

# Annual Report of the Independent Monitoring Board at HMP Gartree

**For reporting year  
1 December 2019 – 30 November 2020**

Published March 2021

# Contents

<b>Introductory sections 1 – 3</b>	<b>Page</b>
1. Statutory role of the IMB	3
2. Description of the establishment	4
3. Executive summary	5
<b>Evidence sections 4 – 7</b>	
4. Safety	13
5. Fair and humane treatment	22
6. Health and wellbeing	34
7. Progression and resettlement	37
<b>The work of the IMB</b>	<b>42</b>
<b>Applications to the IMB</b>	<b>43</b>

## 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 Gartree first opened in 1965 as a category C male training prison. In 1992, it became a category B male prison, with an emphasis on housing prisoners serving indeterminate and long-term sentences. It remains a category B prison. Following a review of the wider prison estate, Gartree has now become part of the long-term high-security estate.

The prison is located just north of Market Harborough, in Leicestershire, and is roughly equidistant between Northampton and Leicester. The prison remains within the public sector and is operated by the Prison Service.

The certified normal accommodation is 708, with an operational capacity of 648 as of 1 December 2020. Operational capacity dropped from 708 to 648 on 5 July 2020.

On 1 December 2020, the breakdown of the 636 prisoners held at Gartree was:

- life-sentenced prisoners: 588
- indeterminate-sentenced prisoners: 48

The layout of the establishment is based around nine wings. The original four are laid out in an 'H' block style, forming A, B, C and D wings, each containing around 100 cells on three landings. The two most recently built wings, G and H, are located south of the original complex and have cells on two levels. G wing now operates as the induction wing, although the majority of prisoners housed on this wing are permanent residents.

What was originally the smaller E wing, now provides a 12-cell segregation and progression unit (SAPU); F wing is now dedicated to hold the Gartree therapeutic community; and an additional unit, the therapeutic community plus, holds up to 12 prisoners with particular learning disabilities and a low IQ. Part of H wing houses the psychological informed planned environment unit, which holds 58 prisoners, and the other spur of H wing is a dedicated over-50s unit for 60 of Gartree's older prisoners.

### **3. Executive summary**

#### **3.1 Background to the report**

Most of the Board's monitoring was undertaken remotely during this reporting period. During the COVID-19 restrictions, there was a brief period where limited visits were undertaken, operating within the Public Health England guidelines. However, for approximately eight months, the weekly rota reports have been conducted remotely, and the Board applications were scanned and sent securely to the Chair or Board members. The Board received full support from all staff who were contacted, and we were able to produce weekly rota reports and deal with applications from prisoners. The Board acknowledges and thanks all staff for their continued support and help during this challenging time.

However, remote monitoring is not the same as our being in the prison and being visible and accessible to prisoners who may want us to help with individual issues and wider concerns. The Board is concerned that because of restrictions on our ability to visit the prison and to be able to communicate directly with prisoners and staff, we have perhaps not been able to establish a full picture of some of the issues faced by the prisoners for a large part of this reporting period, and this may be reflected in the content of this report.

During March 2020, the Prison Service implemented a full lockdown. The recently appointed Governor and the senior management team (SMT) responded effectively, implementing new ways of operating and developing communication strategies to inform staff and prisoners alike. With regard to managing the spread of COVID-19 within Gartree, the Board considers that the Governor and his staff have handled the crisis and additional challenges exceptionally well. Even when there was an outbreak on one wing, this was quickly contained and resolved.

The unexpected and unprecedented impact of the COVID-19 pandemic has hit the prison hard. The prisoners have been locked up for incredibly long periods of time, and prisoners and staff alike have been faced with massive and unavoidable challenges because of the full lockdown. The response to this by the prisoners and staff has shown great resilience and tolerance by almost everyone, despite the huge impact this has had on prisoners, and their daily routines and progression.

However, pre-COVID-19 the regime was changed to allow more consistent/predictable daily routines, and communication seems to be clearer and more regular for prisoners and staff, and this has been positive for both. Over this reporting period, staff attendance and retention seem to have improved, and in the dealings the Board have had with staff, either directly or over the telephone, the general impression is that they are happier and feel that there is clearer and more consistent management. Management seems more focused and there also appears to have been additional support in some areas. Before COVID-19, staff sickness

levels appeared to be reducing. However, after the outbreak of COVID-19, the Board has been advised that there were increases in the number of staff absences linked to the pandemic, although these were at a manageable level which did not adversely affect the delivery of the regime.

With such restrictions in place, most of the prisoners have had to remain locked up for a worryingly extended period. The Board is concerned about the detrimental effects that this has, and will continue to have, on the prisoners, in relation to rehabilitation, progression, and physical and mental health, and for the wellbeing of the staff. The Board acknowledges that most prisoners have, overall, worked compliantly with the prison to accommodate the restrictions that have been placed upon them, and they should be thanked for this.

There have been many negatives because of COVID-19 restrictions, and only time will reveal the full extent of these:

- education has not taken place in the normal manner
- programmes have been affected
- access to work and recreation has been severely restricted for the majority of prisoners
- access to some healthcare services and clinics (such as dental treatment) has also been restricted – although some clinics continued to take place in a COVID-19-safe manner.

The Board is encouraged to see that some physical improvements are starting to take place to the fabric of the prison – the long overdue fire safety measures, and roof repairs. However, as referenced in previous annual reports, more needs to be done. Some of the wings require immediate investment and the condition of the older residential accommodation needs addressing, as recommended in the Her Majesty's Inspectorate of Prisons (HMIP) scrutiny report published in October 2020.

HIMP visited Gartree on 22, 29 and 30 September 2020, and undertook a scrutiny visit. HMIP also recommended improving outcomes for prisoners in important areas such as safety, use of force and the promotion of equality.

In the HMIP report, there were notable positive practices recorded, which included

- Creating innovative practice or practice that led to good outcomes.
- Imaginative ways of working implemented in healthcare during the COVID-19 restrictions – for example, the use of computer video equipment to assess and treat patients.

There have been references and recommendations made in Prisons and Probation Ombudsman (PPO) reports to lessons to be learnt following several deaths in

custody which have taken place this year, and the Board is keen to see if these are implemented.

Dedicated Officers and qualified probation staff, based in the offender management team now act as key Workers, under the offender management in custody (OMiC) scheme, this appears to be working well. The Board recognises that this will have been affected by the impact of COVID-19. However, key work delivery was maintained throughout the pandemic.

### **Other Board concerns**

- Our ability to recruit new Board members has been directly affected by COVID-19, and we continue to face challenges in recruiting and retaining members.
- There are still many challenging prisoners serving an indeterminate sentence for public protection (IPP) who appear locked in the system. Gartree does not appear to be the best place for these prisoners, as there are not adequate resources to deal with them. The Board is concerned that Gartree may be one of several prisons identified to take more IPP prisoners, without the additional resources required to assist them in making progress.
- The Board continues to be frustrated by the apparent inability of the Prison Service generally, and Gartree more specifically, to handle prisoner property.

## **3.2 Main judgements**

### **How safe is the prison?**

In the past, we have expressed concerns about the staff resources made available to deal with safer custody issues. There appear to have been some improvements in this, and there are now much clearer indications on the daily briefing sheet (DBS) (available to all) as to which dedicated staff member is the lead on a prisoner's assessment, care in custody and teamwork (ACCT) and/or challenge, support and intervention plan (CSIP) document. Since the arrival of the new Governor, the safer custody and equalities function has benefited from an additional dedicated and unfunded operational manager post, and two custodial managers and two senior officers were added to the team in February 2020.

Prior to COVID-19, there had been high levels of violence among the prisoners and towards staff. The Board has concerns that, as frustrations grow with continued restrictions to the regime, some of the prisoners may become less tolerant to lockdown conditions, and violence will increase again.

It appears that the influx of drugs and other illegal items may have reduced slightly during COVID-19, due to the restrictions in place. However, there has been a

problem with 'hooch' (illicitly brewed alcohol), although detection has increased and appears to be keeping pace with this.

In the past, there were issues relating to debt/violence and so on, which seemed to be connected in many cases to prisoners feeling victimised and/or vulnerable, leading to self-isolation and self-harm. It is unlikely that these issues will have gone away, and they are likely to re-emerge fully once lockdown restrictions are lifted. There are still worrying numbers of prisoners listed as self-isolators or, more recently, as socially isolated prisoners, who withdraw from prison life and sometimes appear to be stuck within the system. However, the Board has noted that the number of prisoners segregated on the wings has reduced.

The Board acknowledges the effective management of the challenges that COVID-19 has given Gartree. The effective management at all levels, from wing staff to the Governor, is evidenced by the limited number of COVID-19 cases reported. When there was an outbreak on a wing, this was managed in such a way that it did not spread further across the prison. We also acknowledge the challenges that COVID-19 has had both on prisoners and staff.

Staff were identified early on to act as leads in the prison, and information appears to have been provided to staff and prisoners in a clear and timely manner. The DBS shares information about COVID-19 – for example, who has tested positive. However, the requirement to notify the Board when there were positive cases did not always happen.

