

Annual Report of the Independent Monitoring Board at HMP/YOI Chelmsford

For reporting year
1 September 2022 to 31 August 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

There has been a prison on this site in Chelmsford since 1819. The original prison (A to D wings) was built on the traditional 'spokes of a wheel' design, with three storeys.

Two new residential units were added in 1996 (E and F wings), and a third (G wing) was opened in 2006. There are a variety of other facilities, including a 12-bed healthcare centre, educational facilities, gym and artificial grass sports pitch, multifaith room, library, kitchen, laundry, recycling centre, visitors' centre and a variety of offices housing prison and agency staff.

The segregation unit is on A wing, and vulnerable prisoners have separate accommodation on G wing (supplemented by the use of B wing on the third floor). E wing houses the drug and alcohol treatment programme, and B wing is the 'first-night' wing and induction unit.

HMP Chelmsford is a category B local prison serving local courts, and holds those who are sentenced, on remand or on trial. It holds adult and young adult males, and some foreign national men.

At the end of our reporting year, the prison's operational capacity (OpCap) was 7231.

Castle Rock Group (CRG) provided healthcare and People Plus provided education. The Government-owned facilities management company, GFSL (Gov Facility Services Limited), was responsible for the maintenance of the prison.

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¹ 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. Key points

Background to the report

As a category B local prison, HMP Chelmsford houses men who are sent directly from courts in the South Essex area (sentenced, on remand or on trial). Depending on the length of sentence and the individual prisoner's security category (established after initial assessment), it is possible a convicted prisoner may spend his entire sentence at Chelmsford. However, the majority will not. The prison population constantly changes, because of transfers to other establishments and releases, so stability is difficult to achieve.

NOTE

Due to lack of IMB resources, some sections are either incomplete or have minimal comment. For most of the year, IMB Chelmsford has been operating with three qualified members, which is 20% our 'required to operate' strength.

3.1 Main findings

Safety

There were three deaths in custody during the reporting year: two in January and one in February 2023. Apparently, two were self-inflicted and the other death was due to natural causes. The number of incidents of self-harm was higher than the previous year, but it should be noted that the majority were minor in nature, and most were carried out by a small number of men. The number of violent incidents has declined for the second year running. In our judgement, the prison is a safe place for most of the prisoners, for most of the time.

Fair and humane treatment

We witnessed many examples of good interaction between staff and prisoners, and good care and attention given to prisoners in need of support. Use of force has increased since the previous year, mainly accounted for by an increase in guiding holds but also the possibility that the ease of use of rigid bar handcuffs leads the high number of relatively inexperienced staff to resort to force sooner than their more experienced colleagues. Our most significant concerns are the processes for safeguarding prisoners' property, and overcrowding - 49% of prisoners share cells designed for one person.

Health and wellbeing

Healthcare-related IMB applications (written representations to the Board) remain the most numerous, the most common complaint being about missed appointments due to the shortage of movement officers. On a more positive note, the ability of some of the nursing staff to prescribe has taken some of the pressure off the GPs. We continue to be impressed by the high level of knowledge and care of the men in the Enhanced Care Unit by the prison staff who work there. The gym, sports hall, football pitch and library, and the prison staff who oversee them, are greatly enjoyed by the prisoners and are a valuable resource and are an excellent way of improving and maintaining physical and mental health.

3.2 Main areas for development

TO THE MINISTER

 It is difficult to transfer men at Chelmsford to appropriate mental health facilities, because of the sheer number of prisoners with serious mental health issues and the lack of beds in the community. What will the Minister do to rectify this?

TO THE PRISON SERVICE

How does the Prison Service plan to eliminate overcrowding? A total of 49% of young people in Chelmsford share cells designed for single occupancy. This conflicts with the requirements of decency and respect and is in contravention of the United Nations standard minimum rules for the treatment of prisoners.

TO THE GOVERNOR

- The Board has highlighted the issue of safeguarding prisoners' property in previous annual reports, when prisoners were moved across the Chelmsford estate, with little change. How does the Governor propose to improve processes so that property does not get lost?
- The Board considers the level of use of force to be high which, in our view, is down to the inexperience of staff and the issue of easier-to-use rigid-bar handcuffs. What does the Governor plan to do to address this?

Evidence sections 4 – 7

4. Safety

4.1 Reception and induction

The Board has had no negative feedback from prisoners regarding Reception.

4.2 Suicide and self-harm, deaths in custody

Assessment, Care in Custody and Teamwork (ACCT) is the care planning process for prisoners identified as being at risk of suicide or self-harm. The ACCT process requires that certain actions are taken to ensure that the risk of suicide and self-harm is reduced.

