



# **Annual Report of the Independent Monitoring Board at HMP Lowdham Grange**

**For reporting year  
1 February 2022 – 31 January 2023**

**Published May 2023**



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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 Lowdham Grange is a privately operated category B male training prison, located near the village of Lowdham, 19 km north of Nottingham. It has been operated since it opened in 1998 under a private finance initiative (PFI) contract by Serco Justice and Immigration, a part of Serco Plc ('Serco').

In August 2022 it was announced that Sodexo Justice Services (Sodexo) had been selected as the new operator following a competitive bidding process. Sodexo was due to take over the management and operation of the prison on 16 February 2023.

The prison is part of the long-term high security estate, and usually receives category B prisoners either from another establishment or shortly after sentencing. Many of the prisoners have convictions for offences involving violence.

During the reporting year the population in the establishment has averaged 860 prisoners, even though the prison has a certified normal accommodation of 894 and an operational capacity of 888. Prisoner numbers were reduced from June 2022 to January 2023 to accommodate the end of contract dilapidation works identified during the end of contract survey.

Although a number of prisoners are released directly from the prison when they have completed their sentences, they are usually transferred to a category C prison when they achieve category C status.

Healthcare is contracted to the Nottinghamshire Healthcare NHS Trust. The commissioning of the service and the appointment and management of healthcare staff are the responsibility of the health and justice team of NHS England, with the intention of offering a range of services relevant to the needs of the prisoners and which correspond with those provided in the community.

Education and facilities management services in the prison are provided by Serco.

### **The Director**

The Governor of a private sector prison is referred to as the Director. He/she is required to be a certificated prison custody officer and is appointed under the terms of the Criminal Justice Act 1991.

### **The controller**

All private sector prisons have a government-appointed controller's team, based in the prison. The role of the controller is to monitor the contract between the Secretary of State for Justice and the private sector operator to ensure compliance. The controller and members of his/her team have held positions in public sector prisons prior to appointment.

### **3. Executive summary**

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

Some fairly unique circumstances had a significant impact on the monitoring activities carried out by the Board in the prison during the reporting period, which covered the period 1 February 2022 to 31 January 2023.

- Between February and May 2022, monitoring visits by the Board and traffic within the prison continued to be restricted because of intermittent Covid outbreaks.
- From June, there was a return to normal regime and some, but not all, of the pandemic restrictions were lifted. For example, the prison operator chose to retain the use of cohorting as a safety and security measure rather than as an infection risk strategy. The use of cohorts continued until early 2023.
- The impending contract bid for the management of the prison brought about the need for a very significant programme of refurbishment works. These works needed to be completed by February 2023 and they affected almost all structures and services in the prison. Extensive areas required scaffolding and large numbers of external contractors were on site every day for over eight months, affecting the safety and security of the site.
- The complexities of managing these works projects had a negative impact on the regime. For example, they affected the availability of out-of-cell activities and the amount of time that prisoners could access the exercise yards.
- The announcement of the new contract award was made in August 2022 and for two months prior to the announcement there was considerable uncertainty amongst prisoners about the effect this would have on the operation of the prison. The impending announcement also created uncertainty amongst staff, who were concerned about the effect of the new contract on their employment.
- The Board noted that from August 2022 to the end of its reporting year more than 30 staff resigned from HMP Lowdham Grange, with some transferring to other roles in the Serco organisation or to other prisons. This exodus of staff and managers continued through the end of January 2023 and included the departure of two directors, four assistant directors, the head of psychology and a number of other highly competent operational managers.
- The Board noted that the disruptions caused by these management and staff changes led to inconsistencies in decision-making and actions in the prison and there was evidence that this contributed to the overall negative impact of the impending contract change.
- At the same time, Board members noted that prison staff did not appear to have the same levels of commitment to supporting and engaging with prisoners. The Board found it necessary to seek assurances from the new operators that prisoners would not be adversely affected as the contract transferred.

It is noted that the transfer of prison management responsibilities from one private sector contractor to another had not happened before in the UK prison sector. It required a unique and complex collaborative arrangement between Serco, Sodexo and the Ministry of Justice, while at the same time complying with the contract obligations and responsibilities of each of the parties. Nevertheless, the Board is left with the impression that there was very little guidance or experience about what had to be done to achieve this smoothly. Consequently, as the handover to Sodexo approached, the level of uncertainty about the regime and questions about future plans were raised repeatedly by prisoners.

It is to the Board's credit that, despite the many distractions, its members have continued to focus on the safety and security of the prison population and to seek assurances that the best possible outcomes for prisoners were being achieved during the complex transition process.

Therefore, in view of these events, the Board believes that it is necessary to include an addendum to this report summarising conditions in the prison during the first few weeks following the transition to Sodexo. This addendum (page 37) is particularly relevant in the matter of safety and control within the prison where members of the Board, in the course of their monitoring obligations, have identified a number of serious concerns.

## **3.2 Main judgements**

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

Based on evidence collected and our observations, the Board believes that safety in the prison has deteriorated, and notes that this is the second year running that such a judgement has been made. This view of 'how safe' is based on the increased number of prisoner-on-prisoner assaults, an increase in prisoner self-harm, and the significant number of weapons finds, especially in November.

The Board has noted that almost 20% of mandatory drug tests were positive. There were almost daily incidents of prisoners being under the influence of psychoactive substances. Consequently, it fears that an underlying economy of drugs and other substance misuse is likely to increase the negative impact of gang cultures at the prison, making prisoners feel less safe.

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

Prisoners at HMP Lowdham Grange are generally treated fairly.

Although the prison houses some very difficult and demanding prisoners, the regime is built on a positive ethos and the HM Inspectorate of Prisons scrutiny visit of January 2021 commented on positive communication and relationships between staff and prisoners. The Board believes that this has deteriorated in the reporting year due to changes in focus, staff shortages and distractions caused by the dilapidations programme, and the outcome of the contract completion process.

The lack of any meaningful education programme and the limitations in providing full-time work and structured on-wing activity have led to a significant reduction in purposeful activity and to prisoners continuing to spend long periods locked in their cells.

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

Healthcare services have continued to be under great pressure throughout the period. Prisoners' physical and mental health have been given due attention, but the Board considers it to be at a lower standard than that available in the community.

The mental and emotional wellbeing of prisoners remains a significant concern because of the effect of prolonged periods of time spent by prisoners in their cells.

The shortages of healthcare staff and the removal of the night staffing cover have increased the risk to the wellbeing of prisoners.

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

The failure to provide an adequate number of offending behaviour and drug treatment programmes, restricted full-time work opportunities and a limited education service has compromised the overall progression of many prisoners in their sentences.

The number of prisoners who have been released directly from HMP Lowdham Grange gives significant cause for concern, as the prison is not equipped to provide pre-release support and guidance; and the Board notes that the lack of staff in the community probation service means that a poor service is often received from community offender managers.

## **3.3 Main areas for development**

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

The Board continues to request that priority be given to holding coroners' inquests for deaths in custody to provide bereaved families with an understanding of the circumstances of the deaths of their relatives. It is noted that two inquests into deaths in custody at HMP Lowdham Grange have been held in the reporting period.

Other families have been waiting three years for the inquest and the Board considers that this is grossly inconsiderate to a prisoner's family. Moreover, it does not allow the prison and healthcare partners to learn any lessons in avoiding and preventing other deaths in custody. This was evidenced in a prevention of future deaths notice in relation to a death in custody at HMP Lowdham Grange issued by HM Coroner in January 2023.

The Board believes there should be a renewed focus and energy on reviewing the sentences of indeterminate sentenced (IPP) prisoners, as this recommendation from the Justice Select Committee was not accepted.

The Board feels that the amendments to the Parole Board rules, which came into force in July 2022, are denying opportunities for prisoners who are seeking transfer to open conditions or moving towards release. The Board would like to see the opinions and recommendations of prison and probation staff being given due consideration when such decisions are made.

