB) continue to be very successful as part of the help available to residents suffering from personality disorders. These residents have been trained by Oxleas staff that form part of the Inreach team.

Listeners (Prisoners trained by Samaritans) continue to offer valuable and beneficial support to those residents in crisis at all times.

The introduction of in-cell telephony has negated the need for Samaritan phones, but there are still a few kept in Wing offices in case there is a need when in-cell phones fail. The account is kept active for this reason.

During the reporting year there have been six deaths in custody, five of which are thought to be from natural causes, and one thought to be self-inflicted. The Board is impressed by the care taken during the DIC procedure and the manner in which the Governors, Chaplaincy and FLO ensure that the next of kin are approached, informed and supported.

There are five transgender residents currently at Swaleside.

A more comprehensive system of recording ACCTs was introduced during the year, so we have no comparative figures to set against last year. However, the system is now more robust and accurate and will allow interrogation on many different levels.

5 EQUALITY AND FAIRNESS

The Chaplaincy team continue to minister to the spiritual needs of residents. There have been changes to the personnel during the year; a new Roman Catholic Chaplain joined the team which will allow an enhanced spiritual and pastoral experience for residents especially those on H Wing. One Imam took partial retirement and a new Imam was recently appointed to cover the two days that were left open.

In addition to the three major faith traditions of Church of England, Roman Catholic and Islam (Muslim), other faiths are present and the department has visits from Pagan, Christian Science, Mormon, Jehovah's Witness, Buddhist, Sikh, Jewish, Hindu, Salvation Army and Free Church chaplains, as well as facilitating visits from the home ministry of less represented faith traditions. Unfortunately efforts to secure the services of a Rastafarian chaplain continue to be thwarted. The Residents' Faith Council continues to meet on a regular basis.

New residents are seen by one of the Chaplains within 24 hours of their initial reception into the establishment. During the last year the Chaplaincy department has liaised with residents' families where there has been serious illness (26) and bereavement (32). Chaplains made 14 pastoral visits to residents in outside hospitals whose condition was deemed serious. No marriage ceremonies have been performed this year.

Despite the appointment of the new Roman Catholic Chaplain it continues to be difficult to minister to those on the Sex Offender Wing due to the lack of facilities and Chaplaincy staff. The Deputy Director of Custody recently suggested that a facility for Chaplaincy activities and other events should be built within the confines of that residential unit. The establishment of the Vulnerable Prisoner Wing has caused similar issues but to a lesser extent.

There are also equality issues with other areas of the prison for the VP and Sex Offender Wings. Common facilities such as Visits, the Gym and Library are not as accessible, nor is the Chapel. Job opportunities are restricted, as is access to various different Education courses. Education has to be conducted on the Wing with a minimum class size of eight. There is no access to ICT or catering. The waiting area in Healthcare for H Wing residents is appalling.

The Board is impressed with the work carried out by the Community Hub. This is run by a team of residents as a resource for residents. The Hub assists with both internal and external issues guiding residents to the correct people or departments and providing information. The Community Reps attend the monthly Prisoner Consultative Meeting where issues raised by Wings and residents are discussed and often potential solutions found. The Board believes that more use could be made of the in-cell telephony as a means of enquiry to the Community Hub.

The Visits Hall was re-vamped during the year with new furniture and a huge mural painted on the end wall. Several Family Days were instituted and proved extremely popular. The prison took back control of the Tea Bar from the Coffee Bean Company, so this aspect of visits has suffered somewhat from staff changes and availability of

products. With more consistency of available meals/snacks, and speedier service, this could be highly successful.

The prison complaints system has received a great deal of attention during the year and is now supervised very closely at SMT level with daily reports at the morning meeting. At each meeting, the number of new complaints is reported broken down by area and issues. The overdue complaints are specifically brought to the attention of the Manager concerned. The Board is pleased with the operation of the complaints system and regularly monitors the situation and 'samples' the replies being sent. Justified complaints to the Board about the Complaints system itself are infrequent, and usually arise because of issues with other prisons, or that the resident simply does not like the answer.

