



Annual Report of the Independent Monitoring Board at HMP Cardiff

**For reporting year
1 September 2019 – 31 August 2020**

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Introductory sections 1 – 3

1. Statutory role of the IMB

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

Under the National Monitoring Framework agreed with ministers, the Board is required to:

- 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.
- inform promptly the Secretary of State, or any official to whom authority has been delegated as it judges appropriate, any concern it has
- 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.

The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is an international human rights treaty designed to strengthen protection for people deprived of their liberty. The protocol recognises that such people are particularly vulnerable and aims to prevent their ill-treatment through establishing a system of visits or inspections to all places of detention. OPCAT requires that States designate a National Preventive Mechanism to carry out visits to places of detention, to monitor the treatment of and conditions for detainees and to make recommendations for the prevention of ill-treatment. The Independent Monitoring Board (IMB) is part of the United Kingdom's National Preventive Mechanism.

2. Description of the establishment

HMP Cardiff is situated in the heart of the city. It is a men's category B local training prison and largely serves South East Wales and the South Wales Valleys, although an increasing number of prisoners are transferred from English prisons. It provides predominantly for prisoners serving short-term sentences, remand prisoners and prisoners awaiting sentence. The prison has a certified normal accommodation of 539 and an operating capacity of 779, with prisoners overwhelmingly accommodated two to a cell. During the period of COVID-19 regime restrictions, the prison ran with an adjusted operating capacity of 749.

The prison opened in 1827, and a large part of the accommodation continues to comprise three Georgian wings. A major programme of refurbishment in 1996 resulted in the opening of three new accommodation wings. The prison also includes a range of other facilities, including a gym, a series of workshops and classrooms. A new healthcare centre was opened in May 2008 and provides 20 beds.

The normal regime includes full-time education, employment in the prison workshops, and training courses. There is also a resettlement unit that offers prisoners a personal social development course and work-based courses.

A range of public and commercial providers are responsible for delivering services within the prison. Health services are provided by Cardiff and Vale University Health Board, learning and skills are provided by Her Majesty's Prison and Probation Service in Wales but funded by the Welsh Government, and site maintenance is carried out by Amey. Other services relying on providers from outside the prison include escort services and community rehabilitation. A number of voluntary organisations, such as St Giles Trust and the Prison Advice and Care Trust (PACT), also provide services.

3. Executive summary

3.1 Background to the report

The COVID-19 outbreak has had a significant impact on the Board's ability to gather information and discuss the contents of this annual report. The Board has therefore tried to cover as much ground as it can in these difficult circumstances, but inevitably there is less detail and supporting evidence than usual. Ministers are aware of these constraints. Regular information is being collected specifically on the prison's response to the pandemic, and that is being collated nationally.

The Board recognises the effort by the managers and staff of HMP Cardiff to protect the prisoners in their care from infection by COVID-19 and to provide a humane and fair system during this difficult time.

3.2 Main judgements

How safe is the prison?

It is the Board's view that HMP Cardiff is a reasonably safe prison. Violence continued to remain at a low level, which the Board believes reflects the historically good relationships that staff have been able to build up with prisoners (see section 4.3).

However, self-harm continued to be a major concern, and cases have increased again this year. Noticeably, in the first 6 months of the reporting year, incidents of self-harm had increased from 301 to 449 over the same period in 2018-2019. Although 29% of self-harm instances were attributable to a small proportion of prisoners, these figures, together with the four prisoners who have died this year, led the Board to have concerns about this issue (see paragraphs 4.2.1 and 4.2.3).

How fairly and humanely are prisoners treated?

The Board was satisfied that, normally, most prisoners have been treated fairly and humanely. The restricted regime, put in place during COVID-19, raised some concerns regarding the removal of televisions from some prisoners on the basic level of the incentives and earned privileges (IEP) scheme (see paragraph 5.6.2). The continuing restriction of the regime, particularly between late May and August 2020, when there were no positive cases of COVID-19 within the prison, had a detrimental effect on the ability to treat prisoners humanely and fairly (see paragraph 6.1.6).

We continue to have concerns about the level of contact that foreign national prisoners and detainees are able to have with the Home Office representative, and the service they receive from the Home Office (see paragraph 5.4.3).

How well are prisoners' health and wellbeing needs met?

There has been an improvement in relation to prisoners' access to mental health support, aided by the grant received from the Welsh Government. However, the staffing shortage continued to cause concern to the Board, as it reduces the ability of the healthcare team to provide a consistent service (see paragraphs 6.1.1, 6.1.2 and 6.2.1).

During the COVID-19 pandemic, services which supported prisoners' health and wellbeing were restricted, at a time when their need for it was very high (see paragraphs 4.6.3, 7.4.1 and 7.4.2).

How well are prisoners progressed towards successful resettlement?

The learning and skills department continued to support prisoners with their resettlement between 1 September 2019 and 24 March 2020 (see paragraph 7.2.2).

The Board was pleased to note that from April to August 2020, all prisoners were offered accommodation on release if required. However, prior to that period accommodation on release had remained an issue, despite an improvement in the resources being provided (see paragraphs 7.5.6 and 7.5.7).

It is unfortunate that positive training and education opportunities had to cease during the lock down. Training opportunities, such as the barista workshop, provided opportunities for employment for prisoners after release. In addition to a number of workshops and education having to close, the resettlement team was restricted in its ability to interact with the prisoners (see paragraphs 7.2.7 & 7.5.6).

