



Annual Report of the Independent Monitoring Board at HMP Maidstone

**For reporting year
1 March 2021 – 28 February 2022**

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Contents

Introductory sections 1 – 3	Page
1. Statutory role of the IMB	3
2. Description of establishment	4
3. Executive summary	6
Evidence sections 4 – 7	
4. Safety	12
5. Humane treatment	15
6. Health and wellbeing	20
7. Progression and resettlement	23
The work of the IMB	28
Applications to the IMB	29

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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

2.1 Overview

HMP Maidstone is one of only three exclusively foreign national establishments catering for category C adult males. The operational capacity of the prison is 600.

For security reasons, the prison attempts to limit the predominant nationality (this reporting year, Albanians) to a maximum of 90 individuals. Almost all the population is of interest to Home Office Immigration Enforcement (HOIE) which has a team on site. The majority of prisoners are serving the last year of their sentence and most can expect to be removed from the UK at the end of their sentence, if not before. In 2021, 65% of those released were removed from the UK and 35% were released within the UK.

In this reporting year, the longest serving prisoner has been in Maidstone for three years and three months and 14 others for more than two years. Excluding these individuals and those who stayed for less than three months, the average length of stay was approximately seven months.

2.2 Accommodation & facilities

Most prisoners are in single-cell accommodation and without in-cell telephony. Much of the accommodation is over 200 years old and consists of four blocks, or wings, with some double cells in three of these, a few of which only just meet the minimum requirements for double occupancy. Hampering both use and repair, some prison buildings have listed status, notably a church repurposed as a multi-faith centre. Other buildings include an education unit and library, the healthcare clinic, five workshops and a large recycling unit. An in-house laundry services the prisoners' personal items. The gardens are well maintained.

The sports hall was condemned in 2017 and has not been replaced. A new sports hall has budget approval and work was expected to start in July 2021 and completion was envisaged in 2022. This has now slipped to 2023.

As noted in previous annual reports, the prison is generally well maintained and the staff and prisoners strive to live in a decent, orderly environment. The general state of repair at the establishment continues to give cause for concern and has not significantly improved since our last annual report. There are continual challenges to ensure that the basics of heating, lighting and hot water for showers are available on a daily basis. Addressing these is made harder because of staff shortages within the works department and pressure on financial resources.

2.3 Agency support

Primary healthcare services are provided by Oxleas NHS Foundation Trust.

Oxleas in-reach provide mental healthcare services.

Psychological services are provided by Bradley Therapy Services.

Dental services are provided by Kent Community Health NHS Foundation Trust.

Forward Trust provides substance misuse programmes.

Weston College is the learning and skills provider.

Rocketeer Group provides on-wing education activities.

Government Facilities Services Ltd. is responsible for the management of maintenance and repair work.

Public Sector Prison Industries (PSPI) provides workshop contracts. Maidstone has a number of prison industries offering locally sourced work including Brickworks, teaching bricklaying and building skills, and a print shop.

While the print shop has continued to operate during the pandemic, it has been predominantly staffed by instructors and little workshop time has been available to prisoners.

Spurgeons run children's visits, family days and parenting courses for dads in prison. While Spurgeons has continued to support prisoners during the pandemic, few organised activities have been possible during the reporting year.

Neither the Shannon Trust, who help with literacy, nor Beating Time, who organise singing activities, have visited the prison this reporting year.

Citizens Advice (previously Citizens Advice Bureau) supported prisoners via a telephone service.

3. Executive summary

3.1 Background to the report

All prisons in England have been under the direct control, known as command mode, of Her Majesty's Prison and Probation Service (HMPPS) since March 2020. For the reporting period, Maidstone's regime has been directed by HMPPS commanders rather than Maidstone's Governor and the usual autonomy of the Governor has been restricted. The Board is of the opinion that an early return to local Governor control would allow more nuanced decisions to be made, informed by local conditions, and that this will be beneficial for Maidstone's prisoners and staff.

As with other prisons, Maidstone has undergone various regime stages of lockdown as a result of the pandemic; for further details see section 6.5.

Date	Regime
March 2021	stage 3
July 2021	stage 2
September 2021	stage 3
November 2021	stage 1
December 2021	stage 3
February 2022	stage 2

For a brief period, at the end of November 2021, Maidstone was the first prison in the region to achieve stage 1 status, until a new wave of the virus was detected, placing it back into the more restrictive stage 3 state. At the end of the reporting period the prison was at stage 2. The prison estate lags behind the wider community relative to relaxation of Covid-19 restrictions, for example mask wearing in prison remained mandated after this was made voluntary in the wider community.

Throughout the period all members have been able to attend in person for the rota sessions they have agreed to cover, although some members have needed to restrict their visits due to personal circumstances.

The pandemic has placed extreme pressures on prison management and staff. Despite the challenges, information sharing has been maintained.

3.2 Main judgements

How safe is the prison?

Despite a death after an apparent prisoner-on-prisoner attack on a wing in December 2021, it is the Board's view that HMP Maidstone is a safe prison. The Board judges that the prison is well run, that prisoners, for the most part, enjoy a good relationship with staff and each other and violence continues to remain at a low level.

How fairly and humanely are prisoners treated?

During this reporting period, prisoners have been locked in their cells for long periods each day – during some parts of the year for in excess of 22 hours a day. The Board

reiterates that the restrictive regime operating throughout the prison estate cannot constitute fair and humane treatment. It is problematic for health and wellbeing and provides few opportunities for rehabilitation. Maidstone staff have endeavoured to help and support individual prisoner needs within the constraints of this regime. Even when there have been significant staff shortages, prison officers have striven to deliver a fair and humane experience.

