



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

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

### **2.1 Overview**

HMP Maidstone is one of three exclusively foreign national establishments catering for category C adult men. The operational capacity of the prison is 613.<sup>1</sup>

Almost all the population is of interest to Home Office Immigration Enforcement (HOIE) which has a team on site. Most prisoners are serving the last year of their sentence and the majority can expect to be removed from the UK at the end of their sentence, if not before. In 2022, 67% of those released were removed from the UK and 33% were released within the UK.

### **2.2 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.

The Forward Trust provided substance misuse programmes until March 2022.

Change Grow Live (CGL) has been the substance misuse treatment provider since April 2022.

Weston College is the learning and skills provider.

Rocketeer Group provides on-wing education activities.

Kinetic support the organisation and work of the Community Council.

Gov 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.

Spurgeons and since October, the Prison Advice and Care Trust run children's visits, family days and parenting courses for dads in prison.

The Shannon Trust helps with literacy,

Beating Time organises singing activities.

Citizens Advice (previously Citizens Advice Bureau) supported prisoners with advice.

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<sup>1</sup> Figures included in this report are local management information. They reflect the prison's position at the time of reporting, but may be subject to change following further validation and therefore may not always tally with Official Statistics later published by the Ministry of Justice.

### **3. Executive summary**

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

Prisons were directed to increase their capacities in 2022 and Maidstone responded by increasing the number of double occupancy cells. There are now double occupancy cells on Kent wing (5) as well as Weald, the induction wing (49). The prison's operational capacity increased from 601 to 613 prisoners.

#### **3.2 Main judgements**

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

Overall HMP Maidstone is a safe prison. The prison is well run, prisoners, for the most part enjoy a good relationship with staff and each other and violence continues to remain low.

The Board has noted the fall in the average age of prisoners, the possibility that this will lead to an increase in violence, and the prison staff's thoughtful response to this possibility.

The Board is also concerned about the increasing numbers in the prison. As more and more cells are turned into double occupancy, there is a potential for safety to reduce.

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

The most significant question relating to fair and humane treatment is the uncertainty caused by the application of the immigration system. There are too many people detained in HMP Maidstone for immigration purposes once they have completed their sentence. This ongoing detention creates problems because of the uncertainty of its end date. There are also too many people held in HMP Maidstone who have passed the date when they are eligible for early removal, and who wish to return to their own country, but are unable to do so because of processing delays in the Home Office.

Significant improvements could be made to the fair and humane treatment of people in HMP Maidstone if the backlogs in the Home Office could be cleared.

In addition to the issues related to immigration, there are communication issues as some prisoners do not speak English, even though prison staff work hard to minimise language barriers. Sometimes these can result in significant problems. For example, prisoners are required to sign Home Office documentation related to their removal from the UK, available only in English, which they may not wholly or partly understand. This is unfair and an avoidable source of stress and anxiety.

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

There are mental health issues in HMP Maidstone. Mental health problems that exist in all prisons are made worse because of the additional complications of being a foreign national in a British prison and the stress caused by the way immigration issues are handled.

The prison and healthcare staff work hard to alleviate mental health issues and are noticeably compassionate in the support they provide. But a shortage of resources,

particularly for early intervention programmes, limits what they can do and can mean that expensive responses are needed, because cheaper preventive action was not taken earlier.

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

There are not enough places for prisoners to take up either education or training opportunities and many of the opportunities that do exist are of a poor quality. Significant effort is being made by the prison to address these shortcomings, but it will remain a concern until all prisoners are able to undertake good quality meaningful activity that will help them to progress towards successful resettlement, and which will also make the prison a safer and more harmonious place.

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

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

To work with the Home Office to require that prisoners sign official documentation either in their own language or in a language they understand. Many prisoners need help with translation that they are not receiving.

To work with the Home Office to ensure that anyone who has completed their custodial sentence does not remain within HMP Maidstone. People who are detained for immigration reasons should be moved to the immigration detention estate.

Ensure that no category D prisoner, who has no bars to transfer to the open estate, is held in a category C establishment.

Give permission to HMP Maidstone to offer a release on temporary licence.

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

Provide funding for CCTV across the prison, and for enhanced gatehouse security.

Provide feedback to HMP Maidstone on the effectiveness of activities undertaken to prepare prisoners for release both in the UK and abroad.

Provide funding to allow HMP Maidstone to increase the provision of good quality activities for all prisoners.

Facilitate sharing across the prison and, where relevant, the immigration detention estate, of core material produced for foreign national prisoners and detained individuals.

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

Allow prisoners who attend rehabilitation courses to keep their places at, and pay from, training and education.

Reintroduce governors' wing surgeries.

Increase the quality and quantity of key work sessions.

Improve the quality and quantity of education and training opportunities.

Increase the privileges available to category D prisoners who remain in HMP Maidstone.

### 3.4 Progress since the last report

Main areas for development	Improvements
<b><i>TO THE MINISTER</i></b> <ul style="list-style-type: none"><li>• Support the restoration of local Governor control of establishments.</li><li>• 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.</li><li>• 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.</li></ul>	<ul style="list-style-type: none"><li>• Local Governor control has been restored.</li><li>• No progress has been made.</li><li>• Little progress has been made. Detainees continue to be held in HMP Maidstone.</li></ul>