3.3 Main areas for development

TO THE MINISTER

The Board reiterates its concerns of last year in relation to the holding of immigration detainees in custodial establishments, including the care and separation unit (CSU) (see paragraph 5.2.8). This year has proved exceptionally difficult, with the Home Office representative not in a position to contact detainees between the end of March and mid-June, and only limited contact was possible after that period (see paragraph 5.4.3). The Board would again ask that the minister raise this issue with the Home Office and provide it with a copy of the response.

TO THE WELSH GOVERNMENT

The Board has been pleased to see some improvements over the year in prisoners being able to access accommodation on release and applauds the Welsh Government's initiative to house all rough sleepers during the COVID-19 pandemic (see paragraphs 7.5.6 and 7.5.7). We would ask whether this scheme will be continued for prisoners leaving custody without accommodation?

While there have been improvements in the mental health service offered to prisoners within HMP Cardiff, funded by the Welsh Government, progress has been hampered by a lack of, or delays in obtaining, staff within the healthcare unit as a whole (see paragraphs 6.1.1 and 6.2.1). The Board would ask the Welsh Government to raise this issue with Cardiff and the Vale University Health Board.

TO THE PRISON SERVICE

The Board has been concerned this year with the number of prisoners from 'out of area' being received into HMP Cardiff. Moving prisoners to an establishment which has a devolved education and health system has caused difficulties in providing for their wellbeing and reducing reoffending (see paragraph 4.1.1). We realise that the Prison Service is often under pressure to accommodate prisoners but, would ask that the above issues be considered when making placement decisions.

Allied to the above issue is the length of time that prisoners have had to wait to be transferred from court to the establishment, often travelling long distances (see paragraph 4.1.2). Could this be raised with the contracted transport companies?

Towards the end of the reporting period, the Board became increasingly concerned about the effect that a restricted regime, which had lasted five months at that point, was having on the prison's ability to provide a safe, humane, and positive environment which encouraged prisoners' progression to resettlement. This was despite the efforts made by the establishment to support the prisoners in their care (see sections 4, 5, 6 and 7). The Board is concerned that long-term continuation of these restrictions will have a further detrimental effect on the wellbeing of the prisoners. Therefore, we would ask what consideration has been given to easing these regimes, dependent on prison and community levels of infection?

TO THE GOVERNOR

The incidence of self-harm within the prison has continued to cause the Board concern, particularly in relation to the three deaths during the reporting year which were apparently self-inflicted. We believe that the prison will put into practice any recommendations from reports and inquests. We applaud the establishment in its efforts to maintain key worker sessions during the restricted regime but would ask that consideration be given to whether the cross-deployment of key workers affected the incidence of self-harm (see paragraph 5.3.1).

The Board recognises the efforts that the establishment has made in increasing its understanding of the needs of prisoners within the protected characteristics groups. We still believe that more investigation is required into the disparities in relation to the number of black, Asian minority ethnic (BAME) prisoners labelled as dangerous prisoners (see paragraph 5.4.4), and those of a black and mixed-race Caribbean origin who have been held in the CSU (see paragraph 5.4.5).

The increase in the number of use of force incidents is a concern to the Board. We realise that the safer custody group is attempting to reverse this trend by acknowledging good practice and training, but the early activation of body-worn cameras (BWCs) should continue to be encouraged (see paragraphs 4.5.2 and 4.5.3).

3.4 Progress since the last report

| Issues from last report | Progress made since last report |
|---|---|
| There continued to be a high incidence of self-harm, although efforts have been made to investigate the reasons for this. | Self-harm remained high in the first half of the reporting year prior to lockdown. |
| Despite efforts made by the prison to reduce the quantity of drugs, particularly new psychoactive substances (NPS), coming into the prison, this remains a major difficulty. | At the end of the reporting period, the Board was informed that a scanner was due to be installed in reception. It is hoped that this will reduce the availability of drugs in the prison |
| Concerns have been expressed in relation to detainees being held in the prison beyond sentence. They were further disadvantaged by receiving Home Office documentation only in English, rather than their own language, and by difficulties in accessing Home Office staff. | There has been little improvement in this area. Detainees still receive Home Office documentation only in English. There was an improvement in attendance of the Home Office representative when the prison made more appointment slots available but, unfortunately, between April and August the Home Office representative did not attend the prison because of the COVID-19 pandemic, although some telephone conferencing did take place |
| The lack of accommodation on release continued to be a major concern within the resettlement process. A large proportion of prisoners had no accommodation on the day of their release, which was not only inhumane, but also a major factor in reoffending. | This remained an issue. However, during the COVID-19 pandemic all prisoners otherwise being released with no accommodation available were offered accommodation. |
| HMP Cardiff has made substantial improvement in the upgrading of the physical surroundings of the prison. However, there are still ongoing challenges in relation to the upkeep of the building which should be recognised and adequately resourced. | HMP Cardiff continues to strive to maintain a good standard of cleanliness within the establishment. During the period of lockdown, it has continued to attempt to improve the physical surroundings by offering the prisoners a chance to work on painting. |
| The enhanced scrutiny of use of force has been noted, and in order to improve this further, the use of BWCs by officers should be reinforced and encouraged. | The use of BWCs by officers has increased and its use should continue to be encouraged, as should 'early activation' of cameras. |
| It would appear that prisoners from a BAME background were, at times, disproportionately represented both in adjudications and the CSU. While there | The disparity for prisoners of a Caribbean background has been consistent for three years. The Board is |

| | |
|--|--|
| <p>may have been valid reasons for this, the data would suggest that further investigation into those reasons would be worthwhile.</p> | <p>not aware of any investigation into these figures.</p> |
| <p>Data is not provided by the CSU to the diversity and equality team (DEAT). Considering the concern raised above, the prison should consider methods for this data to be routinely provided.</p> | <p>Data appears to be provided by the CSU to the DEAT on a sporadic basis.</p> |