There were three deaths in custody (two of which were, apparently, self-inflicted).

Whilst IMB recognises that the vast majority - 66% - of self-harming was cutting and scratching, the actual number of self-harm incidents remained a very high 980. This was 5% higher than in the previous full year. Most significantly, the number of self-harm incidents was ending the year on an upward trend.

The total number of self-harm incidents from repeat harmers accounted for 80% of all incidents.

The number of ACCTs opened each month remained high and averaged 70.

4.3 Violence and violence reduction, self-isolation

	Recorded incidents current reporting year	Recorded incidents previous reporting year
Prisoner-to-prisoner violence	227	241
Prisoner-to-staff violence	169	177

In the above table, compiled using the prison's statistics, the number of incidents of prisoner-to-prisoner violence declined by 6%, the second consecutive yearly decline. The number of prisoner-to-staff violent incidents declined by 5%, also the second consecutive yearly decline.

The Board frequently observed the prison's monthly Safer Custody and Violence Reduction Meeting, which were extremely well-attended by a strong and wideranging cross-department group. This group discuss violence, self-harming and ACCTs, etc, and even include direct feedback from the Samaritans and prisoners who are Listeners (trained by the Samaritans to provide peer support). The focus of the meeting is mainly the monthly performance. The Board would ask that this meeting also look at the longer-term trends to highlight areas that need special attention.

Complaints about staff and other prisoners increased from 9% of all Applications to the IMB received last reporting year to 16% this reporting year, half of which were related to one wing. We do note that when issues were identified by the IMB

regarding a named officer, our concerns were swiftly followed up by the prison's senior management.

4.4 Use of force (UoF)

	Recorded incidents in current reporting year	Recorded incidents in previous reporting year
Use of force with C&R	361	335
Use of force without C&R	503	326
Total use of force	864	661

The openness of the monthly Use-of-Force Review Group, chaired by the Deputy Governor and observed by the Board, was welcome. The Deputy Governor actively seeks IMB input and feedback on the videos of UoF incidents and the IMB has been able to request videos of specific incidents they wished to review.

In the above table, compiled using the prison's statistics, the number of total use of force incidents increased by 31%, driven mainly by the 54% increase in use of force without C&R (control and restraint). The significant increase in total use of force is, in the Board's view, likely down to inexperienced staff moving to using force earlier than their experienced colleagues. Officers being issued with rigid-bar handcuffs – which are easier to use than the usual I ratchet-chain handcuffs – may also have had an impact.

The Board considers this level of UoF to be high. The fact it increased in the latter part of the reporting year is also troubling. The IMB recognises that the prison "opened up" this reporting year, which included the re-instatement of "mass move", may, in the Board's view, have contributed, alongside other causes, to an increased number of potential and actual incidents.

The Board is also concerned that the use of body-worn video cameras is not automatic, despite management actively promoting the practise. The Board has raised its concerns with the prison's senior management.

5. Fair and humane treatment

5.1 Accommodation, clothing, food

We reported last year that 'kit' delivery was unreliable. Unfortunately, this was still an issue in this reporting year. For example, in January 2023, during a visit to F wing (blue spur), an unhappy group of prisoners complained to the Board that they had not had a kit change for three months (although it later transpired that it was actually two months). The prisoners cited various reasons, including that orderlies who were involved in the kit change process were favouring their friends. Laundry data showed that F wing returned a fraction of their expected kit – on a par with D wing, which is about one-fifth of the size. This highlighted a less-than-robust system and yet another frustration for prisoners.

The kitchen provided three meals a day for prisoners, including those with dietary requirements for religious or other reasons, and adjusted timing to cater for Muslim prisoners during Ramadan.

Although the IMB received few applications about food, there were a fair number of verbal complaints, particularly from men who were unable to get funds sent in from outside to supplement food intake by purchasing extra items through the Canteen. Prisoners on all wings complained to the Board about quantity and quality. The prison, for its part, was fighting a battle against rampant inflation and the £2.70 per man, per day, cost imposed by the Ministry of Justice. The kitchen manager proved very helpful to the IMB in answering complaints from prisoners on daily calories and Halal food, for example.

5.2 Segregation

The care and separation unit (CSU) accommodates prisoners held in cellular confinement as a punishment following adjudication (a disciplinary hearing when a prisoner is alleged to have broken prison rules), and those who are moved from the normal wings to maintain good order and/or discipline (GOoD), or for their own safety. Many of the prisoners who are held in the unit are violent and/or vulnerable, and present considerable challenges to the officers who care for them.