There was a long backlog of DIRFs last year. This has now been cleared with a dedicated CM in charge of DIRFs which now appear to be being dealt with more efficiently. The Board satisfies itself that issues raised are being properly investigated in a timely manner. The Board also follows up on Comp 2s and randomly samples complaints responses.

6 SEGREGATION/SEPARATION, CARE AND REINTEGRATION UNIT

The occupancy pressure on this unit arises because of its size in relation to the total population of the prison given that it is intended to cater for both GOOD and CC occupancy. The capacity is 22 and in the latter part of the reporting period has almost always been at capacity. Pressure arises because of the continuing belief by residents that they will be able to achieve faster transfer to other establishments from the unit. Whilst this is generally not the case, and should not be, it is unfortunate that residents identify many examples where it appears to be the case. Generally early transfers may be achieved for troublesome residents due to personal contacts between Governors.

The unit has had an erratic year where there have been far too many changes in managing personnel leading to mixed messages as to the aims for the unit. During the first part of the reporting period the control of the unit saw a marked reduction in occupancy although it has to be said that this was also at the expense of increased 'self-seclusion' on the wings. At that point, the intent seems to have been to separate the two floors into 'rehabilitation' and 'punishment' but pressure of numbers did not allow this to be achieved. More recently, this idea has re-emerged supplanted by the addition of many cosmetic improvements to the rehabilitation area such as an association room and carpeting. It is difficult to see how this would be achieved in these days of budgetary constraint and how it could help control numbers trying to move to the unit of their own volition.

For several years, IMB have emphasised the need for a fully trained and dedicated staffing team on the unit since it has unique requirements when compared to the remainder of the establishment. Results have been mixed this year - at the beginning of the period there was consistency. However this fell away and IMB noted almost 'random' allocation of officers to the unit which led to more difficulties in view of the specialist nature of the job. More recently, staff experienced in the unit are becoming established and it now seems to be agreed that a dedicated workforce is needed. The Board is however, pleased to note that the regime for residents is achieved in that showers, exercise and access to telephone calls are provided to meet the required level.

The Board is invited, and do attend, the regular SMARG (Segregation Monitoring and Review Group) Meetings. Over the period, the average length of stay of residents in the unit was 30.5 days. This figure raises the major concern of the length of time that individuals are spending in the unit, for example 20 residents have had authority to

remain over 84 days. Several residents have stayed in the unit for over 150 days and one for 504 days. The Board feel strongly that this is not acceptable especially given that the UN protocol (OPCAT) regards solitary confinement as a form of torture or inhumane treatment. More has to be done to achieve transfers to other establishments and to improve access to secure hospitals on a timely basis where mental health may be seen to be deteriorating.

Board members have attended the majority of GOOD reviews, and indeed try to attend as many as they can. It has to be noted that at times during the period there was no Healthcare representative at reviews, however this vastly improved over the latter part of the year.

Special Accommodation was used for a total of 66 times during the reporting period. The Board confirms that they were notified of these occasions and that no resident remained in special accommodation beyond 24 hours.

7 ACCOMMODATION

Considerable effort has been made during the year to improve the appearance of all areas of the prison and its cleanliness. This has made a significant difference and some areas, e.g. H wing, are a very good example of what is required. However, other areas leave a lot to be desired and continue to occupy an excessive amount of staff time in trying to maintain cleanliness. The SMT continue to make this matter a high priority. Replacement windows would go a long way to improving the outside areas, and a more robust IEP scheme could be used to help maintain the inside areas.

