



Annual Report
of the
Independent Monitoring Board

at

HMP GARTH

For reporting year
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Monitoring fairness and respect for people in custody

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1 STATUTORY ROLE OF THE IMB

The Prison Act 1952 requires every prison to be monitored by an independent Board appointed by the Secretary of State from members of the community in which the prison or centre is situated.

The Board is specifically charged to:

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

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

Main judgements

Are prisoners treated fairly?

The Governor is now well established in his role. His rehabilitative approach to the management of prisoners is increasingly becoming accepted by staff and is becoming embedded in operational practice and is therefore becoming a way of life in the prison. This leads to an improved consistency of approach by staff and is increasingly supported by the introduction of the key worker system. Work around equality and diversity continues to be given priority and seeks to ensure fairness of treatment for all prisoners.

Are prisoners treated humanely?

There is a positive emphasis upon the humane treatment of prisoners, although we would report that too many prisoners are held for too long in the segregation unit and waiting times for acute mental health beds are also much too long. Equally the transfer of prisoners to other specialist units in the long term and high secure prison estate (LTSHE) is at times delayed, necessitating excessively long detention in the segregation unit.

Are prisoners prepared well for their release?

Because HMP Garth is a category B prison in the LTHSE, few prisoners are released from this establishment. However high quality education and offending behaviour programmes help to prepare for eventual release. The training provision in the workshops needs to offer better training leading to prisoners gaining worthwhile qualifications.

Sentence planning has steadily improved but further improvement can be expected when more probation officers are introduced to the department, thus giving greater consistency to preparation for release.

Main areas for development

TO THE MINISTER

The Board continues to be most concerned about the too-high number of prisoners serving indeterminate sentences for public protection (IPP) who continue to be held in the prison both pre-release and on recall. We continue to believe that the law should be revised to allow for the timely release of these prisoners, many of whom have served up to fourteen or fifteen years beyond their tariff dates.

Specialist mental health beds, and access to them, need to be increased as a matter of urgency.

TO THE PRISON SERVICE

The Prison Service needs to ensure that prisoners who need access to specialist units are able to access them speedily to avoid spending excessive periods either in an inappropriate prison or region, or in segregated conditions.

The Prison Service continues to have a responsibility to ensure that prisons are adequately staffed in terms of numbers and training of new recruits. It is clear that many new recruits do not remain in post because they believe that pay and conditions of service do not compensate for the daily risks that they encounter. Continuing staffing difficulties continue to impact upon the Governor's capacity to deliver a full and effective regime and upon staff morale.

TO THE GOVERNOR

Continue to address the movement and release of IPP prisoners.

Strive to address the unacceptable waiting facilities in healthcare.

Continue to address the transfer of gated cells from the segregation unit to healthcare.

Further improve the conditions on landing 1 in the segregation unit.

Improve the number and quality of vocational courses in the workshops.

Continue to work proactively towards the reduction of violence in the prison.

Improvements

3 DESCRIPTION OF THE PRISON

HMP Garth is a category B training prison. It opened in 1988 and holds long term and life sentence prisoners, together with IPP prisoners. It has a maximum operating capacity of 845. It is now a part of the long term high security estate.

Main service providers are Education and Offender Learning Skills Service (OLASS), Lancashire Healthcare NHS Trust, Discover drug and alcohol service, Amey (maintenance contracts).

The prison has two specialist units, the Beacon Unit, which treats prisoners with profound personality disorders and is jointly operated with Mersey Care NHS Trust, and the Building Hope Unit for prisoners with additional disruptive needs. There are also three specialist wings, two of which house vulnerable prisoner, who are predominantly sex offenders.

Evidence sections 4 – 11

4 SAFETY

The report by Her Majesty's Inspectorate of Prisons on 2017 highlighted significant safety concerns relating both to prisoners and staff. Since the publication of the report great emphasis has been placed upon improving this assessment. It is fair to say that improvements were being made at the time of the inspection but these had not been fully implemented.

Garth was identified as being one of the ten most violent prisons in the country. Violence remains high but is not increasing. This is due to an improved drugs strategy, better support for victims of violence, a new collaborative multi-disciplinary working group which identifies vulnerable men and provides appropriate support, and a new complex case forum which identifies those individuals who are failing or not progressing and is able to refer to other provisions as appropriate.

A new key worker scheme is being introduced which will provide personal support for prisoners. This scheme is seen as being vital to the close support and management of prisoners.