The Board is pleased to note that whilst the IMB did receive some complaints from prisoners whilst they were in the CSU, few related directly to the staff and the IMB's own experience was that the staff were knowledgeable of, and courteous to, the prisoners under their care.

5.3 Staff and prisoner relationships, key workers

Prisoners complained to the IMB about members of staff. This may just have been the prisoner letting off steam. So typically, we talked to the prisoner to reassure them that we have noted their comments. We did, though, look for patterns and when various prisoners complained about the same staff member, citing the same behaviour, this raised a red flag. On two occasions, we made our concerns known to senior management and both times those concerns were acted on.

As in all jobs, some officers are excellent, some are not and in a lot of cases just inexperienced. One of the biggest gripes that prisoners reported to the IMB was officers telling a prisoner they will do something for them, then not doing it. It just added to prisoner's frustration.

However, when prison officers went that extra mile, it had startling effects. In September 2022, the IMB met Prisoner G, who was enjoying painting the exterior courtyard and happily talking to officers. Just a few weeks previously, Prisoner G had been angry, unstable and on three-man unlock status (where a prisoner is considered so volatile, they cannot be let out from behind their door without three officers being present at all times).

In May 2023, the IMB spoke with Prisoner D. He was fulsome in his praise of Officer A. He said: "I would like to thank Miss A for her professional understanding and support during my mental health crisis. She made me realise life was worth living again."

The number of key worker sessions increased from an average of 90 per month in the previous year to an average of 630 per month this reporting year, with a plan to go up to 1,200 per month next year.

However, whilst applauding this increase in key worker sessions, the IMB is keen to see engaged and quality discussions. The Board regularly heard from prisoners for whom we were unable to get answers to their questions or issues. It is mystifying that, on average, each prisoner had a monthly key worker session but couldn't get issues resolved.

5.4 Equality and diversity

There was concern among the black, Asian and minority ethnic community that they sometimes feel discriminated against when paid jobs were handed out. The Board has not noted any obvious bias and the issue can be down more to personal frustration and the prisoner not fully understanding the process, but the Board will continue to monitor the allocation of employment.

The Board understands that the Governor reviews all Discrimination Incident Report Form (DIRF) complaints and responses.

The IMB saw first-hand the system that allows prisoners to speak in their native language about issues within the prison. An interpreter was phoned from an available office and a discussion then took place. Although some officers appeared somewhat hazy about the nuts and bolts of how this worked (such as inputting PIN numbers, how to contact the interpreter), when the system worked, it appeared to work fine.

Chelmsford HMP has a dedicated wing for vulnerable prisoners (VPs). This is located on a specific spur of G wing. The Board is concerned that over the last 18 months, the third floor of B wing has effectively become another VP 'wing'. At times, 90 per cent of cell places on the third floor of B wing were occupied by VP prisoners.

The IMB is also concerned that B wing is not remote from other wings and it was a challenge to maintain separation between VP and non-VP prisoners, even within B wing itself. Incidents have occurred during the early part of reporting year between these groups, although the Board is not aware of any in recent months.

5.5 Faith and pastoral support

This support is provided by the Chaplaincy team, which ministers to the needs of prisoners of all faiths and none.

5.6 Incentives schemes

The aim of the incentives scheme is to encourage good behaviour and to deter bad behaviour in prisoners.

5.7 Complaints

Prisoners with a grievance can submit a complaint to the prison. Complaint form availability was, at best, patchy. Officers and senior officers did not appear to understand the importance of making these forms available. Whether it was DIRF, Healthcare, Comp1 (an ordinary complaint), Comp1A (an appeal), Comp2 (about a sensitive matter) or to the IMB, we found that there appeared to be no rush or, in some cases, interest in replenishing forms when they became exhausted. Prisoner information desk (PID) workers are tasked with making forms available to the prisoners, but if the wing has no PID worker, then officers often paid little attention to this.

5.8 Property

A prisoner's property is the only connection with their private life and therefore of great emotional and psychological value.

We noted that whilst still significant, the percentage of all IMB applications (apps) received about property this reporting year fell from 21% of the total to 15%. In addition, we note the apps related to lost property of men coming into and transferring in dropped significantly.

The Board welcomed a distinct change in attitude of officers in reception, with them willing to assist, provide input, guidance and follow-up. This compared to previous years when the IMB had the feeling that we were nothing but a nuisance. We believe this significant improvement is down to the custodial manager (CM).