Evidence sections 4 – 7

4. Safety

Safer custody is headed by a governor, supported by two custodial managers, three officers and two business assistants providing administrative support. The group was responsible for a number of meetings, including the monthly safer custody meeting and the monthly use of force governance meeting, which was chaired by the Governor. There was also a weekly use of force meeting, which reviewed all cases of use of force, and a weekly challenge support and intervention plan (CSIP) meeting. This included a multidisciplinary representation from InReach (mental healthcare provider), the healthcare department, CSIP case managers, safer custody staff, psychology colleagues, staff from the offender management unit and probation staff. The governor in charge of safer custody was also responsible for the safety group, which, together with safer custody, comprises the CSU, B1 wing (for vulnerable prisoners) and healthcare department, and had oversight of the assessment, care in custody and teamwork (ACCT) process. The safer custody team is based in the healthcare unit, and the teams work closely together.

4.1 Reception and induction

4.1.1 At one point in the year, during December 2019, a higher-than-average number of out-of-area prisoners were received into the prison. On 5 December 2019, these totalled 141 prisoners, nine of whom had been received following issues at other establishments. This caused a number of problems related to the difficulty of them receiving visits, challenges in dealing with different health authorities, and managing resettlement across the UK, as well as concerns previously expressed by prisoners from England at being incarcerated in a 'foreign country'.

4.1.2 Allied to that is the concern the Board has had in relation to the amount of time between prisoners appearing in court until finally arriving at the establishment. As an example, on 31 January 2019, the prison was notified at 12.15pm that a prisoner would be arriving from a West Midlands court. He eventually arrived at 7.20pm – over seven hours from the court decision to arrival.

4.1.3 During the period of COVID-19 restrictions, the induction wing was turned into a reverse cohort unit (RCU), where new receptions had to stay for a 14-day quarantine period, before being transferred onto one of the residential wings. Due to the growth in the numbers being received, and the delay in prisoners being able to be moved onto the wings, the RCU had to be expanded also to include levels 4 and 5 of E wing. General induction continued to take place while prisoners were located in the RCU, but more specialist inductions, such as resettlement and drug rehabilitation, were not able to be carried out face to face on the wing.

4.1.4 During May, when resettlement peer advisers were not allowed onto the reception/induction wings, two of the existing peer advisers from the wing helped with this role. They were briefed on a daily basis by the resettlement team, and information and leaflets were provided to them to share with the prisoners. They also helped prisoners on the RCU with completion of paperwork. These two prisoners

have since been taken onto a national vocational qualification (NVQ) on advice and guidance by the resettlement team.

4.2 Suicide and self-harm, deaths in custody

4.2.1 There were four deaths in custody in the reporting year. One was confirmed as being due to natural causes and three were understood to be self-inflicted, one of which was on the RCU. Inquests are awaited. In all cases, support was offered both to staff and prisoners. A family liaison officer was appointed for each case, and appropriate communication with the families made. This is a concerning trend, as the three deaths in the 2018/19 reporting year had all been from natural causes.

4.2.2 Self-harm continued to be a major concern within the establishment. In the first six months of the reporting year, from 1 September 2019, there were 449 incidents of self-harm, compared with 301 for the same period last year. In the final six months, ending 31 August 2020, there were 263 incidents of self-harm, compared with 406 instances for the same period last year. The total number of incidents for the reporting year was 712, compared with 707 last year. However, the number of incidences was skewed by prolific self-harmers, who accounted for 29% of these, with one prisoner contributing to 8% of the establishment's whole-year's self-harm incidences, which included multiple repeat acts within the same day.

4.2.3 There was a noticeable reduction in self-harm incidences between April and July 2020, the first four months of the reduced regime due to COVID-19 restrictions, with an average of 38 incidences per month, compared with 67 per month between December 2019 and February 2020. The main reasons for self-harming during this time included: medication issues (mainly requesting methadone); time spent in-cell; frustration with staff/regime; mental health issues; and lack of employment. The Board inferred that self-harm associated with a demand for methadone may have been due to the fact that illicit substances were harder to obtain as a result of the restricted regime. August saw a significant increase in incidences from previous months, to 51, although 26 of these (51%) were made by six prisoners, including the establishment's most prolific self-harmer, with a total of 55 instances in the reporting year, despite not being a prisoner for the full 12 months.

4.2.4 The ACCT process is the care planning procedure for prisoners identified as being at risk of suicide or self-harm. There were 452 ACCTs opened in the first six months of the year, and 354 in the second six months. While there was a lower overall number of ACCTs in the second half of the year, there was a noticeable increase in the number of ACCTs opened in reception and in the RCU during this period. On average, 47% of all ACCTs opened each month between April and August 2020 were from these areas. The Board's view is that this reflects prisoners' concerns around COVID-19 and the especially restricted regime during their first 14 days in custody, as well as the establishment's increased focus on the prisoners at this vulnerable time.