Main areas for development	Improvements
<p><b><i>TO THE PRISON SERVICE</i></b></p> <ul style="list-style-type: none"> <li>• Provide more clarity about the prisoner property management framework.</li> <li>• Provide more category D accommodation across the estate and address the current restrictions of category D establishments accepting foreign national prisoners.</li> <li>• Support the re-establishment of a release on temporary licence (ROTL) facility at Maidstone.</li> <li>• Arrange for core material prepared for the resettlement of foreign national prisoners to be developed across the estate nationally.</li> <li>• 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.</li> <li>• 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 ca.</li> </ul>	<ul style="list-style-type: none"> <li>• The updated prisoner property management framework was implemented from September 2022. It is not yet clear whether there are any improvements.</li> <li>• There are still category D prisoners in HMP Maidstone. They should be moved to a category D establishment.</li> <li>• ROTL has still not been re-established for HMP Maidstone.</li> <li>• No progress has been made in preparing estate wide core material for the resettlement of foreign national prisoners.</li> <li>• No progress has been made in improving the mechanism for feedback to HMP Maidstone about the effectiveness of work done to prepare prisoners for release both in the UK and abroad.</li> <li>• Progress has been made on this.</li> </ul>



Main areas for development	Improvements
<p><b><i>TO THE GOVERNOR</i></b></p> <ul style="list-style-type: none"> <li>• Ensure the induction process is sufficiently robust.</li> <li>• Improve communication of end of sentence arrangements.</li> <li>• Continue to seek ways to enhance the role of the community council.</li> <li>• Restart governor wing surgeries as soon as possible.</li> <li>• Consolidate the progress made in the amount of key work undertaken and work to increase its quality.</li> <li>• Improve delivery of education and training</li> <li>• Consider the resettlement team's proposal to establish a ROTL facility.</li> <li>• Provide category D prisoners that cannot be moved to a category D establishment with as many category D privileges as possible.</li> </ul>	<ul style="list-style-type: none"> <li>• Work has been done to improve the induction progress.</li> <li>• Communication has improved, but Home Office delays in processing ERS and end of sentence arrangements continue to make this an area of concern.</li> <li>• The community council is working well.</li> <li>• Governor wing surgeries have yet to restart.</li> <li>• The quantity and quality of key working is, on balance, improving.</li> <li>• The delivery of education and training is a major issue of concern within HMP Maidstone, the prison is aware of the importance of this and are taking steps to make improvements.</li> <li>• ROTL has still to be introduced.</li> <li>• More category D privileges have not been provided.</li> </ul>

## **Evidence sections 4 – 7**

### **4. Safety**

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

Most people are transferred to HMP Maidstone from other prisons. At most, the reception area deals with eight people being released in the morning and six to eight people arriving late in the afternoon and early evening. Although reception staff are courteous and clear with the prisoners, given the numbers, the receiving times of new arrivals and the facilities available, reception staff find it difficult to deliver a comprehensive and confidential service. Currently, information is obtained from prisoners at an open desk and translation using Big Word is obtained via a spider phone. A bid has been submitted for a private room in reception to be used for interviewing. The Board welcomes this initiative. Healthcare promptly carries out its initial health screenings.

Within the reception area noticeboards display a wide range of information (for example, about Listeners, Citizens Advice, the IMB, complaints process, money and the prisoner portal). In the holding rooms there are booklets regarding induction, diversity and inclusion, and Spurgeons / Prisoner Advice and Care Trust (Pact). Some of these are in languages other than English. Prisoners with little or no English are shown a booklet to help confirm their identity and this is in 14 languages.

Generally, prisoner induction appears to be well managed. Individuals are supported by staff and peer supporters (see section 5.4) and their needs identified within the first few days. The induction sessions are led well by peer supporters. There have been improvements to induction since the last reporting period including the provision of a hot ready meal on the first night. The first night passport helps with better record-keeping and Big Word is actively used for translation. The next day interview is now recorded to provide better awareness of new prisoners' needs. Although there is an induction booklet prepared in four languages, there are copyright issues with the images used, which need to be resolved before publication. The activity allocation board is now functioning well which means that men are provided with a work opportunity far more quickly than in the recent past.

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

There were no prisoner suicides nor deaths in custody during this reporting year.

Prisoners are assessed by multi-disciplinary teams, with those needing support receiving it while living on the normal wings. We noted last year that, following the lifting of pandemic restrictions, HMP Maidstone was one of the first prisons to restart the work of Listeners. The Samaritans' Listener training programme is ongoing, with Listeners in place on all wings. The Board is pleased to note that both Samaritans representatives and Listeners regularly contribute to prison safety review meetings.

The safer custody team continued to focus on individuals considered at risk. In 2022, the number of self-harm incidents recorded was 86, compared with 143 in 2021 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 and occurred against the background of a Covid lockdown regime.)

Regular multi-disciplinary meetings review vulnerable prisoners. The Board considers these to be well run and effective.

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 anxiety leading to prisoners having to be managed under the assessment, care in custody and teamwork (ACCT) process and requiring healthcare services.

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

Most prisoners, staff and the Board continue to consider Maidstone to be a safe environment with care taken to allocate individuals to appropriate wings to reduce the possibility of gang formation, bullying and negative activity regarding age, background, and ethnic origin. The recent increase in prison capacity and numbers of younger prisoners reduces the prison's room for manoeuvre to manage this effectively.

The Board has repeatedly noted that a major cause of prisoner stress and resultant negative behaviours is the late notice of and changes to prisoners' end of sentence plans which, for foreign national prisons, is the responsibility of the Home Office. We have also previously pointed out that poor communications are exacerbated by the lack of Home Office documentation provided in languages other than English. This remains the case, with no indication that the Home Office intends to address this problem. Affected residents at Maidstone are told that they are responsible for any translations required.

Since late 2022, the number of younger prisoners entering Maidstone has increased, with consequent concerns regarding increased negative behaviours. The Board is pleased that a local young adults strategy has been created, with relevant staff training. The allocation of younger prisoners across wings is being managed and priority is being given to ensuring that younger prisoners are in work and/or education.