Serveries and Self-cook areas – the daily regime at the serveries seems to have improved with recording sheets being completed, temperature probes being used and cleanliness and hygiene standards rising. These serveries achieved a level 5 Hygiene rating this year. This was mainly as a result of the management of the serveries being taken over by the Catering Manager. Standards on the Wing self-cook areas, however, are less than satisfactory, ranging from acceptable to appalling. A clear strategy and a system of implementation of that strategy are missing and the risk of a serious food poisoning outbreak is possible. A program of rewiring, from single phase to three phase, is being undertaken, with new six ring cookers being installed in the self-cook kitchens. This is a welcomed improvement, but already these units are lacking the correct cleaning approach.

During the last month of our reporting period the A Wing self-cook area has been variously described by members as ‘absolutely disgusting’, or ‘appalling and should be shut’, though we are aware that there is an on-going programme to improve all self-cook areas. This was only highlighted at our 1st May 2019 Board meeting and, although we have to include it, we recognise that Management has had as yet no chance to respond.

E Wing is virtually two separate Wings in that the Forward Trust (substance misuse) side (South) is generally clean and tidy. There is a self-cook problem as with other wings including some equipment not working and day-to-day cleanliness questionable. The showers are well kept. The West side is much the same as other wings in that cleanliness leaves a lot to be desired. The pool table is badly damaged and needs replacing. The Wing has had many troublesome residents over the year as evidenced by the daily report although much improved towards end of reporting year. Litter continues to be an issue around the establishment, despite the efforts of the SMT to address the problem. There seems to be a culture of littering which goes unchallenged. The area outside E Wing is a constant eyesore, yet the perpetrators are easily identifiable, as it has come from the opening windows. There was one instance

in February when the regular litter-pickers trod in human excrement that had been thrown outside. Given the large number of cleaners within the establishment, coupled with the high rate of unemployed residents, a strategy should be devised, perhaps linked to the IEP system, to provide a long term solution.

There is also visual evidence of lines being used between cells to move contraband and other items around. This and the litter problem could be solved by replacing the windows with a non-opening variety, which would also assist in reducing the rodent problem. In contrast, recently, both serveries on E Wing have been exemplary, largely due to the influence of the Cleaning Officer.

The dishwasher on F Wing is currently broken and full of mouse droppings. It has been out of action for at least 6 months and the Board have continually raised this as a health & safety issue but have only received various reasons as to why it cannot be moved.

The self-cook area has been rewired and the cookers are working well. Cleanliness is good.

G Wing, along with H Wing, has been the worst victim of the rodent problem, with rats actually making their way inside the Wing as far as level 3 and into the servery; and droppings are to be seen in heaps in the gateways. This is unacceptable.

The showers are in very poor condition.

During the winter months there were several occurrences of the heating and hot water not working at all, because of a boiler problem, leaving the residents in completely cold conditions. Again, this is unacceptable.

H Wing is the tidiest and cleanest of all the Wings. However H Wing residents suffer from a lack of equal opportunity across the spectrum of Activities, Employment, Education, Visits etc.

7.1 Kitchen

The kitchen continues to produce a total of around 3000 lunches and dinners everyday feeding the two sites of Swaleside and Standford Hill. Originally designed and built for 4 wings at Swaleside, around 650, the kitchen now produces food for 1600. The Catering Manager and Staff are to be congratulated on achieving this.

The kitchen fulfils its obligations to cater for religious festivals, fast days, special dietary needs and regular family days. It has a staff of 12 and employs 28 to 34 residents. It has a hygiene rating of 5. The repair and replacement of equipment is barely adequate. The staff, both professional and resident, are to be congratulated on meeting their targets particularly during times when there have been equipment failures.

The new menu system seems to work well and has contributed to reducing wastage.

The Board has been concerned over the period about the hygiene and cleanliness of the serveries on the Wings. These are controlled by the wing staff. Even when cleaned properly which is not always the case by any means, the catering equipment is not up to a decent or proper standard. The condition of the walls and floors in the food areas is in a very poor state. The documentation concerning the food particularly the proper recording of temperatures requires close scrutiny. We believe this aspect of the catering operation requires improvement. During the year, the Catering Manager took over management of the serveries, which have now achieved a Level 5 hygiene rating. Wings also have their own self-cook areas. These have recently been upgraded with more robust cookers. This may take a certain amount of pressure off the main catering operation. This option works well within the prison although the Board has serious concerns regarding the cleanliness of these areas. There is still a possibility that a self-cook payment could be made to those residents who use that facility in order to

alleviate the overall kitchen pressure somewhat, but that may be a 'sticking plaster' solution.