It is also felt that the introduction of a rehabilitative culture and procedural justice is impacting positively upon levels of violence and safety. On the negative side there are high numbers of assessment and care, custody and treatment (ACCT) documents (for prisoners at risk of self-harm or suicide) at any given time, typically 25 to 30 throughout the prison, and it is suggested that the ACCT strategy should be reviewed particularly since there were two apparently self-inflicted deaths within this reporting period. Further assessment may be made when the final reports on the investigations into these deaths are received.

Despite the fact that there is a good drugs strategy in place drug usage remains a major problem in terms of usage and associated bullying. This will continue to be monitored in future reports.

The prison has a good network of Listeners, peer mentors and Samaritans and first night arrangements are good.

The prison has a good and effective fairness and equality strategy managed by a dedicated and committed governor who has revitalised the strategy. This is a work in progress that will continue to be monitored.

There are effective LGBT, disabled and older prisoners' forums in the main prison and also on the wings for men who have committed sexual offences. The provision for transgender prisoners was made was addressed during this period. The number of transgender prisoners is very low, two being identified but their needs and vulnerabilities are recognised.

Black History Month was held during this period and was well received.

Work with army veterans commenced during the year and the outcome will be monitored.

The equality strategy team has worked hard to ensure that minority groups have been given a voice within the prison.

Provision for staff and prisoners with disabilities has been poor but is being addressed and it is hoped that lifts and stair lifts will be installed in the near future.

The prisoner complaints process is well established and effective. The Board has monitored this in the context of the number of applications received and the relevance of the Board's interventions. By encouraging prisoners to address their complaints through the normal process, and by using IMB as a last resort the number of applications received has reduced greatly and complaints have been referred more frequently to appropriate staff and departments, thus improving the complaints system.

Prison information desks (PIDs) have been established on each wing and are working well.

Family days have been re-established.

In the visits hall prisoners are allowed to wear their own clothes although this privilege may be removed because of drug usage or reduced incentives and earned privileges (IEP) status. The visits hall is bright and welcoming and a good canteen operates but the process of admitting prisoners could be improved.

This has, for too long, been a troubled unit with, the Board believes a disproportionately high number of prisoners being segregated. The unit can hold a maximum of 28 prisoners and it is nearly always full, indeed prisoners are frequently held in segregated conditions on their wings when capacity in the Segregation Unit is insufficient. It appears that the reasons for this are many and various. The reasons and causes are not clear and it is suggested that a full analysis of the causes and solutions be carried out in order to reduce the high number of segregated prisoners.

It can be demonstrated that too many prisoners have been held in the unit for long periods of time, sometimes receiving confusing and conflicting information about their progression both within this prison and towards move-on to more appropriate prisons. This causes unnecessary anger and frustration which in turn leads to further poor behaviour. Accurate statistics are not available at this time and this issue will continue to be monitored. It is believed that this is a problem in other prisons and that, therefore, the whole question of prisoner transfer should be reviewed. It is understood that there are too few Category B Training Prisons in England and Wales and that, therefore, appropriate and timely transfer of prisoners can be seriously affected.

It is clear that a high proportion of segregated prisoners have mental health and/or personality disorder problems. It is difficult to gain a clear idea of the numbers of prisoners affected, not least because diagnosis of conditions can outstretch resources. A pathway to progression process has been implemented, which identifies the psychological and mental health needs of the prisoner in order to determine the most appropriate provision. This is proving to be of value but it is not working as smoothly as it might because it is too frequently not possible to access specialist provision outside the prison. Again delay causes frustration which in turn causes further poor behaviour.

One positive attempt to improve prisoner behaviour in the unit has been to establish a split level of privileges on the two landings in the unit. This means that the more difficult prisoners are held on the "ones" and may progress to the "twos" if their behaviour justifies the move. Physical conditions on the "ones" are poor and in need of urgent improvement. This is partly as a result of damage caused by prisoners, but lack of electricity, poor sanitation etc. are not acceptable and this needs to be fully addressed as a matter of urgency.

Due to the difficult nature of this unit it needs to be managed by a dedicated team of volunteers rather than directed staff. This is recognised and addressed but the high number of inexperienced staff in the prison makes achieving this difficult.