A significant concern of the Board is the reduced level of contact that Maidstone's foreign national prisoners have had with HOIE during the pandemic and the service they receive from the Home Office. Last year, the community council and chaplaincy cited this as a major cause of stress and anxiety leading to self-harm and other negative behaviours by some prisoners. The number of prisoners held under IS91 provisions (authority to detain under Immigration Act powers after completing their sentence) has significantly increased and more needs to be done to improve this situation. The Board considers it essential that HMPPS and HOIE work better together to ensure that these issues are addressed.

How well are prisoners' health and wellbeing needs met?

As we report in section 6, the range and availability of health services has been affected by the restrictive Covid-19 regime and Covid security measures. However, primary and mental healthcare services continued to be provided as far as possible.

The Board considers that prison and healthcare staff have continued to make health and wellbeing a focus of attention particularly for vulnerable prisoners and that, within the limitations imposed by the pandemic, they have endeavoured to meet the health and wellbeing needs of prisoners.

How well are prisoners progressed towards successful resettlement?

Although Covid-19 has severely impacted resettlement efforts, the Board commends the progress made by the resettlement management unit despite being understaffed. However, insufficient numbers of prisoners are accessing education and limited opportunities remain for vocational training or work.

Most of Maidstone's foreign national prisoners are of interest to the Home Office and destined to be removed from the UK but this year flights from the UK have again been limited. A scaled-back HOIE service to Maidstone prisoners for most of the reporting period also reduced opportunities for exit and resulted in end of sentence plans for many prisoners being incomplete or disrupted with the number of men detained under IS91 increasing.

3.3 Main areas for development

TO THE MINISTER

Support the restoration of local Governor control of establishments. See section 3.1.

Work with the Home Office to ensure that HOIE documents required to be signed by foreign national prisoners are provided in languages they can fully understand. See section 5.4 paragraph 6.

Support, or sponsor if necessary, work to implement effective collaboration between HMPPS and HOIE so that communication and end of sentence management for foreign national prisoners are improved, the number of men detained under IS91 is reduced and that these men are no longer held in prisons. See section 7.3.

TO THE PRISON SERVICE

Provide more clarity about the prisoner property management framework. See sections 5.7 and 5.8.

Provide more category D accommodation across the estate and address the current restrictions of category D establishments accepting foreign national prisoners. See section 7.3.

Support the re-establishment of a release on temporary licence (ROTL) facility at Maidstone. See section 7.5.

Arrange for core material prepared for the resettlement of foreign national prisoners to be developed across the estate nationally. See section 7.5.

Work with the Probation Service to ensure that there are mechanisms to provide feedback to Maidstone on the work they do to prepare prisoners for release in the UK. Consider what parallel arrangements might be made in respect of prisoners released overseas. See section 7.5.

Prioritise the provision of upgraded internet bandwidth at Maidstone so that prisoners have more opportunities to communicate with family and support agencies. As we noted last year, a poor internet service continues to impact successful video calls (Purple Visits).

TO THE GOVERNOR

Ensure the induction process is sufficiently robust. See section 4.1 paragraph 4.

Improve communication of end of sentence arrangements. See sections 4.2 and 7.3.

Continue to seek ways to enhance the role of the community council. See sections 5.3 and 6.7.

Restart governor wing surgeries as soon as possible. See section 5.3.

Consolidate the progress made in the amount of key work undertaken and work to increase its quality. See section 5.3.

Improve delivery of education and training. See section 7.1.

Consider the resettlement team's proposal to establish a ROTL facility. See section 7.5.

Provide category D prisoners that cannot be moved to a category D establishment with as many category D privileges as possible. See section 7.3.

3.4 Progress since the last report

Main areas for development	Improvements
<p>TO THE MINISTER</p> <ul style="list-style-type: none"> • Support, or sponsor if necessary, work to implement effective collaboration between HMPPS and HOIE so that communication and end of sentence management for foreign national prisoners are improved, the number of IS91 detainees is reduced and that these detainees are no longer held in closed prisons. • Work with the Home Office to ensure that HOIE documents required to be signed by foreign national prisoners are provided in languages they can fully understand. • Support the restoration of local governor control of establishments • Finance appropriate technology services for IMBs as suggested by IMB Secretariat 	<p>The number of men held under IS91 has continued to rise and they are still held in closed prisons.</p> <p>Minister stated that 'The Home Office currently issue this documentation in English only, however a project is underway to explore (sic) options of translating a selection of documents into a number of other languages.' No evidence of translated forms.</p> <p>Local Governor control has not been restored.</p> <p>IMB Maidstone is participating in the roll out of Kahootz.</p>
<p>TO THE PRISON SERVICE</p> <ul style="list-style-type: none"> • Urgently review prisoner transfer and testing processes so that prisoners are not transferred until 	<p>HMPPS feedback suggested its strategy is kept under ongoing review and is 'regularly adapting.</p>

<p>they have first been properly COVID tested.</p> <ul style="list-style-type: none"> • Develop a more integrated relationship with HOIE to ensure fair and humane treatment for foreign national prisoners and their families through improved communication and end of sentence management. • Support better translation facilities for Foreign Nationals. • Negotiate with suppliers to lower international telephone and video call charges for foreign nationals. • Prioritise the provision of improved infrastructure including in-cell telephony and upgraded Internet bandwidth at Maidstone so that prisoners have more opportunities to communicate with family and support agencies. • Develop systems to solve the longstanding issue of property being lost on transfer between prisons. • Exit Command Mode as soon as possible. 	<p>HMPPS did not feed back on this point.</p> <p>New contract signed with Big Word, but there are still problems.</p> <p>HMPPS commented that the service required is not comparable to public phone services and prices need to be higher.</p> <p>In-cell telephony delivered March 2022. Internet bandwidth has not changed.</p> <p>Draft framework issued but no improvements observed.</p> <p>HMPPS did not comment on this. Local Governor control has not been restored.</p>
<p>TO THE GOVERNOR</p> <ul style="list-style-type: none"> • Work with HOIE management to improve communications and end of sentence management for prisoners destined to exit the UK • Seek budget for the early implementation of in-cell telephony and better Internet bandwidth. • Ensure consistent availability of Samaritans phones and better use of mobile PIN phones. 	<p>Remains on the strategy delivery plan February 2022.</p> <p>In-cell telephony delivered March 2022. Internet bandwidth has not changed.</p> <p>This appears to have improved.</p>

