



# **Annual Report of the Independent Monitoring Board at HMP Cardiff**

**For reporting year  
01 September 2020 – 31 August 2021**

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## Introductory sections 1 - 3

### 1. Statutory role of the IMB

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

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

- satisfy itself as to the humane and just treatment of those held in custody within its prison and the range and adequacy of the programmes preparing them for release
- inform promptly the Secretary of State, or any official to whom authority has been delegated as it judges appropriate, any concern it has
- report annually to the Secretary of State on how well the prison has met the standards and requirements placed on it and what impact these have on those in its custody.

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

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

## **2. Description of the establishment**

HMP Cardiff is situated in the heart of the city. It is a men's category B local training prison and largely serves south east Wales and the south Wales valleys, although an increasing number of prisoners are transferred from English prisons. It provides predominantly for prisoners serving short-term sentences, remand prisoners and prisoners awaiting sentence. The prison has a certified normal accommodation of 534 and an operating capacity of 779, with prisoners overwhelmingly accommodated two to a cell. During the period of initial Covid-19 regime restrictions, the prison ran with an adjusted operating capacity of 749: this was increased to 765 at the beginning of August 2021 and returned to normal operating capacity by the beginning of September 2021.

The prison opened in 1832, and a large part of the accommodation continues to comprise three Georgian wings. A major programme of refurbishment in 1996 resulted in the opening of three new accommodation wings. The prison also includes a range of other facilities, including a gym, a series of workshops and classrooms. A new healthcare centre was opened in May 2008 and provides 20 beds.

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

A range of public and commercial providers are responsible for delivering services within the prison. Health services are provided by Cardiff and Vale University Health Board, learning and skills are provided by Her Majesty's Prison and Probation Service in Wales but funded by the Welsh Government, and site maintenance is carried out by Amey. Resettlement services were provided by St Giles Trust, a Community Rehabilitation Company (CRC), but these services became contracted under the National Probation Service (NPS) in June 2021. Other services relying on providers from outside the prison include escort services and community rehabilitation. A number of other organisations, such as St Giles Wise, Forward Trust, and the Prison Advice and Care Trust (PACT), also continue to provide services.

### **3. Executive summary**

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

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

The Board was able to provide limited 'in person' visits to the prison from September 2020; this gradually increased over the reporting year. In April 2021, in order to increase our understanding of prisoners' experience of conditions, the Board undertook a survey. Questionnaires were sent out to all men, except those on the reverse cohorting unit (RCU). We received 149 replies.

Despite any issues noted in this report, the Independent Monitoring Board (IMB) based at HMP Cardiff applauds the management and staff of the establishment in continuing to provide a reasonably safe and humane environment for the men in their care.

#### **3.2 Main judgements**

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

The Board believes that HMP Cardiff is a relatively safe prison. This belief is based on the fact that both use of force and incidents of self-harm reduced this year. Although there were four deaths, only one is thought to be self-inflicted (paras 4.5.1 & 4.2.1). Incidents of violence remained at a similar low level to the previous year (para 4.3.1). In addition to this, the survey completed by the Board suggested that 58% of men felt safe in the prison, although this percentage dropped to 46% for non-workers.

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

It is the Board's view that most men in HMP Cardiff are treated fairly and humanely. However, the effects of the restricted regime have had, we believe, an adverse effect on relationships between men and officers (para 5.3.1). This has been exacerbated by the staffing pressures that officers and staff have had to work under at times during the year (para 5.3.2). However, it must be noted that men have made positive comments about staff (para 5.3.1).

Efforts were made by the prison to ensure men are not held in the care and separation unit (CSU) unnecessarily (para 5.2.2).

The age of the building causes some issues (para 5.1.4 & 5.1.5). Staffing issues within the business hub have an adverse effect on the complaints (para 5.7.1) procedure. Finally, there are still some concerns about the disproportionate use of force on young prisoners and those from a Caribbean or mixed-race Caribbean background (para 5.4.5). Additionally the Board again wishes to highlight the

disproportionate number of men from a black, Asian and minority ethnic background (BAME) who are labelled as dangerous (para 5.4.4).

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

There has been an improvement in staffing in both physical healthcare and mental healthcare. The Board believes that this has led to an improvement in the service offered. The physical healthcare team continued to operate a service despite the added pressures put on them by the pandemic (paras 6.1.1, 6.1.3 & 6.1.4) and the mental health team has expanded its services (para 6.2.1).

Unfortunately, there were some exceptions to this, notably in relation to pharmacy services (para 6.1.4) and during lockdown optician and dentistry services (paras 6.1.5 & 6.1.6). In addition, it has been noted that extra GP hours are required (para 6.1.5)

As part of the process to provide a humane regime during the pandemic, in July 2021 the prison was able to increase time out of cell to two hours a day (para 6.4.1)

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

Through the entire reporting year, the education and learning skills department provided opportunities at a reduced level, only opening education and training as Covid-19 restrictions allowed (paras 7.1.1, 7.1.7 & 7.2.1). This understandably impacted progression toward successful resettlement.

There were some initial issues when the CRC staff became contracted under the NPS and resettlement services outside the prison have been managed by phone calls with other agencies (para 7.5.3).

Accommodation remained an issue for men leaving with no settled home and despite the Welsh Government agreeing to fund support until April 2022 there remains a lack of available and affordable housing (para 7.5.5).