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

To find a speedy solution to ensure that reliable remote video-calling is provided for prisoners at HMP Lowdham Grange. This service has been completely unreliable since it was introduced and has caused many remote calls to be cancelled, causing distress for prisoners and their families.

To give priority in the matter of resourcing the probation services with regard to pre-release management and to support for prisoners after their release back into the community.

To ensure that high-quality and innovative programmes of rehabilitation, mental health provision, education, skills development and self-improvement are available for all prisoners. This must include defined standards and the minimum number of programmes to be delivered.

To give renewed emphasis to the development of a national system of storage and retrieval of prisoners' property when prisoners are moved between prisons. The issuing of a revised framework in August 2022 has brought no change, and greater efforts are needed to find a national solution to this problem.

### ***TO THE DIRECTOR***

To deliver a fair and consistent regime that gives all prisoners opportunities to progress through their sentences through the provision of high-quality and innovative programmes of rehabilitation, mental health provision, education, skills development and self-improvement. The regime should also include prisoner-led initiatives and structured on-wing activities supported by prison custody officers (PCOs) and other staff.

To strengthen the collaborative working arrangements with the Nottinghamshire Healthcare NHS Trust and its commissioners in order to ensure that the levels of service provided in the prison correspond with the services available in the community. The Board also refers to its concerns about the shortages of healthcare staff in the prison and in particular the lack of night healthcare cover.

To ensure that staffing levels and resources are brought up to and maintained at the required level to operate the full regime effectively and improve safety within the prison. The Board observes that a more effective regime of searching for drugs and prohibited items, which includes all staff, visitors and contractors, will improve safety and reduce risk in the prison.

To lead in the development of a strengthened working relationship between all prison staff and the members of the Board, which is based on mutual respect for their respective roles and which enables the IMB to fulfil its statutory duty.

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

The Board's report for the previous period requested the minister, His Majesty's Prison and Probation Service (HMPPS), and the Director to take action on a number of important areas of development impinging on the lives and progress of prisoners in the prison system:



**To the minister:**

- The issues raised by the Board related to delayed inquests following deaths in custody, reviews of IPP prisoners and their progress, and the needs of prisoners with severe mental disorders in segregation.
- While formal responses were received by the Board about all of these issues, very little progress has been made. For example, the government did not accept the recommendation of the Justice Select Committee to resentence IPP prisoners; and the matter of prisoners with severe mental health disorders is still under review.
- In the matter of delayed inquests, the Board was informed that inquests for deaths in custody prior to 2021 would be prioritised and completed by May 2023. During the reporting year, two of three delayed inquests were conducted, one of which concluded with HM Coroner issuing a prevention of future deaths notice in January 2023.

**To the Prison Service (HMPPS):**

- The Board raised issues related to the need for an improved post-Covid structured regime. In addition, the Board asked for renewed emphasis on the development of a national system of storage and retrieval of prisoners' property, and for the training of additional family liaison officers (FLOs) in the prison.
- Positive formal responses were received on all these issues. However, little progress has been made, with the exception of the FLO training request.

**To the Director:**

- The Board raised issues related to prisoners' adjudications, the need for high-quality support and programmes of learning for prisoners, and the need to exert pressure on Nottinghamshire NHS Trust to provide appropriate healthcare staffing.
- No formal responses were received on any of these issues, apart from verbal assurances given in respect of adjudications. Even so, the Board has noted that the number of prisoners attending their adjudications fell away by the autumn and prisoners reported that they had not been told of their hearings and/or had not been able to attend for reasons related to the prison regime.
- With regard to the need for high-quality support and learning programmes to help prisoners progress through their sentences, education provision has been at a very low level throughout the year and prisoners who required level one in numeracy and literacy to obtain jobs could not access courses.

## **Evidence sections 4 – 7**

### **4. Safety**

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

All prisoner arrivals and departures take place through the reception and induction suite at the prison. On arrival, all prisoners and their property transferred from other establishments are searched. This includes the use of the body scanner and x-ray equipment installed in the unit.

Information related to the prison regime and first night and induction arrangements is given, and newly arrived prisoners are interviewed by a member of the healthcare team to assess their immediate needs. Prisoners are then housed in a dedicated wing for a period of about two weeks, during which time various induction interviews and assessments are conducted by specialists from health, education, safety and other teams.

During the year, 14 foreign national prisoners (FNPs) were transferred into the prison. Foreign language interpretation and translation services are available through the Big Word service, and some printed material is available for prisoners having limited English-speaking skills (also refer to section 7).

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

##### **4.2.1 *Suicide and deaths in custody***

The Board is pleased to note that there were no reported deaths in custody during the reporting year. However, one prisoner died within two weeks of his transfer from the prison to a different establishment, where he died in hospital, apparently of natural causes.

Yet again the Board asserts its concern about the delays and backlog of pending inquests following deaths in custody. At the time of writing this report, inquests are yet to be held for four prisoners who died in custody, with the earliest of these relating to mid-2020.

The need for prompt inquest hearings came into sharp focus during one of the delayed inquests which took place during the reporting year. It concerned the death of a prisoner in HMP Lowdham Grange in 2019, and gave rise to a prevention of future deaths notice by HM Coroner in January 2023. The findings at the inquest revealed serious shortcomings in co-ordination between the various departments in the prison. It was not until the conclusion of the inquest that remedial actions were put in place in the prison to correct the procedural failures which HM Coroner believed had contributed to the death.

The need for the speedy conclusion of inquests is, therefore, most important, not only to provide answers and some comfort to the bereaved families, which in itself is very important, but for the lessons to be learned and acted on by the prison management.

#### **4.2.2 Self-harm**

There was a total of 606 acts of self-harm amongst prisoners in the year, which is an increase of almost 15% over last year. The incidents were spread almost evenly throughout the months of the year and consisted, *inter alia*, of cutting and self-mutilation and ingesting harmful items.

It is important to note that acts of self-harm are usually carried out by a small number of prisoners who self-harm multiple times, with mental health being described as the main reason for self-harming behaviours.

Although threats by prisoners to jump from a height are not in themselves classed as self-harm, there were 51 reported incidents at height during the year, compared with 42 incidents in the previous year (an increase of 21%). In many cases these incidents were in protest or frustration at the regime, and each lasted for between a few minutes and two to three hours.

The assessment, care in custody and teamwork (ACCT) process is the system in prisons to support prisoners at risk of self-harm or suicide. There was an average of 18 ACCTs open on the last day of any month during the year, a small increase over the previous year.

The prison does not have a dedicated unit for prisoners deemed to be at risk of, for example, assault from other prisoners, or because of the nature of their offence, prison debt, ethnicity, sexual orientation, mental health or behavioural issues.

The Board has observed that the prison custody officers are alert to signs of vulnerability, and when signs are recognised, they notify the safer custody team, which endeavours to ensure that the necessary health and pastoral care is provided. At times, potentially vulnerable prisoners are placed in the segregation unit, off the residential wing, on what is known as 'own interest' to protect them.

In the past, all prisoners who could be considered as vulnerable (200+ in the previous year) were listed and tracked by the safer custody and psychology teams. Primarily, this was a response to the mental health risks to self-harmers and others classed as vulnerable during the Covid pandemic and the increased isolation of prisoners being locked up for long periods. These prisoners were given priority attention during key worker and review sessions. There is no similar information for the current year. But it is unlikely that this number has reduced during the year. Accordingly, the Board would pose the question: is it time to consider the establishment of a vulnerable prisoner wing for those prisoners deemed to be at greatest risk in the prison?

#### **4.3 Violence and violence reduction**

The total number of minor and serious assaults in the prison (prisoner-on-prisoner and prisoner-on-staff) was 192 over the year, a small reduction over the previous year (203). Serious assaults are considered as those which resulted in hospital treatment for either the prisoner or staff, or both.