However, the property process remained inherently unstable – the loss or theft of a property card (an official record of all a prisoner's items of property) can have a huge impact on a prisoner, with him unable to prove much at all about his possessions. The recording of items shipped into the prison with a "clothing sticker" has, at times, proved not robust, and the assumption always seems to be that prison records are accurate.

The IMB is aware of one example, at the beginning of this reporting year, where, "at best", various misleading explanations were given about missing property. The issue was eventually resolved, but it took several months. We recognise this issue has not been repeated since (despite the prisoners thinking it has). The IMB's most significant property concern relates to when prisoners were moved across the Chelmsford estate. Not enough care appeared to have been taken to ensure their property was properly collected and appropriately protected.

It is the Board's conviction that property loss is a significant issue and, whilst the IMB assists prisoners in getting a resolution - mainly compensation - the loss of property can have a massive impact on both men's mental health and their attitude to officers.

6. Health and wellbeing

6.1 Healthcare general

The general running of healthcare meets some requirements, but there are areas where more improvement can be made.

The Board has several concerns:

- Healthcare-related issues, at 20%, made up the highest proportion of IMB apps.
 Within this, the most reported issue, representing 37%, was men feeling there was a general lack of healthcare or welfare support.
- Appointments for dentistry, doctors, physiotherapy, etc, were frequently missed due to shortage of movements officers. This problem area represented 24% of the healthcare-related IMB apps.
- The IMB is still unable to contact Castle Rock Group (CRG; the main provider of healthcare services) by email.
- Staffing or agency staff shortages and a turnover (dentistry, psychiatry, pharmacy and nursing) were generally high, and this impacted service delivery. At the end of the reporting year, 14% of men were waiting to see a dentist for the first time, while 7% were waiting for a follow-up appointment.
- The processes by which prisoners arriving in the prison have their medications reviewed and changed seems poorly understood by the men and this drove complaints to IMB.

However, we were pleased to note that:

- Men could contact healthcare and pharmacy by phone from their cells, enabling faster communications.
- Qualified nurses were able to prescribe drugs to the prisoners, relieving pressure on doctors.
- When observed by the Board, prison staff in the healthcare in-patient wing displayed a high level of knowledge, understanding and interest in the men in their care.
- The new CRG healthcare manager and their staff, including pharmacy and the doctor, were very willing to engage with the IMB when approached.
- The Board subjectively recognises that CRG-related complaints are improving.

6.2 Physical healthcare

The IMB is pleased to note that maintaining the gym provision is seen as a priority and that football matches have been re-introduced.

6.3 Mental health

Moves from Chelmsford to appropriate mental health facilities continued to be difficult due to the sheer number of men in the prison system and the lack of beds in the community.

6.4 Drug and alcohol rehabilitation

Forward Trust has been providing the clinical part of the substance misuse service at HMP Chelmsford since 1 April 2020.

The Board notes that a cross-department group - the Drug Strategy Group - met monthly under the chair of a very experienced Governor and CM.

7. Progression and resettlement

7.1 Education, library

A shortage of movement officers at the start of the reporting year had an adverse effect on attendance at education, to the extent that there were discussions about managing officer shortages by removing officer support whilst classes were being delivered. Education staff were concerned about the risks to themselves and the men that could result from this. The prison reported that education staff were feeling like an inconvenience when asking for prisoners to be unlocked for education. Wing officers were instructed to be as accommodating as possible to the needs of the education and library staff. Things started to improve when the mass-move process was reinstated in January 2023 and there was an increase in attendance.

Innovative approaches were adopted during the year. For example, these included changing the emphasis from art classes to graphic design, which provides more of a vocational and commercial angle; and running 'managing money' classes, which are seen as more useful and relevant than anything badged as 'maths'.

The library continued to impress us with, among other things, Storybook Dad sessions (where prisoners can record bedtime stories and messages on CD or DVD for their children); a visit from a crime writer who didn't attend school until he was 11 and turned his life around; plus visits from two other authors. There has also been an initiative, with support from the Give a Book charity, whereby a child selects a book and an additional copy is given to their dad so they can experience the book together during visits, phone calls or social video calls. A total of 33 children and 23 men were involved in the first month.

In June, it was reported to the IMB that the library photocopier had reached its oneyear anniversary of being broken. This is unacceptable.

We were pleased to note the excellent work done by gym staff and coaches from West Ham United Football Club, putting in place fixed-length courses aimed at improving the attitude and behaviour of some of the more challenging prisoners. Prison staff did complain, however, that there were no negative consequences for men who start but don't complete the course.

