



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

**For reporting year  
1 May 2023 to 30 April 2024**

**Published August 2024**



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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 Swaleside is a category B training prison.

It was opened in August 1988 as part of a group with HMPs Stanford Hill and Elmley. However, from 1 April 2017 it became part of His Majesty's Prison and Probation Service (HMPPS) Long Term and High Security Estate (LTHSE).

The Certified Normal Accommodation (CNA) is 1,111<sup>1</sup> in single cells over seven wings (A is still closed). The CNA includes the care, separation and reintegration unit (CSRU) and the healthcare unit. The operational capacity (OpCap) is 965.

At the end of April 2024 just under 90% were category B prisoners, around 12% were category C and less than 1% were category D.

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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. Key points**

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

This report is being written during an unprecedented period of staff shortage. This has a direct and major impact on the regime the prison is able to provide and consequently on the wellbeing of both prisoners and staff. It has a negative impact on the fair and humane treatment of prisoners.

To put the shortage into context: the agreed complement of Band 3 uniformed staff is 258. However, for the majority of this reporting year, levels have stood at around the 170 to 190 level, the difference being made up by detached duty staff or payment plus (overtime). The situation has been aided by the closure of A and C wings, although C wing is now coming back online.

The geographical situation of Swaleside on the Isle of Sheppey in Kent is an exacerbating feature in the staffing difficulty in that it is an isolated area and has many competing opportunities for staff. It is also adjacent to areas offering good links to London as well as the Kent coast.

Staff losses are continuous and are mostly of experienced staff that the prison can ill afford to lose. These losses are largely to other Government departments, especially the Border Agency. The police and civil service are also attracting officers and staff from the prison. Recruitment is improving but new recruits lack the experience of the officers they are replacing. About 50% of uniformed staff have less than two years' experience and experience is vital in building a positive and constructive relationship with prisoners and improving their wellbeing.

Swaleside began the year with an operational capacity of 828 at 1<sup>st</sup> May 2023, which has now risen to around 900 at the end of April 2024.

The regime has been gradually improving, giving prisoners more time out of cell and greater access to work, education and religious observance. The steps in this gradual process have been named Core Days 1, 2 and 3. The latest stage in this process, Core Day 4, was implemented in June 2023, with Core Day 5 due around September 2024.

Against such a difficult background, the Board commends the senior leadership team (SLT), officers and detached duty officers, service providers and administrative staff for their efforts to implement an improving and worthwhile regime.

Our best wishes go to the outgoing, longstanding governing Governor who left us at the end of March. His deputy is acting up for the foreseeable future.

#### **3.1 Main findings**

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

- The Board has a growing concern about the developing gang culture in the prison.
- The trade in illegal substances has created a high level of debt among the prisoners resulting in many of them having difficulty in locating on the wings for fear of violence.

- Instances of assaults have remained steady, averaging 36 per month with a total of 431 over the year. Serious assaults are currently 12% of the monthly total and 18% for the whole year, against 4% at the end of the previous year. A Violence Strategy document was published in June 2023, but as yet this appears to have had little effect. See also 4.3.

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

- The treatment of prisoners has improved given the easing of regime restrictions during the year.
- The segregation unit provides a fair and safe regime and the Board regularly attends Good Order or Discipline (GOoD) reviews. There is concern, however, about the length of time some prisoners remain on the CSRU.

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

- Healthcare has severe staffing issues, however, access to NHS staff is probably better than on the outside, with dental and optical access getting better.
- Prisoners' mental health had been badly affected by the restricted regime and limited time out of cell, but, as the regime has improved, prisoners' mental wellbeing also continues improve.
- The time limits for assessing and transferring prisoners to secure or specialist mental health care units are still not being met.
- Blossoms (a social care provider) is providing a good level of personal care for prisoners requiring support, and there have been improvements in wheelchair access for prisoners with disabilities.

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

- The changes to the Offender Flow and Allocation system and the direction to receive short-term and younger prisoners has caused a great deal of disruption. The extra work has taken staff away from their previously accepted roles.
- The Employability Hub is underused as prisoners' requirements are not being met early enough in their release year.
- The prospect of increased applications for Home Detention Curfew (HDC) can only create more difficulties in an establishment with no budget for resettlement and staff under pressure.
- Work on the Offender Management Unit (OMU) has been dramatically impacted by staff shortages during the reporting period and this has had a detrimental impact on sentence progression.

## **3.2 Main areas for development**

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

- The Board reiterates the same point that it made last year. Indeterminate sentences for Public Protection (IPPs) were abolished in 2012 with the government stating that they were "not defensible". However, the change did not apply to prisoners who were already serving IPP sentences, and this left them in limbo with little hope of release. The Board is concerned that the Government has rejected the call from the Justice Select Committee to

resentence IPP prisoners and reduce the licence period from ten to five years. This is neither decent nor humane and the Board would urge the Minister to review the department's response to the Justice Select Committee's report.

- The incursion of drones needs to be addressed on a national basis, with a viable solution found for the whole estate.
- The population pressures across estate need a solution. As a Cat B trainer, Swaleside has neither the budget, nor the staffing to double as a resettlement prison, and yet is now expected to fulfil this function for 90 – 100 prisoners per annum.
- The Board notes the excellent work done in Education.

## **TO THE PRISON SERVICE**

- The Board shares the concerns expressed by the SLT that there have again been deaths in custody during the year, though these all appear to be of natural causes.
- The length of time spent in the CSRU by a number of prisoners remains far too long and far exceeds normal recommendations. An effective means of reducing this time should be sought as a matter of urgency.
- The Board remains concerned about the impact of the Offender Flow and Allocation system. Swaleside is a category B trainer in the Long-Term High Security Estate (LTHSE) but is now receiving younger prisoners with shorter sentences. This is detrimental to the stability of the prison and the wellbeing of older, longer sentenced prisoners, and creates resettlement problems at release.
- The continued reliance of HMP Stanford Hill on the kitchen at Swaleside for the preparation of its food continues to cause major issues, as has been stated for several years.
- The inequality of opportunity for prisoners convicted of sexual offences (PCOSO) and vulnerable prisoners still needs to be addressed, despite progress made in that direction.
- The Board remains concerned regarding the mental health of prisoners who have suffered long-term lockdown. This is evidenced by the number of opened Assessment, Care in Custody and Teamwork (ACCT) documents, self-harm cases and violent incidents. The first indications from the recent improvement in regime are positive. However, the necessity for increased psychology and psychiatric services still needs to be assessed.
- The Board has concerns over the growing gang culture within the prison and its effect on the more vulnerable prisoners. It also affects movement of prisoners, both internally and transfers.

- At present, the prison only has 180 (Body Worn Cameras) BWC available, which means there are insufficient numbers to issue to all staff. This situation needs to be rectified, so that all staff can be issued with cameras.
- The lack of sufficient constant watch cells during times of crisis.
- The Board notes the backlog of adjudications and the excellent efforts taken by staff to alleviate this.