### **How fairly and humanely are prisoners treated?**

The prisoners at Gartree are treated humanely, although with the COVID-19 lockdown there have been obvious concerns about the length of time that prisoners have had to spend locked up in their cells. The acceptance of this by most prisoners has been commendable, although the Board has concerns that it is far from ideal for this to carry on indefinitely.

Prior to COVID-19, the Board was pleased to note that the regime was becoming far more predictable, allowing the prisoners more time to prepare for the periods in-cell.

In the past, we have expressed concerns about a small number of prisoners who have been segregated for long periods, with no apparent progression or plans for them to be moved on. We hope that once things get back to some degree of normality, the need to ask about these individuals again will have been removed by the fact that they have progressed. The Board welcomes the fact that most of those who had been in segregation for long periods during the reporting period were transferred during COVID-19. There has also been an improvement in moving prisoners out of segregation more quickly

## **How well are prisoners' health and wellbeing needs met?**

The new NHS provider in the prison was making a lot of progress in addressing some issues concerning the quality and access to healthcare which we had previously highlighted. It was also making great progress in recruiting permanent staff in physical and mental health, and in reducing waiting times. We look forward to continuing to see progress when we come out of the COVID-19 situation. We would also seek to understand the COVID-19 recovery plan, which we anticipate will demonstrate the recovery of services to the same extent as in the wider community, especially in the areas where there has been a major impact – for example, dentistry.

The unprecedented circumstances of the COVID-19 pandemic have had a huge impact on all prisoners and staff at Gartree this year. Unavoidable restrictions have had to be put in place to safeguard everybody, which has inevitably meant that prisoners have been locked in their cells for, in most cases, more than 22 hours a day since March 2020. The Board is concerned that because of the known linkage between excessive time spent alone in a cell and mental health issues, self-harm and drug abuse, there will unfortunately be some serious longer-term issues arising from these lockdown restrictions, which may affect some of the prisoners in the longer term, some more than others. Loss of social visits and of access to purposeful activities, programmes, education, physical exercise and wider association will all have had an impact on the prisoners and their families.

However, the Board does acknowledge that some positive work is being done by the prison to manage the time spent alone in-cell, and to make some facilities available, which has been helpful. For example, key work continued; some essential work allowed for some prisoners to be involved in purposeful activities; parole boards continued; face-to-face education stopped but learners were still given assessed in-cell work; in-cell telephony was installed and 'Purple Visits' were introduced; and there was access to mental health professionals.

## **How well are prisoners progressed towards successful resettlement?**

We have always had some concerns about the amount of purposeful activity truly available to the prisoners at Gartree and continue to do so. As a 'lifer' prison, Gartree does not offer the same range of training opportunities or work options to all prisoners to prepare them for future release into a modern digital world.

There have also been issues in the past with workshops, education and programmes being affected by the regime. However, prior to the lockdown, there did appear to be a lot of improvement in the stability of the daily regime, and prisoners were being given notice if closures were due to take place – hopefully these issues will continue to be addressed once lockdown restrictions are lifted.

It has been noted by the Board that due to necessary fire safety works being required, some prisoners were progressed to category C or D establishments. This proactive management would be always welcomed, and not just when there is a need to do so.

### **3.3 Main areas for development**

#### ***TO THE MINISTER***

Will the minister seek to provide a sufficient budget for HMP Gartree to create a safe living standard that would be deemed acceptable in the wider community? It continues not to be acceptable to expect staff and prisoners to live and work in buildings where the infrastructure has seriously declined over several years.

HMP Gartree continues to hold IPP prisoners, who are now many years over their tariff. A degree of frustration continues among these prisoners, and the COVID-19 pandemic will not have helped in any progression for these prisoners. This continues to be an issue which needs addressing urgently, and the Board looks forward to hearing from the minister about plans that will resolve this ongoing issue.

Will the minister provide an update on resources being planned post-COVID-19 to enable the delivery of measures outlined in the National Partnership Agreement for Prison Healthcare, which acknowledges the interdependency of health and social care and the prison environment (defined as physical environment, staffing levels and regime) for the crucial improvements to the health and wellbeing of all prisoners?

Will the minister share the decision-making process not to include prison officers as key workers who could access the vaccine for COVID-19 as a priority group?

#### ***TO THE PRISON SERVICE***

The Board would like to acknowledge the efficient COVID-19 pandemic management by the Prison Service, and that, in relation to Gartree, this management has resulted in limited cases being reported. However, it is equally acknowledged that the regime implemented will have had a major impact on prisoners, from their mental and physical wellbeing to progressing through their sentence plans. Will the Prison Service ensure that Gartree will be sufficiently funded post-COVID-19, so that prisoners' access to employment, purposeful activity, education and healthcare will address the impacts of COVID-19 as quickly as possible?

Does the Prison Service consider that Gartree has a sufficient ongoing maintenance budget and capital funding in order both that prisoners can live, and staff can work within a safe, secure and decent environment?

As raised by other Boards, the number of applications about property remains high, although it is difficult to provide a true reflection for the whole reporting period because of the lockdown. The Board looks forward to improved ways of working that will resolve these long and unacceptable ongoing issues with prisoners' property, which are particularly difficult to resolve when property is lost in transit or not forwarded on by a previous establishment.

The Board is concerned about the ongoing situation regarding the repair or replacement of equipment in the kitchens. Can the Prison Service engage with contractors to create a service level agreement which will achieve a more timely response to address such issues?

Will the Prison Service share the plans to deal with the prisoners located in Gartree who have complex/serious mental health issues, who need specialist help from medical professionals?

### ***TO THE GOVERNOR***

Will the Governor take all measures necessary to reduce the levels of violence, self-harm, bullying, drug taking and drug smuggling, including adequate staffing and resource continued being allocated to the safer custody team?

Will the Governor continue to ensure that monitoring and quality assurance checks of all ACCT documents are carried out by a dedicated safer custody custodial manager, and that all documentation is of the required standard and all post-closure reviews are undertaken?

Will the Governor keep reviewing ways to improve processes and procedures in looking after prisoners' property, as issues with property are still being reported?

Will the Governor continue to identify ways to improve engagement between the Board and SMT, to enable positive interaction for the benefit of all? This includes routine notifications which are outlined in the memorandum of understanding between HMPPS and the management board for the Independent Monitoring Boards, dated December 2019.

### **3.4 Progress since the last report**

- It appears that there is more stability within the SMT which is welcomed by the Board. The impact of this has been evidenced through the remote rota reports, where staff have expressed positive comments during this reporting period.
- Pre-COVID-19, the healthcare provider continued to work to reduce waiting times for some services.

- The key worker (OMIC) scheme has been introduced and dedicated qualified probation staff are based in the offender management team.
- Prisoners who self-isolate are now being monitored more closely and referred for proactive CSIP referrals when appropriate. All prisoners who are self-isolating are monitored closely and supported by the safer custody team and residential staff.
- Communication about which dedicated staff member is the lead on a prisoner's ACCT and/or CSIP is available through the DBS. The introduction of single case management system for ACCT put this in place.
- The management of segregation and psychological support for staff has improved, with safer custody having responsibility as the functional lead.
- Increased staffing and a dedicated function for safer custody and equalities has been introduced during the reporting period.
- Complaint handling and quality assurance monitoring has improved; now, only dedicated administrative staff have access to the complaints box.
- Prior to COVID-19, attendance at activities and the quality of education delivery had improved.

## **Evidence sections 4 – 7**

### **4. Safety**

#### **4.1 Reception and induction**

Receptions at Gartree are generally less frequent than elsewhere, being a lifer establishment, where there tend to be fewer daily arrivals and departures. However, in the past year, major works have started to allow fire improvement upgrades to be carried out on the residential wings (see section 5.1). This has resulted in over 60 prisoners being decanted out to category C and D prisons on progressive moves. This will continue into next year as the fire improvement project moves across various residential wings, and a further 40 prisoners are due to move. Once the upgrade has been completed, the extra bed spaces will be refilled with category B prisoners.

The Board has not been aware of any issues surrounding these decants, and generally, from what we have been able to monitor, there have been no issues in deception with handling the property of the prisoners who have moved to other establishments, over and above those we normally receive (see section 5.8).

The body scanner chair within the reception building is used on prisoners to identify those who may be attempting to smuggle illicit items into the prison.

Since the start of the COVID-19 pandemic (in line with national guidance), all prisoners arriving at Gartree have been screened at reception once they disembark from the transport vehicle. This initial screening has been carried out by healthcare staff. For prisoners arriving from 'green' sites, which were identified as low risk, they did not need to isolate for 14 days. They were located on the G wing (the induction wing), where space was available. This may have presented wing staff with some difficulties in managing different regimes and cohorts.

Other new arrivals have had to self-isolate for up to 14 days in their cell, depending on the risk level of the establishment they have left. These individuals have been listed on the DBS, along with other prisoners on a COVID-19 support log who have displayed symptoms or had a positive result. The management of the self-isolators and cases has been professionally managed.

As a rule, new arrivals are initially housed for induction on G wing before being moved onto other wings. Despite the fire safety works, G wing has continued to operate in this way.

Prior to the COVID-19 restrictions, the Board has had regular dealings with new prisoners (via applications to the Board) and the induction orderly, and prior to the lockdown we were aware that there were often issues with a lack of some basic

items for new arrivals, including items of furniture and bedding in cells, and even plates and cutlery.