Positively, as a large proportion of prisoners within HMP Cardiff are on remand, a new bail information scheme was piloted, managed by a member of staff and using bail peers on the RCU (para 7.3.3).

## **3.3 Main areas for development**

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

The Board is concerned about the increase, this year, in men requiring transfer to mental health establishments (para 6.2.4). We have noted the recommendations of the House of Commons Justice Committee report *Mental health in prisons* of September 2021, particularly the recommendation that 'The MoJ and the NHS should accelerate plans to increase the availability of Community Sentence Treatment Requirement orders, so these orders are available options for sentencers

in all parts of England and Wales by 31 March 2023.<sup>1</sup> Although we realise that this recommendation relates to England, we would ask whether any discussions are taking place with the Welsh Government to implement this recommendation.

The Board continues to have concerns about men being held in custody on IS91s and their access to Home Office representatives. This issue has been raised in the last two reports. In March and April 2021, one man who was held under an IS91 began to refuse food because he was held in custody past his release date. Whilst understanding the pressures on the immigration removal centres (IRCs), men held in prison do not have access to the same facilities as those in IRCs. The Board would ask that this issue is again raised with the Home Office.

### ***TO THE WELSH GOVERNMENT***

The Board has two concerns in relation to healthcare which we would ask the Health Minister to consider with Cardiff and the Vale Health Board. Both relate to staffing: the first is the ongoing issue with lack of cover for pharmacists, which can lead to locum pharmacists being brought in on an emergency basis and affects the planning of the team in their attempts to improve the service. This difficulty was also noted last year (para 6.1.4).

The second has been raised by the temporary clinical director who has identified the need for increased GP hours to cover the health needs of the men.

The Board was pleased to hear that support for men who are leaving prison without settled accommodation is being extended until April 2022. However, there appears to be a lack of available and suitable accommodation, particularly in certain areas, and we would be interested to see what steps the Welsh Government is able to take, jointly with local authorities, to address this problem (para 7.5.5).

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

Staff and men in HMP Cardiff have made efforts to keep the prison clean and of a good standard during the pandemic. The Board also acknowledges the work that has been done on refurbishing wings. However, some of the older wings have annual issues with heating, problems with accessing TV channels and the rats are having an effect on the infrastructure (paras 5.1.4, 5.15 & 5.3.5). Some of these problems (the heating and TV channels) have been occurring for several years and the prison in conjunction with Amey has tried to remedy the problems. The Board would ask the service to consider what long term remedies could be found.

Allied to the infrastructure is the concern the Board has in relation to access for wheelchair users and those with mobility problems to some areas of the prison (para 5.4.7) We are aware that refurbishment of one wing is making some adaptations to aid access, but difficulties still remain for men who may not be accommodated on that wing.

The Board is pleased that the regime in HMP Cardiff is easing and realises all relaxing of the regime is dependent on infection rates. However, from our monitoring

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<sup>1</sup> [Mental health in prison - Justice Committee - House of Commons \(parliament.uk\)](https://www.parliament.uk/business/committees/committees-a-z/justice-and-human-rights/committees/mental-health-in-prison/)

of the prison we believe that men were finding life increasingly difficult under this regime (paras 6.2.3 & 7.2.5) and would hope that a return to normal regime could be considered as soon as practicable, in line with Covid-19 protocols.

The Board is concerned that the use of body worn cameras (BWC) is being affected by the need to service and replace cameras. We understand that HMP Cardiff will have cameras replaced in February 2022: we hope that will not be delayed further (para 4.5.2).

## **TO THE GOVERNOR**

We have been concerned by the staffing pressures the business hub appears to have been under, which in turn affects issues which directly affect the men. Therefore we would ask whether there is any way to ensure sufficient trained staff are available to cover shortfalls (para 5.7.1).

Our concern noted in the last report in relation to the disproportionate number of BAME prisoners labelled as dangerous remains. In addition to this, the Board has noticed a perception amongst BAME prisoners that they are being discriminated against in the allocation of work and education and we would ask that further investigation of any apparent discrimination be considered (paras 5.4.3 & 5.4.4).

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

Issues from last report	Progress made since last report
Self-harm continues to be a major concern.	Although any self-harm continues to be of concern there was a reduction of 25.2% in incidences during this reporting year.
The level of contact foreign national prisoners and detainees were able to have with the Home Office representative was restricted.	This remained an issue during this reporting period with visits being stopped when Covid-19 infection rates were higher.
Staffing shortages within the mental health team and healthcare as a whole has reduced the ability of the teams to provide a consistent service.	There has been a vast improvement in staffing within healthcare and mental health. By the end of the reporting period, all GP sessions had been filled, there were no vacancies in healthcare and the mental health team were about to fill vacancies.
Accommodation on release remained an issue.	Although the Senedd has agreed to additional funding until April 2022, in many areas there remains a lack of available housing. Therefore accommodation on release still remains an issue.
Due to the pandemic positive training opportunities had to cease and education was severely curtailed.	During the reporting year this situation improved slightly but numbers and continuation remains dependent on the risk of Covid-19.