<ul style="list-style-type: none"> • Improve CCTV implementation to provide full prison coverage • Restart governor wing surgeries as soon as possible • Continue to improve keywork engagement and reintroduce OMiC (Offender Management in Custody). • Address the unresolved issues surrounding Muslim prayer facilities highlighted in last year's report 	<p>Currently not implemented but scheduled to be delivered by December 2022.</p> <p>Some success at some times during the year when the regime allowed. We expect to see all surgeries now being held regularly.</p> <p>Key work meetings are happening more frequently.</p> <p>Restrictions during the reporting year meant these issues did not arise but the causes remain unresolved.</p>
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Evidence sections 4 – 7

4. Safety

4.1 Reception and induction

Generally, prisoner induction appears to be well managed. Individuals are supported by staff and peer workers (see section 5.4); their needs identified within the first few days. However, educational testing and job allocation takes a month. The Board considers this to be too protracted although it believes there are plans to expedite these processes. A small number of prisoners have stated that they have missed the induction process and have been located directly to the reverse cohorting unit meaning they will not know how the prison works, how to contact relevant agencies and how to keep in touch with their families. Therefore, the Board has some concerns that the induction process has not been sufficiently robust.

During the reporting year, HMP Maidstone continued to accept new prisoners from the courts, although prison to prison transfer was more limited. During 2021 an intake of two or three people per day was normal and more recently, with the easing of restrictions, numbers have grown to around six prisoners daily.

When prisoners arrive at Maidstone, the induction process is started in reception. Initially, they are screened (including for Covid) possibly involving a full search with checking for safety issues or problems mentioned on their prisoner escort record. They are given information about life in prison and a booklet covering how to access Listeners, the Samaritans and the IMB, and how to contact their family. A healthcare check takes place followed by a further screening after 72 hours on Weald wing (induction wing). Staff are alerted to a new prisoner by a sign on the cell door. Staff may use a first night risk form to identify potential issues.

Transferring to a foreign national prison causes some prisoners to suffer anxiety. The diversity & inclusion team is working to update an induction leaflet in 14 languages which is intended to alleviate concerns and inform incoming prisoners about the prison. This is to be circulated to transferring institutions to pass on before departure.

The reception area is clean and well-ordered and recent improvements include:

- a physical body scanner used since July to improve decency;
- a metal archway used since October to detect metal objects;
- cameras now cover the entire reception area;
- better integrity of the area with seals to indicate tampering on property boxes.

4.2 Suicide and self-harm, deaths in custody

There were no prisoner suicides during the reporting year.

Prisoners are assessed by multi-disciplinary teams and those needing support receive it while living on the normal wings. One key area of support is the Listener service. During the peak of the pandemic the Listener service was not able to operate effectively, and new Listeners were not trained. However, the Board is pleased to note that Maidstone was one of the first prisons to restart the work of

Listeners in July 2021. The Samaritans have now trained prisoners to be Listeners and this programme is fully operational.

The safer custody team continued to focus effectively on individuals considered at risk. In 2021, the number of self-harm incidents recorded was 143, compared with 154 in 2019, and 219 in 2020. The 2020 number was within the context of a small group of prolific self-harmers with one individual accounting for 30% of the total. Furthermore, these incidents occurred against the background of a harsh lockdown regime.

The safer custody team reported that anxiety over end of sentence arrangements, and particularly whether a prisoner might continue to be held under immigration powers post-sentence, was a common trigger for self-harm (see section 7.3).

In December 2021 there was, sadly, a death after a prisoner-on-prisoner attack on a wing. The sole attacker was quickly transferred out of HMP Maidstone and the incident remains under police investigation. The incident was dealt with swiftly and professionally by prison staff.

4.3 Violence and violence reduction, self-isolation

The vast majority of prisoners, staff and the Board consider HMP Maidstone to be a safe environment. Care is taken to allocate individuals to appropriate wings to reduce the possibility of gang formation, bullying and negative activity surrounding ethnic origin. Whenever possible, individuals are accommodated with access to others speaking the same language or of the same ethnicity.

The average violence in prisons estimator (VIPER) score for Maidstone in 2021 was 1.8 and the maximum was 2.6. This is significantly lower than the national average. A score of 5 is generally accepted to indicate that a prisoner is a serious risk to others.

Challenge, support and intervention plans (CSIPs) were suspended in March 2020 and throughout the most severe Covid lockdown stages, and successfully restarted in May 2021. The number of violent incidents recorded for 2021 was 53, down markedly from the 116 in 2020 and the 104 in 2019. Most were classified as not serious and were incidents of prisoner-on-prisoner violence. There is evidence that prisoners who have been managed through CSIP have benefited; negative behaviour and appearances at adjudications were reduced.

There were no incidents of concerted indiscipline (an incident of organised, major disturbance).

There were few instances of prisoners self-isolating for reasons other than Covid infections. The Board observed that these are dealt with effectively and empathetically by prison staff and that access to the prison regime continued to be offered to those self-isolating.

4.4 Use of force

The number of recorded incidents of use of force (UOF) reduced from 244 in calendar year 2020 to 153 in 2021. Many of the incidents in 2020 were related to the stresses of the severe Covid lockdown. Seventy-five percent of incidents in 2021 were unplanned UOF interventions, almost all to relocate prisoners from a wing to the segregation or care and separation unit (CSU). Maidstone has CSU cells within the segregation unit and more recently (and to date unused) CSU cells within Kent wing.