During the COVID-19 restrictions, face-to-face inductions have not been taking place and first night safety interviews, which are necessary to identify risks and vulnerabilities presented by a new arrival and provide prisoners with basic information, have sometimes not taken place until the following day. Without face-to-face inductions, some departments have contacted new arrivals through their in-cell telephones, and new arrivals were given the regular induction booklet and supported by wing staff and peers.

## **4.2 Suicide and self-harm, deaths in custody**

### **Self-harm**

The Board is pleased to note that the number of reported cases of self-harm has reduced over the reporting period. Table 1 shows that there were 212 fewer reported incidents of self-harm in 2020 than in the previous year, representing a 38% reduction. However, the recorded 350 incidents over the reporting period remain of huge concern.

The breakdown of ACCT referrals in Table 2 suggests that there have been reductions across most of the range of methods used, including minor cuts, overdose and use of ligatures. The work which was started last year to control the availability of razor blades appears to have been a positive move.

Perhaps it is not surprising to find that, over the past year, during the COVID-19 restrictions, there has been a slight increase in ACCT cases being opened because of prisoners being low in mood, when they have had to spend much longer periods isolated in their cells (see also section 4.4, which gives more details on ACCTs).

### **Deaths in custody**

Unfortunately, there have been five deaths in custody during the reporting period. Three of these have been during the restricted regime period since March 2020, and one of these prisoners died of a COVID-19-related illness.

Although this has not been a normal year, in terms of some departmental meetings taking place, based on previous involvement the Board is keen (once we are able to visit the prison again) to see evidence that action points related to recommendations from PPO investigations are being fully implemented and/or monitored.

### **4.3 Violence and violence reduction, self-isolation**

During the past year, there was a total of 48 assaults by prisoners on staff, a reduction of 33 on the previous year but still a worrying figure which is far too high. See Table 1 below. There was also a reduction in the number of prisoner-on-prisoner assaults, down by 26 on the previous year (see Table 1). This reduction is probably not surprising, given the COVID-19 lockdown restrictions and the more limited opportunities for contact between prisoners, but begs the question: could some of these have been prevented?

During the reporting period, there have continued to be weapons finds mentioned on the DBS. These weapons, found in prisoners' cells, in communal areas or in other hiding places, are generally discovered during intelligence-led or ad hoc searches of the establishment and prisoners. The dedicated search team (DST) and their dogs have been effective in carrying out targeted and routine searches, and while it is concerning to read that 'weapons' continue to be made by prisoners, it is a credit to the wing staff and DST that so many are discovered, to help to reduce the potential number of incidents involving weapons.

The DST and wing staff have also been remarkably busy this year in identifying and removing large volumes of both hooch and distilled liquor from cells. Board members have continued to raise concerns about the apparent 'stockpiling' of items to use for brewing but, as the prison advises, many items such as sugar and bread are either readily available from the canteen list or are provided as part of daily meals, and staff have no right to confiscate or remove items which prisoners are authorised to have in their cells.

For the period where we were able to visit Gartree in person, Board members have observed that, overall, the relationships and cooperation between staff and prisoners are positive. There appears to have been greater stability of staffing over the past year, which may have helped provide a more experienced officer profile to support and mentor the newly trained staff joining the prison.

CSIPs have now been used at Gartree for well over a year, and there has been a huge increase in proactive referrals to the safer custody team as more staff have become aware that these are available as a means of improving the management of prisoners identified as being at high risk of harming, or being harmed by, other prisoners (see Table 1).

In addition, reactive CSIPs are now opened for all prisoners who commit assaults, to allow wing staff to work more closely both with victims and perpetrators, to develop a specific intervention plan tailored to that individual. This work links to intelligence reports and other observations that staff may make – for example, where individuals appear to be being targeted, or are targeting other prisoners, for canteen items or

property. This intervention is welcomed; the safer custody team appears to have had more stable staffing over most of the reporting period, and seems to be working more closely with, and supporting, case managers who work with some of the more complex prisoners. The safer custody team has also carried out some ‘bite-size’ training for staff on CSIPs.

There are regular weekly safety interventions meetings (SIM) to discuss violent and vulnerable prisoners. We are advised that these have continued since March, to allow discussion, and provide oversight, of prisoners who are segregated, self-isolating and/or have more complex needs. The psychology team now produces useful one-page summary plans about these prisoners which includes information about their behaviour and triggers. These summaries hopefully allow the wing staff who deal with the prisoners face-to-face on a daily basis to be better equipped to manage prisoners with complex needs.

In the past, the Board has often used these meeting and rota reports to raise concerns about some of the prisoners who have been segregated for long periods and who appear to be ‘stuck in the system’, for example. During the COVID-19 pandemic, it has been difficult to monitor whether these meetings have continued to take place regularly, but when we have asked about individual prisoners, the prison has been able to provide updates. Most long-term segregated prisoners were transferred (some to secure mental health units) and the average stay in segregation has been reduced, compared with that in 2018 and 2019.

Towards the end of the reporting period, the number of prisoners recorded as self-isolating was extremely low. Perhaps some prisoners have felt safer during the lockdown because in effect nearly all prisoners have been self-isolating by necessity rather than choice. However, the Board has raised concern in the past that some of these prisoners are allowed to self-isolate for what seems exceptionally long periods without plans or intervention. We have been advised that the safer custody team now monitors these prisoners more closely, and that more are referred for a proactive CSIP intervention.

During the pandemic, this team appears to have improved the quality assurance measures in place to deal with ACCTs and CSIPs, and safer custody staff are supporting and working with dedicated case managers to support prisoners with particular needs. It is hoped that the increased staffing in this team, improved quality assurance procedure measures, and working practices put in place during the pandemic will continue once the prison is able to return to more normal working.

<b>TABLE 1: Safer custody statistics</b> (figures provided by the safer custody team,
---

HMP Gartree)						
	2015	2016	2017	2018	2019	2020
Self-harm incidents	20	283	434	427	562	<b>350</b>
ACCTs opened	139	135	184	186	226	<b>164</b>
CSIP referrals				137	125	<b>260</b>
CSIPs opened				53	39	<b>80</b>
Assaults: prisoner on prisoner (including serious)	60	59	65	79	78	<b>52</b>
Assaults: prisoner on staff (including serious)	22	29	69	61	81	<b>48</b>
Violent incidents	82	87	134	140	159	<b>119</b>
Deaths in custody	1	3	2	1	2	<b>5</b>
Serious self-harm incidents	33	23	13	18	29	<b>32</b>
Attended outside hospital/incl. self-harm/7 violent incidents						

<b>TABLE 2: Reasons for ACCT document being opened</b>						
	2015	2016	2017	2018	2019	2020
Hanging/ligature	4	2	8	8	10	<b>6</b>
Cuts minor	42	41	58	92	84	<b>57</b>
Cuts major (require sutures)	6	3	10	2	8	<b>9</b>
Overdose/self-poisoning	5	13	8	2	15	<b>5</b>
Food refusal	5	0	1	1	2	<b>0</b>
Threats to self-harm	20	31	32	27	52	<b>33</b>
Low in mood	57	45	60	47	48	<b>53</b>
<b>TOTAL</b>	139	135	184	186	226	<b>164</b>
Transferred on open ACCT	3	3	7	2	7	<b>1</b>

There continue to be several gangs identified within the prison, which creates some challenges in managing their location and reducing the potential for conflicts. The

security department continues to collate evidence on these gangs, and the activity of individual prisoners and their associates inside and outside the establishment. This is vital work, as gang conflicts/activity is thought to be a contributory factor in many violent incidents and in the trafficking of phones/drugs and other restricted items into the prison.

#### **4.4 Vulnerable prisoners, safeguarding**

The Board is aware that during the lockdowns, the prison has continued to collect monthly safety data, although, regrettably, the more strategic monthly safer custody meetings, which help to analyse trends and hotspots, ensure oversight and highlight actions, were stopped during the initial COVID-19 lockdown, but resumed in October 2020. Monthly security meetings have continued throughout.

The ACCT process is used to monitor prisoners deemed to be at risk of suicide or self-harm. These prisoners then have regular ACCT reviews, are recorded on the DBS and are discussed at a weekly SIM. There has been an improvement in the quality and management of ACCT documents over the past year.

The number of ACCT documents opened over the past year has reduced from 226 in 2019 to 164 in 2020. The safer custody team has put new quality assurance measures in place to monitor the quality of the documents and the recording of information, to make sure that it is detailed and relevant. The list of prisoners on an open ACCT is recorded on the DBS, with review dates and details of the case officer available. Having a single key contact has improved the management of ACCTs, and allows the prisoner a clearer understanding of when reviews will take place and who will carry them out.

Following improvements introduced last year, there is evidence that the ACCT reviews are now more likely also to include prison psychologists and offender managers, to ensure a more holistic approach and better linkages with programmes and mental health support. The psychology team now produces 'one-page plans' for the more complex, self-isolating and segregated prisoners (principally, for the weekly SIM), which include information about behaviour, triggers and targets, and so on. They are useful for the staff responsible for reviewing and caring for these prisoners.