There were concerns raised about the number of prisoners from outside Wales being received into HMP Cardiff and the difficulties this caused with a devolved education and healthcare system.	Despite the pandemic, prisoners from outside the area continued to be received in HMP Cardiff.
The Board had concerns about the number of black, Asian and minority (BAME) ethnic prisoners being labelled as dangerous prisoners and those of black and mixed-race Caribbean origin who have been held in CSU.	The prison continued to categorise BAME prisoners as dangerous on a disproportionate basis. We have been advised that those of black and mixed-race Caribbean origin have not been held in CSU on a disproportionate basis.
There was an increase in use of force incidents which was a worrying trend.	There has been a reduction in use of force incidents over this reporting year of 124.

## **Evidence sections 4 – 7**

### **4. Safety**

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

**4.1.1** Any self-harm is of concern; however, the Board was pleased to see that there had been a 25.2% reduction in the number of instances in this reporting year compared to the previous reporting year (712 incidences in 2019/20 compared to 533 incidences in 2020/21). The biggest comparative reduction was in the six months of September 2020 to February 2021. In the previous year there was not a restricted regime at this time. When comparing the number of incidences since the restricted regime was put in place in March 2020, the level of self-harm has remained at a similar level, of about a 40% reduction from pre-restricted regime levels. Razor blades continue to be the most common weapon used for self-harm with cuts to arms being the most common method. Mental health, domestic concerns/family issues and low mood were the most common reasons for self-harm.

**4.1.2** With the regime becoming more open, the Board will be monitoring the impact. The number of incidences were skewed by prolific self-harmers and those ones who self-harmed more than once. The 533 incidences of self-harm this reporting year were attributed to 314 men. In the second half of the reporting year there were 274 incidences by 151 men.

**4.1.3** There have been four deaths in custody in the reporting year. Three of the men were in hospital at their time of death due to illness and one death was understood to be self-inflicted. One death has been confirmed as due to Covid-19 pneumonitis. Inquests are waited for the other three. In all cases, support was offered to both staff and men and appropriate communication with the families made. This is a welcome safer environment trend since the previous reporting year (1 September 2019 to 31 August 2020), where there were four deaths of which three were confirmed as self-inflicted.

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

**4.2.1** Violence within HMP Cardiff has remained at a reasonably low level with 11 to 12 violent incidents recorded a month, a total of 135, this is a similar level to the previous year. Half of these incidents related to fights with a total of 63 fights within the year, 30 related to prisoner on prisoner assault and 42 were assaults on staff. Although there is no obvious time pattern to fights or prisoner on prisoner assaults, it is noticeable that there were fewer assaults on staff per month from October 2020 to February 2021, which was a period of relatively high Covid-19 infection rate in the prison and the community.

**4.2.2** Men with challenging behaviour continued to be managed via challenge support and intervention plans. Meetings continued to be held regularly.

### **4.3 Use of force**

**4.3.1** The Board is pleased to note that the use of force in the establishment has reduced from 772 in the last reporting year to 648. This reduction was maintained during the period the prison was opening up the regime. In the three months when Covid-19 restrictions were at their highest (November 2020 to January 2021), there were 179 incidents of use of force recorded.

**4.3.2** Body worn camera usage seems to be continually improving: however, usage is now hampered by the rise in the number of broken cameras, meaning staff are either unable to draw them, or they do not activate during an incident. Delay in replacing them has now moved to February 2022 and servicing them in the meantime was not due until November 2021.

**4.3.3** It has been noted by members attending the weekly use of force meetings that there appears to be an increase in the use of 'guiding holds' to manage a situation, although the use of 'control and restraint' continues to be the method of control used most often.

### **4.4 Substance misuse**

**4.4.1** In mid-September 2020, a body scanner was introduced as part of the reception process which, together with the reduction in social visits, reduced the amount of drugs entering the prison. There have been 172 drug finds in this reporting year, with spice, cannabis and quetiapine being the most common finds each month. There has been an increase of 18% in the last six months when compared to the first six months as the regime opens, visits have restarted and employment/education opens up, therefore giving more opportunities to acquire and distribute across the prison population.

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

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

**5.1.1** Monitoring of the fabric of HMP Cardiff was a challenge for much of the reporting year as members' visits were curtailed due to Covid-19. However, remote monitoring by weekly phone calls and applications allowed at least the main issues to be discussed. IMB members were assigned to telephone pre-arranged areas. Prior to lockdown, the prison was being decorated and this was continued during the reporting period. It was noticeable how this improved the appearance of the prison

**5.1.2** When visits by the IMB restarted, two areas that had been a cause for concern previously were vastly improved. The mandatory drug testing unit had been singled out as unclean, with a dirty and stained urinal and exposed pipes that were badly in need of changing. As an officer was sitting at a table next to this urinal, this was not decent or healthy. It was pleasing to report that the urinal, cistern and waste pipes have all been renewed, the room painted, and a small decency screen now placed so that using the urinal is respectable.

**5.1.3** The five shower blocks on the RCU had been allowed to deteriorate prior to and during the early part of lockdown, and in particular dirty walls, tiles and ceilings containing mould spores and dirt were in a terrible state. Revisiting now shows a vast improvement as the walls and general state of the showers are good. However, it is noted that the ceilings are still very badly in need of cleaning, disinfecting and painting to get rid the heavily infested black mould still very visible.

**5.1.4** During the colder months, the heating has sometimes failed to work properly, particularly in B and F wings, which are located in the older part of the prison. This is an annual problem. In February, the staff tried to compensate by issuing extra blankets to the men.