During the reporting period batons were drawn three times but were not used and PAVA spray has, to date, never been used.

The Board was informed of most serious incidents within the requisite timeframe; the majority of these were individuals going onto the netting.

The Board's monitoring indicates that recorded use of force has been appropriate and correctly implemented. De-escalation techniques are routinely used and are often successful, and guiding holds are routinely used. Reporting of UOF has improved.

4.5 Preventing illicit items

HMP Maidstone is located within a high-density population area; consequently, throw-overs of illicit items, such as illegal substances, continue to be challenging, although the volume of these has reduced over the past 12 months. During the second half of 2021, five throw-overs were reported compared to 15 during the first six months.

There is no body or bag scanner at the entrance of the prison for staff or visitors and whilst there had been an ambition to install one, the limited availability of space in the gatehouse has made this impractical. The security team focuses its attention on preventing illegal substances from entering the prison using the body scanner and metal archway in reception for all new arrivals and prisoners returning to the establishment. Incoming post and prisoners' clothing are tested to reduce the number of illegal substances entering the prison. If traces are found on clothing this is washed prior to distribution.

Initiatives such as the enhanced use of mobile phone blockers have hampered prisoners' efforts to procure illegal substances. CCTV is installed on one wing and is due to be installed on all wings over the coming months to assist drug use intervention. This, together with regular intelligence-led searches, has resulted in the use of illegal substances by prisoners being lower than the previous reporting year.

Spice was previously reported to be the most popular illegal substance at HMP Maidstone; reports suggest its usage has declined over the past 12 months with a rise in finds of fermenting liquid (hooch) of greater concern. The number of drug finds declined by 30% between the first and second half of the reporting year, whereas the number of finds of fermenting liquid increased by 38%.

Forward Trust operates within the establishment offering a range of supportive programmes and treatments (see further section 6.6, drug and alcohol rehabilitation).

5. Fair and humane treatment

5.1 Accommodation and food

Much of HMP Maidstone is more than 200 years old and therefore needs updating and refurbishment. There are frequent issues with heating, power and water.

Housing is mostly in single-cell accommodation although there are currently 12 double first night cells for prisoners in use on Weald wing.

During the pandemic, a priority was to ensure that prisoners and staff live and work in a Covid-secure environment, therefore a reverse cohorting unit and shielding cells were instituted. Wing cleaning has concentrated on essential work and, given regime restrictions, wing cleanliness is good.

The restrictive regime highlighted how essential in-cell telephony is for prisoners to contact their family. However, this was not available during this reporting year and prisoners could only make calls during their limited unlock time on a limited number of phones. The Board notes that in-cell telephony has been operational in all cells since the end of March 2022.

In last year's report the Board noted that there were no showers on Medway wing landing 3 and that, while efforts were continually made to maintain the cleanliness of shower facilities, the condition of shower rooms on all wings was poor. There were issues on other wings with damp and condensation in cells adjacent to the shower facilities causing these cells to be out of action. This situation has continued throughout this reporting year although, at the time of writing, the Medway shower work is out to tender.

After several mistakes made with the installation of CSU cells on Kent wing, remediation work is now underway and should be completed in 2022.

The food provided at Maidstone continues to be of good quality and prepared to a high hygienic standard although the kitchens are still functioning with temporary freezer units. The catering is suitable for a range of religious and ethnic dietary requirements.

5.2 Segregation

Prisoners are treated with respect and care reflecting attentive leadership and the continued professionalism of staff. Individuals are closely monitored and efforts are made to move them out of the segregation unit as soon as possible. Stays are usually short and prisoners are returned to wings with agreed plans. Paperwork completion is generally good and is a consistent focus for senior staff.

The longest stay on the segregation unit by a prisoner this reporting year was 49 days.

Time out of cell for showers, phone calls and exercise is consistently offered but, as was the case during the previous two reporting years, apart from reading and puzzle

books, there is little or no provision of educational or recreational material and no gym or exercise facilities available other than access to an outside yard.

Attendance by required parties at reviews and adjudications is generally good. The Big Word interpretation service is sometimes used although not always successfully. Board members regularly attended good order or discipline (GOOD) reviews and assessment, care in custody and teamwork (ACCT) reviews during the year; the vast majority of these were observed to be conducted professionally and with care.

There are two CSU cells and two special accommodation cells located within the segregation unit. The special accommodation cells are rarely used.

While the current CSU cells themselves are adequate, their location is inappropriate and access to them and the space in front of them is deficient making the management of their prisoners difficult and placing extra pressure on staff dealing with vulnerable individuals.

A commitment was made in 2020 to move the CSU cells out of the segregation unit and the work was scheduled for completion in 2021. As mentioned in section 5.1 the new cells were deemed unusable as they had not been completed properly. The work restarted in January 2021 with planned completion in May 2022. At the time of writing this work has not been completed.

5.3 Staff-prisoner relationships, key workers

The pandemic and the shortage of staff have continued to test staff/prisoner relationships. It is to the credit of both staff and prisoners that, despite some exceptions, relationships have generally remained good. However, the Board encourages governors, prison departments and the on-site Home Office team to restart regular on-wing surgeries as soon as possible.

The pandemic impacted the functioning of the community council, which was unable to meet regularly. As the regime returns to a 'new normal', the Board expects to see the community council again playing a useful part in prison life. The return of Kinetic Youth Ltd to work with the community council from March 2022 is welcomed by the Board.

Despite the difficulties imposed by the pandemic, progress has been made in increasing the number of key working sessions. Over the reporting year, 536 prisoners had an average of eight key work sessions each. Prison management has concentrated on ensuring that key working takes place but is now developing arrangements to assure the quality of these sessions. The Board welcomes and commends these efforts.