Following the introduction of in-cell telephones last year, prisoners have been able to contact the Samaritans from these, at no charge. The Listeners (prisoners trained by the Samaritans to provide confidential emotional support to fellow prisoners) have continued to operate throughout the period of restrictions. The Listener suite on D wing is too small to allow for social distancing, so meetings have been held in association rooms.

#### **4.5 Use of force**

Officers sometimes have to use force for a variety of reasons, commonly for non-compliance with a given order, use of threatening behaviour, breaking up an assault or preventing self-harm. A guiding principle is that a minimum of force is used to achieve the desired aim. As might be expected, incidents involving the use of force are carefully recorded and monitored. All such incidents are analysed at the monthly use of force meeting, chaired by a Governor, and attended (pre-COVID-19) by a Board member.

All officers are trained in the appropriate use of force, but some are given extra training, involving protective equipment for use in situations which have escalated or where a planned use of force is necessary – for example, when a prisoner refuses to move cell to another wing. In such a planned use of force incident, a member of healthcare staff and, sometimes, a Board member are present. BWCs are becoming more frequently used and provide a useful record of these incidents.

During the reporting year, officers have begun using a new type of handcuffs in ‘use of force’ situations – rigid bar handcuffs, which provide a greater degree of immobilisation than the traditional type. The issue of PAVA spray is also being rolled out. This is a spray canister, carried by an officer, which contains a lachrymatory substance with a spray range of about 10 feet. It would only be used as a last resort, if other methods have failed to prevent violence on either staff or prisoners. At present, it is only being carried by the DST officers, as uncovering an illicit item in a cell is often a trigger for violent behaviour, and by use of force instructors. Thus far, it has not been necessary to use it.

If a prisoner continues to exhibit violent behaviour during a use of force incident, he can be placed in a special accommodation cell (padded to prevent self-injury) in the segregation unit and/or placed in a body belt. Neither facility has been used in 2020.

The number of use of force incidents is usually in the range of 10–25 per month. It peaked in June 2019 at 52, at a time when there was a concerted programme of cell searching. In 2018, there were 230 such incidents, in 2019 there were 265, and for the first 11 months of 2020 the total was 190, so it would appear that 2020 will have the lowest total for several years. This can presumably be attributed to the lockdown situation, where prisoners have much less opportunity to mix with other prisoners or with staff.

On completion of any use of force incident, all participating officers are required to complete a form (annex A), recording their participation in the incident. In last year’s report, we raised a concern that some of the paperwork was still not completed in a timely fashion, and there now appears to be more active chasing and monitoring of this requirement. Non-completion of these forms remains a problem.

Larger numbers of staff now wear BWCs as part of their daily 'uniform', and seem to accept the benefits they offer, not only to record incidents, but also as a useful deterrent to volatile behaviour in some of the prisoners. Some of the prisoners also see that the BWCs can help protect them.

BWC recordings are now also used to ensure that uses of force because of violent behaviour are recorded and can then be monitored and reviewed as evidence at a later date, and to discuss how lessons can be learnt from how situations are handled.

Of the serious incidents declared in the past year (resulting in the command suite being opened), most involved incidents at height (for example, a prisoner clambering on the netting positioned over the central gap on upper walkways). Unfortunately, it is normally not until the prisoners involved see members of the national response group arriving and preparing to intervene that they give up a protest. This must be extremely frustrating for staff and managers, and a wasteful use of resources.

Members of the Board always try to attend serious incidents and are generally impressed by the professional way they are managed and resolved. There have, however, been several occasions when we have not been notified of incidents (perhaps because the command suite was not opened, or it was felt that we could simply read about it later in the DBS). The Chair has raised concerns about this about instances where the Board have not been notified with the Governor. The requirements for these routine notifications are set out in the memorandum of understanding between HMPPS and the management board for the Independent Monitoring Boards, dated December 2019.

#### **4.6 Substance misuse**

The pandemic and lockdown seem to have had a positive impact on the number of different drugs and the amount of drugs available to prisoners. 'Spice' remains the most readily available illicit substance, but the amount in the prison remains far lower than pre-pandemic. Access to illicit drugs remains a concern, with the recent prisoner survey reporting that 37% of prisoners stated it was easy to get hold of illicit drugs. Illicit drugs infiltrate the prison by a variety of means, and their prevalence can be linked to debt, violence and bullying. However, the Board notes that there has been a reduction in the number of reported finds mentioned on the DBS, particularly following the COVID-19 lockdown and the cessation of personal visits.

Other supply routes include drones and 'throw-overs', but most of these appear to be detected/intercepted. In the past, visitors have been a more likely source of supply, despite being fully searched with the assistance of dogs. Staff corruption is very occasionally discovered, and we believe that the Governor is fully committed to the identification and prosecution of the individuals identified. New scanners and search

equipment are due to be installed on the main gate early next year, which should help to detect and prevent further illicit items being brought into the prison.

There is a strongly held view that restricting the supply of drugs has massively driven up their price, incentivising organised crime groups to target prisons, where they can make more profit. This has encouraged these groups to try to infiltrate prisons, through staff or (mainly) transfers from remand prisons, with consequent debt problems – not always for the users themselves, but often for their families, who are apparently subjected to threats of violence if payment is not forthcoming.

The flip side of the success in minimising the availability of PS has been a massive rise in the brewing of alcohol ('hooch'). Fortunately, this is easier to detect than PS, and specialist dogs have helped to detect substantial quantities during cell searches. However, the introduction of these dogs has seen the number of hooch finds continue to rise, and 37% of prisoners in the recent HMIP survey stated that it was easy to get hold of hooch.

Incoming mail is scanned and photocopied, and clothing parcels are scanned to detect impregnated drugs. This has helped to reduce the amounts of PS being brought into the prison. The Board has continued to receive some complaints (even in lockdown) about items of clothing which have tested positive and been withheld. There still appears to be some confusion about how such items should be dealt with. Hopefully, lessons have been learnt and procedures will be put in place so that prisoners are fully aware as to whether items will be permanently confiscated/returned to sender or destroyed.

Actions are undertaken by the prison to try to reduce drug use and prohibited items. The substance misuse team, part of the in-house NHS staff, works closely with prison staff and prisoners to tackle drug use and any form of substance dependency.

## **5. Fair and humane treatment**

### **5.1 Accommodation, clothing, food**

As raised in our last annual report, the fabric of Gartree continues to deteriorate with age through a lack of investment, especially on wings A to D. This was highlighted as a key concern by HMIP in its scrutiny report dated October 2020.

Despite the poor conditions, there are efforts made, both by prisoners and staff, to keep living conditions clean and tidy, which achieves an acceptable degree of decency. However, without substantial investment, many areas will continue to deteriorate to a level where a safe and decent environment may be difficult to achieve. It appears that there has been little or no capital funding to address this, and that there is an over-reliance on bids to fund the refurbishment of the prison.

In our 2018/19 and 2019/20 annual reports, and subsequently on many occasions, the Board highlighted the unacceptable conditions of the showers. This was also raised by HMIP in their October 2020 report, which stated that the showers on wings A to D were 'unacceptable' and should be addressed as a matter of urgency.

In our 2019/20 annual report, we raised our concern that the fire improvement project, to improve fire safety in the establishment for all residential wings, had been delayed. We are pleased to confirm that the two-year improvement project started over the summer. Work on the first wing is anticipated to be completed by the end of the year. For the work to start, the operational capacity of the prison was reduced to 648. This reduction resulted in several category C and D prisoners being able to make progressive moves to an appropriate type of establishment.

The Board would like to see more progressive plans in relation to making the infrastructure appropriate for prisoners who are disabled or who have mobility issues, especially as the number of prisoners aged over 50 is increasing (see also section 5.4).

#### **Food**

There has been a small increase in the catering budget, which has resulted in the provision of more fruit and vegetables. This increase has contributed further to being able to offer a healthy diet for the prisoners. The kitchen has continued to offer two hot meals a day throughout the reporting period, and introduced comfort packs, which contain snacks for the prisoners, to support them during COVID-19.

Special dietary requirements have continued to be offered, including catering for those who have medical or religious needs, as well as vegetarians and vegans. In addition, religious festival foods have continued to be offered during the restricted COVID-19 regime. As in previous reporting periods, the Board has received very few complaints regarding the quality or supply of food.

The kitchens have experienced a large number of issues with refrigeration equipment, and as expressed in our last annual report, the challenges regarding long

delays before kitchen equipment is either replaced or repaired have continued. Although the Board experienced difficulties in receiving updates regarding our ongoing concerns, we have been advised that significant funds have been allocated to address the issue of equipment in the kitchens.

### **Prisoner self-catering facilities on the wings**

It was unfortunate that the prisoners' self-catering facilities were closed in March due to concerns regarding the transmission of COVID-19, and have since remained closed. In their recent report, HMIP raised the question of whether this continued closure of the kitchens was justified after six months.

The self-catering facilities need investment. The Board understands that a funding application has been made to address the poor conditions and inadequate equipment in the prisoners' kitchens on wings A to D, and we look forward to receiving positive news regarding funding to improve these facilities dramatically.