7.2 Showers

The parlous state of the showers on all of the Wings has been raised by the IMB at Swaleside for several years, and, after continued pressure from staff and Management as well as the IMB, we were assured that the funding for this was in place around May/June 2018.

We were subsequently informed that the funding had been withdrawn in December and that only A Wing would be completed, leaving B to H Wings, plus the Gym, to continue to deteriorate. This can only be demoralising for all concerned and could ultimately lead to friction with, and between, residents. From a decency viewpoint this is an unacceptable situation.

HMIP also raised this issue of the showers in their report of December 2018, noting "too many showers were out of use or in very poor condition"; and that the issue had been addressed because funding had been secured. With the funding later withdrawn, this HMIP criticism is still outstanding.

These showers do not fit with "humane and decent" accommodation, and, indeed, represent a Health and Safety hazard, which can only get worse.

In any closed establishment, let alone a potentially volatile Long Term High Security Estate location, it takes only adequate funding and effort to maintain good relations with residents, but conversely, if issues that affect basic decency and cleanliness are not addressed, then there could eventually be dire consequences.

Prior to the publication of our last Annual Report, an inspection of the showers by the LTHSE Senior Health and Safety Manager, resulted in him describing the Swaleside showers as "the worst seen in any prison in the country". Since then, more than a year has passed and only A Wing has seen any improvement, and that has latterly been the subject of criticism by the residents; and we now understand from Management that several issues have been discovered that will cost a minimum of £60,000 extra to correct; and this is only the first Wing.

With C to H Wings now deferred to the 2022/2023 budget it is difficult not to be critical of a Service where withdrawal of funding undermines fairness and decency. This is a fiasco and is unacceptable.

8 HEALTHCARE (including hygiene, mental health and social care)

Primary care is provided by Integrated Care 24 (IC24), with Minster Medical Practice providing GP Services, Pen Optical for Optical Services and Mental Health (Inreach) provided by Oxleas. We are now 1 year into the new contract and things seem to be progressing well.

A new Head of Healthcare was appointed during the year.

The Board is still concerned that this unit continues to house residents with more severe mental and physical conditions who would benefit from specialist care at more appropriate facilities.

Waiting times for dental, optical and podiatry care are commensurate with those in the outside world, if not better. Healthcare has received no complaints in this regard for at least six months.

One staff member has a podiatry qualification and is now triaging patients and only then referring the more serious cases, where she cannot deal with them herself.

The installation of a brand new X-Ray machine is a welcome facility which should assist in cutting waiting time and also reducing the number of outside hospital appointments.

However, the Board does have some issues. One is the appalling way in which H wing residents are kept whilst waiting for their appointments. The room is small and ill-equipped, with no toilet or drinking water. Temperature is a problem especially when the number is large. Perhaps worst is the fact that, despite a domestic type doorbell being fitted, this seems to be ignored or unheard by officers on duty by the main gate. There are examples of residents having to relieve themselves in the room when they are left for long periods. Residents are reduced to having to bang continuously on the door to seek attention.

Second is the continuing saga of cancelled NHS appointments due to lack of escort. The latest figures are fairly horrific, showing 576 appointments cancelled by the prison (out of a total of 1026 cancellations) in this reporting year. This is out of a total of 1872 appointments, or 30%. The burden and expense that this places on the NHS cannot be understated and needs urgently addressing, not only in this area but nationally. The prison staffing is profiled to allow for six accompanied external visits per day, however, the demand is greater than this as it includes appointments, funerals etc. Cancer patients are still prioritised but the consequences often mean other residents having to be put back on to a hospital waiting list.