**5.1.5** Throughout the year there have been sightings of rats in the grounds of the prison and mice made an appearance in a ground floor wing in the older part of the prison in April. For approximately one month during 2021, the chaplaincy, gym and one wing (all in the older part of the prison) had no access to a computer network as apparently rats had eaten through the cabling. Constant efforts were made to eradicate these problems, but the issue remains.

**5.1.6** In line with all the other areas of the prison, the IMB office was decorated in September, which has given members an improved environment to work in.

**5.1.7** In the survey completed in April 2021, only 34% of the respondents agreed with the statement that 'the prison food is good'; a number noted that portions were not adequate, and food was not cooked properly. Despite these comments, the Board received only eight applications relating to food in the reporting period, and one response to the survey said:

*'they give us a paper to choose what we want and they give us what they want'.*

### **5.2 Segregation**

**5.2.1** The CSU is located in a reasonably accessible area of the prison which enables officers to transfer prisoners from other areas with relative ease.

**5.2.2** According to duty governors' reports and weekly Board reports, the daily number of prisoners in the unit has averaged around three or four at any one time. A number of these men were held after failing a scan on reception.

**5.2.3** This year has been a challenge for all staff and prisoners alike, but standards of care have continued to be of a high standard. Board reports have noted the professionalism displayed by the officers working in the CSU.

**5.2.4** The number of prisoners on assessment care in custody and teamwork (ACCTs) documents in the unit during the reporting period was 45. Of these, 25 men were on open ACCTs when located in the CSU and 20 became the subject of ACCTs whilst in the CSU. There has been little change in this number from the previous report.

**5.2.5** Sixty-three BAME prisoners were held in the unit during the reporting year; this was down by 6 on the previous reporting year where there were 69 BAME men in the unit.

**5.2.6** The number of prisoners confined to the unit for more than 42 days was five and three had been confined for 84 days. Of those who were confined for more than 84 days, one man was awaiting a move to a psychiatric unit (para 6.2.4) and one was awaiting transfer to another prison following sentencing.

**5.2.7** During the reporting period, the Board has had difficulty monitoring internal adjudications due to the need to social distance in the adjudication room. We would suggest that this was also problematic for the health of men and staff who were required to be in this room. The prison did take steps to reduce its use by establishing whether men were pleading guilty to a charge and dealing with them without using the adjudication room.

**5.2.8** There were 140 referrals to the independent adjudicator (IA), which were dealt with via video calls. 236 additional days were applied, 14 potential days were suspended for six months and there were 27 potential added days.

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

**5.3.1** The Board has always been complimentary about the staff/prisoner relationships within HMP Cardiff. However, as the restrictions required by the pandemic have continued, that appears to have put a strain on some of these relationships. In April 2020, the prison undertook a survey and to the question 'I am being treated fairly by staff', 73% of men agreed with this statement; in the Board's survey in April 2021 only 63% of men agreed with the statement. To the question 'Staff are asking me how I am coping', 66% of respondents agreed with the statement in 2020 whilst only 32% agreed in the 2021 board survey. Finally, only 53% of men agreed with the statement 'Wing staff help me sort out any problems that I have' in the 2021 survey. There was also a noticeable difference in the number

of workers and non-workers agreeing to this statement, with 81% of workers feeling supported and only 37% of non-workers. Quotes ranged from:

*'I ask the wing staff for something and am told we will sort it out. Then there's nothing done about what I asked'*

to

*'I think most of the staff on my wing have been absolutely awesome and they need to be given credit and recognition for the way they have handled the situation. They have been brilliant and helpful'*

Despite these concerns raised in the IMB survey, applications to the Board in relation to staff only increased by approximately 1% from 2019/2020 to 2020/2021.

**5.3.2** Staff were working under considerable pressure during the high point of the pandemic. On 16 November 2020, it was reported that 116 members of staff had Covid-19, or were isolating, and although these were not all officers, the reduction in staffing may have affected the ability of wing staff to provide support.

**5.3.3** Key work ran at a much-reduced level during the first quarter of the reporting period, albeit in line with the key work exceptional delivery model (EDM). During September 2020, only around 25% of the population were seen weekly, with the focus being on the most vulnerable men, but by November even this reduced level was not reached due to staffing issues relating to Covid-19.

In the survey of men conducted by the IMB in April 2021, of the 58 men who responded, 49 either disagreed or strongly disagreed with the statement 'My key worker sees me every week', and 48 disagreed or strongly disagreed with the statement, 'Meeting my key worker is helping me'.

The EDM permitted an expansion of key work from May onwards, when all men were once again included in the weekly allocation, and by August the percentage of men seen by a key worker had risen to 87%.

**5.3.4** There were no monthly veterans meetings for these men to meet with external agencies during this IMB reporting year, due to the pandemic and restricted regime. However, a veteran officer spent regular time with each on an ongoing basis to maintain that communication and signpost the support available.

**5.3.5** Throughout the year the prison continued meeting with prisoners' representatives at a weekly 'men's forum'. This enabled the men and establishment to discuss issues and difficulties. One recurring theme was that of poor access to TV channels on several of the wings.