#### 4.3.1 Prisoner-on-prisoner assaults

Overall, prisoner-on-prisoner assaults during the year increased by about 6%:

	2021- 2022	Feb 2022- Jan 2023	% change
Minor prisoner-on-prisoner assaults	99	104	5% increase
Serious prisoner-on-prisoner assaults	25	27	8% increase
<b>Total</b>	<b>124</b>	<b>131</b>	<b>5.6% increase</b>

#### 4.3.2 Prisoner-on-staff assaults

The number of prisoner-on-staff assaults reduced in the reporting period:

	2021- 2022	Feb 2022 - Jan 2023	% change
Minor prisoner-on-staff assaults	71	55	22% reduction
Serious prisoner-on-staff assaults	8	6	25% reduction
<b>Total</b>	<b>79</b>	<b>61</b>	<b>23% reduction</b>

The Board notes that the majority of the assaults on staff were reported to be minor and they occurred as a result of some prisoners' reluctance to co-operate with the prison regime. They were, in general, low level and have been attributed to prisoners resisting the new regimes during cell opening and locking-up times.

#### 4.3.3 Actions taken by the prison to reduce violence

HMP Lowdham Grange houses prisoners serving sentences for offences of violence or threat to life, arson, firearms, drugs, sexual offence or robbery. Many of the prisoners require mental health treatment or have developmental or behavioural disorders. The prison has little or no choice in the prisoners transferred into the prison, and some of them have histories of assaults and gang membership. The main actions to reduce violence in the prison are centred on the following:

- The system of challenge, support and intervention plans (CSIPs), which is aimed at prisoners at risk of harming others. It is the principal methodology implemented by the prison to reduce violence. At any time during the year there was an average of 15 prisoners with a plan. In addition to CSIP, other measures adopted by the prison include:
- Courses such as Kaizen, Resolve, and Thinking Skills provided by HMPPS. However, availability of places on such courses is currently very limited (also refer to section 7).
- Non-accredited offending behaviour programmes provided in-house in a special wing called the social responsibility unit (SRU). However, the planned reopening of the wing after the pandemic never materialised.

- Key worker sessions for the development of constructive and motivational relationships between prisoners and prison staff (also refer to section 5).
- Case management reviews between the safer custody team and the offender management unit (also refer to section 7).

Each week a multi-disciplinary safety intervention meeting is held to review and assess progress and measures to be taken in the management of prisoners in segregation, those on a CSIP or on an ACCT. The meeting also considers prisoners subject to safeguarding measures and those who may be deemed vulnerable in the prison environment.

## **4 Use of force**

During the year there were 264 incidents where force was used in the prison, a reduction from the 278 incidents reported in the previous year. Approximately one third of the incidents were planned, for example when transferring a non-compliant prisoner to a different location, and two thirds called for a spontaneous response by PCOs when violence or disorder had occurred amongst prisoners or when prisoners refused to comply with orders.

All use of force (UoF) incidents are reviewed weekly at meetings attended by the Director or deputy director and a member of the controller's team. The Board has had access to the video records of UoF, for example when a prisoner has been transferred to the segregation unit as a result of an incident.

### **4.5 Preventing illicit items**

#### **4.5.1 *Drugs and alcohol***

Random and intelligence-led searches of prisoners, cells and visitors led to the discovery of 181 finds of drugs of different types during the year. This is an increase of 27% over the previous year. Searches led to the discovery of 434 hooch (alcohol) finds during the year, a reduction of over 15% from the previous year.

Mandatory drug testing restarted towards the end of April 2022. In the 10 months since then, 434 tests have been dispensed and, of these, 83 (almost 20%) were found to be positive for traces of various substances, including cocaine and spice.

These two measures alone help reduce the risk of overdose amongst prisoners. They also help discourage efforts by prisoners, staff and visitors to import drugs.

In addition to the use of sniffer dogs, the prison continued to make effective use of the Rapiscan mail scanner to intercept and limit the supply of drugs sent into the prison by post. Also, body-scanners and x-rays are used in reception when transferees and their property are received into the prison. Body scanners are used on visitors and from time to time in ad hoc searches of staff.

The Board is concerned that the underlying economy of drugs and other substance misuse in the prison leads to incidences of drug debt amongst prisoners, which is a contributory factor in prison violence.

#### **4.5.2 *Weapons and other finds***

During the year the prison continued its efforts to identify sources and locations of all types of illicit items in the prison. The disruptions to the prison regime caused by the refurbishment works throughout most of the year made this difficult because of the increased numbers of visiting contractors, external work people and materials. Nevertheless, there were significant finds of improvised weapons. These amounted to 169 finds and, in some cases, the discovery of multiple weapons in each find.

The number of weapons finds was at its highest towards the end of the year, when a number of weapons were found outside cell windows amongst the scaffolding works which covered some specific wings of the prison. The Board is pleased to note that no cases of either passive or concerted indiscipline occurred in the prison throughout the whole reporting year.

In addition to weapons, many other prohibited items were discovered, including 192 communication devices, for example mobile phones, SIM cards, USBs, etc. This is a significant increase (almost 80%) on such items discovered in the previous year.

The Board is of the opinion that such levels of finds point towards the need for more rigorous scan and search procedures of all persons entering the prison premises, and this includes all members of staff and all visitors.

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

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

Accommodation at HMP Lowdham Grange is relatively modern by prison standards and consists of five house-blocks divided into 14 wings. All of the cells include a toilet and washbasin facilities and on six of the wings they include showers. The remaining eight wings have showers on the landings. Each house-block has an exercise yard and there is also a large sports field and a well-equipped gymnasium at the prison.

Although the wings were generally clean and tidy, the Board noted that there was a noticeable decline in standards towards December 2022. The Board noted dirty floors, unhygienic serveries and a general lack of attention to detail in maintaining cleanliness. Generally, the grounds have been well maintained, but at times there was significant litter build-up surrounding some house-blocks.

For much of the past year there was an extensive programme of refurbishment on the interior and exterior of most of the buildings. There was also significant disruption internally as fire detection systems were installed. This meant that there was a much larger number of external contractors on site and much of the prison was covered with scaffolding for roofing repairs. While this may have contributed to some of the decline in cleanliness, more importantly it created significant staffing and safety problems (see section 4).

All cells in the prison have telephone points and handsets for use by prisoners. All calling numbers are approved for individual prisoners and calls are monitored. This is an important service and gives prisoners regular access to their families. Prisoners pay for telephone credits, although free credit is granted by prison management at times of distress or difficulty. Television sets are installed in all cells, which gives prisoners access to a range of in-cell activities, including education material, pastoral support, and religious services. The planned in-cell IT systems are still not fully operational on all wings.

#### **5.1.1 Clothing**

In general, prisoners are allowed to wear their own clothes but there are exceptions under certain prescribed conditions. Each wing has its own laundry room, with a full-time (prisoner) worker with responsibility for operation and cleaning. There have been no significant complaints from prisoners about machine breakdowns or maintenance.

#### **5.1.2 Food**

Meals are prepared in the central kitchen and the food is delivered to house-blocks in heated trollies. Each wing has a servery with heated serving stations where food is distributed to the prisoners. Complaints about food remain rare, and the Board notes that the prison provides a good standard of catering. Refrigerators and microwave ovens are available on each of the wings for common use, but the Board has noticed that the standard of cleanliness of these is somewhat wanting.

## **5.2 Segregation**

The segregation unit at the prison is referred to as the RIU (reintegration unit). It is housed in a purpose-built block which contains 24 individual cells, two showers and two outdoor exercise areas, as well as a kitchen servery where meals are received from the main prison kitchen and prepared by prison orderlies for prisoners to eat in their cells. Meals are distributed by staff.

The unit continues to deal with the most challenging prisoners, who often abuse their surroundings, and damage to cells is common through acts such as flooding, setting fires, graffiti and dirty protests. Consequently, the fabric of the unit remains tired and in need of regular redecoration.