## **5.2 Segregation, special accommodation**

The SAPU comprises 12 cells, two special cells, an administrative office, one adjudication/review board room, two showers, a small staff kitchen/toilet area, an inner courtyard exercise yard with three separate exercise areas, and a holding/telephone lobby. Library books are available for the prisoners on the unit, and there are several noticeboards displaying general information. Distraction packs are available for prisoners struggling with the isolation, and some segregated prisoners are also permitted to continue with educational courses or undertake in-cell work, although this tends to be limited and hard to access.

The Board has previously raised concerns about the poor physical conditions in the unit, both for the prisoners and staff. There is a limited regime for prisoners housed in the unit and segregated on the residential wings, and the Board has continued to raise concerns about the excessive length of time that many prisoners are kept in the SAPU/segregated on the wings. Unfortunately, in the past there have been instances where SAPU cells have been used as constant supervision cells, which is a highly unsuitable location for the most vulnerable prisoners to be housed and supervised. The Governor has been instrumental in stopping this.

Prisoners in the SAPU are visited on a daily basis by a governor, a member of the chaplaincy, and mental health and healthcare staff. The psychology team also regularly visits some of them. The Board has been advised that early on during the lockdown restrictions, there were issues with GPs not visiting the unit as often as they would normally be expected to, despite requests from some prisoners. We have been told that this issue has now been resolved.

Board members normally visit the SAPU every week as part of their rota visit, to ensure that it is clean, there is suitable bedding and that the residents have access

to exercise, showers and a telephone daily. Members of the Board speak to all prisoners on the unit and give them the opportunity to raise any particular issues of concern. Some of these can be resolved by the SAPU staff; others relate to broader healthcare issues or ongoing complaints already within the prison system. Wherever possible, prisoners are encouraged to attend segregation review boards, to ask for updates and to raise any issues of concern.

Prior to the COVID-19 restrictions, Board members had attended good order and/or discipline segregation review boards (as observers), which take place up to three days per week at 2pm on Mondays, Wednesdays and Fridays. The operation of these review boards had improved since our last annual report. Unfortunately, Board members have not been able to attend reviews since March 2020, but SAPU staff and governors have advised that they continue to take place, and that there is now regular attendance both from mental health staff and psychologists – who, in some cases, have actively promoted the use of ‘one-page-plans’ to detail appropriate actions to support prisoners and allow the monitoring of progression.

The Board is occasionally notified of prisoners being taken to the segregation unit and of prisoners starting ‘dirty protests’. However, there are some instances when the Board is not notified of such occurrences, and we continue to raise this as an issue, and to request that this is done.

### **The past 12 months in the SAPU**

Over the past year, the SAPU has remained almost constantly full of prisoners who have tended to exhibit more challenging behaviour and, in many cases, have also had more complex mental health needs. This can cause frustrations, which then lead to violent behaviour, verbal abuse and assaults, and also to self-harm, dirty protests and damage to premises/property.

It is encouraging to hear that weekly support sessions for staff on the unit offered by the psychology team now seem to take place more regularly. The Board would like to see such sessions extended to other staff who are based on the residential wings, but who often have to deal with numbers of segregated prisoners for considerable periods of time.

There have been occasions since the start of the COVID-19 restrictions when Board members have witnessed, or been advised, that because of the size of the unit and the number of staff congregating at certain times, there has clearly not been adequate social distancing – which was of particular concern to the Board prior to the compulsory wearing of face masks.

It is also within the duties of the Board to monitor the treatment of prisoners who are segregated on the wings to ensure that they are offered the same regime as those who are segregated in the SAPU. We also try to keep an eye on those who choose

to self-isolate (for a variety of reasons) and who the Board has often found not always to have been given the same access to daily showers and exercise, and to health facilities. It is encouraging to hear that these prisoners are now more actively supported by the safer custody team and CSIPs (see section 4.3).

At the beginning of the reporting period, the Board continued to raise concerns about prisoners housed in the SAPU for long periods (often more than 12 months). Their poor mental health makes them especially vulnerable, which can result in a cycle of poor behaviour, leaving them stuck in a cycle of helplessness. The COVID-19 restrictions have no doubt had an effect on the moves and progression of many prisoners in the long-term high-security estate, but the Board will continue to raise concerns whenever it feels that progression is not happening.

The SAPU does not seem to be a suitable environment for these individuals. The challenge of dealing with these prisoners on a day-to-day basis can put enormous strain on the staff, who, despite the pressures placed on them, try to work in a professional manner and demonstrate resilience, patience and compassion.

### **5.3 Staff/prisoner relationships, key workers**

We consider the relationship between prisoners and staff to be positive, and the Board observes generally supportive and constructive interactions. In the recent HMIP survey, 83% of respondents said that staff treated them with respect.

Verbal communication between prisoners and staff is largely respectful on both sides. Staff usually refer to a prisoner as Mister [Name], but in close supervision settings, such as the SAPU and constant watch, staff are more likely to address the prisoner by their first name. This is mainly the case in workshops as well. Addressing or calling a prisoner by their last name happens but is rare. In reverse, it is often the case that prisoners will refer to an officer by both their first and last name or by a known nickname. There are, of course, less congenial references to be heard but generally they are in the minority.

Written communications, as referenced in the DBS, formally identify prisoners by their surname and number, but when a second reference to the prisoner is made, it is often by first name only.

Before the COVID-19 restrictions were implemented, the Board had seen a greater visibility of the new Governor and the SMT around the prison. There appeared to be a growing culture of more interaction with the prisoners. The Board looks forward to this continuing after the pandemic restrictions are lifted.

The prison has lost a large number of officers recently, and recognises the challenges in introducing inexperienced officers.

The Board notes the significant effort put into communicating to prisoners the internal restrictions made necessary by the COVID-19 pandemic. Consequently, the

prison has received the support and compliance of nearly all prisoners over the months since the initial COVID-19 outbreak. Additionally, the Board has noted that the prison has 'gone the extra mile' in several instances to improve prisoner welfare during a testing year (for example, through greater allowance for prisoners to contact families using in-cell telephony). These measures have also assisted in nurturing trust, and led to a reduction in complaints against staff.

The key worker scheme, although interrupted by the pandemic, has progressed but at a reduced rate, due to pressures for staffing elsewhere in the prison. Currently, there are 173 active key workers, and during the year there were 4,430 recorded sessions, with a 25% compliance rate. Managers are keen to raise the compliance rate towards the national target levels while working within the agreed exceptional delivery models (EDMs).

Observations of staff/prisoner interaction suggest a high level of professionalism. In most instances, difficult prisoners are dealt with consistently, and efforts are generally made to avoid confrontation. This is particularly important in the SAPU, where any perceived differences in the treatment of one prisoner can result in difficult behaviour from others. Clear boundaries, consistency and fair treatment are also better for the staff, to avoid them being 'played off' against each other.

There have been occasions when it appears to the Board that there may be too many new and less experienced staff, with less on-the-job experience and fewer skills to be able to pre-empt trouble and difficult situations; some of the more experienced staff may be better equipped to diffuse situations. Generally speaking, the prison officer entry-level training staff are dispersed across the wings, to ensure a balance of experience. There is also a mentor working in the establishment, to support and guide the newer staff members and trainees.

The reorganisation of the probation team and prison offender managers (POMs), alongside the key worker scheme, appears to have worked well.

The drop in the number of applications to the Board this year might be due to the key worker system, by which complaints and questions can be settled much more quickly in a face-to-face context. Of course, the scheme has to be constantly monitored and, as it were, refreshed; prisoners sometimes complain that they have nothing to say to their key worker week by week, yet the meeting still has to take place. Nevertheless, the system currently appears to work well.

#### **5.4 Equality and diversity**

The prison is bound by the provisions of the Equality Act (2010), which is designed to ensure that the prison: eliminates unlawful discrimination, harassment and victimisation; advances equality of opportunity; and fosters good relationships between people who share a protected characteristic and those who do not.

Historically, Gartree has had an equality action team (EAT), comprising a prisoner representative for protected characteristics, supported by an equalities officer, an equality and community engagement coordinator, a foreign national officer and an equalities manager from the SMT. The entire equalities team reports to the Governor.

Even before the pandemic lockdown, there were no regular meetings of the EAT; staffing and resourcing has always been an issue in this area. Last year, we reported that: 'EAT meetings, scheduled to take place every two months, are frequently cancelled and appear to receive little support or input from the senior management team. The data provided in these meetings can often be lacking or incomplete, which leads to inconclusive meeting outcomes, and incomplete actions are also common'. The Board is very keen to see how this vital equality work will be resumed within the prison as soon as is practical. Concern about the lack of support for protected groups and equality work was highlighted as an area for concern in the recently published HMIP scrutiny visit report.

Discrimination incident report forms (DIRFs) are available on all wings for prisoners who wish to report incidents of concern. Progress had started to be made last year, with two prisoner equality representatives tasked with ensuring that DIRF forms were always well stocked.

The Board remains concerned that some DIRF responses are overdue and/or of poor quality. This raises questions about scrutiny and accountability. Based on experience during this reporting period of dealing with queries raised by prisoners with the Board about DIRFs, we still feel that there are issues with timescales in dealing with the issues raised and responses given. We acknowledge that things will now improve with better staff and systems, but we have not been able to witness this ourselves.