## TO THE GOVERNOR

- With the staffing ratio now up, due in part to the temporary closure of two wings, the Board now expects the low level of keywork to be addressed.
- As the regime gradually improves with the roll-out of the Core Day programme, the Board would urge the Governor to ensure that more prisoners are provided with meaningful vocational work and/or education in line with their sentence plans.
- The Board remains very concerned at the situation of IPP prisoners. Courses and programmes should be made available to them so that they can have the opportunity to demonstrate that they are no longer a danger to the public.
- New prisoners are not receiving adequate induction and the Board is very concerned that prisoners are being released from Swaleside without proper support.
- The issue of overflowing sewage from the drains must be addressed as this is exposed to the movement of food trolleys to the residential areas, which is a Health and Safety issue.
- The theft of stock from the DHL workshop must be addressed.

### 3.3 Main Areas for attention noted in the report 2022 / 2023

Issue raised	Progress since the last report
<b>TO THE MINISTER</b> <ul style="list-style-type: none"> <li>• Indeterminate sentences for Public Protection (IPPs) were abolished in 2012 with the government stating that they were “not defensible”. However, the change did not apply to prisoners who were already serving IPP sentences, and this left them in limbo with little hope of release. The Board are concerned that the Government has rejected the call from the Justice Select Committee to resentence IPP prisoners and reduce the licence period from 10 to five years. This is</li> </ul>	<p>This situation has not changed, though it is hoped that the population pressures will result in a review of this whole area.</p>



<p>neither decent nor humane and the Board would urge the Minister to review the department's response to the Justice Select Committee's report.</p> <p>The Board remains concerned about the retention and recruitment of staff. 29 experienced officers from Swaleside were recruited directly by the Border Agency during the year and numbers were also lost to the police and civil service. These other agencies offer better employment terms than HMPPS for all levels and grades of staff. The result is that Swaleside has been compelled to hire expensive agency staff and transfer in detached duty officers from other prisons on higher pay and bonuses, as well as paying their hotel bills. Some detached staff do not seem to have the same level of commitment to supporting and engaging with prisoners as local staff. The prison also has to encourage officers to work long hours of overtime. In the Board's view it is a false economy to maintain such a sharp differential between the terms and conditions of HMPPS staff and those of other agencies.</p> <p>The refurbishment of showers throughout the establishment should be completed, with necessary funding provided. The identified faults with recently installed showers should be remedied as a matter of urgency.</p>	<p>This situation has improved from a numerical viewpoint. Numbers are still being lost to other agencies, but at a slower rate, and recruitment has improved. However, the balance between experienced staff and inexperienced staff has worsened. Although reliance on detached duty staff and payment plus has reduced, it has been replaced with raw recruits with little "prison craft."</p> <p>Refurbishment has continued aided by the decant of two wings, but there is still work to be done.</p>
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## TO THE PRISON SERVICE

- The Board shares the concerns expressed by the SLT that there have again been deaths in custody during the year. A thorough investigation is being conducted by the LTHSE into the causes. However, a national investigation is perhaps required to establish either commonality of cause irrespective of prison type and to highlight specific issues relating to particular establishments.
- The length of time spent in CSRU by a number of prisoners remains far too long and far exceeds normal recommendations. An effective means of reducing this time should be sought as a matter of urgency.
- The Board remains concerned about the impact of the recently introduced Offender Flow and Allocation system. Swaleside is a category B trainer in the LTHSE but is now receiving younger prisoners with shorter sentences. This is detrimental to the stability of the prison and the well-being of older, longer sentenced prisoners. The change should be re-examined and the benefit examined against its detrimental impact.
- The continued reliance of HMP Stanford Hill on the kitchen at Swaleside for the preparation of its food continues to cause major issues, as has been stated for several years. The stalled installation of kitchens at HMP Stanford Hill should be restarted urgently and be completed without further delay.
- The Board has raised before the inadequacy of basic apprentice officer training and believes that training must at least result in them

The prison became a “cluster death site” which allowed special measures to be implemented to address this sad situation. The Board is pleased to note the decrease in the number of deaths in custody this year, and that they are all believed to be natural causes.

The process has improved, but is severely hampered by the overall population pressures in the estate.

This situation has not changed and adds pressure, both staffing and budget wise to various areas of the Prison and Probation Service.

The plans for the Stanford Hill kitchen are approved. It should be a straightforward proposition to press the button on work.

The Board still holds this view.

<p>knowing what to expect when they arrive at their establishment. Support for new officers has improved considerably at Swaleside, especially with the introduction of the mentoring system. However, this is no substitute for proper basic training.</p> <ul style="list-style-type: none"> <li>• The inequality of opportunity for prisoners convicted of sexual offences (PCOSOs) and vulnerable prisoners still needs to be addressed, despite progress made in that direction.</li> <li>• The Board remains concerned regarding the mental health of prisoners who have suffered long-term lockdown. This is evidenced by the high number of ACCT cases, self-harm cases and violent incidents. The first indications from the recent improvement in regime are positive. However, the necessity for increased psychology and psychiatric services still needs to be assessed.</li> <li>• Gov Facility Services Limited (GFSL) has improved the rate at which out-of-action cells are brought back into use. However, far too many cells remain unusable.</li> </ul>	<p>The Board still holds this view, but also understands the difficult logistics of having two different vulnerable units.</p> <p>The Board still has concerns, though the SLT has taken a direct approach and there have been advances made in addressing these issues.</p> <p>This situation has improved.</p>
<p><b>TO THE GOVERNOR</b></p> <ul style="list-style-type: none"> <li>• Keywork has been a major casualty of staff shortages and is currently restricted to only the most vulnerable prisoners. As the regime improves, the Board would urge the Governor to extend Keywork to all prisoners as a matter of urgency and encourage wing staff to engage more with prisoners.</li> <li>• As the regime gradually improves with the implementation of the Core Day programme, the Board would urge the Governor to ensure that more prisoners</li> </ul>	<p>Given the move to Core Day 4 this situation has improved, but still remains below acceptable levels.</p> <p>This is beginning to have a beneficial effect.</p>

<p>are provided with meaningful work and education in line with their sentence plans.</p> <ul style="list-style-type: none"> <li>• The Board remains very concerned at the situation of IPP prisoners. Courses and programmes should be made available to them so that they can have the opportunity to demonstrate that they are no longer a danger to the public.</li> <li>• The Employability Hub is not yet functioning as it should. New prisoners are not receiving appropriate induction and the Board is very concerned that prisoners are being released from prison without proper support.</li> <li>• We are pleased to note that in-cell technology has now been installed throughout the prison. This is bringing improvements for prisoners and for the operation of the prison. However, the Board is concerned by the abuse of the technology by some prisoners.</li> <li>• Facilities for female officers are inadequate and it is not acceptable that they have to share locker rooms with male staff. This needs to be addressed, especially as there are now many female officers working in the prison.</li> </ul>	<p>Still a concern.</p> <p>Still a concern.</p> <p>Improved.</p> <p>Improving but slowly.</p>
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## **Evidence sections 4 – 7**

### **4. Safety**

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

Reception is the location where all discharged and incoming prisoners are processed. Since it is the location of the prison's primary body scanner, it is also used to examine prisoners being transferred between wings, when they are suspected of carrying concealed items.

Incoming and outgoing prisoners are typically transfers between prisons or prisoners attending outside hospitals or returning from hospital. In general, the number of medical transfers significantly exceeds intra-prison transfers (80-90 vs. 20-30 each month).

Inductions held on D wing have been haphazard and at the time of writing are reverting to the Employability Hub. This has been largely due to increased numbers of shorter sentenced prisoners being admitted to Swaleside and the preponderance of inexperienced staff.