To date, violent and disruptive behaviours have not seriously increased, but the increased population and numbers of younger prisoners remains a concern.

The average violence in prisons estimator (VIPER) score for Maidstone for this reporting year was 2.3 and the maximum was 3.8. A score of 5 is generally accepted to indicate that a prisoner is a serious risk to others. Both average and maximum scores were up from the 1.8 average and 2.6 maximum of the previous reporting year but remain significantly lower than the national average.

The number of violent incidents recorded for 2022 was 77, up from 53 in 2021 (when the figures were affected by measures taken to combat Covid) but still markedly down from the 116 in 2020. Most were classified as not serious and were incidents

of prisoner-on-prisoner violence, although prisoner-on-staff incidents have recently slightly increased. Challenge, support, and intervention plans (CSIPs) are actively used. 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) during the reporting year.

There were few instances of prisoners self-isolating. The Board observed that these are dealt with effectively and empathetically and that access to the prison regime continued to be offered.

#### **4.4 Use of force**

The number of recorded incidents of use of force (UOF) reduced from 153 in 2021 to 102 in 2022. Most incidents were reported as unplanned with the most common causes being refusal to relocate (typically to the segregation unit), to prevent prisoner-on-prisoner or prisoner-on-staff violence, to prevent cell or property damage, or to regain access to barricaded cells.

During the reporting period batons were not recorded as having been drawn. PAVA spray has not yet been deployed at Maidstone but is about to be introduced.

The Board's monitoring indicates that recorded use of force has been appropriate and correctly implemented. De-escalation techniques are routinely used, are often successful and guiding holds are routinely used. Recording of UOF incidents appears to be good. The HMIP inspection in October 2022 noted that oversight and scrutiny of UOF was deficient and that learning opportunities were not properly exploited. As a result, there has been a recent management focus to ensure that body-worn cameras are always used and a new multi-disciplinary UOF review forum now meets regularly to which IMB is invited. These initiatives are welcomed by the Board.

Serious incidents are few and the Board was informed of most within the requisite timeframe. Most of these involved individuals going onto the netting.

#### **4.5 Preventing illicit items**

HMP Maidstone is located within a busy town and, consequently, offers opportunities for throw-overs and drone delivery of illicit items. The deployment of counter-measures is consequently difficult. The Board is pleased to note that there are regular meetings with a local police liaison officer, police monitoring of favourite throw-over areas and that access to an area frequently used last year has been blocked. In addition, a dog handler and two search dogs have recently been assigned to the prison.

Staff conduct intelligence-led searching but there is a lack of dedicated security team to undertake searches. Dedicated search team officers visit periodically and on demand. This, combined with staff searches, has resulted in significant finds of hooch (locally brewed alcohol) as well as other illicit substances and items.

It remains a constant battle to counter the brewing of hooch and stem the availability of illicit drugs, mainly cannabis and hashish. Items used to brew hooch are commonly available and most cannot therefore be prohibited. Promoting staff awareness and watchfulness is therefore a focus for the security team.

There are no scanners at the entrance to the prison for staff or visitors. While HMPPS has stated an intention to implement airport style security in all establishments, the limited space available in the Maidstone gatehouse as well as the staffing implications of enhanced security have so far rendered this impractical. In addition, random and periodic mass searching of staff is rare.

A body scanner and metal detector are used in reception for all new arrivals and for 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.

CCTV coverage of all wing areas planned for 2022 has not been implemented, mainly due to high-cost estimates. Lack of adequate coverage remains both a safety and a security issue and makes detection of illicit items more difficult.

Section 6.6 notes the most common illicit substances found at Maidstone. In addition, mobile phones are commonly found and reportedly readily available. In the reporting year, 91 were found, but finds and the use of improvised weapons are relatively rare, with less than ten logged for this reporting year.

## **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: for example some cells are damp and have damaged windows. The prison depends upon Gov Facilities Services Limited (GFSL) to maintain creaking and overburdened systems of heating, power, and water. There are frequently issues with one or another of these systems. There are four wings, two of which, Kent and Weald, have five and 49 shared double cells respectively. Prison cleanliness has been a focus, with a drive to maintain and improve standards as there has been a recurring rodent problem. Showers in Medway wing have been improved and Kent wing showers are in the process of being refurbished. All wings now have toasters, panini presses and microwaves. In-cell telephony was installed during this reporting year and is welcomed. Apart from initial teething problems it has been operating successfully. A new care and separation unit (CSU) with provision for two prisoners has been built and is operational on Kent wing (see section 5.2). Each wing now has some outdoor exercise equipment, and this is in frequent use. The prison gardens and displays are well-maintained and provide a colourful, welcome backdrop to the rest of the prison.

While the laundry functions with few issues and with an effective system for checking items, periodic reports of missing laundry items on return to wings continue.

The kitchen is a clean and hygienic environment preparing food to meet all dietary requirements and religious needs. The range of food has suffered because of supply issues, inflation, and budgetary constraints. Prisoners are increasingly expressing their dissatisfaction with the food provided.

### **5.2 Segregation**

Segregated prisoners continue to be treated with respect and care. Individuals are closely monitored, stays on the unit 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 this reporting year was 51 days while the prisoner waited for his transfer to be agreed following recategorisation. One other prisoner remained on the unit for 40 days before being transferred to a medium secure unit, three others spent 20 or 21 days on the unit under rule 45, with all others staying for 14 days or less.

Time out of cell for showers, phone calls and exercise is consistently offered. In previous years we have reported that, 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. We are pleased to see that this changed in 2022. Prisoners' needs are assessed with gym opportunities, continuance of education and, in certain cases, association on a wing, being provided.