### **5.2.1 Segregation staffing**

The unit continues to be led by a highly respected and skilled custodial manager with the support of four or five experienced officers during daylight hours. At weekly meetings and reviews the manager has displayed an extensive knowledge and understanding of prisoners on her unit. It is the Board's view that the unit is run well even in the most challenging of times

Segregation staff are regularly required to manage prisoners being transferred to other establishments, and in January 2022 a prisoner was released into the community from the unit. Staff managed this release well, liaising with other departments in the prison. Also, delays in transferring prisoners back to residential accommodation and to alternative establishments continue to be an issue, although this has improved since pandemic restrictions have been lifted.

While attending the unit, members of the Board have observed all staff helping those prisoners who are most disturbed or have complex needs. An example is an elderly prisoner who was in the unit for many months and had significant physical and mental health problems. The prison officers showed patience and expertise in their interactions with him, especially during a 24-hour period when unpleasant-tasting medicines had to be administered. They have also organised orderlies to act as 'helping hands' to the most troubled prisoners and provided additional support to prisoners struggling with either their environment or health needs.

### **5.2.2 Prisoners**

As mentioned earlier, the segregation unit houses the most challenging prisoners, many with complex mental health and behavioural problems:

- At times during the year, all of the cells in the unit were occupied, with average occupancy of 17 prisoners at any one time.
- In every month during the reporting period, prisoners have been in the unit on cellular confinement, ranging from between two and 12 prisoners per month.
- There was an average of five prisoners on an ACCT at any given time.



- There was an average of two prisoners in segregation on own interest at any one point during the year.
- Self-harm incidents occurred in the unit during five of the months in the year.
- RIU staff have dealt with dirty protests in five months of the reporting period.
- The unit has repeatedly housed prisoners on the secreted items list, with an average of two prisoners per month.
- RIU staff have been required to use force on seven occasions during the reporting period.

The Board remains concerned that some prisoners are still held in the unit for extended periods of time. It is disturbed to note that at least three prisoners have not been transferred to secure mental health facilities during the 14-day window, as provided under the Mental Health Act. Generally, these are prisoners either waiting to be assessed for a secure hospital placement, or waiting for a bed to become available in the same place. The Board is satisfied that the correct permission for continuing stay in segregation is granted at the 42- and 84-day decision in accordance with national policy, but these extended stays in the unit continue to be undesirable and, all too often, distressing to the prisoner concerned.

### **5.2.3 Segregation reviews and meetings**

Face-to-face reviews with segregated prisoners are held three times a week and chaired by qualified members of the senior management team. Having attended many of the reviews, either in person or remotely by phone-in, the members of the Board are satisfied that reviews are conducted appropriately and sensitively by the prison. Staff shortages in the mental health, healthcare, and offender management teams continue to be an issue, with representatives absent from reviews and weekly meetings, and the Board has raised these concerns with the management team.

Since the last reporting period, the multidisciplinary meeting now takes place live in the prison in order to encourage attendance and discussion by all relevant parties. Members of the Board have attended these meetings and the Board is of the opinion that they are more focused and proactive than the earlier dial-in meetings.

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

### **5.3.1 Staff-prisoner relationships**

During the year the impending contract changes appeared to have a damaging effect on the morale and attitudes of prison staff on the wings and houseblocks. This was more apparent especially during the last four to five months of the year.

It was common for prison officers to mention to members of the Board that they were concerned about their jobs, their hours of employment and their wages. Coupled with this there was additional pressure on staff in managing the regime restrictions brought about by the extensive end-of-contract building repair and dilapidation

works. At the same time a number of staff left the service and were not replaced until much later in the year by inexperienced staff or officers from other prisons who had no knowledge of HMP Lowdham Grange.

Prison officers appeared to be spending more time inside the wing offices and they were less visible on the landings. Consequently, they had much less interaction with prisoners and various prisoners have complained of staff appearing disengaged.

Board members have observed less commitment to prisoners than previously, and are concerned that staff have been less willing to deal with legitimate issues on prisoners' behalf. For example, prisoners have expressed their frustrations at some of the regime restrictions, especially with regard to locking up and evening showers for wing workers. This has given rise to complaints from prisoners and, inevitably, it has led to a decline in staff-prisoner relationships (also see section 5.7).

The regular PIAC meetings restarted during the year but, at times, prisoner representation was limited because of the cohorting and security measures adopted by prison management following the return to normal regime. The Board notes that the same topics and problems were raised repeatedly by prisoners throughout the year, and while actions were promised by prison management, most of these concerns were never resolved fully. The main concerns from prisoners related to the supply of canteen items and special orders, booking and attendance at social visits, and access to gym sessions. In many cases, the reasons given to prisoners were a lack of staff to deliver the services or problems with IT systems.

### **5.3.2 Key workers**

Key work is a core part of prison officers' work and it is one of the central aspects of the HMPPS offender management in custody (OMiC) model. It is aimed at improving safety in prisons by building better relationships between staff and prisoners.

The Board notes that information relating to the activities of key workers during the year has been very limited. The HMPPS controller at the prison has informed the Board that key worker quality remains varied and would benefit from further intervention, staff training and support to improve the standard of casework entries.

While the Board is fairly satisfied that key worker sessions continue to take place, in particular for vulnerable prisoners, it is not convinced that all the members of prison staff give it the priority and enthusiasm that it warrants as prisoners progress during their sentences towards resettlement.

## **5.4 Equality and diversity**

### **5.4.1 Prisoner representation and structures**

The prison population continues to be diverse in terms of age, faith, ethnicity, disabilities, health and nationality. Equalities issues were monitored and managed by an equalities officer, who recorded and analysed data in key areas. Board members had access to this information at all times.

The prison management had established a race equality task force in the previous reporting year to facilitate regular and auditable prisoner consultations. However, the Board was informed that the task force was disbanded in January 2023 pending the appointment of a new equalities manager.

The diversity equality action team (DEAT) met quarterly, where topics of concern about prisoners with protected characteristics were assessed on a monthly basis. The team is composed of members of prison management and the prisoner population. There is also a young prisoner steering group aimed at teaching life skills to those who have spent their formative years in care.

In addition to any equalities team interventions, prisoners with specific needs related to their culture or ethnicity also have the opportunity to request assistance from the prisoner advice line service (PALs) in the prison and the prisoner consultation meetings known as PIAC (prisoner information and advice committee).

#### 5.4.2 Equality data

Over the 12-month period the Board can report that age profiles remain constant, despite movement of prisoners across the prison estate.

Age range	21-25	26-29	30-39	40-49	50-59	60 yrs +
Percentage of population	15%	16%	36%	21%	9%	3%

#### Ethnicity

Asian	Black	Mixed	White	Other
9%	20%	9%	61%	1%

#### Religion

Christian, CoE	Christian, RC	Muslim	Buddhism	Other	None
21%	13%	28%	3%	8%	24%

#### Sexual orientation

Heterosexual: 90%	LGBT++: 1%	Not disclosed: 9%
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#### Disability

Prisoners declaring a disability: 28% (an increase of 4% over the previous year)

At induction, the special needs of prisoners are assessed and referred to healthcare and education for relevant interventions and meetings with their assigned key workers. The Board notes that the majority of prisoners who declare special needs at induction refer to learning difficulties and mental health as their disabilities.

#### 5.4.3 Discrimination incident reports

During the 12-month reporting period, some 89 discrimination incident report forms (DIRFs) were submitted to the prison. Fifty-one reported race discrimination, 26 referred to religious discrimination, and 12 related to other forms of bias.

The Board's examination of the prison's records for September to December 2022 revealed that 24 discrimination incidents were submitted. Of these, four were upheld relating to racist and homophobic comments, 16 were not proven and four remain open.

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## **5.5 Faith and pastoral support**

There are 10 team members of the chaplaincy and throughout the year they continued to provide positive and helpful pastoral guidance to all prisoners. From time-to-time they have also been called on to provide support to members of staff, especially to those dealing with difficult prisoners in challenging circumstances.