5.4 Equality and diversity

There are approximately 85 nationalities at Maidstone; 10 account for 59% of prisoners. The remaining 41% consists of nationalities with 12 or fewer prisoners.

Prisoners who only have one or two compatriots in the prison are consulted on wing location to minimise isolation.

The prison has a small diversity and inclusion (D&I) team. Each wing has a peer worker who distributes D&I information, helps prepare cultural awareness booklets and supports prisoners who have issues with protected characteristics. There is a further peer worker who assists with media production. Media produced by the D&I team is used in prisons across Kent, Sussex and Surrey and some is used nationally. A D&I action team meets quarterly to present data to inform management priorities. Data correlations regarding use of force and adjudications presented at these meetings do not suggest anything worrying for Board attention. All new policies or programmes introduced to the prison undergo an equality impact analysis.

The D&I team records information about protected characteristics, language abilities and literacy skills for new arrivals. In Q4 2021, of 545 prisoners, 97 needed assistance with oral or written translation. Several of the 24 languages (e.g. Farsi) spoken by current prisoners cannot be specified on the database. Furthermore, written translations of prisoner information are only readily available in 10 languages.

The Big Word interpretation service, used on the wings, in adjudications and by healthcare, is not always satisfactory because of a lack of skilled interpreters in some languages or dialects. Much written information, notably notices to prisoners, is not translated because of cost and turnaround times.

Home Office documents are only available in English, so some prisoners are expected to sign papers which they cannot read. The D&I team continues to work with HMPPS and the Home Office to address this. The Board considers that the D&I team has worked diligently to improve the body of information that is provided in languages other than English.

During 2021, 74 discrimination incident reporting forms (DIRFs) were received; of these 29 were suitable for D&I investigation and 10 were upheld. DIRFs are quality checked and reviewed by a manager from Spurgeons.

The Board considers that the D&I team has worked conscientiously to gather data on protected characteristics, improve cultural awareness and reduce disadvantage to those with limited English language skills.

5.5 Faith and pastoral support

The main religions of the prison population are Christian (52%), Muslim (34%), Rastafarian (2%), Hindu (1%), Sikh (1%). Five percent of the population listed themselves as having 'no religion'.

The pandemic again curtailed visits from most chaplaincy faith leaders. As a result exceptional pressure was placed on the lead chaplain and imam, who continued to visit the prison throughout the reporting year. They have provided religious support including regular cell visits, the distribution of reading material in a variety of languages and individual chapel visits or pastoral support as required. When group worship has not been possible, the TV media channel has been used to show videos from faith leaders. The Board considers that the chaplaincy has been fully committed

and achieved a commendable level of engagement with prisoners in very difficult circumstances.

5.6 Incentives schemes

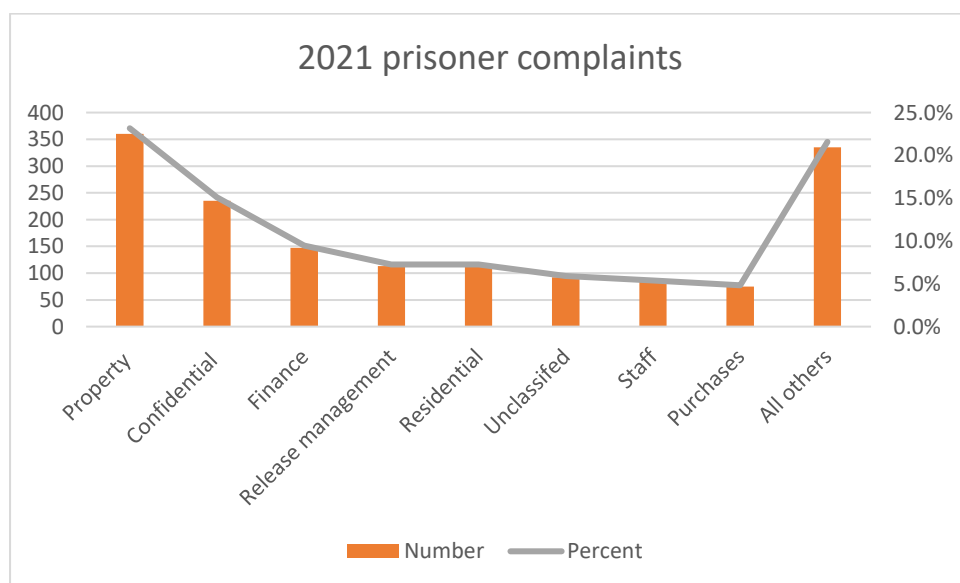
At the start of the pandemic, all prisoners on basic status were raised to standard. Basic status was reintroduced in early 2022.

Over the course of the year the Board received nine applications relating to incentives status and 17 complaints about incentive levels were logged by the prison, which indicates that this is not an area for major concern at Maidstone.

The pandemic has made it hard to see what effect the management of the incentives system has had on compliance or discipline. A new incentives policy was introduced in November 2021 and the Board will be monitoring its impact

5.7 Complaints

Prisoners submitted 1,562 complaints in 2021. Nearly 23% of complaints (356) related to property issues. Of these, 230 related to property transfer and cell clearance within Maidstone. Some of these complaints can be explained by an additional Maidstone-specific enhancement of the annual posted-in clothing parcel scheme, allowing prisoners to have their own clothing posted to them once a year. In 2020 there were 184 requests for parcels under this scheme, whilst in 2021 there were 360 requests without additional staff resources to cope. There were also problems because some parcels contained prohibited articles.



In addition to the internal property issues, there were 126 external property complaints about property not being received from other prisons. These complaints

tend to be the most difficult to deal with. Indeed, the loss of property that fails to follow a prisoner on transfer is particularly stressful for foreign national prisoners being deported. Time constraints mean some prisoners leave without all their documents and personal possessions.