4.3 Violence and violence reduction, self-isolation

Levels of violence continue to remain low. In the seven months prior to lockdown, there were, on average, 12 violent incidents per month against prisoners or staff. This compares favourably with last year, which saw an average of 21 assaults in the first six months of the reporting year. In the five months between April and August, there was an average of 13 violent incidents per month. Concerningly, June saw a high of eight assaults against staff, which the Board believes is evidence of increasing frustration with the restricted regime; however, this number reduced to six in August.

4.5 Use of force

4.5.1 Use of force incidents have increased by 7% in this reporting year, from 724 in 2018/19 to 772 in 2019/20. The first half of the year was practically identical, with 347 last year compared with 346 this year. However, the more significant change is reflected in the second half of the year comparison, where the figure has risen from 377 last year to 426 this year – an increase of 13% for the same six-month period. The highest month for incidents was April 2020, with 83, and the lowest months were December 2019 and May 2020, both with 52 incidents.

4.5.2 The incidents were reviewed weekly in the use of force governance meeting, leading to some officers receiving performance recognition or further training, or being subject to an investigation of the incident. The Board regularly attended these reviews, and the establishment was open to board members' questions in these reviews.

4.5.3 One concern of the Board is the lack of use of BWCs at times, particularly when applying rigid-bar handcuffs, and there have been a few injuries this year, including a broken wrist. This lack of use was raised in the Board's report last year; however, although it remains an issue of concern, BWC use has improved. This issue is recognised by the use of force governance group and continues to be addressed.

4.5.4 The use of PAVA spray, a synthetic pepper spray which temporarily incapacitates those it is sprayed upon, was agreed in July 2020, but, as yet, has not been deployed within the establishment.

4.6 Substance misuse

4.6.1 There were 372 drug finds in the reporting year. In the first six months, there was an average of 33 drug finds a month. This reduced to 29 a month in the second half of the year. However, during the course of the second six months (March to August), the number of drug finds generally reduced each month, dropping to an average of 19 finds a month over July and August 2020. This reflects the impact of lockdown safety actions taken by the establishment, including a stop on social visits and a reduced regime, both of which limited the opportunities for drugs to enter the

prison. Although there were fewer illicit drug finds during this reduced regime period, more prescribed medication was found, as prisoners looked to other sources.

4.6.2 As well as the reduced number of drug finds, there was a reduction in the number of 'code blues' (medical emergencies which did not involve blood) called. There was an average of 28 code blues per month between September 2018 and April 2019, but only 13 calls per month in the corresponding period in this reporting year, although it is recognised that not all code blues are attributable to drug misuse.

4 6.3 Dyfodol, the drug rehabilitation service, has only been able to offer limited support since the end of March 2020.

5. Fair and humane treatment

5.1 Accommodation, clothing, food

5.1.1 As reported last year, the prison buildings continued to place severe restrictions on prisoners with a physical disability. Whole areas of the prison, such as the main suite of education rooms, were inaccessible to wheelchair users.

5.1.2 There has been a continuing battle to overcome a rat problem. Sightings were reported in November 2019 in a number of locations, but principally in the area between F wing and the health centre. A further sighting was made in January 2020 on A1 landing. For the remainder of the year, there were no more reported sightings.

5.1.3 Additional television channels were provided, to help alleviate boredom during the COVID-19 lockdown period. However, there has been a persistent problem with prisoners not being able to access all channels in certain parts of the prison.

Television engineers have attended on a regular basis in an attempt to resolve the problem, but it continued to be reported by prisoners as an irritation.

5.1.4 It has been encouraging to see cleaning teams, on a regular basis, throughout the prison, cleaning down serverly surfaces, handrails, door handles, showers, toilets and so on, in an effort to avoid any transmission of infection during the COVID-19 lockdown.

5.1.5 The general condition of the prison has been well maintained throughout this year, with painting teams operating in many locations, and rubbish collection maintained throughout the year.

5.2 Segregation

5.2.1 The CSU is a self-contained unit, with nine active cells and a core team comprising eight officers and two senior officers. Board members have observed that the unit is well managed, light, airy and very clean.

5.2.2 During the reporting period, Board members made 112 visits to the prisoners on the unit and spoke to all prisoners. This was normally with the cell door unlocked unless it was unsafe to do so. If a prisoner wished to speak to a member in private, the officer would withdraw to a distance where they could not hear but could observe the conversation. Normally, there were four officers on the unit at any time. These officers were observed to engage with prisoners with respect and care, and managed them with professionalism, even when there were incidents of challenging behaviour.

5.2.3 Over the reporting period, 19 prisoners were subject to ACCTs in the CSU.

5.2.4 Board members have observed adjudications on a regular basis and have reported that these sessions have been conducted with fairness and clarity. All required paperwork was available for members to access and was reported to be in order. The number of adjudications in the first half of the year was 1,133, down by 188 on the 1,321 recorded for the same period in the previous year. During the second half of the year (which coincided with the period of COVID-19 lockdown), there were 1,054 adjudications, which was substantially lower (by 338) than the 1,392 adjudications held during the same period in the previous year. A total of 91 adjudications during the year were referred to the independent adjudicator.

5.2.5 Adjudications were instigated as a result of prisoners being in possession of unauthorised articles (for example, mobile telephones or drugs), using threatening behaviour, incidents of assault and refusing an order.