Following the lifting of the Covid restrictions earlier in the year, the prison was slow to resume communal worship. For example, Sunday services were available to prisoners only via the in-cell Inside Media system until Christmas 2022. The reason given was the lack of prison officers to take groups of prisoners to the faith centre.

Communal worship has restarted but it is still on a limited basis without a regular pattern. For example, communal Sunday worship takes place once a fortnight, at most, and Friday prayers for Muslim prisoners take place only once every three or four weeks.

The Board is disappointed that some of the major faith festival or observance days were overlooked by prison management during the year. These included missing some important Sikh and Hindu festivals and assuming that Jewish prisoners work on Saturdays. The Board notes that the prison has now implemented a procedure to identify days and dates on which prisoners of the various faith groups should not be expected to work or be penalised for refusing to attend work.

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## **5.6 Incentives schemes**

### **5.6.1 Incentives**

The criteria for prisoners' incentives are defined by HMPPS. Among other things the incentives include pay rates for prisoners, time out of cell, and visiting privileges. There are three common incentives levels across the prison estate: basic, standard, and enhanced.

At the end of the Board's reporting year the numbers at each level of the incentives scheme were: basic: 83 (9.5%); standard: 347 (39.7%); enhanced: 443 (50.7%).

### **5.6.2 Community reward incentive scheme (CRIS)**

In addition to the incentives scheme, prisoners were able to earn privileges through the prison's own CRIS system, which recognises good behaviour while in custody. With the introduction of the scheme in a previous year, individual prisoners were awarded points, which could be accumulated for the purchase of, for example, a clothing parcel, or exchanged for phone credits.

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In July 2022 the CRIS system was redesigned to become a (wing) community-based arrangement rather than awards to individual prisoners. The intention was to encourage all prisoners in their wings to work together as a community and take responsibility for their actions. This meant that everybody on the wing forfeited points for incidents such as assaults, fights, prohibited item finds, and damage to prison property. It is not clear to the Board if the desired outcomes have been achieved.

## **5.7 Complaints**

There were 2,110 Comp1 complaints submitted to the prison during the reporting period, an increase of almost 10% over the previous year. Again, the Board notes that a small number of prisoners submit multiple complains about the same subject through the year.

At the same time, the number of applications received by the Board increased by 34% over the previous year, from 127 to 170. Many of these related to prisoners' property (see section 5.8 below).

Amongst others, the Board has received the following complaints from prisoners:

- Prisoners complained about lack of adherence to rules governing adjudications, and several complained that they were not able to attend their adjudication in person or remotely. Some said they had not been informed about their adjudication until after it had taken place. In November 2022, only 80 out of 363 prisoners attended their adjudication hearing.
- Staff did not inform a prisoner of a decision which refused him permission to attend his mother's funeral;
- Staff did not refill cutlery on a wing, with prisoners left to eat with their hands for nearly a week.
- A prisoner reported that his cell was cold because the window was broken and was told by staff that the works department was too busy to repair it.
- Staff did not take prisoners to the library.
- Staff collected prisoners late for their visits.
- In-cell IT issues remained unresolved.
- Prisoners reported that regime restrictions left them without time to complete their work, have supper and take a shower before lock-up.
- Some prisoners were aggrieved that privileges were rescinded because of very minor infringements or, in some cases, circumstances that were beyond their control, for example because of restrictions in movements.

Over and above these, some prisoners and staff have expressed the view that the continuation of pandemic restrictions, which resulted in prisoners being denied

access to faith meetings, work, gym and library visits, and adjudications, is being used as an excuse to cover for staff shortages (also refer to section 7.5).

The Board believes that the increase in the number of IMB applications is a likely result of the greater presence by Board members visiting the wings, especially during the last six months of the year.

## **5.8 Property**

The management of, and accounting for, prisoners' property continues to be a perennial problem apparently across the whole prison estate. The subject was highlighted in the report of the Prisons and Probations Ombudsman (PPO) at the end of December 2022, where 26% of all complaints to the PPO concerned property. It represented the highest category of complaint received by the ombudsman. Within HMP Lowdham Grange, the equivalent proportion of complaints is 20-22% related to property.

It is an issue that gives rise to frustration and anger among prisoners and especially those who have lost property during transfers into the prison. On occasion, the issue leads to violence and breaches of discipline. The Board's analysis of applications during the reporting year revealed that 15% of the applications related to property going missing during transfer from another establishment, and a further 7% related to property issues within HMP Lowdham Grange.

## **6. Health and wellbeing**

In the preparation of this annual report, the Board has been able to draw upon the evidence presented in a detailed health and social care needs assessment which was completed by NHS England and NHS Improvement late in 2022.

The assessment confirms the Board's own observations and monitoring experience during the year. In particular, it confirms that the Covid pandemic has had an adverse effect on the healthcare experience of prisoners in HMP Lowdham Grange and there is a continuing need to improve the level of service to bring it back at least to a pre-pandemic level.

It is of great and continuing concern to the Board that at the conclusion of a recent inquest into a death in custody it was found that there had been numerous healthcare and systemic failures in the prison which had led to the death of the prisoner. Bearing in mind that the death in question had taken place in 2019, it was not until December 2022 that remedial actions were made to correct the failures (see section 4.2).

### **6.1 Healthcare general**

Health and wellbeing services in the prison are provided through a contract with Nottinghamshire Healthcare NHS Trust, with some aspects of healthcare being delivered by other subcontracted organisations. There have been concerns about the continuity of general practitioner (GP) care being provided through a contract with a local organisation. However, a GP has now been appointed to work directly in the prison.

The healthcare services are governed by the local delivery board (LDB) and the NHS commissioners. Formal meetings of the LDB took place monthly, chaired by the prison Director and attended by representatives from commissioners, social care providers, the HMPPS controller, head of healthcare, senior nurses and key prison managers, and they were attended also by a member of the Board.

During the year a review of clinical quality of the healthcare provision in the prison was conducted. This resulted in an action plan for improvements, which has been monitored by the LDB through the year.

Prisoner access to healthcare information and appointments is supported by the use of technology. All prisoners have their own accounts and use the ATM terminals on the houseblock wings to make non-urgent appointments. The in-cell telephones have continued to be useful for remote consultations. However, there was an increase in the rates of non-attendance for in-person appointments at the prison health centre. The Board understands that this was partly the result of the difficulties in providing escorts while the prison was undergoing the end-of-contract building works through most of the year (see section 5). The IT facilities now available in every prison cell offer prison management opportunities to provide a range of health-related activities, which have not yet moved forward, and the Board looks forward to progress in these areas in the coming year.

## **6.2 Physical healthcare**

Shortages of healthcare staff continued to be a concern through the year, particularly in the physical health nursing cohort, with vacancies not filled throughout the year. Night cover was affected over long periods and, in the opinion of the Board, this presented a high-risk situation. Regarding this, concerns have also been expressed by custody officers and managers to members of the Board that the lack of an on-site presence of healthcare at night is highly worrying.

The access to dental, optical, podiatry, and physiotherapy treatments is still difficult, as the post-Covid services try to catch up with the demand. A frequent complaint to the Board was about long delays in obtaining or replacing spectacles, where the system for processing these needs to be addressed.

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A physiotherapist visits the prison once a week and prisoners with chronic pain difficulties can request separate appointments for treatment and advice. Urgent referrals for physiotherapy treatments are reported to be seen reasonably quickly but provision is limited. With regard to this, the Board notes that those gym staff who have accredited expertise in dealing with musculoskeletal problems might very well be employed to provide some physiotherapy treatments.

With regard to the daily dispensing of medication around the prison houseblocks, the dilapidation works for much of the year gave rise to a number of problems for healthcare staff. This was compounded by staff shortages for prisoners' visits to the health centre. As a result, tensions arose between departments at the morning meetings attended by a member of the Board. Specifically, delays were reported in the distribution of medication and this was aggravated by delays in bringing into operation the secure electronic drug lockers until many months after they had been installed.