Attendance at reviews and adjudications by required parties is generally good. The Board has noted that prisoners are routinely asked if they need interpretation in which case Big Word is used, although not always successfully. Board members regularly attended good order or discipline (GOOD) reviews, ACCT reviews, and complex case reviews during the year. The vast majority were observed to be conducted professionally and with care.

In 2022, a commitment made in 2020 to move the CSU cells was fulfilled with the opening of two CSU cells in a purpose-built unit. Residents can now be better monitored and supported. The cells have been rarely used. There are no dedicated special accommodation cells with segregation unit cells being converted to special accommodation use if required. There was only one occurrence of a special accommodation cell being needed in the reporting year.

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

#### *Wing surgeries*

The offender management unit (OMU) runs a surgery on each wing every four weeks on a Wednesday morning. Forty percent of the cases that they hear at the surgery relate to immigration issues and are passed to the Home Office.

The Home Office unit has been running monthly weekend surgeries at Maidstone since July 2022. They were only able to re-start daily surgeries in March 2023. This is because they were carrying three vacancies out of ten posts for much of 2022.

In the Board report of 2019/20 it was noted that 'wing surgeries are now held regularly by the governors'. These have not been restarted.

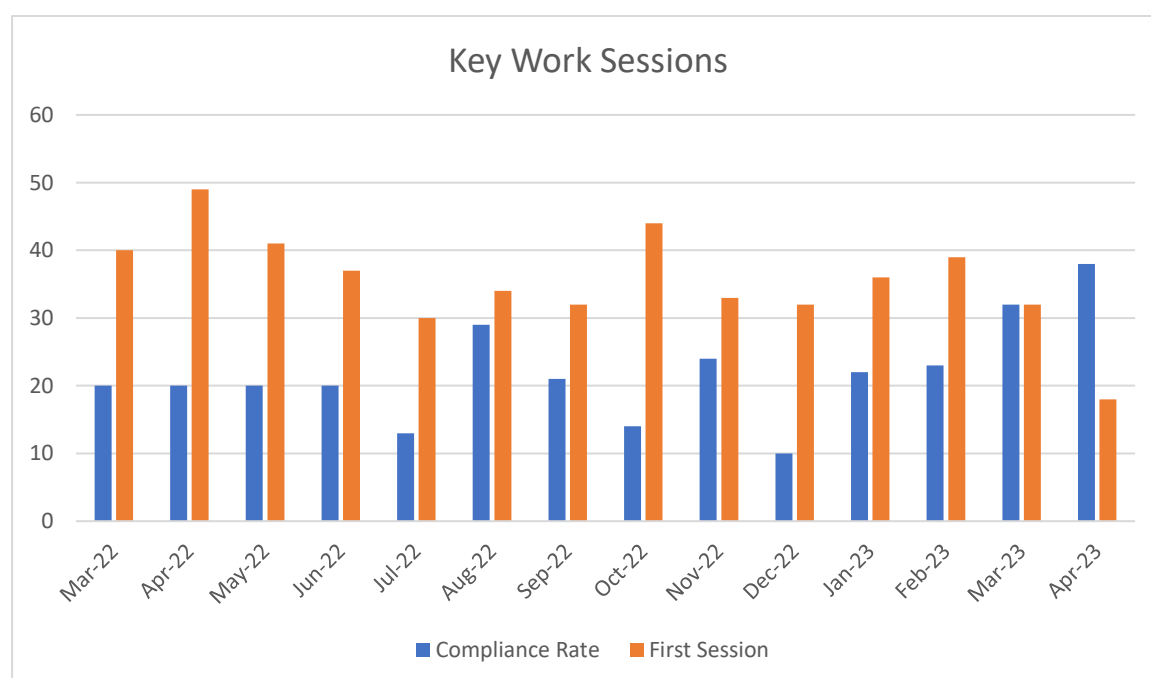
#### *Community council*

The community council re-opened in March 2022. It meets once a month with the senior leadership team and once a month on its own. There are community councils on each of the wings and these meet once a week. The councils are active and have secured several changes to the way the prison operates. For example, they have made sure that Prison Service Instructions are in the library and available to all prisoners, appropriate menu items were available during Ramadan, and exercise equipment has been installed in the yards of the different wings. Having an effective channel of communication of this sort between the prisoners and staff is clearly helpful and the prison is to be complimented on this. The only slight issue is that there are reports that some prison staff on the wings sometimes do not facilitate the unlocking of council members to attend meetings. This is rare, but when it happens results in understandable frustration.

#### *Key work*

Some progress is being made with the delivery of key work during the reporting period. The objective is for all prisoners to meet their key worker every week that the key worker is on day shift, and for all new arrivals to Maidstone to see a key worker within seven days.

The chart below shows the compliance rate: the number of key work sessions held as a percentage of those that were projected. The chart also shows the number of days after induction that a prisoner had their first key work session. The chart shows the compliance rate has been steady (excluding the summer and Christmas holiday periods) and has started to trend upwards. However, it is still less than half, and for much of the period was around or below 20%. The first session target has not been met yet, but there are welcome signs that progress is being made towards achieving this.



The prison is also introducing a quality assurance process for key work sessions to make sure that the sessions are meaningful. This includes ensuring that use is made of interpretation services for those prisoners who do not speak English.

## 5.4 Equality and diversity

There are approximately 86 nationalities at Maidstone; 10 account for 58% of prisoners. The remaining 42% consists of nationalities with 11 or fewer prisoners. Prisoners who only have one or two compatriots in the prison are consulted on wing location to minimise isolation.

In Q4, almost three-quarters of the population were under 40, with over 40% being under 30. There were just three prisoners over the retirement age of 66 (including one octogenarian).