5.2.6 Reviews on prisoners held in the CSU under good order and/or discipline (GOOD) rules were conducted on a regular basis and Board members were invited to attend. However, on many occasions in the early part of the reporting year, these reviews were postponed or delayed at short notice, which caused frustration to members.

5.2.7 During the reporting period, five prisoners have been confined to the unit for more than 42 days, an increase of three from last year. Some of these long confinements have been for prisoners awaiting psychiatric placement after being sectioned.

5.2.8 A worrying factor has been the difficulty in moving foreign nationals to a more suitable location. Access to the Immigration Service has proved very difficult for some prisoners and detainees who have been held in the CSU.

5.2.9 During the reporting period, there have been 15 BAME prisoners in the unit, which is not disproportionate for the population.

5.2.10 There have been four 'dirty protests' in the CSU during the year. Officers managed these incidents correctly, with professionalism and resolve. Their input accelerated the speedy cessation of the protest.

5.3 Staff/prisoner relationships, key workers

5.3.1 Key worker interactions during January 2020 totalled 1,454 sessions, a decrease of 77 sessions compared with December 2019, reflecting an average compliance rate of 45%. Staffing issues were the main reason given for the decrease, with high levels of leave and staff sickness forcing cross-deployment.

5.3.2 In April 2020, the prison conducted a survey to establish how prisoners were feeling about the restricted regime which was enforced as a result of COVID-19. A total of 119 prisoners responded to the survey. Generally, the feedback provided was positive. Seventy out of 119 either agreed or strongly agreed that 'staff are

keeping me informed about regime changes because of COVID-19'. Seventy-one said that 'the prison has responded in the right way to try to keep everyone safe'. In addition, 88 agreed that 'I am being treated fairly by staff'. Lower satisfaction levels were expressed for some questions relating to mental wellbeing. For example, 42 out of 119 agreed that 'since the lockdown began, staff have asked me how I'm coping', but only 37 out of 119 agreed that 'healthcare appointments can be booked', and only 26 out of 64 respondents said that 'I feel supported by mental healthcare staff'.

5.3.3 The establishment has made good efforts to communicate with the prisoners about necessary changes during the pandemic. It held a weekly forum for 'COVID representatives' from each wing, to help to ensure that it was updated with issues from the prisoners and provide further communication to them.

5.3.4 During the COVID-19 regime restrictions, key worker sessions with the prisoners continued, albeit at a reduced level. As an example of the reduction, there were 1,477 sessions in July 2019, and 407 sessions in July 2020 – 28% of the previous year's interactions. For a 10-month period in 2018/19, key worker activity was running at approximately 1,400 sessions per month, whereas for the same 10-month period in 2019/20, this had dropped to 667 sessions per month, representing 47% of normal activity.

5.3.5 Monthly key worker group support sessions were suspended at the start of the restricted regime, although support was provided by the psychology department in June. This took the form of weekly drop-in clinics, where key workers could discuss complex cases and receive resilience training.

5.3.6 During the restricted regime, key worker contact for prisoners with vulnerabilities was prioritised, and welfare checks were provided for them. Contact was made weekly for prisoners in specific groups with higher needs, including:

- those on an ACCT
- care leavers (looked after children)
- those with mental health issues
- those on a CSIP
- perceived poor copers.
- all prisoners in the CSU
- all prisoners on Rule 45
- prisoners assessed as presenting a high risk of harm to the public, within 28 days of release.

5.3.7 Guidance was issued to staff to structure their interactions in relation to the welfare checks. Key workers operated within their own wings, to help limit opportunities for cross-infection.

5.4 Equality and diversity

5.4.1 Prior to the COVID-19 restricted regime, the DEAT meeting was held monthly, and was attended by senior staff to at least the level of Deputy Governor. Meetings were presented with monthly monitoring data and regular reports on progress in

addressing identified equality and diversity issues within the prison. DEAT meetings were suspended in March 2020.

5.4.2 Two officers fulfilled the diversity officer role on a job share basis and were active in seeking to establish prisoner diversity representatives on the wings. They also organised regular meetings of prisoner focus groups for the protected characteristics. However, the regular turnover of prisoners made these arrangements very difficult to maintain, and, in practice, much of the function of representing prisoner diversity issues fell to one long-term white British prisoner. With the onset of the COVID-19 pandemic, both of the officers sharing the diversity officer role became unavailable. The prison was prompt in appointing a replacement, although with a much-reduced time allocation. An initial priority was given to reviewing personal emergency evacuation plans for prisoners with a disability, and a BAME forum was held in June. However, although the officer fulfilled diversity responsibilities conscientiously within the time available, there was an inevitable major reduction in activity.

5.4.3 The prison sought to improve arrangements for prisoners held on IS91 warrants (for overseas prisoners who had completed their sentence and continued to be held in custody on behalf of the Home Office). The prison created more appointment slots for the Home Office representative, and a forum of IS91 representatives was also created. Other positive moves were the introduction of a multilingual guidance sheet and the use of English for speakers of other languages (ESOL) lessons to establish issues of concern among IS91 prisoners. However, the Home Office representative stopped attending the prison with the onset of the COVID-19 pandemic in March. Teleconferences were available from mid-June, and face-to-face visits resumed in August. Legal documentation continued to be in English only, there continued to be no legal support available, and updates on the progress of cases continued to be delayed regularly. The Board continued to have a major concern in relation to Home Office support for these prisoners.