Although there continues to be a review of property issues throughout the prison estate, the IMB has designated this as a national problem. Maidstone IMB considers that the resolution of this problem is taking far too long to complete. Property issues are the source of almost a quarter of applications to Maidstone IMB.

5.8 Property

There are three main issues. First, not all prisons abide by the volumetric limits and too much property is received when prisoners are transferred to Maidstone. Secondly, the property framework as it is currently implemented is deficient and a lot of property gets lost during transfer. Thirdly, there are insufficient staff locally to manage the process (see section 5.7). Maidstone is creating more storage and this may temporarily alleviate the symptoms of the first issue but essentially volumetric limits must be adhered to and an enhanced framework needs to be implemented as noted by the IMB response to the draft HMPPS property policy framework (May 2021).

A property donation scheme which is administered by reception has been introduced and this allows electronic and other articles to be passed on to other prisoners.

6. Health and wellbeing

6.1 Healthcare general

Oxleas NHS Foundation Trust is the primary and mental healthcare provider. Dental services are provided by Kent Community Health NHS Foundation Trust, but from April 2022 this service will be managed by Oxleas, under the prime provider model.

There has not been a recent Care Quality Commission inspection, but, as noted in last year's report, an HMIP short scrutiny visit in June 2020 reported that healthcare was well organised with sound governance arrangements.

Staffing levels have improved, and present staff number 13.1 FTE as compared with an establishment of 15.5.

Healthcare complaints data is routinely monitored by Oxleas and reported on through the governance structure. The main areas of prisoner concern continue to be in relation to delays in accessing medications, often due to delays in receiving specific drugs from outside pharmacies and waiting times for external hospital appointments.

Healthcare reports that there is a plentiful supply of appropriate personal protective equipment. There are no inpatient beds.

6.2 Physical healthcare

Services provided include reception screening, long term conditions clinics, varied sample collection, and dispensing of medication. There is a daily triage facility allowing prisoners to be seen by a nurse or GP if considered appropriate. During the Covid restrictions, GP, dental, optician, genitourinary medicine and sexual health services were reduced, as were screening for bowel cancer, tuberculosis and hepatitis B. These have all now returned to normal operation. Dental clinics are held on three days per week with variable arrangements for additional clinics if required. We are told waiting times to be seen are shorter than in the outside community. The waiting time to see a GP is currently ten days for non-urgent cases or next day for those deemed as urgent.

Healthcare and prison management have worked well together in screening staff and prisoners for Covid and in isolating positive cases. All prisoners have been encouraged to be vaccinated against Covid, with a take-up rate by January 2021 of 54% with 62% of those having consented to both vaccinations and a booster.

6.3 Mental health

Oxleas in-reach team provides mental health services, and psychological services are provided by Bradley Therapy Services (BTS). During the most restrictive periods of the pandemic, BTS provided paper-based support rather than one to one or group work. A psychiatrist has continued to visit the prison one day per week.

In-reach staff levels were initially impacted by Covid but are now at the full establishment of 3.6 FTE. The in-reach team is able to attend most ACCT and GOOD reviews.

There are often delays when prisoners need transfer to an external specialist forensic unit due to bed availability and similarly, access to in-patient facilities at other establishments can be problematic due to available bed space.

6.4 Social care

There are no formal occupational therapy provisions in place and any social care needs are managed by the prison, supported by Kent County Council on an individual basis. There have been no prisoners requiring palliative end of life care during the reporting period.

6.5 Exercise, regime

There is still a serious lack of recreational facilities available, with only an outside sports area, gym and a fitness suite in use. The outside sports area has been redundant for most of the year because of Covid restrictions. The latest information available suggests that an indoor sports facility may be available mid-2023. The fitness room and gym have recently obtained new training equipment for both weights and cardio workouts with the potential for two sessions a week per prisoner.

Based on the National Framework for Prison Regimes and Services, during the Covid restrictions prisoners have had limited time out of cells. Time out of cell has varied according to the different regime stages in place:

Date	Regime	Time out of cell	
March 2021	stage 3	Mon-Fri Weekend	55 mins morning 65 mins afternoon
July 2021	stage 2	Mon -Fri Weekend	50 mins morning 50 mins afternoon
September 2021	stage 3	Mon-Thursday Friday Weekend	1 hr morning and afternoon 1 hr 1.5hrs morning or afternoon
November 2021	stage 1	Mon-Fri Weekend	1 hr morning or afternoon + work 2.5hrs morning or afternoon
December 2021	stage 3	Mon-Thursday Friday Weekend	1 hr morning and afternoon 1 hr 1.5hrs morning or afternoon
February 2022	stage 2	Mon -Fri Weekend	50 mins morning 50 mins afternoon

Although frustrated, most prisoners understood the need for restrictions given the pandemic.

6.6 Drug and alcohol rehabilitation

The Forward Trust (FT) provides substance misuse services. Psychoactive substances, notably Spice, were predominant but discoveries of fermenting liquid (hooch) are on the increase (see section 4.6). Over the past year, due to Covid, FT has been unable to provide psychosocial intervention group work. However, it has continued to provide one to one support and in-cell activities. FT also offered prisoners information from Alcoholics Anonymous and Narcotics Anonymous as these organisations were not able to come into the prison. From 1 April 2022, FT will be replaced by a new provider, Change Grow Live (CGL) with the contract managed by Oxleas.

6.7 Soft skills

The pandemic continued to interrupt the provision of soft skills for most of this reporting period. The Board is concerned about the impact that isolation with no stimulation has on the mental health of prisoners.

Mental health and wellbeing packs were distributed on the wings. Activity packs have been available to prisoners, for example, origami. These are designed to develop soft skills such as focus, problem solving and positivity and to give prisoners a sense of personal attainment. However, the absence of face-to-face opportunities will have inhibited the development of social capital such as communication and leadership and the benefit of shared achievements through teamwork.