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 due to their protected characteristics. A further peer worker assists with media production. 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.

The D&I team records information about protected characteristics, language abilities and literacy skills of new arrivals. In Q1 2023, of 603 prisoners, 72 needed help with oral or written translation. In addition 124 had no language data entered on NOMIS, so it is likely that some of these also need assistance. Over 50 languages are spoken within Maidstone. Written translations of prisoner information are readily available in 10 languages and during the year staff were enabled to readily translate any Word document into over 90 languages. The Big Word interpretation service is not always satisfactory because of a lack of skilled interpreters in some languages or dialects.

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.

During 2022, 64 discrimination incident reporting forms (DIRFs) were received; of these 32 were suitable for D&I investigation and 12 were upheld. DIRFs are quality checked and reviewed by a manager from a non-directly employed organisation.

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**

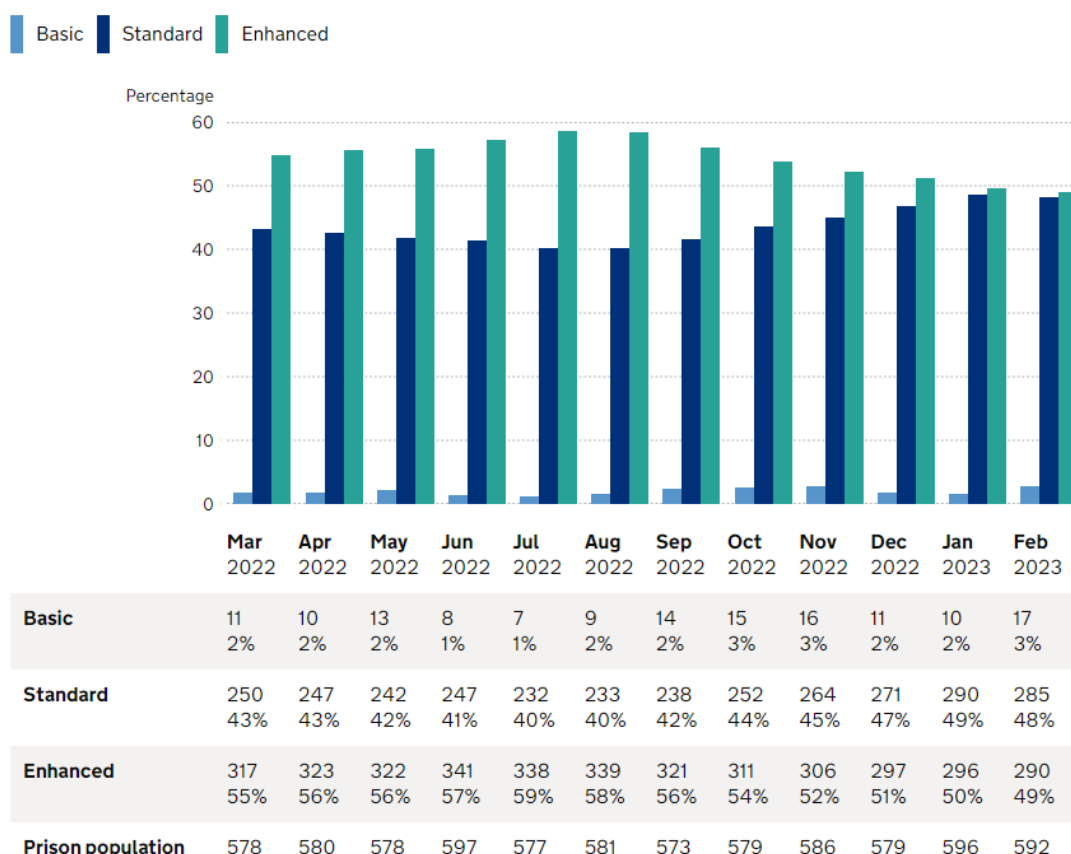
The main religions of the prison population are Christian (50%), Muslim (38%), Hindu (2%), Sikh (1%), Buddhist (1%). Six percent of the population listed themselves as having no religion. There is a high level of engagement with, for example, average attendance at Jumu'ah in February 2023 of almost three-quarters of those who are Muslim.

The chaplaincy team held communal worship throughout the reporting year, held faith-based classes, gave pastoral support, including meeting all new arrivals, and regular cell visits. They distributed religious reading material in a variety of languages. The chaplaincy was highly commended following the HMIP inspection (October 2022). This is despite the fact that the chaplaincy staffing does not reflect the religious make-up of the prison. This problem is exacerbated by two facts: first, there is not enough money in the sessional budget to cover the gaps; and secondly, the national process of converting sessional posts to employed posts remains stalled. Provision has relied heavily on volunteers, so weekly provision for many of the faiths is mostly covered.

The Board considers that the chaplaincy has been fully committed and achieved a commendable level of engagement with prisoners.

## 5.6 Incentives schemes

There is a three-tier incentive structure at Maidstone: basic, standard, and enhanced. The numbers of prisoners in each category over the reporting period are shown in this table.