During the reporting year the Board received a number of applications from prisoners concerning the replacement of hospital-prescribed pain medication with drugs less likely to be diverted by prisoners into the internal drug market. While it is noted that this is a policy adopted nationally, the Board agrees with the findings of the NHS England and NHS Improvement assessment (mentioned above), where it was noted that there is a need for increased provision of support through pain management services and improved officer supervision of medicines administration.

In relation to the monitoring of long-term conditions and health screening at the prison, the Board also agrees with the findings of the NHS England and NHS Improvement assessment, where it was noted that healthcare services in this area are adequate. In addition, it is noted that prison/custody and healthcare staff continued to work co-operatively in the provision of escorts and bed watch situations. The Board noted specifically that two prisoners requiring cancer treatments in hospital were supported during this process.

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## **6.3 Mental health**

The Board noted in its report for the previous year that the cumulative effects of regime restrictions on prisoners' mental health and emotional wellbeing was apparent when there was already a challengingly high prevalence of mental



health problems within the prison. The shortage of healthcare staff has been problematic and the Board noted the absence of mental health nursing support at some important multi-disciplinary meetings. Although this continued into the current year, the Board is pleased to report that a highly qualified and motivated mental health matron has been recruited and is actively involved in the provision of the prison services.

The Board's attendance at numerous segregation reviews throughout the year has provided a valuable insight into the provision of mental health services. Healthcare staff were usually well briefed on the needs of individual prisoners, and aware of the plans for assessment and, where planned, relocation of prisoners to specialist health facilities, and this has been apparent with the neuro-disability nursing unit.

A wellbeing centre, which was planned before the pandemic, is now operational and prisoners and healthcare staff report that it offers support through individual and group therapy for prisoners with identified mental health needs. Currently, around 60 prisoners use the facility and the Board understands that the intention of prison management is to further develop the scope for support in the centre through the use of mental health peer mentors.

The prison houses many prisoners with high level mental health needs and, regarding the need for mental health provision in the segregation unit, the Board wishes to comment yet again that the segregation unit is not the appropriate place for long-term detention because of the national shortage of beds in secure hospitals (see section 5).

Frequently, the unit houses more than 20 prisoners and the Board monitors closely their welfare and plans and also the other most vulnerable prisoners in the prison. These prisoners and others in the prison are supported by the work of the forensic psychology team, which had earlier implemented a much-improved interdisciplinary working arrangement.

The recent assessment of healthcare in the prison by NHS England and NHS Improvement noted that the role of the GPs, psychiatrists, mental health nurses and the health and forensic psychology elements may benefit from review. The Board is concerned that in the absence of a review the risks to vulnerable prisoners and those in segregation may increase. Therefore, it is the intention of the Board to monitor more closely progress with the operation of these services in the coming year.

#### **6.4 Social care**

The relationships with local health and social care services continued to develop well through the year. A representative from the care services attends the monthly meetings of the LDB. The representative provides specialist advice and guidance for equipment and treatment and also monitors provision of social care services through the action-tracking process of the LDB.

Since December 2022 the over-50s cohort of prisoners have been allowed to resume their monthly coffee mornings in the visits hall, and older prisoners receive daily vitamin pills and are entitled to woollen hats, gloves and thermal underwear.

The Board has noted several instances where living aids and equipment were

provided to the affected prisoners and it is pleased to see the recent initiative of a regular social care drop-in clinic run by the allocated prison social worker and occupational therapist.

## **6.5 Substance misuse and rehabilitation**

The assessment of healthcare in the prison by NHS England and NHS Improvement noted that alcohol treatment engagement is lower in HMP Lowdham Grange when compared with similar establishments and it is not appropriate, especially because the brewing of hooch remains at high levels (see section 4.5). Also, there is no 'clean' wing in the prison dedicated to overcoming substance misuse of any kind, including hooch/alcohol.

Mandatory drug testing (MDT) was resumed in the prison towards the end of April 2022. In the 10 months since then, 434 tests have been administered and, of these, 83 (almost 20%) were found to be positive for traces of cocaine or spice. This is consistent with the monthly average of positive MDTs for the reduced number of tests conducted in the previous year under Covid restrictions.

In addition to the mandatory drug testing, the Board notes that there were 181 finds of drugs discovered during random and other searches of prisoners, cells and visitors.

The Board continues to have serious concerns that the social responsibility unit (SRU), which provided a drug-free environment in the prison, has not been reinstated following its closure during the pandemic. Moreover, there is a lack of a formal programme to address substance misuse. The programmes of rehabilitation remained suspended during the year and the new START courses (substance misuse, treatment and recovery therapy) have not materialised as expected and are now overdue. However, the Board acknowledges that a number of prisoners with substance misuse needs continued to receive some appropriate treatment through individual counselling and, where needed, prescribed substitute medicaments.

## **7. Progression and resettlement**

### **7.1 Education, library**

There is no overarching evidence to show that education provision has improved in the prison in the past year. The restrictions imposed during the pandemic remained largely in place and few activities were available. Staff shortages have also affected the delivery of learning opportunities. No new initiatives have been proposed and it could be said that this type of purposeful activity has all but ceased.

Basic skills in mathematics and English are taught to level one, but level two is not currently available. There is only one mathematics teacher and no English teachers. This has had a detrimental effect on prisoners who have failed to achieve levels one and two, which prisoners need before they can apply for work. A number of prisoners have complained to members of the Board about cancelled lessons.

Prisoners are assessed on arrival at the prison and any problems are documented. Those with poor literacy skills are expected to engage in basic education. English for speakers of other languages (ESOL) restarted in autumn of 2022. There are eight students on the course and there is a waiting list. This course is essential where it may be impossible for a prisoner to engage in English with staff, fellow prisoners, the ATM system or any written material.

With regard to the need for ESOL, an Iranian national speaking only Farsi was brought to the Board's attention during the year by fellow prisoners, who felt that nothing was being done for him and that he was vulnerable as a result. He was very quickly enrolled on an ESOL course, but an English-Farsi dictionary, which would have been of immediate help, was not available.

In addition to basic skills, the provision of courses related to violence reduction and behavioural change, including Thinking Skills, Resolve, and Kaizen, have been curtailed. These courses are vital to promote pro-social behaviours and parenting skills and they are essential for prisoners' progression towards parole and release.

Face-to-face classes in the Emmaus Bible Study course, organised by the chaplaincy team, were reinstated in January 2023 and participating prisoners have the opportunity of sitting external examinations. Islamic studies restarted also in the same month.

The prison library appears to be well stocked with books and DVDs, and has some up-to-date reference books and other printed material. For part of the year while movement by prisoners was restricted, library materials were distributed by members of the prisoner advice line service (PALs). However, footfall in the library continues to be very low.

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

While the intention is for prisoners who have achieved levels one and two in mathematics and English to undertake vocational training and gain qualifications, again, this type of training activity has been virtually non-existent. Nevertheless, the

workshops have been open for the production of some clothing, furniture and other items.

### **7.2.1 The Inside Media facility**

The Inside Media team in HMP Lowdham Grange continued to provide in-house TV and video services within the prison. In addition to providing jobs and skills training opportunities for prisoners, it provided a wide range of TV content for prisoners in all houseblocks.

The facility produced and adapted TV content covering education, entertainment, religion, wellbeing and other information. Of note was the development of the in-cell technology (iHub) to deliver video on demand to cells, and the creation of the dedicated education channel.

In addition to these services, the facility produced video recordings for prisoners' families. These recordings, which were available to prisoners in all parts of the prison, consisted of stories read to prisoners' children (Storybook Dads) and video messages for families. Data provided by prison management indicate the following number of productions for the current reporting year:

<b>Video recordings produced for HMP Lowdham Grange prisoners</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
Stories read to prisoners' children:	51	59	<b>215</b>
Video messages for prisoners' families:	498	51	<b>185</b>
<b>Total:</b>	<b>549</b>	<b>110</b>	<b>400</b>

The Board was pleased to note that 83 videos were produced for prisoners' families during November and December for the Christmas holiday period.