During this reporting period, the establishment has accommodated three transgender prisoners. A compact is in place to allocate a case manager, senior officer, healthcare and wing staff members, who are supposed to meet bi-monthly to discuss an individual's issues and assess their needs. In the past, the Board was aware that these meetings did not always take place. However, we believe that transgender prisoners are now discussed at the weekly SIM meetings.

The recent HMIP scrutiny report advised that, since March, there have been no Home Office-led immigration surgeries, available to foreign national prisoners, who make up around 16% of Gartree's population. However, the foreign nationals officer based in the safer custody and equality team has remained in post throughout the restricted pandemic regime, to offer advice to prisoners over in-cell telephones.

**TABLE 3: Age breakdown of prisoners at Gartree**

Age breakdown	Year		
	2018	2019	2020
18–21	/	6	4
22–29	/	131	106
30–39	/	197	191
40–49	/	166	145
50–59	191 (50+)	125	119
60–69		57	64
70+		15	15
<b>TOTAL</b>		697	644

The prison currently accommodates 198 prisoners aged 50 and above (see Table 3 for an age breakdown). The growing number of older prisoners, often with more complex health issues and social care requirements, will present the prison with challenges. The Board has witnessed several occasions where the social care needs of older prisoners appear not to be adequately met, particularly where they have returned to the prison after hospital stays, and specific equipment which has been ‘prescribed’ to them has not been provided or has been given to other prisoners.

Half of H wing has been dedicated as an over-50s wing. There are some specially adapted cells which are wheelchair friendly, and with grab rails installed as needed, but the Board is concerned that there may not be enough wheelchairs available. In addition, in some instances prisoners in wheelchairs are not located in cells with wider doorways to allow wheelchair access, or where they can readily access cell call bells. Staff on H wing often show care and patience with some of the older prisoners in their custody (including those with dementia, who can present with challenging behaviour), and we have seen them do whatever they can to support those with medical needs and terminal illness.

Some of the prisoners who have need for it are allocated a peer, who is trained to help them use a wheelchair. The Board is pleased to note that prisoners with additional needs have now been given clear personal emergency evacuation plans (PEEPs), so that prisoners and staff are fully aware of any special steps which need to be taken should an evacuation have to take place.

On H wing, these PEEPs are kept up to date and are clearly displayed on all prisoners’ doors. This does not appear to be the case on all residential wings, where, during our weekly rota visits (when these were possible), we observed that some staff appeared to be unaware about the existence and purpose of PEEPs.

Over 25% of the prisoner population at Gartree have recorded disabilities, and the Board has previously raised concerns that, in some cases, even where they have been identified, ‘reasonable adjustments’ are not always provided or can take

excessively long periods to be implemented. There appears to be some confusion (between the prison, healthcare team and social care providers) about who has responsibility for what, and who should pay. The Board is concerned that this results in some individuals having to live without dignity.

Some prisoners with disabilities might need extra help. The Care Act 2015 provides for this. If a prisoner thinks he has social care needs, he can ask for an assessment. Leicestershire County Council (as the local council) has arrangements with the healthcare provider to consider the case and then decide whether they can give the care and support asked for. This might be assistance with daily living, such as help with using the shower or getting dressed. The council might agree a care and support plan which will say what help is needed, and who will provide this.

Despite our limited ability to visit the prison this year, the Board remains concerned that there is inadequate support for some prisoners with disabilities.

A 'buddy scheme' operates in the prison, to support prisoners with disabilities, although buddies had no formal training or supervision.

## **5.5 Faith and pastoral support**

Currently, the Gartree population comprises over 24 different religious denominations, as shown in Table 4. The majority of religions are represented within the chaplaincy, with one full-time Muslim chaplain, one full-time Christian chaplain and two part-time Muslim chaplains employed at the establishment. Leaders of other faiths are employed on a sessional basis, and cover Judaism, Hinduism, Buddhism, Paganism, Roman Catholicism and Rastafarianism. In normal circumstances, there is a range of weekly or fortnightly prayer groups, classes and fellowship meetings taking place in the chapel, to support a wide spread of these faiths.

The chaplaincy team has continued to work actively in the prison since the introduction of the COVID-19 restrictions, to provide important (socially distanced face-to-face) pastoral support to prisoners who have requested it.

Faith leaders have continued to make daily visits to prisoners in the segregation unit and weekly visits to some of the more vulnerable prisoners, such as those on open ACCTs. A wide range of faith and pastoral support services are offered to prisoners. Unfortunately, face-to-face faith services have been affected by COVID-19 restrictions but services have been broadcast on weekly resource sheets and via services on the internal Wayout TV system.

The chaplaincy team also provides support for prisoners who have suffered bereavement, and in some instances are able to facilitate the use of tablet computers to stream the funerals of relatives and friends. The team can also offer special support (at prisoners' request) for memorable anniversaries.

The kitchen makes provision for all special dietary requirements related to religion, religious festivals and beliefs (as well as for those related to health concerns). Ramadan started on 24 April 2020, and the prison made preparations in advance for managing this under the COVID-19 restrictions, with meals delivered to prisoners, to be stored until their fast was broken, and the arrangements appeared to work well.

<b>Table 4: Religious and faith denominations</b>		
Religion/faith	Year	Year
	<b>2019</b>	<b>2020</b>
Agnostic	3	5
Atheist	6	6
Baptist	1	0
Buddhist	24	19
Christian	61	48
Church in Wales	3	3
Church of England Anglican	138	131
Church of Scotland	3	3
Eastern Orthodox	1	1
Hindu	4	5
Jain	1	1
Jehovah's Witness	4	5
Jewish	4	4
Methodist	2	2
Mormon	11	10
Muslim	157	145
No Religion	127	115
Oriental Orthodox	1	1
Other	1	0
Pagan	12	12
Pentecostal	2	3
Quaker	1	1
Rastafarian	7	11
Roman Catholic	99	103
Salvation Army	1	1
Sikh	8	7
Spiritualist	0	1
Taoist	1	1
<b>TOTAL prison population</b>	<b>683</b>	<b>644</b>

## **5.6 Incentives and earned privileges (IEP)**

The incentive scheme at Gartree appears to support the national objective of an IEP scheme focusing on behaviour, individual progress and engagement with the establishment's regime. In the recent HMIP scrutiny report, 61% of respondents to their survey confirmed that prisoners feel treated fairly in the IEP scheme used at Gartree. This is reflected in the limited number of applications that the Board receives regarding the lack of progression or movement down the scheme.

## 5.7 Complaints

Prisoners can submit a complaint form to the prison, and these can address any aspect of prison life. General complaints are required to be responded to within five working days of their receipt by the complaints clerk. The respondent is normally a senior officer. Complaints which require the input of an external agency – for example, another prison or a supplier of goods – have a longer permitted response time. The prisoner submitting the complaint can do so by a confidential access route. These then go unopened to the Governor, who deals with them. A response time of 10 working days is allowed for these. Confidential complaints often involve an issue with staff, and the confidential route ensures that the member of staff about whom the complaint is being made is not in the response chain.

At the beginning of the reporting period, the complaints system could best be described as being in disarray. A large proportion of the complaints were not answered within the required period. This resulted in a situation where a prisoner was submitting a complaint about his previous complaint being unanswered! Many of the responses were anodyne and did not properly address the prisoner's concern. Board members frequently received Board applications which were focused on complaints – usually when the response deadline had passed and no response had been received. When Board members pursued these, it often transpired that the complaint had 'disappeared' in transit from the wing to the complaints office, to the extent that we often found ourselves acting as couriers, to ensure that the complaint reached the complaints clerk or the Governor. The Board is pleased to note that complaints are now monitored on a daily basis; the head of business assurance (HoBA) carries out monthly quality assurance on complaint responses, with advice given as appropriate; the SMT monitors complaint responses monthly, including for lateness (meetings stopped in March and resumed in October 20 but responses were monitored by the HoBA); the process of night staff processing complaints was stopped and all keys to access the box removed and dedicated administrative staff were given access to the boxes only – no uniformed staff are involved in the handling of a complaint prior to it being processed and registered by the clerk.

Statistics concerning complaints show that there has been a marked improvement in response times. For the four-month period from August to November 2020, the response times have been steadily improving, and for November were above 90% in every category, with external complaints having a 100% response rate within the required timescale. Certainly, very few Board applications concerning complaints have been received in the last few months of the reporting period. This is a very welcome development.

Table 5 gives a breakdown of the complaints categories. It can be seen that there are somewhat over 200 complaints per month (that is, 6–7 per day). Given that the prison has a roll of about 650 prisoners at the time of reporting, this means that about 1% of the prison population submits a complaint every day.