We have also had complaints of difficulty in getting doctor's appointments.

The Life Limiting Illnesses Committee meets fortnightly since its inception in January 2018. The group identifies and plans how to manage life limiting illnesses and how to prepare for the death in custody of residents from natural causes. The purpose of this is so that due respect can be given to the dignity of residents in these circumstances. It consists of the No 1 Governor, Healthcare, OMU, Safer Custody, Chaplaincy, Family Liaison Officer, Manager of the local Hospice and various KCC agencies. The IMB attends as an observer.

The concept is to ensure decency for those suffering with life limiting illnesses or for those whose lives are coming to an end in the near future; to identify suitable treatment and, where appropriate, to make arrangements in advance for a decent death. For example this may involve formulating plans for dealing with issues such as arranging for Social Care Assessments, transfer to Category C prisons, providing suitable living conditions such as appropriate furniture and cells, planning for palliative care with GPs, the issue of DNR notices, contact with relatives, applications for compassionate release and briefing of prison staff.

The leading Coroner of the area has also attended this meeting on one occasion and is aware of the work that the group is doing.

There are currently around 15 prisoners on the agenda.

Mental Health services (Inreach) continue to be provided by Oxleas. The service is located on the wing established as the Emotional Well-Being Support Centre which continues to have significantly positive results in improving care for residents needing support. The only negative aspect is that, with so many residents needing support from this facility, there is a long wait from referral to interview, although the Board acknowledges that this has dramatically reduced over the latter part of the reporting period.

The Swaleside Outreach Service (SOS) started in August 2018 and is a partnership between HMPPS and Oxleas NHS. It is a multi-disciplinary team consisting of operational staff, psychologists and a mental health practitioner who work closely with

men who are identified for the service. The aim is to help residents whose behaviour in prison is considered to be challenging, violent and disruptive, to better manage themselves and reduce their use of violence and disruptive behaviour. The caseload is currently 21. Needs of the individuals are assessed and individual management plans to help encourage them to develop their strengths and help them progress through their sentence. The team work closely with Violence Reduction and give regular and structured support to Wing staff to help manage these men who exhibit challenging behaviour. Although in its very early days we consider that SOS has made a very positive contribution to helping Swaleside deal with its most difficult individuals and we strongly commend this initiative.

Rodents – the presence of large numbers of rats around the establishment is an ongoing issue. A contract with Rentokil is in place but one must question the ‘value for money’ of this arrangement. The issue is exacerbated by bags of rubbish, not stored in bins and a high level of litter. Rat faeces are evident on a daily basis and are not cleared away regularly. This problem largely affects G Wing, where rats are getting inside, H Wing, and the area around Industrial Zone 6 (Marley) and Recycling, where many rat holes and droppings are in evidence. At least one member of staff has been tested for Weil’s disease.

9 EDUCATION AND OTHER ACTIVITIES

The Ofsted report gave the Education Providers a grade 2, a strong good, but the overall grade for the prison was 3 due to poor attendance and punctuality. Average attendance through the year was 70% although the prison had only allocated 84% of the potential space. At one point it reached a low of 40%. These levels are unacceptable.

The 20 interactive tablets issued to Swaleside as a trial have had a positive effect on teaching and learning.

A notable example of achievement is the case of one resident, who came to Swaleside with no English or Maths at all, and has won a High Sheriff’s award for achieving an Award in Education and Training (AET) Level 3. He is now delivering Maths and English lessons to other residents on B Wing.

The Open Academy has now moved from B Wing to the Education Department and has 38 men participating in Open University degrees. There are also 68 other men in the prison active in Distance Learning. These are mostly A Level or equivalent courses. The Open Academy is now thriving and it is a testament to its success to see prisoners so completely motivated and engaged by their new studies.

10 WORK, VOCATIONAL TRAINING and EMPLOYMENT

The whole of the resident population of HMP Swaleside cannot currently be accommodated in employment. There will be at least 260 men unemployed. There is also unused workspace due to flooring issues.