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

The number of instances of self-harm was quite erratic month on month, but was reflective of the prisoner demographic. From a peak of 91 in August and September 2022, incidents have dropped back to 45 by March 2024, with a blip to 77 in April this year, then turning down in May.

The main reasons for self-harm were lack of access to mental health support, vapes, medication and canteen. However, the Board has noted an increase in support by the mental health teams who specialise in helping neurodivergent prisoners to reduce self-harm. There is also additional support of peers on wings, and access to physical education via the Gym.

The number of ACCTs opened in the prison has slightly increased in this reporting year. The ACCT documentation has improved, but the Board noted that paperwork was not always being updated at the time of prisoner interaction but was filled out at the end of shift. This was highlighted to the Governor.

It is sad that the Board has to report five Deaths in Custody (DICs) during the year. This is markedly down from 10 in the previous year. All of the deaths were, apparently, due to natural causes.

All deaths were fully investigated by the Prisons and Probation Ombudsman who made recommendations about closer prisoner observations and transfers to hospital for the more seriously ill prisoners.

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

The number of violent incidents over the reporting period remained steady with monthly totals reaching a peak of 47 in October and a low of 27 in November. Numbers of assaults on staff and prisoners averaged 16 and 21 respectively. See also 3.1.

The Board notes that the prison has increased the role of the Safer Custody Department to reduce violence in the 18-30 age group by one-to-one interactions, education, and self-help programmes. The Challenge, Support, And Intervention Plan (CSIP) process has also been used by the prison as a violence reduction measure.

The Swaleside Outreach Service (SOS) have issued a new criterion for referrals to SOS.

Individuals must be displaying one or more of the below behaviours. Referrals can only be made by staff, by completing a referral form.

Staff must try to fill out the referral form with as much detail as possible and to note SOS are unable to accept referrals without the form. At least one of the following should be present:

- Recurring threats of violence.
- Recurring violent and physical aggression towards others.
- Struggles to stay on normal location and frequently locates to CSRU.
- Recurring sexually inappropriate behaviour in prison.
- Recurring damage to/destruction of prison property.
- Recurring acts of self-harm/periods on constant watch.

Level 2 rub down of prisoners attending SOS has been introduced. Refusal of a level 2 pat down will automatically render the prisoner unable to attend SOS and they will be returned to their wing and reports made.

#### **4.4 Use of force (UoF)**

There was an issue with the quality of the C&R (Control & Restraint) techniques being used by staff, due to lack of qualified trainers in the establishment. Two qualified instructors have since been transferred from HMP Elmley. At the moment, there is no dedicated UoF Coordinator and 46% of officers have been trained in C&R. SPEAR (Spontaneous Protection Enabling Accelerated Response) training is only at 34% and PAVA (synthetic pepper spray) at 78%. This compares to 68% trained in SPEAR and PAVA cited in last year's report.

In addition, 13 members of staff are currently still 'in date' for their Advanced C&R training.

Quality issues are normally identified during the weekly C&R review meeting. These are typically addressed by a mix of verbal warnings to the relevant staff or advice to attend a refresher course. Witness statements are often of poor quality or late.

One recurring issue regarding planned interventions was the failure to contact the IMB to ask them to attend as observers. This issue, along with various other quality issues, has now been addressed by the publication of a formal check-list, to be used at the start of all planned interventions.

BWC are being regularly deployed – averaging around 80–90% - and are proving very useful in monitoring UoF situations. The pre-record feature is also very useful - recording 30 seconds of video, *before* the camera is manually activated.

A number of BWC harnesses have been purchased, with more on order. These are used to attach the BWC to the officer's chest and are extremely useful. In particular, they reduce the tendency for officers to attach the camera to their waistband, which leads to an obvious reduction in their effectiveness. It also improves the quality of the sound recording, since the camera is less likely to be knocked against other parts of the officer's uniform.

With regard to actual usage, the two main areas of concern are Hotel wing – where usage is much lower than the average (less than 50%, as compared to more than 80% elsewhere) and the gym, where staff are presently not wearing BWC. It is hoped that a new Custodial Manager (CM) on Hotel wing should increase the usage there to match the other wings.

Although rarely used, PAVA has proven to be a valuable tool in resolving situations in which otherwise more direct physical confrontation might be required, such as use of batons, to physically strike prisoners.

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

Drugs and especially spice continue to be a major issue. However, the use of a body-scanner in Reception, as well as technological advances, have reduced the availability of mobile phones in the prison. The introduction of airport-style X-ray machines at the gate has improved security in general. The Board has some concerns regarding the hap-hazard staffing of the gate which results in variable levels of quality of search. We understand that this is in part due to the numbers of trained staff to operate the equipment.

Although increased security measures have been introduced the Board notes that there are still ongoing issues with illicit substances in the prison.

The prison uses the prison dog team to identify which cell or cells the illicit items are in and intervention teams target these cells to find the illicit items.

There are still certain weaknesses in the set-up that need to be addressed.

The proliferation of drone "attacks" is disturbing, with incidents increasing exponentially. With relatively cheap equipment being sophisticated enough to drop large, heavy parcels within an area 2 metres square, it seems as though these incursions will only get more frequent.

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

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

Most of the wings at HMP Swaleside have suffered as a direct result of the continuing, and projected long-term, shortages of staff. The maintenance of all cells and common areas remains a problem with repairs and general maintenance not being carried out on a regular or even emergency basis.

In the winter, heating in the wings is adequate, but the high temperatures experienced in summer again led to widespread complaints of extreme and unbearable conditions in the cells. This situation is exacerbated by the restricted openings of the cell windows.

Alpha wing is currently closed. Beta wing, 120 men, has been decanted to Golf wing south, in order to have fire doors replaced. It is now partially open, but is still having cell furniture installed.

Delta wing consists of three levels, each containing three spurs leading to a central atrium. Each level has accommodation for around 40 prisoners, meaning that the wing can contain around 120 prisoners when full. The wing is intended to be the induction wing, where new arrivals are accommodated. Up until around October 2023 the wing had been close to full, making it difficult for it to accept new prisoners. There was a sense that the wing had become the default destination for prisoners being transferred from other wings. However, following the decision to decant a large number of prisoners from Woodhill, starting around October 2023, there was a conscious effort to make space on the wing. This means that level 2 of the wing now typically has around 20 empty cells. Due to the number of deaths in custody which it experienced; the prison was categorised as a 'Cluster Death Site'. As a result, it was put on Special Measures, which were kept in place until May 2024. As a result of this, the prison was not permitted to accept incoming prisoners who had ACCTs in place. Since the end of these measures, the prison is now accepting such prisoners, leading to an increased challenge for the wing, since this is where these prisoners will be sent to on their arrival. There have also been cases of prisoners who self-harm on their arrival at the prison, causing them to be immediately placed under an ACCT. Despite this, the staff on the wing maintain their professionalism, and endeavour to treat all prisoners with patience and compassion.

The wing has also had to deal with the challenge of prisoners who are self-secluding for their own protection, pending a transfer out of the prison. In one extreme example, a Cat-C prisoner has been self-secluding for almost eight months, following a serious assault, while waiting for a transfer to a Cat-C prison. With regard to the physical infrastructure, the wing is in a reasonable condition, with the exception of the showers, where around one third of the showers are permanently out of action, pending the planned refurbishment.