## **5.4 Equality and diversity**

**5.4.1** The Covid-19 pandemic inevitably impacted on the management of equality and diversity in the prison. However, the diversity and equality action team (DEAT) continued to meet in most months, with each meeting attended by either the Governor or Deputy Governor. The prison's diversity and inclusion officer remained as a part-time post in 2020 and, although the officer worked in a conscientious

fashion, the limited time available impacted on what could be achieved. A welcome development was the return of a full-time post on a job share basis in January.

**5.4.2** Focus groups and the appointment of prisoner representatives had ceased to function at the beginning of the reporting period, but focus groups were re-established from October 2020 and regular meetings were operating by February 2021. Work also began in November 2020 to appoint prisoner diversity representatives.

**5.4.3** The DEAT group was presented with figures relating to aspects of the prison which were of particular relevance during the Covid-19 restricted regime. BAME prisoners, with the inclusion of those from Traveller, Irish and other non-British white communities, made up 20-22% of the prison population. The percentage of BAME prisoners on the basic level of the incentives and earned privileges scheme (IEP) was broadly in line with the prison population. BAME prisoners, however, were less likely to be working out of cell, making up 10% of those working out of cell in December 2020, although this had increased to 16% by June 2021. As opportunities for purposeful activity were reintroduced towards the end of the reporting period, prisoners believed they were allocated to education classes on an ad-hoc basis. Prisoners often reported that they were directed or recommended by wing officers, as opposed to going through a standard application process. A group of BAME prisoners spoken to believed strongly that this discriminated against ethnic minority prisoners.

**5.4.4** The prison continued to categorise BAME prisoners as dangerous on a disproportionate basis. The average percentage of BAME prisoners appearing on monthly dangerous prisoner lists was 32%.

**5.4.5** Incidents of the use of force on BAME prisoners were generally in line with the overall prison population. The percentage of prisoners from a Caribbean or mixed-race Caribbean background on whom force was used continued to be disproportionate to the makeup of the prison population; these prisoners made up about 3% of the prison population but have accounted for 9% of use of force incidents. Data also indicated a concern in relation to the frequency of the use of force on young prisoners. Prisoners aged 18-21 made up 6% of the prison population in the period September-December 2020 but accounted for 14% of uses of force: although a proportion of these would only involve the use of guiding holds. The Board has highlighted such trends in its previous three annual reports. It is accepted that when dealing with relatively small numbers, anomalies can affect individual monthly statistics, but these trends have been consistent over four years.

**5.4.6** The level of discrimination incident report forms (DIRFs) submitted was extremely low. Only one DIRF was investigated between January and June 2021. Two other DIRF forms submitted were dealt with as Comp 1s (a general formal complaint). It seems unlikely that this reflects perceived incidents of discrimination in the prison under the Equality Act.

**5.4.7** Older prisoners were supported and treated with due consideration. The prison buildings continued to place severe restrictions on prisoners with a physical disability. Whole areas of the prison, such as the main suite of education rooms,

were inaccessible to wheelchair users. Even when remaining on wings, prisoners using wheelchairs experienced difficulty accessing showers and negotiating narrow cell doors. It was welcome news that work has now been approved to refurbish F wing, including adaptations for disability.

## **5.5 Faith and pastoral support**

**5.5.1** During lockdown the chaplaincy ensured they were available on the wings while meals were being served so allowing men to speak to them if required.

**5.5.2** Services restarted in July 2021: wings attended on a two-weekly rota and handouts were provided on the weeks men were not attending in person.

**5.5.3** The chaplaincy made use of Knox TV, the prison TV channel, by recording services for Easter, Christmas and Eid. In addition to this, an outdoor service for Eid was held on the establishment's football pitch.

**5.5.4** During the period of lockdown, 24 men were able to access funerals via Zoom. Although physical attendance at funerals has resumed, the chaplaincy hope to continue using Zoom to allow men to attend the funerals of relatives who are not closely related.

## **5.6 Complaints**

**5.6.1** During the reporting year, the Board has been aware that there have been delays in replying to complaints and in the ability to administer the system. At the beginning of December 2020, the Board was contacted by the Prisons and Probation Ombudsman (PPO) as a prisoner's family had complained to them that there were no complaints forms on the wing. It would appear that this was because of a lack of staff in the business hub caused by illness and leave. It also meant that complaints boxes were not opened for this period.

**5.6.2** It appears to the Board that there is a lack of resilience in the staffing of the business hub if leave and unexpected illness cause the systems to falter.



## **6. Health and wellbeing**

### **6.1 Physical healthcare**

**6.1.1** It appears to the Board that much of the focus of work within healthcare during this reporting year centred around Covid-19 and the management of it. In the week beginning 1 November 2020, HMP Cardiff was designated a Covid-19 outbreak site. During December 2020, mass testing took place on various wings within the establishment. In January 2021, following establishment requests to the Welsh Government and Cardiff and the Vale University Health Board (CVUB) for additional resources, healthcare staff began testing men on day one of their reception into HMP Cardiff and five days later. From April 2021, in partnership with CVUB, the rollout of vaccinations to men began.

**6.1.2** During the reporting year, 283 men have tested positive, although the majority of these have tested positive on reception. Sadly one man passed away during this period, and although no inquest has been held as yet, it is believed that the cause of his death was Covid-19 pneumonitis. He had been admitted to hospital for treatment.

