

Annual Report of the Independent Monitoring Board at HMP Garth

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

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Contents

	Page
Introductory sections 1 – 3	
1. Statutory role of the IMB	3
2. Description of the establishment	4
3. Executive summary	4
Evidence sections 4 – 7	
4. Safety	8
5. Fair and humane treatment	12
6. Health and wellbeing	17
7. Progression and resettlement	19
The work of the IMB	23
Applications to the IMB	24

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 Garth is a category B training prison. It opened in 1988 and holds long-term and life-sentenced prisoners. It has a maximum operating capacity of 845. It is now part of the long-term high-security estate.

The main service providers are the Offender Learning and Skills Service, Lancashire Healthcare NHS Trust until 1 April 2020 and then Greater Manchester Mental Health NHS Foundation Trust, Delphi Drug and Alcohol Recovery Service, and Amey (maintenance contracts).

The prison has three specialist units: the Beacon Unit, which treats prisoners with profound personality disorders and which is jointly operated with Mersey Care NHS Trust; the Building Hope Unit, for prisoners with additional disruptive needs; the residential support unit, which is a vulnerable prisoner unit for prisoners who have not been convicted of sexual offences.

3. Executive summary

3.1 Background to the report

All aspects of life in the prison since 23 March 2020 have been dominated by the onset of the COVID-19 pandemic and the prison's endeavours to control it and keep it out of the establishment. From the time of its first appearance nationally, the Governor, with the full support of the senior management team and all staff, recognised the dangers that the virus posed and took initial steps to manage the situation. This was done by restricting the regime, by closing down education classes, workshops, gyms, family and domestic visits, and other non-essential services. It had the effect of reducing the number of people entering the prison, and as a consequence the risk of the virus being brought into the establishment was much reduced.

Regular prisoner council meetings were increased, to keep the prisoners informed and updated about developments, and this was successful in terms of the prisoners both accepting the restrictions and recognising that they were imposed for their own protection. It is to the credit of this strategy that no prisoners were infected with the virus until mid-October, and that immediate action was then taken to isolate those people. As many as 90 members of staff have been self-isolating from the prison at various times, having been infected with the virus or having been associated with others with whom they have come into contact. This has inevitably put great pressure upon staff members who have continued to work, but they have managed the situation effectively and with good humour.

At the onset of the virus, the Board recognised that it had the right to continue to enter the prison, if members felt safe. After discussion, all Board members chose to isolate for a period of time, and during that time monitored remotely by telephone and secure electronic means. From June onwards, the Board returned on a limited basis, as well as monitoring remotely. In October, when the first prisoners became infected and Lancashire went into tier 3, it was agreed to isolate further for a period

of three weeks. During that period, the senior management team at the prison imposed further mandatory restrictions, and it was then judged by Board members, in consultation with the Governor, that it would be safe to return. The Board wished to continue to monitor as effectively as possible but was mindful of the needs of the prison, and was concerned not to cause the regime undue problems.

3.2 Main judgements

How safe is the prison?

See sections 4.1 to 4.6.

While it must be understood that lockdown and restricted regime conditions during this period have inevitably altered the normal patterns of behaviour, the Board considers that standards have been maintained, and that there have been no serious concerns about prisoner or staff safety. Overall, there have been fewer incidents within the prison than normal.

How fairly and humanely are prisoners treated?

See sections 5.1 to 5.8.

From observations and discussion, the Board's view is that prisoners are treated with respect and consideration. This year has been a particularly unusual one; however, it has been made bearable with the adjustments the Governor has introduced. It is understood that only in exceptional circumstances have prisoners had television sets removed for poor cooperation or behaviour, and these instances have been logged in the COVID-19 defensible decisions log. Prisoners were given additional funds to put on their telephone cards, to enable them to be in touch with their family and friends. As soon as 'Purple Visits' video calls were possible, prisoners were encouraged to make good use of the facility.

The healthcare providers changed in April, and prison staff and healthcare staff ensured that the change was a 'seamless' handover, to ensure continuity so that there was no disruption, particularly to prisoners who were in one of the vulnerable categories. Healthcare staff took the services to the prisoners, to ensure the minimum movement of prisoners, to keep them safe from the COVID-19 virus.

We have had sight of several letters received by the Governor, thanking him and the staff for all their efforts, including one from a prisoner who had been released from the establishment.

During the year, the Governor escalated the provision of in-cell telephony, so all prisoners now have a telephone in their cells, including in the segregation unit. The IMB office has been provided with a telephone connected to the system which is solely for Board members to use to contact prisoners. In respect of applications, this now gives the option for Board members to telephone a prisoner in his cell instead of going to the wing, thus keeping both parties safer from catching the virus, and in some cases can speed up responses.

How well are prisoners' health and wellbeing needs met?

See sections 6.1 to 6.6.