The conditions of some of the wing showers, especially on Golf and Echo wings, remains a concern. During wing visits several prisoners have complained that the showers are in an appalling state and have become deeply frustrated by the lack of any apparent action over many years. Some wings have had the showers refurbished and it is hoped that funding can be found to improve the showers in the remaining wings.



Both Alpha and Charlie wings at HMP Swaleside have been closed, though C wing re-opened in November 2023, and it is hoped that this has freed up a number of staff members to improve conditions in the remaining wings for the benefit of all prisoners and staff.

For Echo wing in greater detail please see 6.6.

The industrial clothes dryer on F wing West has been out of use awaiting replacement parts for two years, impacting prisoners and frustrating staff. Of the men housed in the 60 cells on West, 45 work, but because the industrial dryer is out of action, these prisoners are forced to try and use one of the two small dryers outside of West to dry clothes. These dryers break down because of overuse meaning the prisoners are forced to dry their clothes over the railings outside their cells. This is commented on by visiting SLT staff who ask for the clothes to be removed, frustrating prisoners and wing staff. Another more important impact of not having a proper dryer, is the cleaning and drying of servery whites. The clothes are not being cleaned and replaced quickly enough for servery workers to use on West.

The PCOSO (Prisoners Convicted of Sexual Offences) wing has had a major issue with drains over the past year. HMP Swaleside argue that it is a capital project that should be covered by the Ministry of Justice (MoJ) to improve the macerators. Meanwhile, GFSL believe it is a result of the many inappropriate items that prisoners flush down the drain. This 'Mexican stand-off' means no action has been taken resulting in the drains frequently overflow round the edge of the wing. Frequent emptying with tankers is expensive and only improves the situation for a matter of days.

This means a malodorous smell permeates into the wing from the sewage water, which is extremely unpleasant for prisoners in their cells. In addition, the exercise yard can be put out of use, thereby impacting prisoners' activity during association. Of even more concern, the daily food trolleys are wheeled through the standing water, which is a clear health and safety breach.

At the start of the reporting year, due to concerns for personal safety, four prisoners on the PCOSO wing were transferred to HMP Isle of Wight. Around the same time several prisoners lost their employment at DHL. Theft was suspected and those who lost their jobs were potentially coercing other prisoners to steal to order, especially fish tins and chocolate (see 7.2). This has exacerbated a destabilising community with the change in the PCOSO population. Through the year there has been evidence of loud noise, racist comments, antisemitic discrimination, ageism and rival gangs, which is well known to the wing officers and SLT. While prisoners are frequently transferred around wings, that is not an option for PCOSO prisoners. However, the issue has not been sufficiently addressed and the main perpetrators disciplined.

The communication between DHL, the PCOSO wing and the kitchen remains sub-optimal. This is partly due to incompatible systems. For example, six months after the change to a full-day shift, in the week commencing 16th October 11 new workers started at DHL, but none were on the menu list. As of 26th October, only 7 of the 11 had been added. This has led to a continuous stream of applications from prisoners about insufficient portions, or being given 'default' meals.

Complaints have been received regarding the quantity of food being issued by the kitchen. An investigation confirmed that food leaving the kitchen is of sufficient quality, and quantity, to feed each wing. The problem would appear to be that the measures of food distributed to the prisoners was, at best, haphazard. This results in smaller measures for prisoners arriving later at the servery and subsequent complaints.

The kitchen at HMP Swaleside also provides meals for the Cat D prison nearby (Standford Hill) a situation that is unlikely to change in the foreseeable future, and results in even more significant pressures on the kitchen staff. Currently, 820 prisoners at Swaleside receive three meals per day. A further 440 prisoners at HMP Standford Hill are also provided for. Meals are provided at a budget cost of £2.06 per prisoner per day.

There have been a number of problem areas raised by the kitchen staff, prisoners and officers. There has been an increase in items being brought in and taken out of the kitchen. This includes plastic water bottles which allegedly are to be filled with water for the prisoner. However, concerns have been raised that the bottles are, in fact, being filled with "other items." As a result, prisoners were subject to more intensive searches, both in and out. This appears to have resolved the issue.

The various religious festivals (e.g. Ramadan; Passover; Christmas etc) were well catered for by the kitchen and several prisoners have expressed their contentment with the quality and quantity of the food provided.

There are major issues with the serveries on most of the wings. A proposed visit by the local Environmental Health Officer (EHO) caused an immediate investigation into state of the serveries and their possible impact on Health and Safety. Several areas on the serveries were found to be unsatisfactory, which if not corrected, could have resulted in the serveries being shut down by the EHO.

On several wings, whites are not being worn. Whites were available but were in a dirty condition due to failures to observe basic maintenance of the wing washing machines. On one wing (Golf) there were no covers for the front of the servery thus allowing prisoners on the wing side of the servery to a) create health issues by coughing and sneezing and b) steal food.

The water bath hotplates under the servery are not working and have not been for some time. We are informed that this has been reported to GFSL. Deep cleaning of the servery area is supposed to be carried out daily but was clearly not.

Probes for testing the temperature of the food were not being used due to not being available; malfunctioning or needing new batteries.

The cobbler for macerating food was not working and has not been for some time. Thus, bulky food items are being placed in plastic bags rather than going for composting or animal feed. This was reported to GFSL.

Once these problems were reported to wing staff and to members of the SLT, an instant and sustained effort was made to radically improve matters which we hope will be maintained.

The number of prisoners who have specialist meals provided under Rule 35 has been dramatically reduced, resulting in a 50% reduction in the kitchen costs. Some

prisoners have asked for Halal or Kosher meals despite not being affiliated to the appropriate religion, merely that the menu was more attractive.

Several issues have arisen during the reporting year regarding the delivery of meals to the correct area. Prisoners and staff have made the situation worse by not informing the kitchen of prisoners desiring their meals at their place of work, or their wing. Fortunately, the kitchen is now informed on a regular basis of the appropriate delivery site for each prisoner's meals daily.

There remains extreme pressure on the kitchen at HMP Swaleside, and this will remain unless, and until, the nearby HMP Stanford Hill ceases to rely on HMP Swaleside to provide its meals. Whilst there have been a number of attempts to build a suitable kitchen at HMP Stanford Hill, it is unlikely that this will happen until 2025 at the earliest, although plans have been approved. This is an issue that the Board has raised over many years.

## **5.2 Segregation**

As last year the unit is well staffed with a dedicated and experienced cohort of officers who treat the prisoners with respect and understanding, and attempt to sort out problems quickly and efficiently. It is evident at GOOD reviews that officers do compassionately try to find the best course of action for prisoners.

The CSRU is typically at full capacity. Issues are prisoners not wanting to relocate to wings, emergency transfers from wings after incidents and prisoners perceiving the CSRU as a stepping stone to a transfer to another prison. This issue has been exacerbated by the recanting of prisoners. Of extreme concern is that CSRU cells have recently been used for constant watch. The cells are standard, so a clear view cannot be seen through the observation panel. HMP Swaleside have two constant-watch cells and have had some success temporarily transferring prisoners to HMP Elmley nearby, but not to other prisons in the South East. This lack of capacity across the region needs addressing by the MoJ swiftly.