5.4.4 The proportion of BAME prisoners varied between 16% and 23% of the prison population. Monitoring data in relation to the use of force and adjudications showed that trends for BAME prisoners were generally in line with the profile of the prison population. One area in which there was a major disparity in relation to BAME prisoners was in those labelled as dangerous prisoners. BAME prisoners made up an average of 45% of prisoners on monthly dangerous prisoner lists issued between March and August 2020.

5.4.5 There continued to be marked disparities in relation to black and mixed-race prisoners of Caribbean origin. These prisoners made up about 4% of the prison population. However, prisoners from this background made up 10% of those in segregation between January and June 2020. Data on the use of force for 2020 showed these prisoners making up 20%, 9%, 11% and 14% of incidents for the months of February, April, May and July, respectively. It is regrettable that DEAT meetings began to receive only aggregated BAME data, which masked such trends in specific groups.

5.4.6 The above trends in ethnic monitoring data deserve investigation. The Board has highlighted such trends in its previous two reports. It is accepted that when dealing with relatively small numbers, anomalies can affect individual monthly statistics, but these trends have been consistent over three years.

5.5 Faith and pastoral support

5.5.1 The provision for a range of religious faiths was improved by the appointment of a Pagan and Buddhist chaplain. There continued to be good provision for Muslim prisoners, and Ramadan was catered for despite the restricted regime.

5.5.2 From the end of March until the end of the reporting period, no services were held, although members of the chaplaincy offered worship and support on an individual basis.

5.5.3 A computer tablet was obtained by the chaplaincy, to allow prisoners to attend funerals virtually. This was used on a number of occasions, and, the Board is informed, was appreciated by those prisoners who made use of this facility.

5.6 Incentives and earned privileges

5.6.1 Data available in relation to IEP status showed a trend of BAME prisoners being under-represented at the enhanced level: 13% in October 2019, 12% in December 2019, 12% in January 2020 and 13% in February 2020.

5.6.2 The number of prisoners on the basic level of the scheme fluctuated between 14 and 43 between 1 September 2019 and the end of March 2020. After this date, there were no prisoners noted as being on the basic level until May. In the week beginning 14 June, the Board began to get reports of televisions being removed from some prisoners on this level. By August 2020, the number of prisoners on the basic regime appears to have settled back down to pre-lockdown levels.

6. Health and wellbeing

6.1 Physical healthcare

6.1.1 Healthcare services are provided by Cardiff and Vale University Health Board. Staffing is a perennial problem within the department. A 'work force' review is being undertaken, as it has for the last two years, but was, understandably, delayed this year because of the COVID-19 pandemic. Recruitment within the Health Board is a protracted process. The pharmacy has had a vacancy for a technician since June and this had still not been filled by the end of the reporting period.

6.1.2 Shortfalls in nursing staffing levels were covered by 'bank nurses'. The clinical director left earlier this year and a replacement was appointed on a short-term basis, but she is currently only able to attend the prison on one half-day a week. Previously, a full day a week had been allocated to the prison. The Board understands that this gap may be negotiable and will hopefully be increased.

6.1.3 Despite these shortfalls in general staffing, the healthcare team continues to provide a decent service. One prisoner wrote: 'When I first found out I had cancer, I had a hard couple of weeks, in terms of I didn't know what to expect ... how I would be cared for, as I am a prisoner. The healthcare team has helped me get through a tough time, and been there for me all the time, which I appreciate from the bottom of my heart'.

6.1.4 Prior to the restricted regime, prisoners were able to access GP, dental and optician appointments. Waiting times for routine appointments with both the GP and dentist were within community norms: 14–31 days for GPs, and 37–49 days for dentists. Waiting times for urgent dental appointments were between 15 and 22 days. Concerningly, it took 70+ days to get an appointment with the optician. This was mitigated by healthcare staff providing 'off the peg' reading glasses.

6.1.5 Applications from prisoners about healthcare focused on prescription medication (accounting for 28 out of 63 applications) and access to appointments. The prison follows the Health Board rules on medication, which preclude the prescription of some drugs and combinations of drugs. Positively, healthcare staff are now able to provide medication outside the normal dispensing hours, although this is only available in exceptional circumstances.

6.1.6 Following the start of the restricted regime on 23 March, 22 prisoners tested positive for COVID-19. Following a positive test, prisoners were isolated in the health centre. There were no positive cases from 15 May until the end of the reporting period.

6.1.7 Routine GP appointments continued to run on a restricted basis, while emergency GP and dental appointments were also available. Hospital consultations were enabled via telephone calls, and video calls were made available to enable prisoners to have consultations with pharmacists and the blood-borne virus nurse. Access to routine GP appointments have now returned to pre-lockdown norms.

6.2 Mental healthcare

6.2.1 As with physical healthcare, mental healthcare services also suffered from staffing problems, and have done so throughout the reporting year. The team leader was not in post from November 2019 until July 2020, then left in August 2020. At the end of August 2020, it was reported that there were no primary mental health practitioners in post. The part-time counsellor left, and during August the consultant psychiatrist was not available, although the team was able to access psychiatric support from other facilities for one session per week.

6.2.2 The situation has been helped by the appointment of a senior nurse who is responsible for the development of mental health services within the prison. Her appointment was part of a successful bid to the Welsh Government to strengthen primary care service within the prison. Since taking up post in July 2020, it appears to the Board that the service is moving forward.