**6.1.3** By the end of August 2021, only 21% of men had refused vaccinations. A concentrated publicity effort has been made by healthcare staff, Public Health Wales (PHW) and the education department to ensure men had the facts about vaccinations. By the end of August and the beginning of September 2021, 70% of the men who were in custody in HMP Cardiff at that time had received at least one dose of the vaccine and 44% were fully vaccinated.

**6.1.4** For the first time in a number of years, healthcare was fully staffed with nurses so they were able to cope with this additional workload. In last year's report the Board expressed concern that the clinical director had only been appointed on a temporary basis and could only attend the prison half a day a week. This situation has now improved. A new temporary clinical director has been appointed and he is able to dedicate his time to HMP Cardiff rather than it being split over a number of services, he can attend the prison for a day a week. Unfortunately, the increase in staffing did not include the pharmacy, which still struggles to find cover during periods of leave or illness and is not able to carry developmental plans forward.

**6.1.5** The clinical director has concerns that more GP hours are required to adequately cover the needs of the men in HMP Cardiff. Throughout 2020-2021, GP clinics continued to function but with a reduction in appointments. This situation has gradually improved during 2021. During the same period, dental clinics were reduced to emergency appointments only, whilst appointments with the optician were stopped entirely. This situation has improved, with urgent dental appointments now being offered, and optician's appointments finally resumed in April 2021.

**6.1.6** Current waiting times for these services are: GPs for non-urgent cases 23 days; urgent cases can be seen within a day; urgent dental appointments six days, although symptoms can be treated whilst awaiting appointments. Routine appointments are not offered currently; however, the Board understands discussions are taking place on these contractual arrangements. The waiting time for optician's appointments was 91 days – this long waiting time proved problematic for some men who were spending long periods in cells.

*'I can't see an optician and I'm supposed to wear glasses all the time so I am suffering from headaches, I can't watch T.V.'*

**6.1.7** In the survey undertaken by the Board in April 2021, 55% of respondents felt that medical appointments could be booked, although others felt there were difficulties:

*'Difficult to get an appointment to see a Doctor, waited 4 weeks had an infected foot'*

**6.1.8** During the reporting year, two PPO reports were received on deaths in custody which occurred during the reporting year. Both stated the level of care received within HMP Cardiff was equivalent to that expected in the community. In one particular report, the clinical reviewer 'commended healthcare staff for the care provided to Mr \*\*in difficult circumstances.'

**6.1.9** Applications to the IMB in relation to healthcare remained high at 17% of all applications received.

## **6.2 Mental healthcare**

**6.2.1** As with healthcare in general, mental health staffing has greatly improved over the reporting year: during the year most posts were filled or were about to be filled. This has meant that the team has been able to start attending the RCU or induction wing twice a week to undertake secondary health screening and from July 2021 there has been a mental health presence in the prison on six days a week

**6.2.2** The mental health team received on average 150 referrals a month. It is reported by the mental health team that initial referrals are seen within a maximum of 28 days, although most are seen within 20 days and urgent referrals can be seen within four hours. There were on average 20 referrals a month to the consultant psychiatrist. The waiting time to be seen in the ADHD clinic was 12 weeks. However, because of the high turnover of men within HMP Cardiff, men may be released before their appointment. If they are subsequently re-remanded or sentenced within that 12-week period they do not go to the end of the waiting list but are added at the position where they left the psychiatrist's list

**6.2.3** In the survey conducted in April 2021, 69% of respondents either agreed or strongly agreed that their mental health was suffering during this period. Of the respondents, just over half believed that appointments with mental health could be booked. Positively, in June 2021 the quality network for prison mental health services conducted a review and interviewed men who were currently receiving support from the mental health team and found

*'All patients spoken to and surveyed confidently report they feel listened to and understood by staff members.'*

and importantly

*'Patients spoke of significant improvement to the service since 2019 and feel treated with compassion, dignity and respect.'*

**6.2.4** During the reporting period, 32 men have been transferred to psychiatric units: a large increase on the 19 who were transferred in the last reporting year. Waiting

times for transfers varied, the longest being from 27 August 2020, when the need was identified, to 27 February 2021 when the man was moved. During much of this period he was being held in the CSU but during the latter part of the wait for a hospital bed he was transferred to the healthcare unit which had the ability to prepare him for the transfer. The Board was informed that this lengthy wait was exacerbated by Covid-19 outbreaks, the fact that the man concerned was from England (which affected the negotiations between prison and health authorities), and the need for a high security placement also compounded the delay.

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

**6.3.1** At the beginning of the reporting period, men were allowed 45 minutes out of cell morning and afternoon. This was sometimes curtailed when three different regimes were required on a wing to deal with men who had tested positive for Covid-19, those who were symptomatic and isolating and those who were not required to isolate.

**6.3.2** Despite this, most men reported being able to take a shower, make a phone call and take exercise; although it was pointed out to the board that

*'We have the choice between phoning loved ones or showering in the morning and in the afternoon we have the choice between showering or exercise'*

**6.3.3** In July 2021, the time out of cell was increased to one hour morning and afternoon.

**6.3.4** The availability of gym indoors was variable during the winter, dependent on the level of Covid-19 infection in the community and within the prison. It finally opened in March 2021, for restricted numbers. Prior to this, gym sessions outdoors were being maintained.

### **6.4 Drug and alcohol rehabilitation**

**6.4.1** Throughout the period the reporting year Dyfodol, the drug support agency, has been working with the men: initially by offering worksheets to those men with drug and alcohol issues. The team began face-to-face working in October 2020; during the reporting year this progressed to restarting group work.