After a harrowing time, a prisoner was moved out of Swaleside in March 2024, due to his mental capacity. This was achieved by the No 1 Governor escalating the concern and achieving a swift resolution. Staff across healthcare, Inreach and the CSRU are to be commended for acting to their utmost ability to manage the situation and communicate with each other. The IMB thematic review on segregation published in January 2024 noted "For men who were already struggling with their mental health, their wellbeing and behaviour often deteriorated further while being segregated for prolonged periods." In addition to the prisoner above, two further prisoners have been accepted at specialist facilities, but not transferred, at the time of writing, due to lack of capacity. Of note, one of these was only accepted at the third attempt, which evidences how mental health is adversely impacted by segregation. Repeated self-harm, staff assault, loud noises and banging of heads against the wall are illustrative of how the CSRU is not the appropriate facility. Two prisoners have been in the CSRU for a combined total of 717 days.

Due to assaults on staff in 2023 onwards the regime was changed to minimise the number of times cell doors were opened daily. However, privileges are relatively reasonable compared to other segregation units in the LTSHE and the majority of

prisoners are typically on Standard incentive level, rather than Basic. Vapes continue to be allowed and are a constant source of stress for prisoners which leads to many incidents of self-harm.

As mentioned in previous reports, the CSRU runs and coordinates adjudications for the whole establishment. Of the 2,500 adjudications in the first six months of 2024 39% have been proved and 16% passed on to the Police. However, over 1,000 cases have been dismissed, remanded, or not proceeded with. This is leading to a concern amongst wing officers that adjudications will not be dealt with swiftly and fairly. In addition, during the 'recant' process prisoners have arrived at HMP Swaleside with outstanding adjudications, adding a further 1700+ from 52 prisons to the backlog. If there is not a strict disciplinary process, HMP Swaleside will experience further challenging behaviour from prisoners. The offences for which adjudication was necessary breaks down as follows:

Violent/Threatening	807
Disobeys an Order	283
Under the Influence	103
Unauthorised Article	867
Damage to Property	376
Absents Himself	52

### 5.3 Staff-prisoner relationships, key workers

Keyworker support has been poor, but there are plans for the future to improve this area of support. There is little doubt that the large number of detached staff has not helped develop long-term relationships between prisoners and staff.

### 5.4 Equality and diversity

The Board finds overall there is little evidence of general inequality, and the prison management is committed to ensuring that any reports of discriminatory action or activity are addressed immediately. To assist with this there is a regular Community forum and regular Wing fora where prisoners can air their views and be listened to.

The appointment of a new Equalities Lead and the introduction of an Equalities Scrutiny panel, meeting bi-monthly, give an oversight and early warning system for anything that may crop up. Also, compliance with PSI 32/2011 is ensured. The Equalities Lead works hard to ensure all potential issues are covered, and probably needs more direct support, given the breadth of the subject matter.

One criticism that the Board has is that the Equalities Lead is a lone post and therefore there is a high workload, meaning there is a backlog of Discrimination Incident Reporting Forms (DIRFs).

The tables below give a breakdown of prisoners by religious categories and broad ethnic groupings:

Religion	Number of Prisoners
	21/04/2023
Adventist	2
Agnostic	2

Atheist	6
Baptist	2
Buddhist	20
Christian	98
Church of England (Anglican)	116
Church of Jesus Christ of the LDS	5
Eastern Orthodox	4
Greek Orthodox	1
Hindu	9
Jehovah's Witness	1
Jewish	19
Methodist	2
Muslim	302
No Religion	148
Pagan	15
Rastafarian	15
Roman Catholic	142
Russian Orthodox	2
Seventh Day Adventist	1
Sikh	8
Spiritualist	2

<b>Ethnic Description Simplified</b>	<b>Number of Prisoners 31/3/24</b>
Asian/Asian British: Indian	53
Asian/Asian British: Any Other Background	23
Black/Black British: Caribbean	158
Black/Black British: Any Other Background	41
Mixed: White and Black Caribbean	45
Mixed: Any Other Background	15
Other: Any Other Background	15
White: Eng/Welsh/Scot/N.Irish/British	385

Gypsy or Irish Traveller	16
White: Any Other Background	73
Not Known	14

Some bullet points:

- Submitted DIRFs have shown a higher trend in the first part of 2024 (this may be partly due to the impact of more availability of secure DIRF deposit boxes on the wings).
- Response times for DIRFs have improved and targets are adhered to.
- In Q1 2024, 5 prisoners submitted 26 DIRFS out of a total of 64.
- March figures:
  - DIRFs received – 19, most from H wing
  - DIRFs upheld – 5%
  - Not upheld – 50%
  - Partly upheld – 17%
  - Outstanding – 28%
- All March figures:
  - All CMs are to receive DIRF training.
  - All DIRF responses are now independently quality assured.
  - 299 (32%) of Swaleside prisoners have a declared disability
  - There are 114 young adults (age 21-25) in the prison (12% of population). This is dramatically up in the last six months.
  - There were 18 young adults on Basic Regime (24% of total).
  - There are 144 foreign national prisoners over all wings. A call has gone out for bi-lingual staff to help with translations.
  - Swaleside is now accommodating 23 prisoners aged over 70. In-cell work has been arranged for those retirees who are interested.

During the year, the IMB received 85 applications under the heading of “Equality”. This is down from 101 last year. However, as a result of the Custodial Management System (CMS) for our applications now bedding in, the overall total is back to more realistic levels.

There is a disproportionately high level of Muslim prisoners (32.7%) relative to the Muslim population in the community.

Swaleside now houses five transgender prisoners. There is still the issue of the CMS system either only recognising the birth name or the first name registered for each of these prisoners. This means that the system only reflects the male names and not the chosen female names, which the Board would suggest needs addressing.

There are a number of Forces veterans (24 declared, but believed to be more, perhaps as high as 80) who no longer have a separate platform to express their views. This is being addressed, with a call having gone out for a lead on this group.

There have been several issues that have been recognised and have been, or are being, tackled:

- In-cell technology is only in English.
- Laptops are inappropriate for visually impaired prisoners.
- The lift is very often not working.
- Kitchen menus are only in English.
- There is no Pagan or Rastafarian Chaplain.

Positive areas that we can highlight:

- Access to work allocation is balanced, but less varied for vulnerable prisoners.
- All wings have taken part in Equalities fora to air their views. These will be held quarterly.
- Many and various celebrations have been recognised and activities have been organised so that staff/prisoners can participate. A Diversity & Inclusion calendar has been published. Celebrations include:
  - LGBTQI+ History Month
  - Traveller Month
  - Pride Month
  - Parkinson's Awareness Month
  - Autism Acceptance Month
  - Disability Awareness Month
  - Black History Month
- Introduction of a Gender forum.
- Complaints analysis is reflective of the prison demographic.
- Muslim staff are proportionate to the outside community.
- The adjudication statistics are broadly reflective of the prison demographic.
- There are no disparities in the regime based on religion or nationality.
- Neurodiversity information has been distributed to all staff covering topics such as: learning disability, developmental language disorder (DLD), autism, dyslexia and ADHD.
- With now approximately 114 21- to 25-year-old prisoners in Swaleside, a monthly young adult forum has been set up to give them a voice.
- SLT leads have been appointed for each of the protected characteristics, and there will be fora held for each on a regular basis.
- A wheelchair audit established a need which was quickly addressed and wheelchairs were acquired from various sources, despite HMPPS refusing to pay for any purchase. Four were donated by Pact and staff, and some new ones were ordered by healthcare.