6.2.3 Referrals to the service averaged approximately 33 per week, and to the psychiatrist 27 per month. The service continued face-to-face contact during lockdown and reported that referral rates did not alter markedly. However, less than half of prisoners in the prison's survey reported that they felt supported by mental health staff at the beginning of lockdown (see paragraph 5.3.2). The average length of time it took to see a referral was between 20 and 28 days, although urgent cases were usually seen on the same day. A triage form had been developed and was sent out to prisoners who had been referred, so that the team could begin the assessment process in advance by gaining additional information.

6.2.4 Last year, a pilot project was started, whereby the team attended the induction wing to complete the mental health aspect of the secondary health screen. The Board is disappointed to hear that this has stopped because of the staffing issues, but has been informed that it will hopefully be reinstated when staff are available.

6.2.5 A total of 19 prisoners were transferred to psychiatric units during 2019/20. Unfortunately, information relating to how long these transfers took is not available. Although these transfers were normally 'trouble free', the Board has occasionally had some concerns about the ability of a variety of agencies to work together to provide a seamless transition between custody and psychiatric care. In one particular case, because of the danger that the prisoner posed to the public and himself, the prison was given permission to hold him one day beyond his release date, to enable him to be moved to a suitable placement.

6.4 Exercise, time out of cell

Since the implementation of the restricted regime at the end of March 2020, prisoners have received two periods of 45 minutes out of cell each day, one in the morning, and one in the afternoon. Prisoners could choose to take limited exercise outside during these periods. However, this regime has meant that most prisoners remained in their cells for 22.5 hours a day. Gym staff began offering organised exercise on 27 July, which was only allowed outside and took the form of outdoor circuits. Only 10 prisoners could take part in each session to comply with social distancing.

7. Progression and release

7.1 Education, library

7.1.1 Prior to lockdown at the end of March, the learning and skills department was on target to meet their key performance indicators for the year.

7.1.2 In the first quarter of the reporting year, the Board had some concerns relating to the consistency of education offered to prisoners on B1 wing (the vulnerable prisoner wing). On occasion, education was not available on the wing as staff had been deployed elsewhere. The learning and skills department is aware of this issue and has told us that they are trying to take steps to enhance the education offered to these prisoners.

7.1.3 Since the end of March 2020, there has been no face-to-face education, induction or assessment process, so the department has been unable to provide structured learning.

7.1.4 Activity packs have been sent out every week, with a range of literacy, numeracy, wellbeing and gaming activities. These are changed every Friday. A specialist ESOL pack is also available, as are distraction and activity packs from partner agencies.

7.1.5 The learning and skills department has provided on-demand specific course material to prisoners when requested by wing staff, including a recent mathematics course.

7.1.6 The library has continued to function as an on-demand service. Prisoners inform staff of the genre of books that they are interested in, and a suitable selection is delivered to the wing.

7.1.7 Although not ideal, the learning and skills department has been able to offer a limited service. Just prior to the end of the reporting period, planning began to expand teaching via in-house television channels. This is still in the early stages, and the launch early in the next reporting year is eagerly anticipated.

7.2 Vocational training, work

7.2.1 Her Majesty's Inspectorate of Prisons and Estyn gave the activities and education department a very good report in 2019, thus highlighting the excellent work and innovation of the department's staff.

7.2.2 The essential services at the prison include food packing, laundry, waste management, and production. The target for resourcing these areas was set at 80%. This target was exceeded by 10% in all areas during the first quarter. In the second quarter, the target was again exceeded – by 10% in December and January, and by 4% in February.

7.2.3 During February, three workshops were placed on hold. A packing department for reed diffusers was stopped because of supplier issues, which involved the company's outstanding debt to HMPPS. The call centre work was placed on hold as the supplier was not adhering to its contractual agreements, and the bicycle repair workshop had to comply with Prison Service guidelines and stop making charity donations with repaired bicycles. The board were informed there was a cost of refurbishment for the cycles and HMPPS required payment for that cost, which meant the cycles could no longer be donated to the charity free of charge.

7.2.4 On a more positive note, a new barista training workshop was set up in the first quarter. It was established as a food and beverage service, and was proving very successful, delivering NVQs in food and beverage service level 1, customer service level 1, and cleaning and support level 2.

7.2.5 An average of 10 veterans per month met with external agencies, which helped with their preparation for release. During lockdown, a veteran officer spent time with each veteran on a fortnightly basis, to maintain that communication and signpost the support available.

7.2.6 During lockdown, only the essential services for the prison remained fully functional. These included the kitchen, laundry, waste management and breakfast packing. Prison support also included canteen, stores, works party and orderlies. Other roles which were provided on the wings included cleaners, safer community champions and wing peers. The industries resourcing target was set at 80%. During August, it achieved 89%.

7.2.7 Additional areas were education support, cell work, wing induction and therapy for B wing. The average percentage number of prisoners attending was 29.6% for April and May, 43% for June, 40% for July and 39% for August.

7.2.8 During lockdown, all prisoners were paid upon reception whilst undergoing induction on the RCU. They remained there for 14 days while in quarantine. They were then transferred to the 'activity therapy' wing, and daily payments continued if a vacancy in an activity was not available. At the time of writing, there were approximately 250 prisoners with meaningful work. Further opportunities are restricted by the COVID-19 regime.