The prison worked with external providers to run classes at the earliest opportunity. For example, community art programmes and tai chi sessions were reintroduced this calendar year. The community council was restarted in February 2022. Other soft skill programmes, such as the Beating Time music group, have not operated due to lack of allocated space.

Annual performance data is not readily available for 2021. Overall, prisoners have not had the opportunity to develop the skills they need to unlock their potential.

7. Progression and resettlement

7.1 Education, library

The ability to provide education and activities to prisoners was severely disrupted by Covid.

Prison staff and education/skill providers worked together to deliver courses and activities across the fluctuating prison regime stages. They built on experience from the previous year and delivery models included remote and blended learning. For example, DVDs were incorporated into some packs facilitating independent learning.

Education provision was adjusted depending on the Covid stage reached.

	Stage 4	Stage 3	Stage 2	Stage 1	Outbreak
How education provided	In-cell packs	In-cell packs	Classroom-based	Classroom-based	In-cell packs
Support available	No direct support on wings	Direct support on wings	Reduced capacity No wing mixing	Maximum capacity Mixed wings	Direct support on wings

Until 12 July 2021, assessments for learning difficulty and/or disability (LDD) and for English and maths abilities were carried out in cell. However, this change, lack of staff and restricted access to prisoners resulted in a backlog of assessments and the development of personal learning plans, affecting the tailored support available.

English, mathematics and English for speakers of other languages (ESOL) classes were made a priority. At the time of reporting, LDD levels were reported at 11% of the prisoner population.

It is not meaningful to report attendance and performance data due to the limited availability of courses and the stop/start nature of provision. However, it is encouraging to know that some prisoners did achieve maths/English qualifications.

The prison encourages distance learning and supports prisoners through the application and funding process, although many are ineligible for grants.

Digital learning is hampered by poor wi-fi connectivity and rats have chewed through cabling on occasions, disabling internet services.

The library delivered books direct to wings and foreign language books are supplied on request.

As a foreign national prison, language support should be provided to help prisoners improve their English language skills and connect prisoners to resources in their native language. In-cell learning and distraction packs are not available in enough foreign languages. See also section 5.4.

In July 2021 Ofsted found the prison was making 'reasonable progress' towards ensuring that staff teach a full curriculum and provide support to meet prisoners' needs, including the provision of remote learning.

Overall, insufficient numbers of prisoners are accessing education. Covid aside, the Board considers that the educational needs of Maidstone's diverse population have not been met adequately; an improvement in the delivery of education and training is needed. We note a new manager is in post and hope to see further progress.

7.2 Vocational training, work

HMP Maidstone has made strong efforts to get prisoners into work despite ongoing restrictions. During stages 2 and 3 some essential work including kitchen, laundry, and recycling was operating in a limited capacity. Laundry, kitchen, waste management, gardening, officers' mess and print works were open for prisoner employment whenever possible throughout the year. Maidstone has an excellent gardening programme which was able to function almost continuously due to it being outdoors. It is noted, however, that formal horticultural training courses and the Waste Management Industry & Advisory Board (WAMITAB) level 1 qualification, previously delivered, have not resumed due to the lack of an allocated teaching room.

Despite best efforts, not all prisoners received the opportunity to work and those that did had reduced hours. Some prisoners felt that work impeded their limited social time. Others complained about reduced pay because of reduced hours.

External providers made remote learning packs available and supported learners on an outreach basis (e.g. Rocketeer, which provided business enterprise learning).

During the pandemic, it has not proved possible to engage and support all prisoners in improving their employability through work and training.

7.3 Offender management, progression

The Board believes that the offender management unit has done a good job in difficult circumstances caused by the pandemic and by staff shortages. Nevertheless, there remain many prisoners in HMP Maidstone who should not be there. This is distressing for the prisoners concerned and is a burden on a stretched national prison establishment. Significant progress must be made to reduce these numbers.

Category D prisoners in a category C establishment

The Board is aware of the shortage of places in category D prisons and understands that the Home Office is cautious about moving prisoners if there are concerns about evading deportation. Nevertheless, these prisoners should not be in a category C

prison. Where it is impossible for prisoners to be moved, they should be given as many category D privileges as possible or should be released on temporary licence.

IS91 prisoners

The average number of people held under IS91s in 2021 was 31. The highest number held at any one time was 52, the lowest was 28. While the practical difficulties of transferring prisoners on IS91 are acknowledged, efforts must be made to reduce these numbers.

Communications with prisoners about whether they will be held on an IS91 after their conditional release date (CRD) are poor. Uncertainty about this causes significant anxiety. It is unacceptable that the service level agreement between the Home Office and the Ministry of Justice, requiring prisoners to be informed more than 30 days before their CRD of any further immigration interest, is frequently not met.

Prisoners who have passed their early removal scheme (ERS) date

There are many people who have passed their ERS date but are still in HMP Maidstone. Although the Board understands that simply passing the ERS date is insufficient to permit removal, there are prisoners within this group who have no bars to removal. We have been unable to determine the numbers affected. Additionally, such data is not collected centrally by HMPPS.

That these prisoners have not been removed from prison is clearly a concern for themselves, but also represents an avoidable resource and financial cost issue for an overcrowded prison estate.

Facilitated return scheme

The number of applications for this scheme in the period 1 August 2021 to 31 January 2022, was 66. This was lower than another FNP establishment where the number was 104. The Board has not established the reasons for the lower number of applications.

7.4 Family contact

Family contact has been severely curtailed this year; none of the eight planned family days was possible.

Apart from during full lockdown, social visits have continued with a reduced capacity of 12 prisoners per session to ensure social distancing. When visiting was permitted, visits were offered at the rate of two per month per prisoner, with social distancing rules always applied. Since September 2021, lateral flow testing was required prior to a visit. Visitor numbers were restricted to three per prisoner per visit. While social visits were restricted, prisoners received an increased £5 funding for phone calls.