## **5.5 Faith and pastoral support**

Improved attendance and successful celebrations of all faith groups, including a Jehovah's Witness commemoration memorial of Christ's Death; this has never been celebrated at Swaleside before.

Classes continue to be well supported, especially the Sycamore Tree restorative justice programme.

A third imam was offered a post at Swaleside in February 2023 but has not yet been MoJ vetted, this causes many problems with the excessive workload not being run efficiently.

Chaplains have daily duties in the CSRU, In-Patients Department (IPD), ACCT reviews and visiting new prisoners.

## **5.6 Incentives scheme**

In June 2022 the National Framework for incentives was reviewed at Swaleside and as the percentage of “Enhanced” prisoners was thought to be too high, a ‘Super Enhanced’ grade for prisoners was put in place. The Super Enhanced is for trusted prisoners who have contributed considerably extra by their behaviour and their contribution to prison life, assisting both other prisoners and staff. This was reviewed in June 2023 and at the end of this reporting year there are 336 Enhanced and 57 Super Enhanced. As prisoner status may be taken away or given out to prisoners these figures may fluctuate throughout the year.

## **5.7 Complaints**

The total number of complaints received by the prison for the reporting year (excluding Healthcare and DIRFs) was 1,378 to the end of June 2024, nearly 200 fewer complaints than the previous reporting year, a reduction of 14%. This was partially helped by the lower operational capacity than the previous year. This continues the downward trend in complaints over the past few years. Most of the complaints were regarding canteen, property and residential issues, with the biggest increase in property complaints.

The prison data confirms that complaints were responded to within targeted timeframes more than 93% of the time. The complaints department at HMP Swaleside continues to provide a first-class service to prisoners, with few complaints being made by prisoners to the IMB regarding delays to answering genuine complaints.

## **5.8 Property**

Reception at Swaleside is run efficiently, however, property remains a serious issue when prisoners are in transit from other prisons. On one occasion a prisoner left prison with 10 bags of property, and only three bags turned up. Extensive enquiries have not retrieved the missing seven bags.

The IMB receives many complaints from prisoners concerning property, during internal wing transfers, and during transfers from other establishments. The paperwork concerning prisoners’ property is often incomplete or wrong, and there are regular issues with the storage of items once received from outside prisons, and the incorrect cell clearance paperwork.

The IMB at Swaleside has used the IMB at other prisons to monitor the whereabouts of prisoners’ property after the internal COMP1 process has failed to find missing items. Generally, this has worked extremely well with many “missing” items (according to HMP Swaleside) being found and successfully returned to prisoners.



## **6. Health and wellbeing**

### **6.1 Primary healthcare**

Healthcare is a very busy department under pressure. Staffing levels remain an issue with Oxleas, especially at weekends, with the use of agency staff most days. Life Limiting, Operational and Safeguarding meetings are run monthly to a high standard with good communication with the prison. Lack of cabs continue to cause delays/cancellations and there remains to be no vehicle that can take wheelchair users to clinics. The condition, and long-standing problem with the lifts continues, and they are constantly out of use, making access to Healthcare very difficult for some and impossible for others.

### **6.2 Physical healthcare**

Lack of prison escorts to accompany prisoners to hospital appointments and attend with injuries has been a problem leading to appointments being cancelled. On one occasion six prisoners could not be sent out to hospital with injuries due to lack of escorts. Clinics continue to run with prisoners often continuing to refuse to attend. A telephone consultation service with the GP is available. With large numbers of prisoners found under the influence of drugs it is a time consuming and ongoing problem for healthcare staff.

A lack of space to expand clinics is a major issue as well as a poor lack of office space for staff. There is a shortage of disabled cells. Improvements have been made to installing Traka medicine hatches on the wings. Staff shortages have put pharmacy under pressure. Generally, there has been no problem with the supply of medicines. However, some medications prescribed, i.e. creams and some meds, etc. have been in short supply.

The dentist room has now been refurbished but prisoners sometimes do not turn up, wasting valuable time for others.

Optical services run well.

The main kitchen in the gym has been only partly accessible for the past year due to sewage overflow and flies. This problem is likely to continue until major works are completed, both prisoners and staff have spent time cleaning up this problem with a cost to themselves as it has resulted in a loss of footwear.

Approximately 45% of the prison population go to the gym for two and a half hours per week.

Ninety-five Park Runs have taken place. Families of the men can follow their progress on the Park Run website as the men do not register in their own names. Up to 50 men take part.

An accredited course is run by Millwall Football Club.

### **6.3 Mental health**

Mental health services continue to suffer from staff shortages. However, over the last year the time out of cell has improved.

Time frames placed on assessments and transfers to secure or specialist units out of the area are often exceeded but still approximately 15 prisoners transferred during

the year. There were approximately 200 referrals from within the prison which were treated by prison doctors with only 30% transferred for further mental health assessment. A specialist nurse carries out an assessment with prisoners with neurodiverse conditions and treats accordingly.

#### **6.4 Social care**

Blossoms is a service that supports prisoners who have been assessed by Kent County Council (KCC) and need personal care. The Board has acknowledged a very good working relationship between community care staff and the prison staff. With an average number of 10-16 prisoners a day requiring care for their personal and special needs, Blossoms staff work very hard. However, after three years, with a severe shortage of space, they still have no office space to do their administration work. There is ongoing concern about the shortage of cells to facilitate wheelchair users within the prison, with bigger concerns about the appropriateness of the prison for prisoners with ongoing social care needs and, being a long-term top security prison, an ageing population.

#### **6.5 Time out of cell, regime**

Staff shortages have been highlighted throughout this report as a concern which has impacted on prisoner time out of cell. However, the regime changed from Core Stage 3 to currently Core Stage 4 in June 2023. Time out of cell increased from one hour to two hours a day and when there are periods of extreme staff shortage at weekends a 50/50 regime is adopted. This may be increased by prisoners engaging in purposeful activity i.e. education, work, Structured on Wing Activities (SOWA) and religious observance. Although this has improved it has been difficult at times to maintain due to inadequate staffing levels.

The final stage of the process will be Core Day 5 which is due to start 1<sup>st</sup> September 2024.

#### **6.6 Drug and alcohol rehabilitation**

Rehabilitation is dealt with by CGL (Change, Grow, Live) and offered to the prisoner at the time of induction. Prisoners who need help with drug and/or alcohol addiction are identified and helped on the wings by specialist staff from this organisation. Regular meetings to support these prisoners depends on their need to progress further.

Approximately 262 prisoners are receiving assistance but only five case workers are available to deal with them, making the case load far too high for each case worker. The ultimate progression is that the assisted prisoner should be able to move to E wing whose criteria changed in June 2023. E Wing West is an Incentivised Substance Free Living Unit (ISFLU). To move to this wing prisoners must have had no negative entries for one month and be abstinent, although they may be on an Integrated Drug Treatment System (IDTS). They will be subject to security checks.

E Wing South is the Drug Recovery Unit (DRU). To move to this wing prisoners must have stopped taking IDTS and be ready to engage with CGL, be abstinent from other substances and subject to security checks.

## **6.7 Soft skills**

The Board notes the number of peer support prisoners, including health and social care buddies, helping the older and infirm prisoners, especially those confined to wheelchairs.