7.2.9 Since the lockdown, the learning and skills department and education induction/assessment process have not been operating, so no structured learning has been provided. There are a minority of prisoners continuing to complete the Open University structured distance learning courses.

7.3 Offender management and progression

7.3.1 The COVID-19 'new ways of working' introduced the end of custody temporary release (ECTR) scheme and the special purpose licence (SPL) scheme (for vulnerable prisoners). There were fewer prisoners released under this scheme than was originally envisaged, with five releases made under the ECTR scheme and none

deemed eligible for SPL. Prisoners released on ECTR all had accommodation and so did not require housing support. The main support need during this time was assistance in claiming benefits.

7.4 Family contact

7.4.1 The uptake of both social visits and 'Purple Visits' (remote visits) during the easing of lockdown in July and August remained low across all wings. Only 10% of Purple Visits slots and 25% of social visit slots were booked. There were a number of reasons for this low uptake. Some prisoners reported that the experience on social visits was poor, given that they had to socially distance from their visitors, that it was hard to be heard while wearing masks and that there were no play facilities for children. In addition, some family members were either reluctant, or found it difficult, to use public transport safely to get to the prison. While the actual experience of using Purple Visits was good, as reported by prisoners who were part of the early trials, the slow uptake may have been partly down to a lack of ability, or willingness, of visitors to download the app and get familiar with the technology.

7.4.2 PACT has not been able to come into the prison since March 2020, and, as such, has been unable to offer support to families in the way they normally do.

7.4.3 Throughout the period of lockdown, the learning and skills department has offered a digital messaging service to the prisoners, whereby they can stay in contact with their families via DVD.

7.5 Resettlement planning

7.5.1 A call centre employer engagement day was held in September, to encourage more employers within the contact centre industry to employ prisoners on their release from custody.

7.5.2 Department for Work and Pensions job coaches successfully gained a job offer for a prisoner working in the laundry, through one of their contacts – Afonwen Laundry and Linen Hire Ltd. He was offered a position on release, on 23 October 2019.

7.5.3 An 11-week 'Inside Out' course was developed in partnership with Cardiff University, starting in October. It was titled 'Crime and Social Justice in Global Perspective', and six prisoners and eight law students were recruited. Although the course is non-accredited, learners who complete are given certificates of attendance.

7.5.4 During February 2020, an army veteran was provided with employment on release, as a result of the good working relationship he had built up with his resettlement caseworker and attendance at the monthly veteran's meetings. He was interviewed by the resettlement team before leaving and said that he was looking forward to rebuilding his life on release.

7.5.5 Gam Care was made available on all prisoner telephones as a free service for *Gambling Anonymous*. This has provided a support service for those who require it throughout the establishment.

7.5.6 The facility to open a bank account continued to prove popular, with 22 accounts being set up in February, 10 in May, 20 in June and nine more in August.

7.5.7 When the prison went into lockdown in March, the resettlement team no longer had face-to-face contact with the prisoners. The team put in place a process whereby forms and supporting guidance sheets were passed under cell doors and collected the next day. This allowed the processing of key activities, such as housing applications and bank applications, to continue. Support was offered through the door, if appropriate, with personal protective equipment made available to staff in these circumstances. As a result of COVID-19 risks, there were no active peer advisers. Typically, housing-related needs in 2018/19 ran at an average of 168 per month. It was noticeable that housing needs consultations dropped to only three in April, rising to 87 in May. From June onwards, the number of consultations gradually increased again, and by July had reached 150, more in line with the previous year's average.

7.5.8 As a result of measures put in place by the Welsh Government, all prisoners who were homeless when released during the COVID-19 restrictions period were offered accommodation on release.

7.5.9 A request was put in for a Perspex screen in early August, so that resettlement staff could conduct safe interviews with prisoners. At the end of the reporting period, the screen had still not been put in place.

8. The work of the IMB

Board statistics 2019/2020

| | |
|--|------------|
| Recommended complement of Board members | 14 |
| Number of Board members at the start of the reporting period | 15 |
| Number of Board members at the end of the reporting period | 13 |
| Total number of visits to the establishment | 163 |
| Total number of segregation reviews attended | 19 |

Applications to the IMB

| Code | Subject | Previous reporting year | Current reporting year |
|-------------|---|--------------------------------|-------------------------------|
| A | Accommodation, including laundry, clothing, ablutions | 20 | 26 |
| B | Discipline, including adjudications, IEP, sanctions | 2 | 6 |
| C | Equality | 10 | 4 |
| D | Purposeful activity, including education, work, training, library, regime, time out of cell | 54 | 27 |
| E1 | Letters, visits, telephones, public protection restrictions | 30 | 34 |
| E2 | Finance, including pay, private monies, spends | 21 | 17 |
| F | Food and kitchens | 3 | 5 |
| G | Health, including physical, mental, social care | 63 | 98 |
| H1 | Property within this establishment | 24 | 8 |
| H2 | Property during transfer or in another establishment or location | 18 | 17 |
| H3 | Canteen, facility list, catalogue(s) | 16 | 20 |
| I | Sentence management, including home detention curfew, release on temporary licence, parole, release dates, recategorisation | 28 | 42 |
| J | Staff/prisoner concerns, including bullying | 19 | 61 |
| K | Transfers | 23 | 28 |
| L | Miscellaneous, including complaints system | 161 | 112 |
| | Total number of applications | 492 | 505 |



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