Prisoners normally have regular health checks, and there is a GP on site daily. A dentist attends the prison twice a month and an optician is available by appointment. Since the onset of COVID-19 and the introduction of restrictions by the government, regular scheduled health checks for the prisoners have been halted. The GP, dentist and optician availability is still the same and appointments can be made. When required, healthcare staff go to the prisoner on the wings, wearing the required level of personal protective equipment.

Regular medication is still available and is either taken directly to the prisoner on the wing or collected by the prisoner from a special distribution point.

A speedy system was planned and put in place to test prisoners who showed signs of COVID-19. This was successful, and it was not until October that the first prisoner was diagnosed with the condition.

How well are prisoners progressed towards successful resettlement?

See sections 7.1 to 7.5.

All prisoners are encouraged to take up some form of learning and training. Those with limited literacy and numeracy also have a mentor, who is usually a prisoner from the same wing – someone they can go to and work with to extend their knowledge. The education department conducts initial assessments when a new prisoner arrives, and prepares an individual plan for him.

Huge changes had to be made after March 2020 and the lockdown. In terms of prisoners' ongoing learning, the department responded positively, within COVID-19 restrictions, to try to engage prisoners. It developed meaningful, targeted and individual in-cell learning linked to the education curriculum, providing materials for those wishing to study and distraction packs for others, based on the prisoners' needs and competences.

In July, an adapted learning plan was agreed between the prison and the education provider, Milton Keynes College, to support progression, to be delivered from September. The learning available is predominantly non-accredited for this time, but the content is aligned to accredited criteria, enabling learners to convert the knowledge gained into accredited certification.

3.3 Main areas for development

TO THE MINISTER

Indeterminate sentence for public protection (IPP)

The Board recognises that greater efforts are being made to help IPP prisoners to work towards release. In the case of HMP Garth, the offender management unit (OMU) staff have continuously addressed this issue and have worked closely with psychology staff and others. However, progress remains slow, with there still being around 55 of these prisoners in the prison and up to 3,000 nationally. The Board maintains its stance that retrospective legislation is required to resolve this problem fully, in order to stop the unjust detention of these prisoners.

Deaths in custody

These deaths, whether from natural causes or self-inflicted, have a distressing effect on staff, prisoners and, of course, the families and friends of the deceased. It is recognised that all of these deaths should be fully investigated, but it is a cause for concern that the process invariably takes so long. It would be a benefit to all if the process could be speeded up.

Staffing levels

Strenuous efforts have been made to maintain staffing levels in the prison, and it is considered that staff retention at Garth is generally good. However, it should be recognised that, especially during this last year, staff who have worked throughout have experienced increasing levels of stress and increased health problems. Their great efforts should be acknowledged and further recruitment should be considered.

TO THE PRISON SERVICE

Transport of prisoners' property

The transport of property continues to be a serious issue. It is understood that the transport providers are concerned to maximise their profits by filling their vehicles with prisoners rather than with property. However, it is hard to see any serious efforts being made to resolve the problem. Pressure should be brought to cause the transport providers urgently to address this issue, perhaps by changing the design of their vehicles or by adding secure trailers. This would resolve many problems, including accusations of property being lost in the transfer to prisons.

TO THE GOVERNOR

The Board wishes to recognise and commend the great efforts made by the Governor, the senior management team and all staff in maintaining the prison safely and securely during this year, which has been blighted by COVID-19. It is very much to the credit of all that no positive cases were identified in the prison until mid-October and that immediate and effective steps were then taken to eradicate it.

3.4 Progress since the last report

As this has been an abnormal year, the progress of the prison has necessarily been limited. However, it is important to recognise the excellent work undertaken by all staff from the senior management team, and through all grades of uniformed and civilian staff, to maintain standards and to keep the prison safe. It is equally important to recognise the positive efforts made by prisoners, and in particular prisoner representatives, to accept and respond positively to the changed regime.

Evidence sections 4 – 7

4. Safety

4.1 Reception and induction

Board members are regular visitors to the reception facility, which receives new prisoners and processes prisoners transferring to other prisons. The department also deals with prisoners' property and assists Board members to resolve issues raised in IMB applications.

On arrival, prisoners received at reception go through the standard arrival procedure. They are given an information and welcome pack. Before they leave the reception area, a thorough search will be conducted of the prisoner and his property and a full inventory is created. Garth has recently installed a body scanner, which scans the prisoner and shows any items hidden inside his body.

The prison has a health check system, in which the prisoner is assessed in a specialist triage facility within the reception department. This helps to ensure that prisoners' health needs are met in a more timely and efficient manner.

The Board is satisfied, from its observations, that procedures in reception are carried out courteously and correctly, and that queries are responded to appropriately.

4.2 Suicide and self-harm, deaths in custody

Sadly, we have to report that there have been three deaths in this reporting year.