7.2 Vocational training, work

In March, we received reports from the people who oversee the garden workers and barista training about a reduction in the number of men available. The Board notes that these training "classes" provide potentially valuable vocational opportunities. We were told that for both these "classes", men must be convicted and the subject of security restrictions. Additionally, there was a drive to increase the number of men undertaking English and maths classes. Unfortunately, this reduced the opportunities for the prisoners to attend the much-enjoyed gardening and barista training.

The Board raised with the prison the issue that men who have full-time work roles lose gym and domestics time (time spent on personal hygiene, calling family or socialising), etc, and this seems unfair. We were told that wing officers can give the prisoners more domestics time at their discretion. We would suggest something more formal would be appropriate.

We noted that a prisoner, who is in the building trade on the "outside", constructed a polytunnel in the garden. An impressive number of salad items, herbs and vegetables were harvested this reporting year on the back of this project. It shows what can be done if men are encouraged to use their "real world" skills.

7.3 Offender management and progression

It is the role of the Offender Management Unit (OMU) to supervise a prisoner's stay at HMP Chelmsford. Of crucial importance in this process is prison offender manager (POM), who works out the prisoner's sentence plan and hands over to the prisoner's community offender manager (COM) so that supervision can be seamless when the prisoner leaves prison. Within the context of the sentence plan, prisoners are then allocated a key worker, who is meant to meet with them regularly to support and mentor them.

Moves from Chelmsford to lower category prisons to prepare men more appropriately for their eventual release continued to be difficult because of the sheer number of men in the prison system as a whole: too many men and not enough spaces.

7.4 Family contact

Physical social visits took place throughout the year. Social video call visits, which were accessed via the "Purple Visit" app, were discontinued in the middle of the reporting year and replaced with a social video call system, which can also be accessed by downloading an app. The significant change is that prisoners can no longer book a social video call themselves – a friend or family member must do it, which we believe to be a backward step.

7.5 Resettlement planning

The case of Prisoner P was very concerning. Prisoner P finished his sentence at HMP Chelmsford in late 2022. However, he remained in the prison while the Home Office decided whether to deport Mr P. Months went by with no resolution until Mr P was granted a judicial hearing about his case. It was decided that he could be released with bail conditions. In March 2023 – and this is very disquieting – Mr P was tagged and released with just £110 to his name. He had no passport, no place to go, no job, no family in UK, nothing. HMP Chelmsford has rightly raised an official complaint about how the Home Office handled this. Mr P can't go back to his home country, as he has no passport and no way of acquiring one.

By the end of the first quarter of the reporting year, the prisoner-induction backlog had been reduced to a manageable 100, and plans were in place to improve the quality of the individual personal learning plans to better meet the needs of the men. A Neurodiversity Support Manager had been appointed and has been training prison staff in mental health care provision. A prison employment lead was also appointed to meet the needs of employment outside, with direct contact with local employers so training can be provided to match available jobs. They are hoping to establish a motor workshop for tyres, etc, to aid this.

A measure to reduce the number of prisoners released on Fridays became law at the end of June 2023, and will take effect "following a period of implementation to enable services to adapt to this measure". We see this as a step in the right direction because around one in three prison releases in England and Wales takes place on

Fridays, when people find it hard to travel to their home area, meet their probation officer, register with a GP and find accommodation before the weekend, when services are closed. Disappointingly, the reform will not end all Friday releases. Instead, it will give prison governors discretion to release selected prisoners on a Wednesday or Thursday, instead, if they have mental health issues, substance misuse problems or a long way to travel home. Those who fail security checks will still be released on Fridays.

8. The work of the IMB

Board statistics

Recommended complement of Board members	14
Number of Board members at the start of the reporting period	6
Number of Board members at the end of the reporting period	5
Total number of visits to the establishment	247
Total number of segregation (GOoD) reviews attended	7

Applications to the IMB

Code	Subject	Current reporting year	Previous reporting year
Α	Accommodation, including laundry, clothing, ablutions	6	11
В	Discipline, including adjudications, incentives scheme, sanctions	2	12
С	Equality	9	6
D	Purposeful activity, including education, work, training, time out of cell	2	17
E1	Letters, visits, telephones, public protection, restrictions	20	20
E2	Finance, including pay, private monies, spends	7	7
F	Food and kitchens	12	6
G	Health, including physical, mental, social care	42	34
H1	Property within the establishment	29	31
H2	Property during transfer or in another facility	2	17
H3	Canteen, facility list, catalogues	6	15
I	Sentence management, including HDC, ROTL, parole, release dates, re-categorisation	18	7
J	Staff/prisoner concerns, including bullying	34	21
K	Transfers	2	14
L	Miscellaneous	18	16
	Total number of Applications	209	234



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