INDUSTRIES

The year started on an optimistic note with a new Head of Reducing Reoffending in place and shortly after a new 3 year development plan for Activities was put in place. A major target was to restructure Industries to move the workshops away from the more mundane tasks to provide greater opportunity to develop residents' skills. There were some major issues, but it was felt that none of these were insurmountable.

Areas for concern:

The Head of Reducing Reoffending is moving on and it is hoped that there will be a continued focus on meaningful activities that really reflect the title of "training prison". There are only enough workshop spaces for about 30% of the resident population and more than half of these are not considered 'vocational' and do not provide any transferrable skills or portable qualifications. They are also not operating at full capacity. However these figures are slightly better than a year ago. There has been a lack of stability in the type and quantity of work during the year.

None of the vocational training workshop places are available to residents of H Wing (sex offenders).

The Marley workshop output has fluctuated throughout the year, dependent upon which Wing(s) are manning it.

Vocational workshops suffer from a lack of instructors. This results in low levels of resident workers.

In last year's report the length of time taken to get the second engineering workshop up and running was mentioned. It had been approved over a year before and the budget was agreed in August 2017. This workshop is still not fully operational. The electrics have finally been installed and it is hoped that the workshop will be operating at full capacity in the near future.

The recycling 'bungalow' which was highlighted in last year's report has finally had its refurbishment completed, but has only recently been operationally signed-off, so the recycling project continues to limp along. Two flat-packed wooden buildings have been awaiting erection for some time and it is felt that this project cannot move forward until this happens - lack of funds was stated as the reason.

Unfortunately the much praised Zone 7 MOD camouflage workshop has run into problems. The MOD contract has ceased due to it now not being cost effective. Its potential replacement, Pineapple Beds, has not been able to supply enough work for the men, so this flagship workshop is now reduced to being an overflow shop for Marley assembly. The workshop roof still leaks.

Notable achievements:

The woodwork shop has regained its fire door contract and, along with the manufacture of garden benches, changing room benches, planters, tables and various other smaller items, is currently very successful. It has 18 residents on the books of which 9 are participating in the Woodwise course. This workshop has also suffered

from a lack of staff having been one instructor short for over 6 years because of an inability to pay a competitive wage. Given the ages of the current two staff, they could both have retired within two years. This does not bode well for the future of such a successful workshop.

The continued failure to adequately supply the required quantity of resident workers for the DHL workshop was addressed in one fell swoop, overnight, when G Wing workers finished their shift on one day, H Wing workers took over the operation the following morning. This action was seen as necessary by the Management as 'production' levels had reached an all-time low, several prison contracts had been lost and pilfering had reached £1200 per week (plus the added cost of unblocking toilets where the product wrappers had been secreted). The net outcome was an immediate boost in production as resident staffing reached maximum levels, pilfering became non-existent and lost contracts started to return.

Electrical Lighting Repair has been largely successful, though there have latterly been issues around the amount of work coming in, and the number of resident workers absent on courses.

Industrial Cleaning has been running the BICS course. Two residents have completed it in the last year. BICS will no longer promote cleaning courses which have been taken over by Wamitab, who will sponsor a different style of course, but which will still lead to an industry recognised qualification.

Gardens: are still offering NVQ Level 1 in Horticulture.

Potential:

The potential start-up for the production of aluminium windows.

The opening of the 2nd Metalwork shop, which will now offer at least 2 types of welding training. It is currently manufacturing stainless steel goods, including beds for the prison estate.

11 RESETTLEMENT PREPARATION

As has been stated over many reports, the Board is still concerned at so many residents being released from Swaleside (42 this year) since this is not a resettlement prison and has no means of supplying resettlement services for residents. We must commend the OMU Executive Officer for her continued work in this area which has resulted in a marked improvement on last year's figure of 77 as Belmarsh has been used as the releasing prison. This obviously does not satisfy the geographical problem of prisoner release, but at least it constitutes release from a Local Prison where they have the experience and facility to do so. OMU report that local prisons remain free to reject appropriate requests for transfer due to a resident's conduct record. In addition, places in London prisons remain scarce. This situation is still unacceptable given the stated agreement to transfer a resident to a prison in his home locality within 12 weeks of his release date.