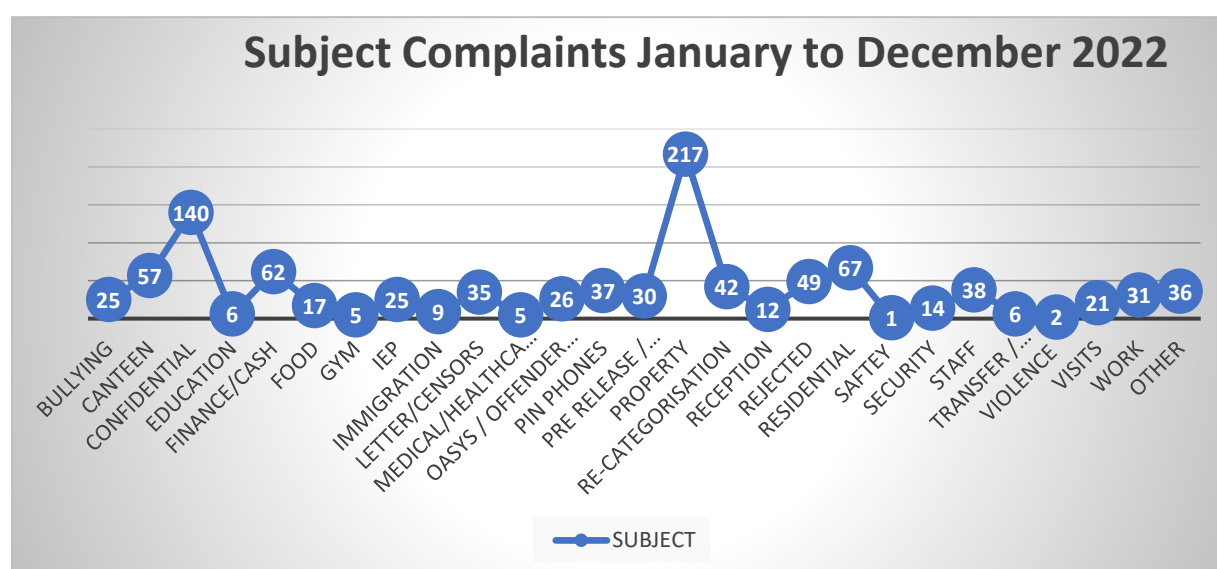
A prisoner who is placed on basic may, after an assessment, lose their television. This is then returned once the prisoner displays reasonable behaviour. Prison staff believe that this process has a good impact on order in the prison.

The value of the enhanced tier is less clear. While prisoners receive some benefit from this status (for example, the ability to move more money from their private to their spend accounts) the difference between the two tiers is not significant. The prison is investigating the possibility of introducing an evening association for enhanced prisoners.

## 5.7 Complaints

Until December 2022, the Board considers that the business hub was not processing or dealing effectively with complaints. The complaints system caused a great deal of concern and was a major cause of frustration and discontent, as many complaints

either went unanswered or were lost. Subsequently, new processes have been implemented and the process is now working more effectively with fewer issues. The revised system is more transparent, with clear lines of accountability and improved reporting. Quality assurance is being undertaken regularly by a governor. In 2022 there was a total of 1016 complaints 74% of which were internal.



## 5.8 Property

There were periods during the reporting year when reception was not dealing efficiently with property. Property management was not being prioritised. As stated last year, there is a specific enhancement of an annual posted-in clothing parcel scheme. This scheme was implemented without consideration for staff profiling and consequently adversely impacts reception. A new policy framework regarding property may help to address some of the problems being experienced by prisoners. Currently, some London prisons e.g. Wandsworth do not observe property volumetric controls and some prisoners arrive with too much property and / or property missing. Property remains a major issue of concern to the prisoners.

## **6. Health and wellbeing**

### **6.1 Healthcare general**

Oxleas NHS Foundation Trust has been the main health provider since April 2022. In October 2022, the Care Quality Commission (CQC) report stated: ‘many aspects of healthcare services were reasonably good, and the experienced managers were supported by conscientious staff’.

NHS England holds quarterly contract review meetings. A bi-monthly adult safeguarding and healthcare local delivery board includes an IMB representative on the recommended attendees list as an observer.

Healthcare complaints are regularly monitored by Oxleas. Waiting times for external hospital appointments continue to be a cause for complaint – as is the case in the wider community. A new procedure was introduced in July 2022 to monitor referrals and hospital appointment follow-ups, however, the CQC reported on the lack of detail captured within the spreadsheet; this has now been addressed.

Oxleas has introduced a new complaints system which the Board is informed has been rejected as it is double the length and more complicated than the previous system. During the reporting year there were 23 applications to the IMB about healthcare. Healthcare’s response to the Board enquiries has been timely and positive. When necessary, they have provided prisoners with information on how to escalate their complaints.

The Board has observed that complex cases are managed well.

The IMB has been informed that the pharmacy-led clinics are now taking place monthly.

Monthly wing checks are carried out (one wing each month) to gather medication that is no longer required by the prisoners.

The Board has observed the difficulties encountered when trying to use the interpreting services during consultations and reviews because of a shortage of translators in some languages (see section 5.4).

### **6.2 Physical healthcare**

The autumn Covid booster vaccination offer (2022) was withdrawn and has been replaced by an evergreen offer for first and/or second vaccination commencing around the end of February 2023. The waiting list for the hepatitis vaccine is small (11 in February 2023) and the response to recently-held weekend clinics has been poor.

Prisoners with long-term conditions have individualised care plans and regular clinics are run (e.g., respiratory clinic).

### **6.3 Mental health**

Oxleas mental health in-reach team (MHIRT) provides mental health services. Psychological services are provided by Bradley Therapy Services.

In February 2023, the MHIRT caseload was 34, with seven prisoners awaiting a final assessment or decision. The attention deficit hyperactivity disorder pathway supports 27 prisoners.

The psychology team remains under pressure due to staffing issues e.g., clearance issues, change of start date. At the time of reporting, start dates for a cognitive behavioural therapist, psychotherapist and psychology assistant were delayed.

The psychiatrist post remains vacant following the departure of the previous psychiatrist in December 2022. With no psychiatrist in post and locum doctors experiencing issues with accessing SystmOne, the IMB has been informed that there have been issues with prescribing some medications.