### **7.2.2 Other employment**

Although regular employment continued in kitchens and serveries, laundry, recycling, cleaning and support for other prisoners, the Board is disappointed to report that almost 300 prisoners were unemployed for months at a time because of movement restrictions around the prison. This meant that they were locked up in their cells for most of the day (up to 22 hours) and unable to earn money to buy phone credits, toiletries, etc.

In the middle of the year the prison management implemented a prisoner employment plan to ensure that all prisoners could work at least part time and earn some pay. Jobs were split so that more prisoners would have work. The plan caused some prisoners to lose their full-time status and the arrangement caused some discontent among those whose hours had been cut. However, it did not cause any widespread difficulties in the prison.

The Board welcomed this initiative, which enabled more prisoners to take part in the work opportunities, but the scheme does not represent a ‘full purposeful activity’ regime where all eligible prisoners are in full-time employment or education.

Recent comments (January 2023) by HM Chief Inspector of Prisons confirm this view: *‘Locking down was always going to be easy . . . If we want prisoners to take their place back in society, look after their children, get work, pay their taxes and stop causing trouble in their communities then we need to make sure that prison gives them the support they need’.*

### **7.3 Offender management, progression**

#### **7.3.1 The offender management unit (OMU)**

Once again it is necessary for the Board to report that probation staffing in the OMU was not fully resourced for the entire reporting period. Probation officers have again commented to Board members that the staff shortages have caused poor role definition and workloads that are difficult to manage, with some officers having a caseload as high as 96 high-risk prisoners in the middle of the reporting year – that is twice the planned number.

The result is that a substantial number of high-risk prisoners are still being co-worked by the prison’s offender managers, taking on workload that the Board feels should be managed by probation officers. At the time of compiling this report, there were nine (25 last year) low- or medium-risk and 171 (184 last year) high-risk prisoners with incomplete or out-of-date offender assessments. Also, the Board notes that prisoners continued to be transferred into HMP Lowdham Grange from other establishments without up-to-date assessments.

Although new arrivals are reviewed by reception staff as part of the prison’s checks on custodial behaviours, the lack of accompanying up-to-date paperwork has created backlogs in updating the offender management system for use by other prison departments. When prisoners have been transferred to residential accommodation, the process of offender management in custody (OMiC) has been affected in a similar manner.

In view of the potential for unfavourable outcomes for prisoners, the Board regards the backlog throughout the reporting year as very unsatisfactory. It also remains concerned about the possible risks to staff and other prisoners posed by potentially violent prisoners whose backgrounds are incomplete or who have not been fully assessed in their early days in the prison.

With regard to sentence planning reviews, the aim has been to ensure that every prisoner serving a determinate sentence has an assessment review at least every two years, and every three years for prisoners serving life sentences. However, at the end of this year there were seven low-risk and 156 high-risk reviews out of date, and only 15 high-risk reviews still in date.

In December, the prison management attempted to reduce the numbers of overdue reviews by drafting in a team of five external probation officers with the aim of

catching up by Easter 2023. However, the Board is disappointed to be informed by the HMPPS controller that only one review had been completed after two weeks. The Board was informed that the reasons given were related to PCO staff shortages in ensuring that prisoners were able to attend their in-cell appointments, which had been scheduled during prisoners' working hours.

Community offender managers (COMs) have been involved in all recall cases, parole cases, and prisoners entering the pre-release stage. OMU staff work closely with the COMs, with the aim that prisoners are sufficiently supported during these stages up to the point of their release (see section 7.5).

### **7.3.2 Progression**

One of the main keys to the progression of prisoners in their sentences is attendance at various accredited offending behaviour, violence reduction and pro-social learning courses, such as the Kaizen programme.

OMU staff complete referrals to these courses, which are conducted as group sessions for between six and 10 prisoners. Post-course reviews are an essential part of such courses, and the findings on prisoners attending link into their sentence planning and risk assessment plans. However, the Board is concerned that these courses do not always take place, again because of staffing issues.

## **7.4 Family contact**

### **7.4.1 Visits – general**

Family links are important to the wellbeing and, in some cases, the mental stability of prisoners. Therefore, the Board is not satisfied that adequate measures were taken promptly by the prison to rectify procedures, systems, and equipment to take full advantage of visiting during the year, following the severe restrictions caused by Covid.

HMP Lowdham Grange is located in a remote rural location away from the main public transport links. Visitors who are unable to travel by car often find the journey difficult and expensive. When restrictions were lifted, social visits were available in the refurbished visiting hall, which is equipped with a tea bar. It is reported that the longer post-pandemic visiting hours have been greatly appreciated by prisoners' families.

Prior to the Covid restrictions the prison organised family days, with children's entertainment and sports activities, which were a highlight of the prison visiting year. These resumed in December 2022, when the prison management organised two family days in the lead-up to the holiday season.

### **7.4.2 Social visits**

Throughout the summer months of 2022, prisoners, particularly those with children, were experiencing difficulties in booking social visits. The Board noted complaints

from prisoners regarding these difficulties and about the unsatisfactory manning of telephone lines by the prison when visitors tried to resolve booking issues.

Many of these issues resulted from technical difficulties with the communal wing ATM equipment. Later in the year, these difficulties were remedied by prison management and allowed prisoners to book visits smoothly on the ATM terminals. PALs advised the Board that by Christmas 2022 visit schedules were generally 70% filled.

The Board noted criticisms and comments from prisoners related to the inflexibility of prison management over matters which had not previously been part of the visiting procedures:

- i) the strict adherence by the prison to visitor ID presentation, even when those visitors were already pre-approved and finger printed;
- ii) that children were being counted as adults, taking up one of the three available visitor places; and
- iii) the limited choice of products at the tea bar and the shortages of fresh food for purchase by visitors.

#### **7.4.3 Virtual (video) visits**

A supplement to face-to-face visits was and continues to be social video calls, which allows video calls between prisoners and approved members of their families. The video-calling equipment (laptop computers and special connection ports) is set up in the visits hall and calls are supervised by prison custody officers.

Despite its popularity amongst prisoners, there were numerous technical difficulties with the service carried over from the previous reporting period and these continued throughout this reporting year. Social video calls became completely unavailable by November 2022. It is noted that the reliability of the system is an HMPPS issue, because HMPPS owns the internet connections. The Board acknowledges the efforts made by prison management to resolve the issues before Christmas. But it is disappointing to note that it was only on Boxing Day that limited connectivity was achieved (only two terminals were in operation instead of the four terminals installed).

In addition to the HMPPS remote visits facility, in-cell telephones were available to prisoners for regular contact with approved family members and friends. In connection with this, such calls are monitored and the prison continued to provide additional PIN phone credit to prisoners.

#### **7.4.5 Family liaison**

Last year the Board reported that there was a team of three volunteer family liaison officers (FLOs) in the prison. FLOs are all full-time members of staff and they also work in other roles within the establishment. They continued to support prisoners throughout the year in matters such as maintaining family contact and family court

hearings. Their work has been particularly commended in the past by the PPO in connection with the support provided to a family following a death in custody.

The Board is pleased to note that the prison was able to qualify some additional volunteer FLOs during this reporting year and the complement now stands at five persons. The Board considers that the availability of a family liaison service is a vital component in the prisoner-family welfare structure and is an important point of contact in the prison for prisoners in distress.

## **7.5 Resettlement planning**

The Board has reported on a number of past occasions that the expected support from community offender managers is frequently not available or forthcoming in the prison. The Board has been advised that this poor service is due to a lack of staffing, which affects a number of regions, including London and Nottingham.