**Table 5: The breakdown of complaints categories, August to November 2020**

<b>Subject</b>	<b>Aug 20</b>	<b>Sep 20</b>	<b>Oct 20</b>	<b>Nov 20</b>
Adjudications	3	2	3	2
Bullying	4	2	2	2
Canteen	9	17	14	17
Confidential	30	34	59	34
Education	0	3	2	0
Finance/cash	37	38	18	24
Food	4	4	3	7
Gym	0	0	0	0
IEP	1	2	5	5
Letters/censors	5	7	8	3
Medical/healthcare	0	1	0	0
OASys/offender management	3	6	2	1
Offending behaviour programmes	2	2	7	2
Other	7	18	12	11
Pre-release/release	7	1	0	0
Reception	0	0	0	2
Property	26	41	37	52
Recategorisation	4	3	4	3
Residential	0	33	42	22
Security	0	4	3	2
Segregation	0	0	0	1
Staff	5	6	4	7
Transfer/allocation	1	1	1	4
Violence	0	0	0	0
Visits	5	5	5	0
Work	9	9	6	3
<b>Total</b>	<b>162</b>	<b>239</b>	<b>237</b>	<b>204</b>

It can be seen that property is a constant theme – this chimes with the number of Board applications received relating to issues with property.

## **5.8 Property**

The Board continued to receive a large number of applications relating to property prior to COVID-19. As shared in our last annual report, the Board refers all prisoners who have complaints regarding property that has gone missing during transfer directly to the Prisons and Probation Ombudsman. Even if the property arrives at Gartree, prisoners have raised complaints regarding the amount of time it can take to receive their property from reception.

Compensation claims made against the Prison Service have declined, but these claims have an impact, not only financially, but also in the hours of staff time needed to process them. Equally, property lost can be irreplaceable and this can have an emotional impact, especially when lost property includes photographs and personal

family memorabilia. Prisoners' belongings are often all they have, and have been built up over a long period of time. The Board looks forward to improvements being made in relation to prisoners' property, both when they are transferred and also within the establishment.

## **6. Health and wellbeing**

### **6.1 Healthcare: general**

Healthcare services are provided by Nottinghamshire Healthcare Foundation Trust, which is commissioned to provide integrated services to prisoners, including physical healthcare, mental health care, social care, and clinical and psychosocial substance misuse services.

In January 2020, the healthcare team announced that a focused inspection by the Care Quality Commission had taken place. In addition, in September 2020, HMIP carried out a scrutiny visit.

Overall, the healthcare department is well led, with continued improvement in clinical governance, care of patients with long-term conditions, social care provision and pharmacy services. These continued improvements have enabled the service to contribute effectively to partnership working at a strategic and operational level, to meet the needs of the population.

### **6.2 Physical healthcare**

Partners had joint operational contingency plans for COVID-19 and had created workable recovery plans, underpinned by a joint understanding of the risks. Prison and healthcare staff were aware of the procedures to deal with COVID-19 and were equipped with adequate personal protective equipment and testing regimes.

The healthcare team's imaginative use of the telephone and computer to assess and treat patients throughout the pandemic has enabled safe and continued contact during the restricted regime. Furthermore, the use of tablet computers has enabled the psychiatrist to observe the patient while undertaking an assessment.

Telephone consultations have enabled safe access to hospital specialists but, when necessary, face-to-face hospital appointments have also taken place.

In the prisoner survey carried out for the HMIP visit, 25% of respondents said that they had a physical disability, whilst 37% stated that they had a mental health problem.

The restricted regime has impacted negatively on the number of prisoners waiting for specialist services, particularly dental care. National prison policy to restrict access to routine aerosol generating procedures, such as dental fillings, has meant that some patients have been waiting up to three months for dental treatment which would have been completed within three weeks in the community. This lack of access has caused the waiting list for dental services to grow to 104, as at the end of October. The waiting times remain long for appointments for both ophthalmic services and podiatry.

### **6.3 Mental healthcare**

As raised in previous reports, mental health issues among prisoners remain a concern. On average, there were 75–100 patients on the mental health caseload; the care plan approach is used to manage prisoners with complex mental disorder. The mental health and start teams responded to assessments for urgent referrals within two days, and non-urgent referrals within five days.

#### **Dealing with more complex prisoners**

As raised in our last report, we continue to be concerned that, in the cases of prisoners who have been segregated for long periods, there appear to be no clear plans for progression out of the SAPU or off segregation on the wings. For example, one prisoner had been housed in the SAPU for over a year, while waiting for a transfer to a more suitable therapeutic environment where his mental health issues could be appropriately addressed.

### **6.4 Social care**

Five prisoners are currently receiving social care packages provided by the Trust. For social care assessments to be continued to be carried out during lockdown, an agreement was made that allowed the Trust to carry out the assessments on behalf of the local authority.

The prison has an ageing population, who suffer from a wide range of chronic conditions. An end-of-life care pathway is in place to ensure that prisoners are afforded the same access to palliative care, and are treated with the same dignity and respect, as in the community.

Due to lockdown restrictions, Leicestershire County Council has not provided assessments for new referrals since July. However, assessments are still being carried out, and services put in place, following an agreement between the local authority and the Trust, for the latter to undertake the assessment on the local authority's behalf.

### **6.5 Exercise, time out of cell, gym**

With the centrally imposed severe restrictions of the pandemic, all prisoners have had access to open air exercise each day, including gym sessions (outdoors only). In addition, they have had access to healthcare facilities, and essential workers continued to attend the kitchens, waste management and the laundry.

To allow prisoners some virtual sense of time out of cell, there were enhanced meal provisions, additional PIN credit for in-cell telephone use, distraction packs and additional education in-cell packs.

During the lower-level restrictions, there were enhanced one-to-one key worker contacts for all prisoners, with support from substance misuse and mental health staff for limited periods each day. Offending behaviour programmes were reintroduced in limited group sizes, and group therapy in the therapeutics units.

## **6.6 Drug rehabilitation**

HMP Gartree operates its own in-house accredited drug prevention programme, known as the relapse prevention programme. Nottinghamshire Healthcare Foundation Trust is currently working on designing a new programme which, once accredited, will replace the current in-house programme.

Currently, there are 89 prisoners on the substance misuse services psychosocial caseload. This includes 36 on opiate substitution therapy, which is administered safely, with prescribing for each patient reviewed every 13 weeks, in line with national guidelines.

All new arrivals into the prison are seen by a drug recovery worker during induction, and the relationship between drug taking and COVID-19 is explained.

One-to-one support sessions have continued via the in-cell telephone system but, in cases of emergency, face-to-face sessions have taken place, with appropriate safety measures in place.

## **6.7 Soft skills**

The prisoner council ('council') meets the Governor monthly, and at the beginning of the COVID-19 restrictions they met fortnightly. As the Board has not been able to attend the council meetings or speak with council representatives, we were pleased to read that the council representatives told HMIP, during its recent scrutiny visit, that the meetings are useful to discuss changes, and that they felt listened to.

## **7. Progression and resettlement**

### **7.1 Education, library**

Education continues to be provided under a contract with Milton Keynes College, which is a major provider of education to the Prison Service.

For prisoners without levels 1 and 2 English and mathematics, there is a mandatory requirement is to undertake these qualifications. In addition, prisoners can undertake a variety of courses, such as GCSEs. An A level in English Literature is also offered. Support is also offered to prisoners taking higher-level programmes, such as Open University courses.

As with much of the rest of the prison, 2020 was a year of two halves for the education department. Prior to lockdown, the standard range of courses were being taught as normal. The problems which the prison regime was causing, due to the late release of prisoners from their wings because of incorrect or late roll calls, were starting to ease and attendance levels were starting to rise from 45–50%, and had almost reached the target of 72% when lockdown started. This was partly because the regime itself was improving, and partly because education was classified as essential work.

Prisoners who were taking externally examined courses were treated in the same way as students in the community; where possible, they were assessed on the basis of work already completed or on predicted grades.

As the lockdown regime persisted, prisoners were provided with work packs that they could use in their cells. There was a very high completion rate for these. In the last month of the reporting year, 294 were issued and 286 returned. The focus was shifting from the traditional academic subjects towards courses providing training in ‘softer’ skills. Thus, courses in debt management (a significant problem for many prisoners), food hygiene, teaching assistants (for prisoners to become a wing landing mentor), a ‘Living at Gartree’ course, exercise, library, self-haircutting and so on were all being offered.

Prisoners taking the English for Speakers of Other Languages course would only be able to do so until January 2021, as it was felt that this needed to be offered on a face-to-face basis.

Gartree has an excellent library – prisoners often tell Board members that it is the best they have used in a prison. It is housed in a large room on the main corridor in the central part of the prison. There are rooms off the main area which can be used for meetings, seminars and so on. Since the start of lockdown, prisoners have been unable physically to access the library. The library staff have instituted a ‘tick and collect’ system, whereby prisoners can request books in a particular genre or by a specific author, and these are then sent to their wing for them to collect. The library

has also been sending batches of several dozen DVDs to each wing, where they are available for prisoners to borrow. These systems seem to be working well.

## **7.2 Vocational training, work**

As with all other areas of the prison, industries have been greatly impacted by the various lockdowns.

Prior to the lockdown, the main concern with industries was the difficulty in ensuring that the prisoners reached their employment area in a timely fashion, as prisoners were often unable to leave their wings, as a result of regime issues. This was steadily improving and, ironically, on 20 March, as lockdown started, had reached 98%, against a target of 70% – possibly an all-time high.