## **7. Progression and resettlement**

### **7.1 Education, library**

Education at HMP Swaleside is provided by Milton Keynes College (MKC). Consistently, HMP Swaleside is one of the best performing prisons in the Long Term High Security Estate (LTHSE) in terms of starts and completions. Over the past year, April 23 – March 24 there have been over 1,200 enrolments on courses between April 2023 and March 2024. These enrolments are by 480 learners giving a result that approximately 50% of the prisoners are enrolled in Education. The current success rate remains at 91% but is expected to approach 98% when results come back from the examiners in the next few weeks.

April 2024 sees the start of the new curriculum with some courses removed (including some of the more popular ones e.g. Business Studies). However, several new courses have now been added, some of which will result in passes at GCSE level. English and Maths are the first GCSE level courses to be instigated.

Attendance at Education remains variable. There does seem to be a trend of not turning up for classes. The Education Department are currently investigating the reasons behind this apathy and taking positive steps to encourage attendance. This is not helped by other issues on the wings, not associated with Education, causing prisoners to be delayed (e.g. waiting for working shower; delays in provision of medications; food delays etc.).

The library continues to be very popular at Swaleside, with constant praise being given to the library staff; this facility is run by KCC. Welcome packs are issued on arrival. Percentages from this time last year have increased. Prisoners attending via education: 452%; footfall: 311% use of electronic apps: 32%, Reading Ahead completers: 66%, active borrowers: 51%, foreign fiction requests: 196%. Members at year end were 907. The library delivers to H wing which has its own small library run by wing staff.

Staff must use the stairs to deliver to the wings as the lift has been broken for over a year.

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

At the end of last year's report there was reason for optimism, as permission had been received to advertise for six workshop instructor positions. The applications resulted in a number of interviews and four offers were made. This still left the workshops short of trainers; also, some of the new instructors needed training themselves. Currently, there is a shortage of four instructors, despite two being newly appointed. However, another has resigned, there are two on maternity leave and one is suspended.

Even where there are qualified instructors, there may not be sufficient of them to run the workshop and/or train prisoners for specific qualifications. A prime example of this is the main Engineering shop where the role of supervising instructor was designated as a Lone Post, meaning that only supervision can take place and no training.

## Industries

**Workshops:** The workshops continue to be affected by staffing issues, encompassing movement, attendance, and supervision/training. The Engineering shop became defunct because of this, and it was sad to see a once thriving shop, full of expensive equipment, standing silent. In Food Packing, there have been occasions when there have only been five workers present out of an allocation of 36, meaning that production has fallen well short of the target 3,500 units per week – as low as 500.

There has been a marked decrease in man hours worked. To give a snapshot, statistics for 30<sup>th</sup> April are shown below:

Sessions Allocated: 427  
Sessions Attended: 229  
% Attendance: 53.60

Also, these figures show attendance and not time worked. In some instances, in some workshops, as few as 1.5 hours in the morning and 1 hour in the afternoon have been worked, which is barely time to set-up in some shops. These are the lowest figures for some time. However, they will have been affected by the reduced operational capacity from the previous year. The breakdown is as follows:

<u>Workshop</u>	<u>Allocated</u>	<u>Attended</u>
DHL	150	101
Bike Repair	28	0
Food Pack	36	25
WMU	52	28
Ind. Clean	26	18
Engineering	0	0
Woodwork	24	16
Headphones	60	19
TV Repair	12	1
Gardens	18	8
Cred Team	5	1
GFSL Cred	4	2
GFSL Paints	12	10
<b>Totals</b>	<b>427</b>	<b>229</b>

These figures are reasonably reflective of an average day towards the end of our reporting period.

There are a few bright spots.

The Multi-Skills workshop, managed by Education, has a further six attendees per session. The workshop has also been opened to PCOSO prisoners for two courses per year, in cohorts of 12. It is also now running Level 2 Construction and Painting & Decorating courses. There are some concerns about the quality of applicant for this shop. There have also been re-scheduling issues due to delays in obtaining materials.

Bike Repair is going well despite some logistical problems. One initiative saw bikes being auctioned off to staff, which was a great success, raising over £1,000 for charity. The Woodworking shop continues its improvement trend, although there have been some cutter issues with the main machine, manufacturing cell furniture, planters, coat-hangers and benches for the prison estate. It is scheduled to take over the number 2 Engineering shop to be used as an assembly area. At the time of writing 20 interviews had been arranged, to fill the vacancies created, for 10 men in each shop. However, only one prisoner turned up for interview.

There is an initiative to replace the present Headphone assembly shop with a Coffee Roasting business to supply the Kitchens and Tea bars at Swaleside and HMP Elmley, under its own brand name. There may also be a commercial customer in the offing, but negotiations are in the early stages.

Industrial Cleaning continues to be successful ensuring that the men work towards portable qualifications. This shop utilises peer workers to train staff as well as prisoners.

TV refurbishment is planned to become part of a national contract with three other prisons.

Gardens/Horticulture is planning to run Level 3 courses in Horticulture and has requested expressions of interest from the men.

PCOSOs can apply to be employed at the on-site DHL facility, which packages supplies for a number of prisons. This purposeful activity used to be a morning and afternoon shift, but has become full day. On arriving and leaving at DHL prisoners should be properly searched, as well as monitored during the day, as the canteen items are open to theft and consumption.

Due to suspicions of theft several prisoners lost their jobs at the end of the last reporting year. In September 2023 a full stock take was completed. The result was c.£3,600 of products unaccounted for, of which c.£2,400 were fish tins. This 'shrinkage' had occurred in the previous three months.

DHL staff believed it was a handful of workers at DHL being controlled by prisoners on H wing and possibly the same ones who lost their jobs at DHL a few months earlier. A reasonable supposition as the high percentage being fish implies it was being stolen to order. The investigation into missing stock remained unresolved after two months with no response from security. DHL raised the matter with HMPPS Retail, the owners of the stock. That triggered a brief increase in specialist searches, which swiftly tailed off. The result was £250 of chocolate missing in a stock take over four weeks to 22nd November and wrappers which had contained items to the value of £80 were found in the DHL facility in January.

Finally, six months after the full stock take, a meeting took place in January between the No 1 Governor, HMPPS retail, which resulted in an intention to increase searches. The IMB, having repeatedly raised the issue at the monthly meetings, was assured that searching would switch to more experienced staff from Operations. Again, there was an increase in searches, which tailed off. DHL moved to a weekly stock take of critical items, which showed continued losses of fish tins and chocolate through to the end of the reporting year.

With the lack of management response to this criminal activity, it is unsurprising that prisoners take a chance. The regime timings do not allow one officer to search 50+ prisoners, or a detailed search of random prisoners. Moreover, officers are often seen without a 'wand', so do not appear to be aware of their role. The unfortunate impact is the ability to supply ring leaders has increased the bullying and coercion that is rife on the PCOSO wing.

### 7.3 Offender management, progression

The Offender Management and progression work by the OMU team has been dramatically impacted by staff shortages during the reporting period. Currently there are 11.5 POMs (Prison Offender Managers) instead of the budgeted 20.5. This shortage has led to many instances of prisoners being unable to discuss their issues with their designated POM.

Observation Classification and Allocation (OCA) support for transfers has been under pressure because the prison system is operating at full capacity. Transfers out to other prisons are being impacted by lack of Serco transport and because of the limited Swaleside staff availability to make local transfers happen.