All deaths in custody are referred to the Prisons and Probation Ombudsman (PPO) and a thorough investigation takes place, after which there is a coroner's inquest. It is a matter of some concern that the whole process, from the death itself to the receipt of the final PPO report and, ultimately, the result of the coroner's inquest, is very long. As a result of our concerns, the Board has continued to monitor the two previous years and has produced the table below, to demonstrate the point. Waiting for the final outcome during this time can be extremely unsettling, not only for the prisoner's family members, but also for other prisoners and staff.

The stress and emotional effect on all involved cannot be underestimated and lingers for many months or years. The prison does have support services for staff and prisoners, to help them through the grieving process, and it is admirable how readily mutual support is given and received to all involved.

IMB reporting year	Date of death	Date that the PPO's final report was received by IMB Garth
2017/2018	January 2018	October 2019
	October 2018	June 2019
	November 2018	March 2019
	November 2018	November 2018
2018/2019	February 2019	May 2020
	February 2019	December 2019
	March 2019	November 2019
	June 2019	November 2019
	June 2019	February 2020
	September 2019	July 2020
2019/2020	August 2020	Not yet received
	October 2020	Not yet received
	December 2020	Not yet received
	December 2020	Not yet received

The Board is unaware of the exact number of inquests still to take place at the time of writing.

The reasons for the deaths are varied and include natural causes, suicide, overdose of drugs or alcohol abuse. In a number of investigations, and in preparation for a coroner's hearing, the Board has been asked for information from its records. During this year, we were required to attend one inquest in February 2020.

The information from investigations and inquests assists the prison in producing action plans to improve its processes and procedures, to keep prisoners as safe as possible. The Board regularly meets the family liaison officer(s) and has access to the records, and can confirm that continuing contact is made with the next of kin throughout the process, if they wish that contact, and certainly until the outcome of the inquests.

In many cases where a prisoner has chosen to self-isolate, an assessment, care in custody and teamwork (ACCT) document is opened, to monitor his condition and concerns closely. A prisoner may need to be checked hourly or several times per day to keep him safe, and in certain circumstances it may be that he will be constantly watched by a staff member. This system works well in the prison, and in many cases helps to preserve life. There has been a 33.4% reduction in self-harm incidents. A total of 416 ACCTs were opened during the year, averaging 35 per month.

4.3 Violence and violence reduction, self-isolation

From December 2019 to November 2020, levels of violence were much reduced, with a 48% reduction in staff assaults and a 68% reduction in prisoner-on-prisoner assaults. It was necessary to change the regime considerably when the pandemic struck, and workshops and education classes were largely closed down; however, the subsequent increased time in cell for most prisoners has had the effect of reducing violence and misbehaviour.

The Board receives the weekly bulletin from the Governor, which gives his view of the state of the prison. It also receives staff information notices, and from these an understanding may be gained of the levels of violence in the prison. The Board has had periods of working at home during the year and has made only 250 visits to the prison; consequently, there has been a reduced number of occasions when members have been requested to attend planned movements of prisoners.

There have been no designated 'serious incidents' during this reporting period and it is therefore believed that there has been a reduction in violence in this reporting year.

As a result of the regime changes caused by the pandemic, most prisoners have spent much of their time in their cells, and it has therefore been difficult to assess whether prisoners have self-isolated for other reasons (see also section 4.2).

4.4 Vulnerable prisoners, safeguarding

Staff from all departments are aware of their responsibility to raise issues in respect of prisoners who may require additional support. Discussions take place with the prisoner concerned, in consultation with healthcare services, key workers and others who have contact with the prisoner. From these assessments, a case plan is agreed which will include the frequency that a prisoner will be checked and when reviews should take place. The Board is very satisfied with this process and the priority given to it by all staff.

The prison has the facility of three special units for the support of prisoners and can also facilitate self-isolation for those on the wing, although steps are taken to keep this to a minimum.

4.5 Use of force

The Board is regularly invited to attend planned removals when they are about to take place, although the reduction in the number of visits to the prison during the greater part of this period has disrupted this practice. If a Board member is on site, s/he will attend to monitor the actions taken. This involves attending the briefing meeting which is usually held immediately before the removal, going to the wing and/or cell of the prisoner concerned and carefully monitoring all that happens. A video is made from the beginning of the briefing session. Body-worn cameras may also be worn by the officers. Once the person is removed and taken, usually, to the segregation unit, a debriefing meeting is held to conclude the operation, and this is also monitored.

There will be other occasions when force is used – for example, if there are altercations between prisoners or between prisoners and officers. Heated discussions can soon escalate into fights. Prison officers have to be alert and may have to subdue prisoners on occasion.