In-cell telephony (recently installed) would have increased the opportunity to make calls to family. Despite the extra credit received, it was still a source of frustration when wing telephones were out of action or because the time taken to access the wing phones ate into limited social time. The IMB has received applications

concerning the length of time it takes, following the induction process, to get PIN numbers for phones.

Video calls (provided by Purple Visits) have been successful. In January 2022, 180 video calls were made with similar numbers in other months. Prisoners are eligible for two video calls a month. Although there is potential for more visits there are insufficient staff to support more than 10 prisoners a day, Monday to Thursday. Although video calls can never replace face to face visits, there is a role for this type of family contact in the future.

Spurgeons has produced an induction pack for new prisoners. It includes: a memo outlining their services, contact details for families and information on ways to stay connected while in prison. A presentation is shown during the wing induction meeting and there is a family services peer mentor on each wing. Spurgeons meets each new prisoner within the first six weeks of arrival and, when possible, offers a monthly drop-in clinic. There were 913 engagements with prisoners in 2021. Spurgeons provides a popular service, Storybook Dads, which allows parents to be filmed reading a bedtime story. Pictures from the book are put on the recording and a DVD and storybook are sent to the child. This is particularly beneficial to foreign nationals who can experience difficulties maintaining relationships with family overseas. Packs covering a range of parenting subjects were distributed with 199 (of 276) completed by 114 prisoners in 2021.

7.5 Resettlement planning

In 2021, 539 prisoners were released from HMP Maidstone. Of these, 191 (35%) were released into the UK and 348 were released abroad.

The resettlement management unit has made good progress in the last 12 months despite being under-resourced. A preparation for release booklet has been used to motivate prisoner engagement in plans for their time after they have left custody. At the start of the year 37% of prisoners had engaged, by the end of the year this had increased to 71%. The unit systematically revisits the information provided by the prisoners three months before their ERS date or their CRD. They have also developed a resettlement release pack that is tailored to the country to which they will be released. They have undertaken resettlement surveys in prison, used the media channels and developed a system for providing clothing for prisoners who are leaving HMP Maidstone. They have ambitious plans.

There are opportunities for HMP Maidstone to share materials and good practice across the prison estate, particularly with other prisons with high populations of foreign nationals. Arguably, it would make sense for core material to be produced centrally for use across the estate, rather than being undertaken establishment by establishment.

Although the work being done by HMP Maidstone to prepare prisoners for their release is commendable, it would be useful to track the impact of their work. The prison has put in place a voluntary scheme for released prisoners to provide

feedback, but this is inevitably patchy. There are opportunities in respect of those released in the UK to work with the Probation Service to understand better the impact of the resettlement work that is being done.

It is harder to obtain this information in respect of prisoners who have been released overseas. Nevertheless, efforts should be made to ascertain the value of the resettlement work undertaken by HMP Maidstone in respect of these people as well.

The Board considers the resettlement team's proposal to establish a ROTL facility at Maidstone to have merit and notes that the direct and tangible benefits of ROTL should be considered when judging proposals for the available space and budget.

As with other parts of the prison, the significant number of vacancies in the resettlement management unit should be addressed swiftly.

The work of the IMB

Although the Board had several fewer members than recommended, the prison was monitored regularly with at least one visit (in person) a week. A recruitment campaign has resulted in one new member (subject to security checks). However, it is noted that two members will be unable to serve in the 2022/23 reporting year and one further member is absent due to work commitments in Ukraine.

The Board has an open and honest relationship with the Governor and her senior team, which results in issues brought up by the Board being carefully considered and responded to appropriately.

The Board is keen to encourage links with the other foreign national prisons and those prisons with significant foreign national populations.

Board statistics

Recommended complement of Board members	12
Number of Board members at the start of the reporting period	11
Number of Board members at the end of the reporting period	8
Total number of visits to the establishment	294
Total number of GOOD reviews attended	N/A *

* Attendance to be recorded from next reporting year

Applications to the IMB

The Board received over 450 applications (excluding obvious duplicates) this reporting period compared with 125 in 2020/21 year, an increase of over 250%. Almost a quarter of the applications concerned property (H1, property within Maidstone: 10.6% and H2, transfer of property: 12.6%). More than 21% of the applications were regarding sentence management issues.

Code	Subject	Current reporting year	*Previous reporting year
A	Accommodation, including laundry, clothing, ablutions	8 (1.8%)	2 (1.6%)
B	Discipline, including adjudications, IEP, sanctions	14 (3.1%)	11 (8.8%)
C	Equality	6 (1.3%)	2 (1.6%)
D	Purposeful activity, including education, work, training, library, regime, time out of cell	25 (5.5%)	15 (12%)
E1	Letters, visits, telephones, public protection restrictions	31 (6.8%)	8 (6.4%)
E2	Finance, including pay, private monies, spends	13 (2.9%)	4 (3.2%)
F	Food and kitchens	4 (0.9%)	6 (4.8%)
G	Health, including physical, mental, social care	53 (11.7%)	12 (9.6%)
H1	Property within this establishment	48 (10.6%)	7 (5.6%)
H2	Property during transfer or in another establishment or location	57 (12.6%)	13 (10.4%)
H3	Canteen, facility list, catalogue(s)	5 (1.1%)	3 (2.4%)
I	Sentence management, including HDC, release on temporary licence, parole, release dates, recategorisation	95 (21%)	16 (12.8%)
J	Staff/prisoner concerns, including bullying	33 (7.3%)	20 (16%)
K	Transfers	7 (1.5%)	6 (4.8%)
L	Miscellaneous, including complaints system	54 (11.9%)	N/A
	Total number of applications	453	125

NB current reporting period - 78 applications received from one prisoner



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