## **7. Progression and resettlement**

### **7.1 Education, library**

**7.1.1** During the reporting year, the running of education classes and training was restricted to ensure Covid-19 protocols were adhered to. At the beginning of the reporting period HMP Cardiff was at stage 4 of the Covid regimes, and by the end it was at stage 2.

**7.1.2** Opening dates for both education and workshops were planned but were dependent on Covid-19 health and safety requirements which required additional space to support social distancing.

**7.1.3** The Board was informed that training finance for 2021 is supported by savings made last year 2020 and allowed to carry forward to this year.

**7.1.4** In April 2021, the education department was able to restart educational assessments for men and run some restricted classes. Men attending were placed on one of two wings with direct access to the education department to avoid the chance of cross infection during prisoner movement. The courses available at this time were:

Tools for Change running five weeks for a maximum of five persons

Art and design, which included creative literacy. This group also produced a booklet in association with Cardiff University

English as a second language (ESOL) which began to produce a numeracy and literacy booklet

Courses ran both morning and afternoon.

**7.1.5** During the first quarter of the reporting period, September to December 2020, there were 10 distance learners: 8 of which were enrolled on Open University; and two enrolled with the Prisoner's Education Trust (PET). Two officers were appointed as liaison between the residential areas and Learning and Skills.

**7.1.6** Knox TV were running a news and education channel; this is planned to be run by prisoners themselves. Distraction packs and Adaptive-Tools for Change workbooks continued to be provided.

**7.1.7** The classes in the prison strictly followed Covid-19 protocols. No one was allowed to leave the room, for the toilet or drinks. This led to a more efficient teaching regime, with fewer distractions.

**7.1.8** The library has functioned throughout the reporting period, although staffing levels due to Covid-19 have affected its operation at times. Books were taken to the wings rather than men attending the library.

### **7.2 Vocational training, work**

**7.2.1** Covid-19 restrictions remained a major inhibitor of normal employment and vocational training throughout the reporting year. However, Covid-19 regime stages did improve, from stage four at the beginning of the period, to stage two at the end.

**7.2.2** Prison essential services - kitchens, waste management, laundry, and breakfast packing work - were operating. Other areas providing work were: print/sign shop, canteen stores, works party and orderlies. On the prison wings, cleaners, safer community representatives, decency champions and wing peers were working. Supervision of the workshops continued with appropriate instructor levels, and in the majority of cases, staff levels increased due to the limited open workshops.

**7.2.4** The activity hub informed the Board of the average allocation and actual attendance hours for essential activities during September to December 2020.

Scheduled am	Scheduled pm	Attended am	Attended pm	
1274	1073	924	725	Industries
4174	4132	3792	3743	Other
5471	5224	4739	4486	Total
Total Scheduled		Total Attended		
10,695		9,225		

Spaces for purposeful activity increased from 221 at the beginning of September 2020 to 265 by the end of August 2021.

Overall, monthly attendance was 86.26%. The difference between scheduled and attended places was affected by factors such as staff shortages, training and supervision, healthcare appointments, planned Purple Visits and scheduled court appearances.

**7.2.5** The essential workshops which were running during the reporting period were found to have reduced employed numbers. This was primarily due to Covid-19 restrictions, and led to workshops having to find more efficient ways of working; this allowed the same output using less than half the original numbers previously required to run some workshops. This has not helped the need to find prisoners purposeful activity. This is concerning to the Board as it was notable in the 2021 survey that men in employment consistently had a more positive view of their experience in HMP Cardiff during this time.

**7.2.6** The education and training department has continued to plan for the opening of further workshops and training, all of which is Covid-19 dependent. The potential new courses planned include construction, in particular a dry lining course. This will be run with support from industry and help from Cardiff Council and Work in Wales grants. The British Institute of Cleaning Science (BICSc) will continue to issue accredited training. The multimedia workshop is planned to evolve into a TV support channel. It

is hoped the print shop will develop into a social enterprise jointly with Parc and Usk/Prescoed prisons.

Unfortunately, the Street Works and Network Rail courses are under review, the latter as it can only support a small cohort, due to the strict requirements on individuals. The vehicle workshop is also no longer considered viable.

### **7.3 Offender management and progression**

**7.3.1** Parole hearings continued weekly using a 'virtual parole room'. This is a new way of working that has allowed the men to video-link from the new parole laptops to the parole board. Feedback has been good from both men and staff. There has been a large backlog of hearings due to the lockdown period and the prison has, on occasions, been running three hearings per day.

**7.3.2** In November 2020, a new digital home detention curfew (HDC) process went live. In the early weeks following its introduction, a number of issues were raised, some of which resulted in men who were not supported by probation having their housing requests lost in the system. This appeared to have been resolved by the end of March 2021.

**7.3.3** A new bail information pilot was started with bail peers identified on the RCU. Men were interviewed in the early days of their custody to establish if they wished to make a bail application. Unfortunately, by November, due to the latest outbreak of Covid-19, the prison had to park the bail work while the latest outbreak was dealt with. Once the pilot was up and running again, it was decided to extend its duration for a further six months to ensure the initial work was allowed to bed in.