Quarterly use of force meetings take place to review how, why and when force was used. Board members attend as often as is possible. The objectives of these meetings are to:

- critique a video of a planned removal
- identify and analyse any learning points
- compare previous quarterly and annual statistics
- review and scrutinise.

In situations when force has been used, the Board has been satisfied that it was necessary and proportionate, given the circumstances on the day.

At present, we do not have accurate annual figures to show comparisons, although it is believed that there has been a reduction of 30% in the use of force for the period of this report. COVID-19 restrictions have reduced the opportunity for prisoners to mix together, and for disagreements to arise. In the main, the prison seems to have been less problematic for staff to manage.

4.6 Substance misuse

From 1 April 2020, substance abuse services have been managed by Delphi Drug and Alcohol Recovery Service (DARS). This service also operates in HMPs Manchester, Buckley Hall and Wymott, as well as in the local authorities of Blackpool and Lancaster. The team in Garth has a complement of a manager and 13 drug workers, although at the time of writing there are two vacancies which are being filled. They have continued to work throughout the COVID-19 lockdown period but have rotated staff so that about half have worked from home at any given time.

The team has dealt with approximately 100 referrals per month during this period and it is felt that this indicates that, after an initial period when the quantity of illicit drugs coming into the prison reduced, greater quantities have been coming in recently. It is not clear how they are being brought in but as domestic visits have been curtailed for the greater part of this period, that is one route that has been greatly reduced.

Illicit drug use predominantly involves (new) psychoactive substances (such as 'spice'), some of which, it is believed, is manufactured in the prison. This is a cause of great concern because there is no reliable test for it and it is typically made from virtually any available solvent – even rat poison. Cannabis, heroin and other drugs are used on a limited basis.

The brewing of 'hooch' continues to be a problem.

Mandatory drug testing and voluntary drug testing have stopped during this crisis period and there is presently no group work being undertaken. Drug support is therefore provided through one-to-one interviews. Drug strategy meetings have continued but with interruptions caused by regime problems.

Morale in the department remains good, although a return to normal working would be welcomed.

5. Fair and humane treatment

5.1 Accommodation, clothing, food

Each prisoner resides in a single cell, which is now equipped with a television and a telephone (the project for installation began in February/March 2020), in addition to basic furniture, plus a toilet and washbasin. Prisoners are supplied with prison clothing and may have some of their own clothing with them. There are laundry facilities in each wing, some of which are not adequate, particularly if washing machines and/or dryers break down. Amey is responsible for keeping these in good order but months rather than weeks can go by with no repairs done, or replacements provided. This is a major failure, as without the constant provision of these machines, prisoners have real difficulty in keeping clean.

Prisoners' food preferences are well catered for, with all dietary requirements being met. Once the COVID-19 restrictions were in place, the kitchen staffing was reduced from 26 to 17, to ensure social distancing. With fewer staff, food choices were reduced to five choices for breakfast and six choices for lunch. Main meals were not affected, except that the timing of main meals and lunches were changed about, with main meals being served at midday. The staff should be commended for the excellent service in providing food to approximately 850 prisoners daily.

Equipment issues continue to be a problem, including the breakdown of fridges and freezers, and especially the long-term non-operation of the halal food freezer. The walk-in dry stores freezer has had two major motor issues. The 'blast freezer' was broken for about 12 months. Amey has the responsibility for maintaining all of this equipment, and in many instances has failed to satisfy its obligations. Other repairs are three or four months behind, and sometimes longer.

It is the Board's understanding that since outside contractors have been appointed, the kitchen equipment has never been repaired or replaced in a timely manner. The Board discusses the situation regularly with the Governor, who strives to resolve these issues, but the problems continue. The quality of the service provided by Amey needs to improve quickly and to become effective.

5.2 Segregation, special accommodation

During this reporting year, the segregation unit housed an average of 21 prisoners each week. During December, January, February and the first two weeks of March, reviews were held twice weekly and a member of the Board was invariably in attendance. The Board received notice on 22 March that the prison would be locked down from the following day, and Board members, with advice from the Governor, made a decision that they should self-isolate with immediate effect.

When Board members returned to the prison two months later, health and safety measures had been put in place, including social distancing. Each room was restricted to the number of users, so it became impossible for Board members to sit in on the segregation reviews. The room could only accommodate the prisoner and

the governor conducting the review, together with two prison officers. Neither of the usual two healthcare representatives could attend but we understand that they provided updates for the review in respect of prisoners' mental and physical health. If further information was required to determine the outcome of the review, the governor was able to get that remotely by telephone on the day.

For the above reason, the Board only attended segregation reviews during the pre-COVID-19 period of this reporting year. However, liaison with the relevant governor was maintained and Board support was offered to prisoners through the applications process.

Liaison with the relevant governor has satisfied the Board that reviews have been carried out appropriately and that appropriate advice has been given to prisoners to contact the Board for support as necessary through the applications process. All 16 of the resulting applications have been resolved promptly.