Like the OMU team, the Probation staff have also been under great pressure due to lack of numbers. The Board notes the Probation and Parole staff are being hampered in their task of finding new Parole Hearing dates due to the lack of available, plus the lack of trained Parole Board members. Another area of concern is the number of prisoners who arrive with no initial offender assessment system (OASys) assessment. At the time of writing there are 248 OASys reviews due by end 2024 – that is 31 per month.

As stated above, the lack of trained staff has increased the workload but made harder due to imposed changes to the Offender Flow process, especially the requirement to receive short term and younger prisoners. The prison has struggled with release support and the requirement to assess Home Detention Curfews. This again has caused a great deal of work for staff.

### 7.4 Family contact

Social visits currently take place on Tuesdays, Wednesdays and Thursdays, rotating through each of the wings and including PCOSO prisoners. Sundays are also used in a similar manner, including prisoners with an Enhanced status. Dedicated days are also set aside within this schedule for G-South, IPD and CSRU prisoners to receive visitors.

As the following table indicates, around 50-60% of the visitors are female, around 30% are male with around 15% children. This is based on the statistics from April and May.

	Female	Male	Children (under 18)	Total
April '24	246	138	59	443
	56%	31%	13%	
May '24	397	228	119	744
	53%	31%	16%	

The visits' centre also organises Family Days, which are very popular, with 50 adults and 28 children attending the family day in April. A further Family Day is scheduled for the end of July.

A common complaint raised by in-person visitors is the lack of parking – especially for disabled visitors. Note that the issue with parking is ubiquitous, and affects both prisoners and staff. This forces drivers to park on the grass verges and other grassed areas around the car parks.

A second complaint is the lack of facilities for visitors to make hot drinks. Several visitors may have travelled a long distance to the prison and a hot drink would be very welcome.

Perhaps the most serious complaint raised by visitors is the inconsistent application of dress codes by the gate staff. A visitor may find that they are allowed in on one day, but rejected on another – despite wearing identical clothing on both visits. In addition to causing resentment and confrontation with visitors, this also means that some visitors may be being admitted while dressed inappropriately.

Social video calls are available each Saturday, on a rolling schedule throughout the day, from 9am to 5pm. Visitors request a meeting using an app that they have to download. These requests are then vetted by the Visits' team, before being given approval. Prisoners are generally able to have two social video calls per month. However, those who do not receive social visits or are Super Enhanced can have four per month.

Eight video suites are available, with each visit lasting up to 30 minutes. Children's books are available within the suite to allow the men to read to their children. Prisoners in IPD and CSRU use their laptops, rather than the dedicated suites.

Over the past year, the video call facility has been used 313 times, resulting in 2,605 calls. It is notable that 101 prisoners have used the service 10 or more times – demonstrating the important service that it provides.

## **7.5 Resettlement planning**

Until recently, resettlement services were not directly provided by Swaleside as the establishment was part of the Long-Term High Security estate and was not normally releasing prisoners from custody. This was something that was the province of Local prisons.

However, because of the population pressures in the whole estate, Swaleside is now expected to perform as a Resettlement prison and, despite the falling roll, due to a lowering of the Op Cap and the transfer out of many C Cat prisoners, it is due to release far more prisoners than was originally intended. In 2020/21, 27 prisoners were released directly from Swaleside. In the remainder of this calendar year, 1<sup>st</sup> May to 31<sup>st</sup> December, the prison is due to release 50 men directly into the community. This will take the overall number for 2024 to 80. While Swaleside is being forced to accommodate shorter term residents, this number will continue to grow, without the facilities to be able to cope with it. At least one prisoner has been released recently without any external support.



The OMU and the Employability Hub provide what services they can, but with staff shortages, both internally and externally, it is little wonder that there are problems. Many bookings are still not attended, for varying reasons.

The Employability Hub has been recognised as the best facility of its kind over the whole estate, but is obviously under-utilised. The DWP are now present one day per week and the Unit continues to run Kent Adult Education courses, as well as in house education and PACT courses.

An Employment Advisory Board was launched by two former High Sheriffs of Kent on the 18<sup>th</sup> January. Many staff and 21 prisoners attended the first meeting, which was a huge success.

## The work of the IMB

The Board would like to thank our clerk and her colleagues and to highlight the invaluable support she provides. Without her hard work on our behalf and her cheerful help, our role would be infinitely more difficult.

### Board statistics

Recommended complement of Board members	16
Number of Board members at the start of the reporting period	10
Number of Board members at the end of the reporting period	7
Total number of visits to the establishment	370
Total number of segregation reviews attended	519

### Applications to the IMB

Code	Subject	Previous reporting year Paper Applications	Previous reporting year CMS Applications	Current reporting year Paper Applications	Current reporting year CMS Applications	Total current reporting year
<b>A</b>	Accommodation, including laundry, clothing, ablutions	27	97	10	78	88
<b>B</b>	Discipline, including applications, incentives scheme, sanctions	20	114	10	19	29
<b>C</b>	Equality	11	90	7	38	45
<b>D</b>	Purposeful activity, including education, work, training, time out of cell	25	102	13	127	140
<b>E1</b>	Letters, visits, telephones, public protection, restrictions	44	128	21	88	109
<b>E2</b>	Finance, including pay, private monies, spends	20	90	26	78	104
<b>F</b>	Food and kitchens	18	66	12	146	158

<b>G</b>	Health, including physical, mental, social care	90	191	35	204	239
<b>H1</b>	Property within the establishment	59	106	28	185	213
<b>H2</b>	Property during transfer or in another facility	59	65	25	29	54
<b>H3</b>	Canteen, facility list, catalogues	18	86	17	214	231
<b>I</b>	Sentence management, including HDC, ROTL, parole, release dates, re-categorisation	50	27	16	127	143
<b>J</b>	Staff/prisoner concerns, including bullying	80	140	28	155	183
<b>K</b>	Transfers	23	137	16	185	201
<b>L</b>	Miscellaneous	121	123	57	302	359
	<b>Total number of applications</b>	<b>665</b>	<b>1562</b>	<b>321</b>	<b>1975</b>	<b>2296</b>

Last year it was noted the number of applications the Board dealt with during the year had tripled, due to the introduction of the Custodial Management System (CMS) in October 2022. CMS is a messaging service which prisoners can use to communicate via their personal in-cell tablets.

This year the total number of applications is similar, though paper ones have halved. This is a sign of the ease of use with the CMS system. Paper tends to be used for more detailed applications. When CMS was introduced, prisoners could choose a category, similar to the IMB categories. Many prisoners used a different category to respond to the same application reply; hence the ballooning of applications. Since October 2023 there has only been a general category, so application numbers have dramatically reduced and will be lower for 2024-25.

In common with the national picture the three property categories are the most popular, accounting for over 20% of applications. Health and purposeful activity remain high as might be expected, especially at a training prison. Transfers are also high, even though IMBs have no influence; arguably reflecting the full capacity of the prison system and issues with prisoner flow.

## **Annex A**

### **Contractors delivering services**

- healthcare services - Oxleas NHS Foundation Trust
- mental health services - Oxleas NHS Foundation Trust (Inreach)
- GP services - the Medical Centre Group
- optical services - the Prison Optician Trust
- education - Milton Keynes College
- maintenance services - Gov Facility Services Limited (GFSL)
- support for families at visits - Pact
- treatment for drug and alcohol addiction – Change, Grow, Live (CGL)



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