When the lockdown started, the numbers of prisoners working in most areas were greatly reduced. Key areas, such as kitchens, wing cleaning and the laundry, were given priority. Reduced numbers of prisoners were also employed in areas such as the gardens, litter picking and waste management. Attempts are being made to rotate prisoners through employment posts, so that all prisoners who would normally be employed can maintain some degree of work. Where prisoners are unemployed, through no fault of their own, a decision was made that they should continue to be paid, which was a humane decision.

At the end of the reporting period, steps were being taken to widen the employment opportunities – for example, the workshop that reconditions recovered bicycles for a charity is starting to operate again. The prison has also taken on work from the Prison Service and Public Industries food packing services, packing tea bags for other prisons. This employs 10 prisoners but as restrictions ease it is planned to raise this to 30.

The industries office has detailed planning for when something akin to normality starts to return. It will organise work patterns so that prisoners from a particular wing are working together in groups, to minimise the chances of cross-infection from other wings. It is to be congratulated for this.

## **7.3 Offender management, progression**

The offender management unit (OMU) has been significantly affected by the COVID-19 outbreak, as have many other areas. It has helped that many of the probation staff have been able to work remotely using Teams and Skype. This also served to create space within the OMU offices, to facilitate adequate social distancing for OMU staff still attending the prison. The current OMU staff complement is 10 probation officers 2.5 B4 prison offender managers (POMs), one OCA and eight case administrators.

Offending behaviour work was negatively affected by the COVID-19 restrictions, with a corresponding negative impact on progression. Most progression work at the prison has the defined targets of recategorisation and achieving successful parole

hearings. A wide range of offending behaviour programmes, including Kaizen, Resolve and Building Better Relationships courses, are offered. With the initial impact of COVID-19, the delivery of these programmes was suspended in March 2020 and only restarted in August 2020, when the EDM was approved to allow delivery remotely, in small groups of two or three, or via one-to-one sessions.

The OMiC model was introduced at Gartree on 1 October 2019. New prisoners are allocated an appropriate prison offender manager (POM) based on their risk profile. All the POMs have been able to support and contact prisoners with some face-to-face time, by memo, by letter and by extensive use of in-cell telephones, which are set up in the OMU office. While not desirable in the long term, remote contact has enabled the OMU to maintain contact with prisoners during challenging times. Parole hearings have mainly been managed by video-link, and essential court hearings have been facilitated via teleconference from the boardroom, as have meetings between prisoners and their legal advisers, arranged by the OMU.

Some extra work has been done working with IPP prisoners using psychology staff, and IPP progression panels and action plans, with an emphasis on 'complex' IPP prisoners, were established. This work was halted by COVID-19 in March 2020 but resurrected in October 2020. There were 42 IPP prisoners at the time of our last report, and this has increased slightly to 48 during this reporting period. Gartree's total population has also fallen from 697 to 640, mainly due to the upgrades being carried out to certain wings, which has temporarily reduced capacity.

Progression within all prisons has been compromised by COVID-19, and most moves were initially subjected to gold command approval. During the initial three months of the pandemic, no moves were allowed at all, except when critical.

The offender assessment system (OASys), the framework used by prisons and probation services for assessing prisoner risk and the likelihood of reoffending, was not fully up to date, with significant numbers of prisoners (approximately 100) having received no initial OASys assessment or sentence plan review within the last 12 months. Completing the sentence plan and risk assessments is paramount in demonstrating individual prisoner risk reduction, a prisoner's behaviour in custody and his efforts/success in rehabilitation. HMIP reported that it considered OASys to be failing in all prisons in its 2019/20 annual report, released 20 October 2020, so the situation at HMP Gartree is unexceptional. Considerations over the repair or replacement of OASys need to be prioritised.

Progressing prisoners remains difficult, due to capacity constraints in category C and category D prisons, as does finding a prison that meets particular prisoner resettlement needs. However, the partial closure of one wing during the period forced the need for several progressive moves.

At the time of writing, Gartree has 55 category C and eight category D prisoners; 28 and two of these, respectively, are awaiting transfer, with the rest classed as 'holds'.

Overall, the Board considers that the OMU, despite pandemic headwinds, provides a satisfactory level of support in progressing prisoners by reducing their likelihood of reoffending and their risk of harm to others.

#### **7.4 Family contact**

There has been a lot of anecdotal evidence from wing staff (with whom members of the Board have spoken on the telephone, as part of remote monitoring) that the availability of in-cell telephones during the pandemic lockdown period has been vital in allowing prisoners to maintain important contact with family and friends. At the start of the pandemic, they were given additional telephone credit to help with this.

Tablet computers have been used to livestream funerals for bereaved prisoners, and for other exceptional reasons, on approximately 20–25 occasions during this period. All prisoners could access the ‘email a prisoner’ scheme, which has seen an increase in use since the restrictions began.

Although the COVID-19 restrictions have limited and prevented social visits for a greater part of the year, they have perhaps forced through the introduction and use of ‘Purple Visits’ – a secure video calling system commissioned by HMPPS which requires any family and friends who become users to download an ‘app’ to their phone or computer. They must also upload valid identification and book visits. These have been welcomed by some of the prisoners, and have been particularly appreciated by those whose family may live far away or abroad, and whom they would not generally get to see at all.

In its recent scrutiny visit report, HMIP noted that:

‘Social visits had been reintroduced recently, but take-up was low. For many families who lived at a distance, visits were not a viable option, particularly as there were no weekend visits or refreshments available, any physical contact was banned and masks needed to be worn, despite social distancing. Additionally, there had been an arbitrary decision not to allow children on visits’.

It went on to recommend to the Governor that:

‘Social visits provision should take into account the distance travelled by families, offer weekend sessions and permit children to encourage better family engagement’.

The decision not to allow children was subsequently rescinded.

The Board will continue to monitor this situation and provision, and hopes that face-to-face visits will be offered as soon as COVID-19 restrictions allow these to take place safely.

## **7.5 Resettlement planning**

Gartree is not a resettlement prison. As a category B 'training prison' within the long-term high-security estate, it rarely releases prisoners. Instead, it focuses on the progression of prisoners to category C and category D prisons, where they typically spend the remainder of their sentence prior to release.

During the past year, only five prisoners were released directly. All prisoners are released under parole board direction, and the Board was pleased to hear that all prisoners were provided with appropriate accommodation prior to release, so none were released homeless. Release is overseen by the parole board/probation service, and all prisoners receive a bespoke release plan, produced in conjunction with the community offender manager, which includes licence conditions. Following release, prisoners are monitored according to their individual risk management plan by the community offender manager, liaising with external probation staff.

Work was carried out between the OMU, the healthcare team and security staff to consider the possible release of prisoners under the COVID-19 early release schemes but no prisoners were deemed suitable, based on risk profile and the length of time left to serve.

## 8. The work of the IMB

The Board wishes to acknowledge the hard work and support of the IMB clerk at Gartree. The IMB clerk provides exceptional administrative support to the Board and has always completed their duties to a high professional standard. Since the beginning of COVID-19, the IMB clerk has supported the Board with regard to remote monitoring and dealing with prisoner applications, and without their proactive support and solution thinking, our work during this period would have been far more challenging.

### Board statistics

	2018	2019	Current reporting year
Recommended complement of Board members	15	15	15
Number of Board members at the start of the reporting period	10	7	7
Number of Board members at the end of the reporting period	9	7	6
Total number of visits to the establishment	556	562	186
Total number of segregation reviews attended	392	586	240*

\*1 December 2019 to 23 March 2020 (start of lockdown across England), there were approximately 240 reviews attended. The Board has been unable to attend any segregation reviews since 24 March 2020 due to COVID-19.

Please note that the Board has been unable to visit Gartree during the period of producing this report, and therefore has been unable to validate the exact figure. The Board has calculated the number based on historical data. The figure will be validated, and any amendments will be referenced and detailed in our next annual report.

## Applications to the IMB

Code	Subject	Previous reporting year	Current reporting year
A	Accommodation, including laundry, clothing, ablutions	11	
B	Discipline, including adjudications, IEP, sanctions	7	
C	Equality	6	
D	Purposeful activity, including education, work, training, library, regime, time out of cell	39	
E1	Letters, visits, telephones, public protection restrictions	6	
E2	Finance, including pay, private monies, spends		
F	Food and kitchens	7	
G	Health, including physical, mental, social care	43	
H1	Property within this establishment	92	
H2	Property during transfer or in another establishment or location		
H3	Canteen, facility list, catalogue(s)		
I	Sentence management, including home detention curfew, release on temporary licence, parole, release dates, recategorisation	25	
J	Staff/prisoner concerns, including bullying	37	
K	Transfers	9	
L	Miscellaneous, including complaints system	115	
M	Inappropriate	8	
	Total number of applications	405	134*

\* Please note that the Board has been unable to visit Gartree to validate the exact figure or provide a breakdown of the nature of the applications. The Board has calculated the number using data available for seven months, to provide an estimated annual figure. Data provided in this report will be validated, and any amendments will be referenced in our next annual report.



This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [nationalarchives.gov.uk/doc/open-government-licence/version/3](https://nationalarchives.gov.uk/doc/open-government-licence/version/3)

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

Any enquiries regarding this publication should be sent to us at [imb@justice.gov.uk](mailto:imb@justice.gov.uk).

IMB annual reports are published and available for all to access at [www.imb.org.uk](http://www.imb.org.uk)