The Board has ongoing concerns about the length of time that a small number of prisoners are held in the segregation unit. The reasons for this are numerous, including problems with relocating them to other prisons and the inappropriateness of locating them elsewhere in the prison for safety reasons. These problems are regularly addressed by the governor and management team, and at the regular population management team meetings.

Distraction packs are available for all prisoners, including those in segregation. There are ongoing discussions in respect of work or education activities which would be of benefit to some of the segregated prisoners, and particularly those who have been segregated for a long period.

The segregation monitoring and review group usually meets several times a year, but since March 2020 these meetings have been less frequent and those that have gone ahead have done so remotely. The Board receives copies of the notes of the meetings.

Board members have endeavoured to visit the segregation unit regularly, but safety restrictions have now limited this. Since the first lockdown, the unit has restricted staff to those whose usual place of work it is. The Board has been able to check and retrieve prisoner applications.

There are regular safer custody meetings, which are presently being held remotely. An issue that has been raised is the lack of work activity for prisoners who have been segregated for a long time. While, ideally, we would like prisoners to be segregated for as short a time as possible, it has to be accepted that there are prisoners in Garth for whom it would be unsafe for them to be housed on one of the wings or in one of the vulnerable prisoners units at certain times, and that continued segregation may therefore be necessary.

5.3 Staff/prisoner relationships, key workers

During December, January and February, the key worker scheme operated as normal. At some time during the year, it had to be suspended because of the high absence levels of officers and the restrictions put in place to keep everyone safe. As

Board members were mainly operating remotely or from the office, there were few occasions for actual observation.

Prisoner council meetings were held weekly between prisoner representatives, the Governor, heads of department and other agencies which were operating at the prison. The benefit of this was that every week prisoner representatives were able to go back to their wings and inform prisoners first hand of what was happening, and were able to take the prisoners' views to the meeting for discussion, and frequently for resolution. This clearly had a calming effect and improved relationships with all tiers of prison staff. There were occasional instances where tempers flared, with problems arising but, overall, there were few incidents in comparison with previous years.

5.4 Equality and diversity

Diversity and inclusion is at the heart of all areas of work at the prison, and the dedicated equalities team continues to support prisoners, staff and others at the prison with their proactive planning, even with eight months of this reporting year being dominated by COVID-19 restrictions.

Many of the usual scheduled equalities meetings ceased to take place from March onwards. The Board usually attends, as the meetings are useful for monitoring purposes. The Board has had little contact with the team during 2020, other than remotely by email.

The work with ex-service personnel, started in the previous year, on a memorial garden was fully completed early in the reporting year, with the guidance of the gardening and grounds department, and a fully socially distanced remembrance service was held on 11 November 2020. This was very well attended both by those working in the prison on the day, and others who took time to attend on their leave and rest days. The chairman and vice chairman of the Board attended, and there were religious leaders from all faiths present.

Several black, Asian and minority ethnic fora took place, to help with the planning for Black History Month, and boards were created to produce a visual tour of influential black people through time. A film on black history was shown on the prison DVD channel on each day. However, after March it was realised that it would not be appropriate for other planned events to take place, due to tighter COVID-19 restrictions.

Black, Asian and minority ethnic festivals are supported, and this includes particular foods being available for celebrations for all religions throughout the year. A Jamaican/African meal is on the menu each week.

The prisoner complaints process is well established and effective, and the Board monitors this in the number of applications received and the relevance of the Board's intervention. While we acknowledge that the number of applications is far reduced during the 2019/20 Board reporting year, we have received just one application in respect of equality issues. In the previous year, there were four such applications,

which is still a small number in an establishment that can have between 800 and 850 prisoners at any one time. This demonstrates that if a prisoner does raise equalities issues to the prison, it is usually resolved through the prison's own complaints procedure to a satisfactory conclusion.

The equalities action group meets regularly and is well attended. Each wing has one or two prisoner equalities representatives, and many issues are brought to this group to seek resolution.

Online training in diversity and inclusion is available, and this provides a tutorial, finding out more about how having a diverse and inclusive workforce allows the Prison Service to meet the needs of the diverse workplace. All Prison Service personnel and other people within the prison, are circulated with details and encouraged to work through this and any other appropriate training.

5.5 Faith and pastoral support

The chaplaincy team should have a complement of 20, representing all of the major faiths. At the present time, they are grouped as directly employed, sessional and partner agencies, but it is anticipated that from April 2021 they will all be directly employed by the Prison Service. This should be helpful, in terms of management and rostering. At the time of writing, five members are self-isolating but expected back in the near future, and one new chaplain has been appointed and is about to start work, and so the team is close to being complete.

Since the initial lockdown caused by COVID-19 in March, it has not been possible to hold religious services, although good pastoral care has been offered on an individual basis and through newsletters and media services. In-cell telephones have been installed since September, and these have made contact more accessible and more confidential.