**7.3.4** As of December 2020, the prison held 26 lifer or imprisonment for public protection (IPP) men. The prison has assured us that when an opportunity opens to enable transfer to a more suitable location, these men will be transferred without delay. By August 2021, the number had fallen to 11, with two of those having completed parole hearings.

### **7.4 Family contact**

**7.4.1** For a large part of the reporting year, social visits were not permitted, and, when they did resume, they did not prove popular. This was partly due to the experience of both parties having to wear a mask and maintain social distance, resulting in it being difficult to hear and be heard. Many family members were also not keen on travelling by public transport during a lockdown. Booking of social visits picked up again once contact was permitted, providing both parties agreed to a Covid-19 test which produced a negative result.

As a consequence of the above, Purple (video) Visits were more popular, and despite there being some initial technical issues with setting them up and family and friends getting registered to use them, this is an innovation that was popular, and there is demand for them to remain an option, even after lockdown.

From the survey conducted by the IMB in April 2021, only 56% of men agreed that it was easy to organise a Purple Visit to see their family.

Random calls made by IMB members showed that there were problems with the visitor booking line. For example, in November 2020, in one week on three separate days, the phone rang without being answered for up to 40 rings. On one occasion an answer phone activated, but it was not available to take calls and not accepting messages.

In July 2021, there was positive feedback from visitors as to how they were being treated by staff and the visits telephone booking line appeared to be working well.

**7.4.2** Throughout the period of lockdown, the learning and skills department provided men with access to the digital messaging service to allow them to keep in touch with their families. Around 100 DVDs were sent out to men's children and families between September and December 2020.

**7.4.3** From the survey of men that the IMB carried out in April 2021, 59% of men agreed with the statement that 'it was easy to make a phone call everyday'. The restricted regime during lockdown meant that some men felt it was a stark choice between showering, exercising and phoning loved ones.

## **7.5 Resettlement planning**

**7.5.1** A bid is being prepared with the aim of securing funding to support prisoner training and through the gate employment. The aim is to build on work done pre-Covid on the Work Ready course. The bid is in collaboration with partners, such as Working Wales/the Department of Work and Pensions (DWP), the University of South Wales, the Chase Project, HMP Usk/Prescoed and the substance misuse team.

**7.5.2** The facility to open a bank account continued during the lockdown period, with 19 accounts opened for men in October 2020, 14 in March 2021, and a further 10 in April.

**7.5.3** In October 2020, the resettlement team increased the level of face-to-face contact with men. They were fully equipped with PPE, and perspex screens were installed on the RCU, to allow closer contact while ensuring protection was maintained. The screens proved not to be fit for purpose, however, and the team instead secured the use of the induction room on RCU to interview men. This room proved large enough to allow a socially distanced interview to take place while providing privacy. By December 2020, the team returned to no face-to-face contact due to the increased levels of Covid-19 within the establishment.

By the end of April 2021, when the establishment was no longer classified as an outbreak site, the CRC (St Giles) team reintroduced face to face contact, and the team was able to get back to full time working while only seeing men who had tested negative on admission.

There have been no 'meet at the gate' referrals throughout the period of reporting with referrals being accommodated only over the phone.

Partnership meetings with resettlement support agencies were suspended throughout the period. Contact with the DWP, Housing, TTG, Prison Link and other agencies was all conducted by phone, and the St Giles team reported that, despite this, the process was working well.

A new resettlement model went live on 26 June 2021, whereby St Giles staff became contracted under the NPS. There were some initial issues relating to clarity of roles and responsibilities, and regular meetings were held with the project leads to address these.

**7.5.4** As a result of measures put in place by the Welsh Government, all prisoners who were homeless when released during the Covid-19 restrictions period were offered accommodation on release. Local authorities have been provided with two weeks' notice of any potential men with no fixed abode being released. Housing needs, not surprisingly, continued to be the highest priority need identified, with 161 cases dealt with in September and 145 in December 2020. These rates remained fairly steady through the following months, with 175 cases in March and 112 in April 2021.

**7.5.5** The Welsh Government has agreed to maintain funding to support the homeless into accommodation until April 2022. Unfortunately there remains a lack of available housing in some areas which adversely affects the chances of men being offered accommodation.



## The work of the IMB

### Board statistics

Recommended complement of Board members	14
Number of Board members at the start of the reporting period	13
Number of Board members at the end of the reporting period	12
Total number of visits to the establishment	164
Total number of segregation reviews attended	11

## Applications to the IMB

<b>Code</b>	<b>Subject</b>	<b>Previous reporting year</b>	<b>Current reporting year</b>
A	Accommodation, including laundry, clothing, ablutions	26	36
B	Discipline, including adjudications, IEP, sanctions	6	10
C	Equality	4	6
D	Purposeful activity, including education, work, training, library, regime, time out of cell	27	38
E1	Letters, visits, telephones, public protection restrictions	34	43
E2	Finance, including pay, private monies, spends	17	21
F	Food and kitchens	5	8
G	Health, including physical, mental, social care	98	83
H1	Property within this establishment	8	26
H2	Property during transfer or in another establishment or location	17	14
H3	Canteen, facility list, catalogue(s)	20	23
I	Sentence management, including HDC, release on temporary licence, parole, release dates, recategorisation	42	26
J	Staff/prisoner concerns, including bullying	61	65
K	Transfers	28	22
L	Miscellaneous, including complaints system	112	44
	Total number of applications	505	465



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