There will however always be some releases from the prison due to residents being granted parole.

OASYS completion is still a problem, with 127 residents without an initial assessment at the time of writing, and new arrivals entering the prison without OASYS having even been started. This means that there is no sentence planning for these residents.

However, where OASYS has been completed, sentence planning, including any requisite programmes, is put in place.

Forward Trust operate the SDTP (Substance Dependency Treatment Programme) on E Wing, which comprises a 6 month residential course: MET (Motivational Enhancement Therapy) is for the first month, introducing the men to a variety of Harm Minimisation Topics (Safety, Relationships, NPS, Triggers, Anger, Effects, Disease Concept). The Primary work takes the residents through the first 5 steps of Narcotics Anonymous. At the time of writing there are 18 residents engaged in the complete programme. However, the clinical load over the whole prison is around 200 residents who are those on Opiate Substitute Therapy, (Methadone and Subutex) some of these men are on safe reduction plans.

Recovery Skills Workshops are low intervention classes helping the men address their issues in group form and there are around 30 residents on this programme at any one time.

12 STAFFING

Although staffing levels have increased to the point that there is no longer a requirement for detached duty staff, the number of inexperienced officers has grown. The current training does not seem to prepare officers for the requirements arising from facing residents on the Wings, CSRU and in the Inpatients Department (IPD). The 'buddy' system doesn't appear to have bridged that gap as yet.

The attitude of some staff towards residents leaves a lot to be desired, and is not a good example to less experienced officers. These are however in the minority and management is aware of the issue.

Following the comment in our last report the prison is now profiled for six escorted externals per day. This has to cover all external appointments plus other engagements such as funerals etc. Though this is a welcome improvement, it still cannot cover the numbers of hospital appointments made.

The Board is pleased to see the work of the Dedicated Search Team.

Section C – Work of Board

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

A member of the Board attends Senior Management Team meetings and the Chair attends South East Area meetings, though we are also endeavouring to conduct quarterly meetings with the LTHSE Director via conference call as we believe that time and cost considerations for a 3 to 4 hour meeting in the North of England with overnight accommodation is prohibitive. Thus far our entreaties have been unproductive.

Other meetings attended include: Violence Reduction, Security, Prisoner Consultative, Reducing Reoffending, Public Protection, SMARG, Life Limited Residents, Safety Intervention Meeting.

Inquests for deaths in custody were attended on all days where possible.

Ostensibly, IMB does not get involved with property issues; this is something that should be handled by the Prison Service. However, on one occasion this year the Board was so incensed by the treatment afforded to one resident that we took the unprecedented step of writing to the Prisons and Probation Ombudsman (PPO). The resident concerned, whilst at Thameside Prison, was caught up in the sad instance of

his cell-mate and friend dying in their cell. Quite rightly he was removed from the cell which was sealed. Sometime later, prison officers cleared the cell and handed all of the contents to the deceased's family, in error. This left the resident who had been moved with only the clothes that he stood up in - and nothing else. He later transferred to Swaleside in the same condition. His case was taken up by Swaleside Management and, pending full compensation from Thameside, who had admitted fault, the resident was advanced £150 in part compensation so that he could acquire some clothing. HMP Thameside then flatly refused to pay anything at all and told Swaleside management that the resident would have to go to litigation.