Some quiet time has been afforded prisoners in the chapel but this has, of necessity, been limited.

During this period, to date, 105 prisoners have requested support regarding bereavement or potential loss. It is felt that this number is lower than would be expected but no accurate statistics are possible.

The chaplaincy continues to play a major and much valued part in the life of the prison, in support of prisoners and staff alike.

5.6 Incentives and earned privileges (IEP)

The IEP system works effectively in the prison, in terms of encouraging prisoners to work and behave appropriately in order to achieve enhanced status. It is an understood expectation that enhanced status should be earned and only granted if the prisoner exceeds expectation in some area (see also section 7.2).

5.7 Complaints

During this reporting period, a total of 2,847 complaints were received by the prison. Of these, 807 (28%) were rejected as being out of time or in some other way inappropriate according to the rules. It is worth noting that the monthly total peaked in March, at 307, after which rejections and then complaints fell away steadily through to August, with a low of 159, 64 of which were rejected.

Similarly, the number of applications to the Board was 65 from December to 22 March, at lockdown. After that time, the Board was alternately working remotely from home or offering a reduced service in the prison. For the remainder of the reporting year, the number of applications received was just 53, the overall total being 108.

5.8 Property

Problems in respect of prisoners' property have always generated a large proportion of applications to the Board. Thirteen complaints regarding property problems within the prison were received, several in respect of cell clearances. These may take place when a prisoner has died, or has been relocated to another area within the prison, to another prison or to the segregation unit. At these times, claims may be made that property has gone missing or is not listed on the property card. In some circumstances, compensation can be claimed, and during 2020 there has been an increase in the number of such successful claims.

In September, a staff information notice was circulated, reaffirming the need for staff to be diligent when a prisoner's cell clearance is conducted. These are issues that prisoners bring to the Board after the internal complaints procedure has not resolved the situation to their satisfaction.

Seventeen complaints were made to the Board in respect of property issues that occurred during the transfer of a prisoner. There is a limit to the amount of property that can be taken with a prisoner when he is relocated. The transfer vehicle may not have the space to transfer all the designated prisoners as well as all of their belongings. Items may be left behind, waiting to be forwarded to the new prison, and there are frequent allegations that it does not arrive. These issues can be difficult to resolve and the Board is often asked to intervene. We have had several complaints from prisoners regarding their legal papers and personal documents being missing from their property.

In addition, one Board will frequently communicate with another, to try jointly to resolve property issues for prisoners who have been moved.

Problems regarding the transfer of property should be resolved urgently by the relevant contractors by redesigning their transport or by using secure trailers to carry the property.

6. Health and wellbeing

6.1 Healthcare: general

All of the 'normal' healthcare services have continued to operate as near normally as possible as is demonstrated by the fact that applications to the Board regarding health matters have been few. The Board received just 13 applications raising issues of concern in respect of health matters during 2019/20 which, within the limitations and members availability, produced a resolution. Seven of those were received between December and mid-March, and the other six from mid-March to November.

The applications referred to above were a mix of physical and mental health care issues, including access to appointments. After March, healthcare staff were more prominent on the wings, and therefore more obviously accessible.

6.2 Physical healthcare

This has been a difficult period for the healthcare department because of the COVID-19 pandemic.

The management of the department changed on 1 April, with no major transitional problems becoming apparent.

Throughout the pandemic, the department has continued to function as near to normality as possible, and all staff are to be commended for the good work that has been undertaken.

From the initial lockdown in March, no positive cases of the virus were identified among the prisoners until mid-October. Since that time, around 25 cases have been successfully treated, and at the time of writing the number has greatly declined. There has been one death in custody attributed to the virus.

6.3 Mental healthcare

The mental health team has continued to function effectively throughout this period and very good standards have been maintained (see also section 6.1).

6.4 Social care

The Board has nothing to contribute to this section (see section 6.7).

6.5 Exercise, time out of cell, gym

During 2020, the usual regime has not applied since March due to the requirements to keep everyone safe from catching or passing on the COVID-19 virus. The use of the gyms is always very popular, and it is remarkable that prisoners have responded so positively to restrictions in this area.

Various rotas have been introduced to ensure social distancing – for example, access to showers – and exercise has been reduced, with specific designated times for individuals to use the facilities.

6.6 Drug rehabilitation

See section 4.6.

7. Progression and resettlement

The prison normally offers a full range of offending behaviour programmes, which are accessed by prisoners according to what they have done in previous prisons and the stage they are at in their sentence. As a result of the pandemic, movement to other prisons has been limited and this has slowed down the progression to release for prisoners.

It is usual for prisoners to move to a category C prison and then a category D prison prior to release. This is a necessary process, as these prisons are more equipped to prepare prisoners for their release back into the community. Very few prisoners are directly released from Garth.