At the six to seven month point pre-release, prisoners are expected to have a video meeting with both their prison offender and community offender managers. Following this, the community offender manager should compile a pre-release plan, including a schedule of any pre-release courses, for each prisoner. The manager is then required to ensure that all parties are updated on a regular basis. The Board is not convinced that these steps are always taken in a timely manner.

In past years prisoners were released through transfer to a local prison and there is no automatic entitlement to category C recategorisation or local resettlement. However, in the current year 45 prisoners were released directly into the community compared with seven in the previous period. There is no dedicated resettlement function in the prison and the Board notes with some concern that prisoners released after sentence expiry received no support from community offender managers, nor was there sufficient support to find accommodation and work after release, because the prison is not staffed or resourced to provide this.

This is of particular concern, as many of the prisoners released on expiry of sentence are likely to be prisoners who have been recalled by probation following failure in the community and they may very well be the most difficult and potentially dangerous prisoners when back in the community.

Prisoners' security categories are reviewed every year, and every six months in the final three years of sentence when leading up to release planning. The prison population at the close of the reporting year was 873, as follows:

<b>Type of sentence</b>	<b>No. of prisoners</b>
Life-sentenced prisoners	269 (223 in 2021)
Indeterminate sentenced prisoners (IPPs)	34 (27 in 2021)
Determinate sentenced	570 (631 in 2021)

It is again a matter of continuing concern to the Board that the number of IPP prisoners has not reduced during the year. Currently, there are 34 prisoners in this



group (27 at the end of the previous reporting period). Some of these prisoners are many years over their original tariff and find it very difficult to progress with their sentence plans, even though the prison management and the psychology team review these prisoners on a monthly basis in an attempt to ensure appropriate focus and support is available.

For the majority of the reporting year the prison population has been lower than in previous years because of building dilapidation and repair works in preparation for the handover of the management contract due in February 2023. These works not only reduced the prison capacity but also caused considerable disruption because of the continual need to relocate prisoners to accommodation elsewhere in the prison.

<b>Population: Prisoner categories</b>	
Category B prisoners	814 (798 in 2021)
Category C prisoners	59 (83 in 2021)
There were no category D prisoners	

With regard to foreign national prisoners (FNPs), there were 118 prisoners in this group at the close of the reporting year against 104 at the start of the year (an increase of more than 13%). Prison management has informed the Board that there have been two compulsory repatriations and a single failed removal following a judicial review.

The processing of FNPs for repatriation is co-ordinated with the immigration service. Prior to the pandemic the allocated immigration officer visited the prison every month to progress repatriations and deportations. However, the Board has been informed that there were only six visits during the reporting year and the immigration officer position has been vacant for some time because of difficulties for the immigration service in recruiting a replacement.

## The work of the IMB

Following the removal of the Covid restrictions in May 2022, the members of the Board were able to visit the prison more frequently and undertake a greater level of in-person monitoring. The smaller number of active members required careful decisions to be made about how the Board used its resources to achieve the maximum benefit of monitoring outcomes for prisoners, and focusing on the most vulnerable prisoners.

The Board concentrated its attention on visiting and speaking with prisoners on the wings and at work, responding to applications and in addition, attending various meetings:

- the weekly progress review meeting about prisoners in segregation
- segregation reviews with individual prisoners (three times a week)
- the healthcare delivery meetings and local delivery board
- the weekly prisoner consultation meetings (PIAC)
- the daily management meetings (by exception)

Board meetings were held monthly and these were also attended on occasion by three different directors from Serco, the controller's team, and also the transition director from Sodexo.

**Relationship with the Director and the senior management team:** The Board is disappointed to report that a number of incidents occurred during the year which suggest that its previous co-operative working relationship with prison staff and management may not be as strong as in previous years.

These incidents relate to events encountered by Board members during prison visits which resulted in unhelpful attitudes and a reluctance to investigate by a prison manager. Instead, the Board received negative feedback which challenged the role and work of IMB members within the prison (see section 3).

For example, a Board member experienced personal abuse from a manager and, in a separate incident, two members became unwell after a wing visit. It was very difficult to ensure that these incidents were taken seriously and for appropriate investigation, action and feedback to be obtained. As a result, one Board member resigned due to 'no longer feeling safe' and other members to consider whether or not they wished to continue working with the IMB.

**Recruitment:** Although the Board is well below the approved complement of members, a recruitment campaign during the year has meant that membership has been maintained at a manageable level, despite some resignations during the year.

**Training and development:** The Board has continued to learn and find innovative ways to fulfil its statutory role, especially during the uncertainties brought about by the contract transition period; the Board organised an exchange visit with HMP Whatton and also had the benefit of a presentation from the HMP Lowdham Grange family liaison officers about managing deaths in custody.

## Board statistics

Recommended complement of Board members	15
Number of Board members at the start of the reporting period	9
Number of Board members at the end of the reporting period	10
Total number of visits to the establishment	307
Total number of shifts on the 0800 telephone line*	0
Total number of segregation reviews attended	140

\* The IMB at HMP Lowdham Grange does not participate in this scheme

## Applications to the IMB

The following is a summary of prisoners' applications received by the Board between 01 February 2022 and 31 January 2023 and as recorded on the Board's applications spreadsheet:

<b>Code</b>	<b>Subject</b>	<b>Previous reporting year (2021-2022)</b>	<b>Current reporting year (2022-2023)</b>
A	Accommodation	7	2
B	Discipline including incentives	6	6
C	Equality and diversity	4	2
D	Education, employment, training	6	10
E1	Family, visits, incoming mail, and phone	4	8
E2	Finance and pay	4	3
F	Food and kitchen related	3	5
G	Health related	4	17
H1	Property (within current establishment)	5	11
H2	Property (during transfer from another establishment)	16	26
H3	Canteen, facilities, catalogue, ARGOS, shopping	2	5
I	Sentence-related incl. HDC, ROTL, parole, re-categorisation, release, etc.	10	12
J	Staff, prisoner, detainee concerns incl. bullying	12	10
K	Transfers	3	4
L	Miscellaneous	17	31
CA	Confidential access	24	18
	<b>Total number of applications</b>	<b>127</b>	<b>170</b>

# Addendum

## IMB Annual Report, HMP Lowdham Grange Covering the period 1 February to 31 March 2023

The management and operation of the prison transferred from Serco to Sodexo on 16 February 2023. In the following six to seven weeks, which covered the period of preparation of this report, the members of the Board noted serious concerns relating to the operation of the prison and the implications for safety. In view of this, the Board is taking the unusual step of including this addendum to put on record these concerns, summarised as follows:

- **Deaths in custody:** During the month of March 2023, there were three deaths in custody. These are being investigated by the Prisons & Probation Ombudsman and the police.
- **ACCTs and safety:** The number of prisoners on an ACCT on the last day of February 2023 was 13; at the end of March there were 32; and towards the end of April, there were 36 open ACCTs. This compares with an average of 18 prisoners on an ACCT on the last day of the month during 2022. The Board also has witnessed instability in houseblocks with members being warned by prisoners that ‘it’s all going to kick off’.
- **Staffing:** The prison was at full complement when the outcome of the contract bid was announced in August 2022. Since then, there has been an exodus of staff, including at senior manager level and among experienced wing staff, often moving to other posts or prisons operated by Serco. At the point of transfer the Board understood that there were about 50 vacancies, which subsequently increased to 68 members of staff. Members have noted, on their visits, consistently low staffing levels on all wings.
  - Some temporary staff were brought in from other Sodexo prisons but they were not experienced in coping with conditions and prisoners in category B training prisons. The Board has also recorded concerns about staff not engaging with prisoners, not supporting prisoners who ask for help or assisting Board members in responding to prisoner queries.
- **Regime:** The introduction of a new temporary core day, reflecting staffing problems, has meant prisoners in full-time work having inadequate time out of their cells in the evening, even for showers and laundry. In addition, many prisoners have complained about the very limited time to access the exercise yards and fresh air. The general consequence for prisoners has been a restriction of access to visits, gym, the library and communal worship.



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