The Board strives to attend all of the segregation review boards and is generally satisfied with the way these boards are managed. This has improved since determined efforts were made to have boards run consistently by the governor responsible for the unit. Segregation unit documents, including the daily log, page 16s (the daily contact log kept for each prisoner), authority to segregate forms, segregation health screens, ACCT documents etc are always properly completed and up to date.

Finally the urgent need to provide good standard changing and toilet facilities for female staff should be addressed as a matter of urgency. The lack of suitable facilities, which is dependent upon financial provision, has a serious effect upon staff morale, especially when staff are required to deal with "dirty protests" and other insanitary situations. Please note that this matter has been raised in several recent reports without funding being provided to resolve the issue.

7 ACCOMMODATION (including communication)

Significant improvements have been made to the overall appearance of the prison. There has been a substantial painting and decorating programme, including imaginative artwork, and new flooring in many parts of the establishment. A prisoner has been delegated to carry out inspections to determine what work needs to be carried out and this has been very successful. New furniture and fittings have been provided, dependent upon need and available resources. Emphasis has also been placed upon the maintenance and cleanliness of exterior areas, with green spaces increasingly being attractively laid out and provided with flower beds, hanging baskets etc.

Ongoing maintenance in the segregation unit remains problematic because of continuing damage by some of the more difficult prisoners.

Further improvements need to be made to showers in various parts of the prison. Privacy needs to be ensured and improvements are needed in this area.

Prisoner regimes continue to be problematic because of continuing staff shortages caused by inexperienced staff, resignations, training and sickness. These problems are well managed by staff although it is felt that normal regimes are curtailed more frequently than they should be. Accurate statistics are not available at this time. This issue will continue to be monitored.

No major issues have been observed relating to food, kitchen hygiene or the serving of meals. Within a very limited budget, prisoners' food is varied, nutritious and well-presented and specialist diets are properly catered for. The Board almost never receives complaints about prisoners' food.

There have been a number of complaints recorded about prisoners' laundry facilities, mainly because of poor maintenance of washing machines and driers. In general there have been ongoing concerns about the performance of Amey, the maintenance provider.

Complaints about property issues within the prison have reduced during this period. However there continue to be many complaints about the transfer of property from other establishments.

The Board fully supports the introduction of the key worker programme. This has not been fully implemented during this period, mainly because of staff shortages, although progress is being made and benefits are already being seen. We will continue to monitor this, partly to ensure that ongoing staffing problems do not allow this important development to lapse as did the personal officer programme.

In general prisoner access to canteen and mail order facilities works well, with this area attracting few complaints.

Communications between staff and prisoners has improved significantly. Each wing has a prisoner information desk (PID) and prisoners are encouraged to contribute, through wing representatives, to the new prisoner council and other established fora.

8 HEALTHCARE (including mental health and social care)

The structure and management of the healthcare department remains the same as in the previous year. The Board reports an increase in the number of applications regarding healthcare issues, from 23 to 31, but this continuing low number is an indication that few significant problems have been recorded about this department. Most applications have related to medication and appointment problems, which have been easily and speedily resolved.

The Board has concerns about the number of prisoners who have, or appear to have, mental health and personality disorder problems. Good support is provided by the psychology and psychiatry departments and the mental health team but it can always be argued that more resources are needed. The reasons for the high numbers of prisoners with mental health problems are many, including lack of treatment and support in the community which may result in increased levels of offending, which in turn may result in increased numbers of prisoners with these conditions.

Increasing the lengths of sentences and the failure to resolve the IPP problem may be seen as aggravating factors. If prisoners cannot see light at the end of the tunnel, date to the end of their sentence, it should be no surprise that some will deteriorate and develop mental health and personality disorder problems. Not all prisoners who have these conditions seek treatment because the organised routine of the prison may offer a structure which enables them to get by without additional support and thus opportunities to help them may be missed.

The mental health team, whilst again being low in number, provides good and consistent support, especially in the segregation unit.

We continue to have concerns about the access to acute mental health provision in the region. This all too often means that prisoners with acute conditions frequently have to wait too long for treatment and this can lead to a deterioration in their mental health condition and a consequent increase in behavioural problems.

Once again we must voice our concerns about the wholly inappropriate prisoners' waiting area in the healthcare department, which is all too often overcrowded and therefore unpleasant to wait in and potentially unsafe.

It has long been believed that the "gated cells" (constant watch cells) should be removed from the segregation unit and relocated in Healthcare. This has not happened because of a lack of resource. The Board believes that this should be funded and carried out as a matter of urgency.