7.1 Education, library

Library services are provided by Lancashire County Council, and prisoners are allowed to visit the library and use all the services it offers. This was managed by giving each wing particular days and times for prisoners to visit. From March, when the COVID-19 restrictions were imposed, this was stopped. At the time of writing, a weekly trolley service is in operation, and prisoners have the opportunity to request specific books by means of a request slip, or choose a book from the trolley. There is a collection service for books being returned.

The Turning Pages Initiative – to encourage all prisoners to engage in reading – has been promoted extensively during lockdown. Prisoners who struggle to read have found this time increasingly isolating, given the fact that most information is cascaded through written notices.

Turning Pages mentors have been trained by means of an audio CD and workbooks, supported by learning and skills, and library staff members

All work is done within the safe distancing and COVID-19 rules.

The information, advice and guidance service is delivered by Acorn Training, which continues to be delivered by use of newly developed in-cell learning.

All of the above is supported by the use of qualified prisoner mentors, who work with learners on their wing to encourage engagement. These mentors, in turn, are supported by a weekly meeting with the learning and skills manager.

Garth is exploring options to purchase Coracle Chromebooks, to support in-cell learning. In addition, there are plans to deliver a 'Music in Prisons' project.

The Board is most impressed at the way that the employment, learning and skills department has faced challenges to be creative and forward thinking throughout this difficult period, and the staff's continual determination to maintain and adapt services for prisoners.

7.2 Vocational training, work

Workshops and work areas maintain social distancing and include the mandatory use of face masks. From March 2020 to the end of this reporting year, the curtailed regime impacted greatly on the number of workshops that could operate, reducing the opportunities for prisoners. Ten workshops are not operative. Essential workshops continued using a minimal number of staff and prisoners who could work. Each area was assessed for health and safety reasons, to enable them to operate within the COVID-19 guidance in the workplace.

- kitchens – four staff/19 prisoners in attendance
- waste management/recycling – two staff/four prisoners
- woodwork – two staff/0 prisoners
- textiles – two staff/four prisoners
- plastics – five staff/0 prisoners (PSPI work).
- DHL – eight staff/32 prisoners – provides canteen for several prisons in the North West
- 4 Staff/0 Prisoners – packing additional food bags for prisoners who are isolated in cells locked down most of the day due to COVID -19 restrictions .

The above demonstrates the huge reduction in work opportunities for prisoners. Only essential work is carried out; therefore, for eight months of this year no work-based qualifications were delivered in the usual manner. As soon as restrictions allow, these will be delivered.

An adapted learning delivery plan was agreed between HMP Garth and the learning provider to commence delivery of new bespoke learning packages from September. This is predominantly non-accredited, but the content is aligned to accredited criteria, enabling learners eventually to convert knowledge gained into accredited certification.

Garth has been able to facilitate a small amount of accredited provision – the knowledge-based health and safety course in the workplace unit for those employed in workshops.

Whether they are working at the moment or not, prisoners are encouraged to complete the pack while in lockdown. Some may have completed it prior to March 2020.

Two prisoners in the plastics workshop were keen to undertake their level 2 polymer qualification, and were provided with the knowledge questions for all the units of the course to work through, in order to complete it partially, with observations when possible. Similarly, further in-cell packs are being produced for prisoners in textiles and industrial cleaning workshops, with the aim of working towards accreditation in due course.

7.3 Offender management, progression

As with all other departments in the prison, the work of the OMU during this period has been severely affected by the COVID-19 pandemic. Strenuous efforts have been made to carry out all mandatory duties, but this has not been possible in all cases because of staff absences caused by sickness and self-isolation, and because of restrictions being imposed on movements and interviews on the wings.

The restructuring of the department took place early in the year. It is now managed by a governor and senior probation officer, with a complement of 2.5 band 4 officers (two currently in post) and 11 probation officers (10.3 currently in post). Cross-deployment of band 4 officers has greatly reduced. The new probation officers may now be considered to be established in the department, but at any given time half of them are presently working from home. This inevitably has some negative effect on what they are able to achieve. The complement of administrative staff should be 11; at one stage, this was reduced to three but has now increased to seven, allowing for greater effectiveness.

The Board continues to be concerned about the number of IPP prisoners still in custody and would refer to comments made in previous reports. Currently, there are around 55 IPP prisoners in HMP Garth, of whom about 40 are in the cohort (that is, two years or more over tariff) for intensive multi-agency work to progress them through the system. An IPP progression board, led by probation staff, has been set up in the prison and is working well, within current restrictions.