The IMB has observed good attendance from the MHIRT at ACCT, GOOD, and complex case reviews. Prisoners report that they feel well supported. The IMB would also like to commend the high level of care and commitment observed for two prisoners who required transfer to medium secure units during the reporting year. One waited 4-5 months following assessment (transferring out within seven days of the warrant being issued) and the other was assessed three times over a three-month period until a secure unit bed became available (transferring out two days after the warrant was issued). On both occasions, the MHIRT escalated the cases to commissioners and the regional transfer coordinator weekly.

### **6.4 Social care**

In February 2023, there were four prisoners requiring social care. Except for one prisoner who refuses to engage, the prisoners say that their needs are being met (e.g., provision of wheelchair, location of cell on ground floor).

### **6.5 Exercise, regime**

Post-Covid there has been an improvement in the regime, which has meant that since September 2022, prisoners in work or education were out of their cells for on average seven hours and 45 minutes a day, while those who were unemployed had four hours. With a 50/50 split regime prisoners had more limited time out of their cells at weekends because there were too few staff available.

Each wing has an exercise yard containing benches and exercise equipment. Prisoners can move freely between the yard and the wing. The fitness suite and gym both offer opportunities for cardio and weights work. Most men have the opportunity of using these facilities twice a week, with enhanced prisoners able to have three sessions. Changing and showers are difficult to manage as there is not currently a suitable space made available. The sports hall is under construction with a revised provisional opening of spring 2024.

## **6.6 Drug and alcohol rehabilitation**

Change Grow Live (CGL) has been the substance misuse treatment provider since April 2022. In February 2023, CGL had a caseload of 85 clients (including four clinical clients). It reports that the main challenges at Maidstone are the brewing and consumption of alcohol, and cannabis and hashish use. Spice and cocaine use is also seen but heroin very rarely.

CGL trains and supports peer workers who run talking groups on wings which allow prisoners to discuss substance misuse issues with their peers and provide a pathway to more structured assistance. CGL reports that they observe these groups to be popular and effective. Two peer workers are currently in place.

CGL runs a number of group sessions including Foundations of Rehabilitation, which have proved popular, and they believe are effective. However, attendance is inhibited by the fact that prisoners must absent themselves from their allocated work or education to attend and are not paid when they do so. Some also fear that they may lose their jobs if they absent themselves too often. The Board has raised this with the Governor.

Alcoholics Anonymous runs weekly sessions which are generally well attended. Narcotics Anonymous is in the process of arranging clearance to return to the prison.

## **6.7 Soft skills**

There are several opportunities for people to improve their soft skills. All sessions run for approximately an hour and can be attended once a week. Some of the sessions are voluntary, these include Tai Qi and Beating Time. Some are peer support activities such as Alcoholics Anonymous. Some are by referral by the mental health team, such as Emotional Coping Skills.

The range on offer is good, but there are only about 140 places available each week. Given a population of 600 this is a small number. The Board hopes that the prison will expand the number of soft skill opportunities available, and that HMPPS will provide funds to allow this to happen.

## **7. Progression and resettlement**

Meaningful activity is important for the mental health of people in the prison, for their effective resettlement once they are released and for the good order of the prison.

The Board notes that the prison is making significant efforts to identify more opportunities for people to have daily activities, although taking education, industries, and services together there are only places for about 400 people (two thirds of the population) to undertake any sort of activity. The prison has an objective of providing places for 80% of prisoners by the end of 2023. This is commendable, but the Board recommends therefore that the prison redoubles its efforts to find good quality activities for all prisoners and that HMPPS ensures that there are the funds to allow this to happen.

### **7.1 Education, library**

Education activities are available from Monday to Thursday all day and on Friday mornings. Each day there are about 75 places available: enough places for about one quarter of the prison population. Of these places about 38 are for courses on English for speakers of other languages (ESOL). The remaining places are for mathematics, the many skills associated with decorating ('multi-skills'), bricklaying, IT, and catering. During the reporting period about 400 qualifications were obtained by prisoners. A proportion of these were obtained by the same people, particularly those undertaking ESOL courses. There is capacity for a further 50 places in education and these will be made available once the recruitment of instructors is complete. This would bring education places up to 125.

HMIP concluded in its inspection in 2022 that there were not enough staff in place to plan an appropriate curriculum and to deliver educational improvements. At one stage there were six education vacancies out of an establishment of 12. In addition there was one person on long term sick leave. Now staff are in post and going through post appointment vetting. An additional difficulty has been the lack of an effective assessment at induction of prisoners' language abilities. The prison does not have an accurate picture of the level of English spoken by each prisoner. New assessment systems are being introduced that should address this problem, allowing for a more appropriate curriculum.

It is important that the improvements to quality foreseen through the new curriculum and the provision of a full complement of 125 places is achieved as soon as possible.

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

Industry activities are available morning and afternoon, Monday to Thursday and Friday morning. The available industry opportunities include the printshop, Coppermill, the laundry, recycling and gardening, tailors, barista training, and cleaning skills. There are about 140 places available in these activities.

There are a further 190 places available in the various wing services. These include cleaning, staffing the servery, and peer-working.

Efforts are being made to increase the quality of the current activities. For example, the printshop is moving to a tiered set of activities to allow as many as possible to obtain qualifications, while also providing opportunities for prisoners who will not be in Maidstone long enough to achieve qualifications.

The number of places available at the printshop is being reduced so that the number of people attending is better matched to the work available.

All the industries suffer from the poor state of the buildings in which they are housed. This limits what can be done and, given the cost of heating, can be expensive. This has limited the number of external commercial operators who might be interested in working within the prison.