The Board is satisfied that education provision is of a high standard in the prison, with a wide offering of courses ranging from functional skills to undergraduate distance learning courses. It is felt that the full range of prisoners' needs are met. The prison has now ensured that learning plans are set to meet individual prisoners' needs. Targets are specific and challenging. All teachers and instructors follow the same process and teaching is monitored appropriately.

The education department is well staffed, well equipped with IT equipment. It has an art room, a kitchen and spacious classrooms. Notice boards are informative and up to date and the environment is warm and welcoming.

The library is well equipped and welcoming. However, problems associated with staffing shortages too often mean that prisoner access to the library is curtailed. This causes frustration for the staff who are dedicated to providing the best possible service and, of course, for the prisoners, for whom the library is a very valuable resource. Separate provision is made for the prisoners from the vulnerable prisoner wings.

Physical education is provided in two gymnasia. High standards are maintained although again access can be restricted at times of staff shortage.

10 WORK, VOCATIONAL TRAINING and EMPLOYMENT

Emphasis is placed upon all prisoners being in education and/or employment. Attracting meaningful contracts from outside companies remains problematic and it is felt that there are insufficient prison funded courses and programmes. This will continue to be monitored and a fuller assessment of provision will be made. It is recognized that training should provide worthwhile vocational qualifications in order to best equip prisoners to find worthwhile work upon release. There are two sides to this issue, namely the acquisition of contacts with outside companies and the provision of suitable courses by the Prison Service. Both areas need to be addressed locally and nationally.

There is a continuing disparity in pay between prisoners working for outside companies, e.g. DHL, and the internally-provided workshops. This creates a disincentive to work for some prisoners.

11 RESETTLEMENT PREPARATION

The offender management unit continues to be well managed and emphasis is maintained on sentence planning. It is understood that there continues to be a policy to increase the number of probation officers in the department. This will be a benefit because they will concentrate on working with high risk prisoners and will allow more Band 4 officers to be returned to other duties. This programme is being delayed because the Probation Service has insufficient experienced officers to be placed in prisons. The recruitment drive for probation officers currently in place will take time to resolve this problem.

All prisoners have access to their offender supervisor and fewer complaints have been received about lack of knowledge of, or inadequate access to, the Key Worker.

The Board continues to be concerned about the too-high number of IPP prisoners still being held. It is of note, however, that this prison is addressing this problem through psychologically informed assessments and planning.

We would continue to argue that this issue should be addressed at national level by changing legislation to allow for the release of these prisoners. It is understood that release should normally be based upon risk assessment but the Board continues to believe that the lack of progress indicates that many prisoners are being treated unjustly. During the period of this assessment the prison held around seventy IPP prisoners, some as much as fourteen years past their tariff dates. The IPP sentence was discontinued in or about 2012 but no change was made to existing IPP sentences and as time has passed many have lost hope and their performance has deteriorated to the point where it appears more likely that they will never be deemed safe to release.

Clearly, the Parole Board must find it difficult to recommend release in these circumstances but it must be questioned whether justice is being served by keeping these prisoners in custody. The Board recognises that attempts are being made to resolve the problem but progress is very slow and urgently needs to be accelerated.

B Section – Work of Board

BOARD STATISTICS	
Recommended complement of Board members	20
Number of Board members at the start of the reporting period	6
Number of Board members at the end of the reporting period	7
Total number of visits to the establishment	641
Total number of segregation reviews attended	880

C Section - Applications

Code	Subject	Current reporting year	Previous reporting year
A	Accommodation including laundry, clothing, ablutions	17	4
B	Discipline including adjudications, IEP, sanctions	0	2
C	Equality	1	3
D	Purposeful Activity including education, work, training, library, regime, time out of cell	20	5
E 1	Letters, visits, phones, public protection restrictions	12	5
E 2	Finance including pay, private monies, spends	11	8
F	Food and kitchens	5	2
G	Health including physical, mental, social care	31	23
H 1	Property within this establishment	41	58
H 2	Property during transfer or in another establishment or location	30	26
H 3	Canteen, facility list, catalogue(s)	10	12
I	Sentence management including HDC, ROTL, parole, release dates, re-categorisation	6	4
J	Staff/prisoner concerns including bullying	75	38
K	Transfers	5	8
	Total number of IMB applications	264	198