The preparation of offender assessment system (OASys) assessments and reviews continues to be an issue. It is understood that local prisons are now required to move newly sentenced prisoners to appropriate prisons within 10 days of sentence. This means that they are not resourced to carry out the initial post-sentence assessment, which falls onto the receiving prison. Initial reviews should be carried out within 16 weeks of sentence. This target is not being achieved, although only five of these assessments were outstanding at the time of writing, and the number of outstanding reviews had been reduced from 130 to about 100. This is a notable achievement, given the circumstances. Under current rules, lifers should have a review every three years, and determinate sentence prisoners every two years. Given the present staffing levels, this may be a realistic target but the Board would seek to make a case for increased staffing levels to increase the frequency in both categories.

Transfers both in and out of the prison are being affected by the COVID-19 crisis. Some category C prisoners are being legitimately held back because of parole reviews or transport problems. The prison currently holds about 120 category C prisoners for these reasons, and this, of course, prevents the transfer in of appropriate category B prisoners.

OMU staff formerly designated as offender supervisors are now 'prison offender managers', and they are effectively responsible for the sentence management of a prisoner. The outside probation officer is now the 'community offender manager' (COM). We are informed that a COM is not appointed for a parole-eligible prisoner until the 'parole window' opens, and in the case of determinate-sentenced prisoners

until nine months before the release date. The Board feels that this arrangement is far from satisfactory. Prisoners need to maintain contact with the outside probation service throughout the sentence, in preparation for what may be a very prolonged period of licence, and there should be an officer in the community who is able to offer support and guidance to the prisoner's family. Throughout a long sentence, even where there are changes of COM, a body of knowledge may be built up which should serve to establish effective working relationships after release. Without continual contact, and prison visits through the sentence, this process must inevitably be negatively affected. It is understood that the decision to change the service provision to the present format will be led by economic considerations, but we strongly recommend that this be urgently reviewed.

Staffing problems during the present COVID-19 crisis have meant that the key worker scheme has effectively been put on hold. The Board understands the reasons for this but hopes that the scheme will be fully reinstated at the earliest possible time, as key worker support is vitally important in the management and support of prisoners.

7.4 Family contact

Garth is a category B prison within the long-term high-security estate and as such receives prisoners whose home areas may be as far away as the south coast of England, up to the border with Scotland. Many families travel long and arduous journeys which may involve an overnight stay. In February, the 'Purple Visits' project was implemented at Garth. Prisoners could then choose to have a face-to-face visit or a virtual visit, using a tablet computer. They are allowed a time slot by appointment. The prisoner and their family are aware that the Purple Visit is supervised and monitored.

Since March, when face-to-face visits were stopped to prevent the spread of infection, the tablet computers have been well received, and prisoners have realised the additional benefits for their families. There has been no need for families to travel, and more frequent and regular contact, with no fear of infection being spread. The Board finds that, in many cases, the virtual visit is preferred. For some time during the year, prisons were encouraged to resume face-to-face visits. At Garth, there was little take-up of face-to-face visits, and the prison reduced the number of days that they were offered. When the visits hall was fitted with Perspex screens, so that there could be no touching, to reduce the risk of spreading the virus, the take-up of face-to-face visits again reduced. It now seems that Purple Visits is the preferred option.

However, there are problems concerning the computer systems at Garth which cannot be ignored. They are very dated, and on occasion there is a loss of internet facilities. There is little stability, which upsets and frustrates all involved. As a matter of urgency, an investment to improve or replace equipment should be made a priority. There are potentially huge benefits to the Prison Service if virtual visits could be increased. Face-to-face visits use large staffing resources for undertaking the essential security checks, and constant supervision during visit sessions, in order to reduce the potential for illegal items being smuggled into the prison by visitors.

Since the provision of in-cell telephones for all prisoners, they have all been able to contact family and friends more easily.

7.5 Resettlement planning

See section 7.3.

8. The work of the IMB

Board statistics

Recommended complement of Board members	15
Number of Board members at the start of the reporting period	8
Number of Board members at the end of the reporting period	4
Total number of visits to the establishment	250
Total number of segregation reviews attended	146

Applications to the IMB

Code	Subject	Previous reporting year	Current reporting year
A	Accommodation, including laundry, clothing, ablutions	3	2
B	Discipline, including adjudications, IEP, sanctions	1	1
C	Equality	4	1
D	Purposeful activity, including education, work, training, library, regime, time out of cell	6	2
E1	Letters, visits, telephones, public protection restrictions	3	2
E2	Finance, including pay, private monies, spends	6	12
F	Food and kitchens	4	2
G	Health, including physical, mental, social care	16	13
H1	Property within this establishment	46	13
H2	Property during transfer or in another establishment or location	39	17
H3	Canteen, facility list, catalogue(s)	3	4

I	Sentence management, including home detention curfew, release on temporary licence, parole, release dates, recategorisation	18	7
J	Staff/prisoner concerns, including bullying	75	43
K	Transfers	1	3
	Total number of applications	225	122



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