The opportunities for prisoners to receive meaningful training in industries are limited. This is reflected in the fact that there are only formal qualifications available in recycling.

The prison is taking steps to ensure that people engaged in industries are undertaking meaningful work. The Board hopes that by the time of the next annual report all work undertaken is worthwhile.

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

The Board believes that the offender management unit continues to do a good job despite staff shortages. Nevertheless, there remain many prisoners in HMP Maidstone who should not be there and there is little evidence of progress at a practical and policy level in this area. It is distressing for the prisoners concerned and a burden on stretched national prison resources to keep individuals detained after their sentences have been served. There is an urgent need for these numbers to be reduced.

#### *Category D prisoners in a category C establishment*

Between April 2022 and March 2023, there were on average 10 category D prisoners at HMP Maidstone. 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, prisoners who are recategorised as category D should not be in a category C prison. There were 19 transfers to the open estate from April 2022 to March 2023.

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 (ROTL), which is not currently offered.



### *IS91 detainees*

Between April 2022 and March 2023, there were on average 27 detainees held under IS91 powers. While the practical difficulties of transferring such detainees are acknowledged, urgent efforts must be made to reduce these numbers.

Communication with prisoners about whether they will be held on an IS91 after their conditional release date (CRD) is inadequate. Uncertainty about this causes significant anxiety. Greater consideration needs to be given to the mental health situation of IS91 detainees held in prison and to appropriate reporting.

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

Between March 2022 and February 2023, 232 prisoners had passed their ERS date but remained in HMP Maidstone.

Apart from being a matter of great concern to the affected prisoners, the failure to remove them from the prison system represents an avoidable resource and financial cost issue for an overcrowded prison estate. The Board's observations are echoed in the HMIP report which comments on the significant delays to removals, undermining the scheme and reducing its effectiveness.

### *Facilitated return scheme*

The prison does not keep statistics on the number of applications for this scheme, but most of those who volunteer are successfully returned with assistance.

## **7.4 Family contact**

Family days restarted in December 2022. With an increased time of two hours and up to 24 families able to attend. Currently these visits take place quarterly. There is a tea bar selling a limited range of refreshments.

In-cell telephony has helped the men to maintain contact with their families.

Social video calls are successful. In December, 188 video calls were made with similar numbers in other months.

Residents are eligible for two visits a month. There is a restriction on numbers able to access the system as, although there is the potential for more visits, there are not enough staff available to support expanding the system, which currently runs with a maximum capacity of 10 residents people a day, on Monday to Thursday each week, and these are usually fully booked.

During the year Pact has taken on the role of providing family services previously performed by Spurgeons.

## **7.5 Resettlement planning**

In 2022, 647 prisoners were released from HMP Maidstone. Of these, 208 were released into the UK (CRD, ,home detention curfew or immigration bail), and 439 were non-UK releases (ERS or transfer to an immigration removal centre to await deportation).

The resettlement management unit continues to make good progress implementing its programme of action. The preparation for release booklet has been updated and is used to motivate prisoner engagement in resettlement plans. The unit systematically revisits the information provided by the prisoners three months before their ERS date or their CRD. They have also developed a country-specific resettlement release pack. There is a system in place for providing clothing for prisoners who are leaving Maidstone.

There are opportunities for Maidstone to share materials and good practice across the prison estate, particularly with other prisons with high populations of foreign nationals. It might 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 Maidstone to prepare prisoners for their release is commendable, it would be useful to track the impact of this work.

It remains difficult to obtain resettlement information for prisoners who have been released overseas. Nevertheless, efforts should be made to ascertain the value of the resettlement work undertaken by Maidstone to ensure that imprisonment serves a rehabilitative purpose, irrespective of where those imprisoned in the UK are eventually released.

No prisoners were released on ROTL. 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, such as the opportunity to work and attend community-based offender management courses, should be taken into account.

## 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. One member resigned. A recruitment campaign resulted in one new member. One member was absent for a period due to work commitments and one due to family commitments.

The Board has an open and honest relationship with the Governor and the 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	8
Number of Board members at the end of the reporting period	7
Total number of visits to the establishment	295 (294 in 2021-2)
Total number of GOOD reviews attended	35
	35 (N/A in 2021-2)

## Applications to the IMB

Code	Subject	Current reporting year	Previous reporting year
A	Accommodation, including laundry, clothing, ablutions	9 (2.3%)	8 (1.8%)
B	Discipline, including adjudications, incentives scheme, sanctions	19 (4.9%)	14 (3.1%)
C	Equality	6 (1.5%)	6 (1.3%)
D	Purposeful activity, including education, work, training, library, regime, time out of cell	7 (1.8%)	25 (5.5%)
E1	Letters, visits, telephones, public protection restrictions	50 (12.9%)	31 (6.8%)
E2	Finance, including pay, private monies, spends	22 (5.7%)	13 (2.9%)
F	Food and kitchens	10 (2.6%)	4 (0.9%)
G	Health, including physical, mental, social care	23 (5.9%)	53 (11.7%)
H1	Property within this establishment	45 (11.6%)	48 (10.6%)
H2	Property during transfer or in another establishment or location	36 (9.3%)	57 (12.6%)
H3	Canteen, facility list, catalogue(s)	18 (4.6%)	5 (1.1%)
I	Sentence management, including HDC, release on temporary licence, parole, release dates, recategorisation	76 (19.6%)	95 (21%)
J	Staff/prisoner concerns, including bullying	28 (7.2%)	33 (7.3%)
K	Transfers	5 (1.3%)	7 (1.5%)
L	Miscellaneous, including complaints system	34 (8.8%)	54 (11.9%)
	Total number of applications	388	453



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