On 1st August 2018 the Board wrote to the PPO. On 21st March 2019 we received an email informing us that the matter was being investigated. The attitude of HMP Thameside is unacceptable; the delay in investigating by the PPO is also unacceptable, and it is little wonder that residents have little faith in this process – we are consistently being told of delays by residents. Had it not been for the compassionate advance of £150 by Swaleside management then this resident would have had no change of clothes, however basic, for the best part of a year. He is currently paying back the £150 advanced to him at the rate of 50p per week whilst patiently awaiting what is due to him. To make matters worse, if that were possible, private paperwork, photos, benefit paperwork and court paperwork were also handed over – a clear breach under the Data Protection Act.

Apart from this case, there were also a number of applications relating to property that had been sent in by family members and had been lost after being signed for by staff, but before being released to the resident.

Membership

At the end of the reporting year the Board comprised 14 members, including one JP. Five members were in training at the date of this report. Only one member lives on the Isle of Sheppey. There are only two females on the Board and nobody from the ethnic minorities.

Recruitment

During the year the Board has had one highly successful recruitment campaign and several that were not so good. Two members were recruited earlier in the year and one still remains with us. Latterly an exceptional campaign saw five appointments.

Visits to the Prison

Members of the Board made 471 visits to the prison in the reporting year. Apart from Board meetings, one member was usually in the prison most weekdays. Owing to inadequate board numbers, compromises continue to be made as to which areas of the prison are monitored, though Members attempted to visit their areas of special interest as well as the Care, Segregation and Reintegration Unit, Healthcare and the Kitchen on a regular basis. It is hoped that with a now larger Board, when the new members are fully trained, coverage of all areas will improve.

Training

The Annual Team Performance Review Questionnaire was completed and areas for improvement were identified and actions implemented. Currently all members are up to date with their required training and have also taken part in other Prison Service arranged sessions. The BDO also arranges for a guest speaker at each Board meeting.

Confidential Access

The Board received 52 confidential access applications (47 last year). Only 34 were worthy of the Confidential Access procedure, the rest appearing to be an attempt to circumvent the proper process. These applications were returned to the sender with an appropriate message.

A problem arose regarding Confidential Access applications addressed to the Board where the complaints were against named Prison Officers. It had been Board policy to copy these forms and hand them to the Governor for investigation, whilst the originals were kept on file for monitoring purposes.

At one point during the year the Deputy Governor made the decision not to accept Comp 2s passed to management by the IMB. The reasons given were that these forms were addressed to IMB and not the Prison Service, and as such, if the Prison Service dealt with them it would be in contravention of the PSI and GDPR.

The Board does not accept that this would be in contravention of the PSI, but does accept that it contravenes GDPR. However, we do not know of any other prison that has adopted this approach.

Our Board's recommendation would be that IMB is removed from what is a Prison Service form and that we simply rely on our own application forms, which carry a signed waiver and are confidential in themselves.

Applications

There was a significant decrease in applications to the Board. This may have been in part due to some of the property applications being returned, but more likely that officers were dealing with more of the residents problems on the Wing. This can only improve with the roll-out of the keyworker scheme.

BOARD STATISTICS	
Recommended Complement of Board Members	19
Number of Board members at the start of the reporting period	11
Number of Board members at the end of the reporting period	14
Total number of visits to the Establishment	471
Total number of segregation reviews attended	437

Section D - Applications

Code	Subject	Current reporting year	Previous reporting year
A	Accommodation including laundry, clothing, ablutions	22	26
B	Discipline including adjudications, IEP, sanctions	28	24
C	Equality	23	17
D	Purposeful Activity including education, work, training, library, regime, time out of cell	27	26
E 1	Letters, visits, phones, public protection restrictions	30	45
E 2	Finance including pay, private monies, spends	33	10
F	Food and kitchens	16	21
G	Health including physical, mental, social care	111	130
H 1	Property within this establishment	122	117
H 2	Property during transfer or in another establishment or location	74	81
H 3	Canteen, facility list, catalogue(s)	14	25
I	Sentence management including HDC, ROTL, parole, release dates, re-categorisation	50	75
J	Staff/resident concerns including bullying	108	107
K	Transfers	32	64
L	Miscellaneous	74	118
	Total number of IMB applications	764	886