

Annual Report of the Independent Monitoring Board at HMYOI Cookham Wood

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

***HMYOI Cookham Wood was closed after this date and was
subsequently converted to an adult prison: HMP Cookham Wood**

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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

HMYOI Cookham Wood was a young offender facility in Kent, capable of holding 120¹ boys between the ages of 15 and 17, although some 18 year olds were being retained due to population pressures in the adult estate. The institution dates from the 1970s. Most boys resided in a residential block opened in 2014, in single-occupancy cells. For much of the reporting period, occupancy was far fewer than its 120 capacity.

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

The previous annual report for Cookham Wood YOI (1 September 2022-31 August 2023) covered the period in which it received an Urgent Notification (April 2023) from HM Inspector of Prisons (HMIP). At the time, HM Prison and Probation Service (HMPPS) called for a 'concerted and urgent response... to make the institution a safe and decent place to hold children'.

The Urgent Notification found that:

- boys at Cookham Wood felt unsafe and resorted to carrying makeshift weapons;
- too many boys were held in solitary confinement for too long, often to manage conflict;
- access to education and meaningful activity was limited;
- staff were exhausted and demoralised; and
- the YOI was in a poor physical condition.

Some 12 months later, the Youth Custody Service (YCS) took the decision to halt new arrivals to Cookham Wood and, at the end of May 2024, Cookham Wood closed as a YOI. This was not just a matter of safety; the YOI was asked to make significant improvements to ensure the boys received basic rights. This included access to regular and meaningful education; a consistent regime with improved time out of the room; and access to appropriate support and interventions that would enhance their chances of rehabilitation and give them opportunities on their release.

In the final nine months of operating as a YOI, it was a depressing place overall for the boys. There were some individual positive experiences that punctuated the regime. However, a lack of resource following the Urgent Notification meant the boys experienced a daily life of unpredictability, a fear of violence and a lack of consistent opportunities for education. Despite the best intentions of staff working in challenging conditions, the concerted effort did not materialise in any meaningful way and there were lost opportunities at several key points to improve outcomes for the boys. These lost opportunities prevented boys from accessing an education and severely hampered their resettlement prospects. It was obvious to the Board that a lack of any meaningful daily routine caused further emotional distress for many of the boys.

In the final few weeks before the closure, when the number of boys was very low, there was a glimpse of what a more positive regime could look like. This was one where there were enough officers to allow boys the required time out of their rooms; where staff had the time to talk to the boys and build trust; and where the boys had some stability and consistency in their regime.

It was too late to have any meaningful impact on the boys, who were anxious about moves to establishments that were far away. It was in these moments, however, that staff really did step up and the IMB witnessed some good examples of one-to-one work with the boys around transition. This was possible because tensions in the prison were reduced due to the falling numbers, there were fewer 'keep-aparts' (boys separated for their own safety), and officers and intervention teams had time to work collaboratively. From the Board's observations, the transfer of the boys from Cookham Wood was handled sensitively by staff and the resettlement team, but the

closure of this YOI in the southeast meant boys were relocated, in some cases many miles from their home, which resulted in them being anxious and upset.

The report covers the period from 1 September 2023 until the closure on 30 May 2024. As Cookham Wood is now closed, the IMB has written this report to highlight the main features of what life was like for boys in Cookham Wood YOI from the time of the Urgent Notification until closure. The report also sets out some issues raised by the closure and how it was implemented, which the Board believes has some learning for the wider youth estate:

- The Urgent Notification process required the creation of action plans for improvement, target setting and reviews. By November 2023, the YOI Governor had introduced a new regime, with the resources he had, to improve the number of staff during the core day. The Board observed that this approach allowed for improved efficiency in moving boys around the prison, so they got more education time and increased access to interventions. Whilst this action had some benefits, they were at the expense of evening and weekend regimes.
- The positives included an improved consistency of regime for the boys, with increased time out of their rooms overall and some guaranteed education during the week. The downsides were that boys were in their rooms earlier in the evenings, with no opportunity to experience communal dining; and, at weekends, only very basic activities were able to be delivered. One boy told the IMB that he was confused about what would be happening each day, as things were constantly changing, and he couldn't cope with the uncertainty.

The IMB had long called for the boys to have a consistent regime. Overall, from April 2023 until the closure, the experiences of boys in Cookham Wood saw little meaningful progress. Due to promised resources not materialising in full, reform could not be realised and the boys - and staff - experienced an irregular and inconsistent regime throughout this period.

3.1 Main findings

Safety

- Cookham Wood was an unstable and unsettling place for the boys during this period. Makeshift weapons were commonplace, despite improved training for staff in using metal-detection wands (which scanned prisoners for concealed metal objects) and a weapons amnesty being introduced to reset the regime.
- Many boys were angry and frustrated at being locked in their rooms for long periods of time. The Governor reduced the number of 'keep apart' (boys separated for their own safety) dramatically by using experienced staff to work with the boys to understand group dynamics. However, these improvements were not sustained. Broken promises about time out of their rooms, association time, family social visits and education pathways were the main complaints the Board received from the boys in this period.
- The continued uncertainty bred fear and anxiety; and, despite a weapons strategy being implemented, many boys continued to see makeshift weapons as a way of keeping them safe. We should not underestimate just how damaging the constantly changing regimes and broken promises had on the boys and, indeed, would have on any teenager. It shatters trust and leaves

the individual with low self-esteem. The IMB witnessed these emotions amongst the boys on a very regular basis.

- The IMB was concerned about the impact of the poor behaviour by a small number of boys disrupting the opportunities for others. The failure to have sufficient officers to manage movements meant education wasn't regular enough, although this did improve as the number of boys fell at Cookham Wood.
- The gym and outdoor exercise and activities, including football, were well liked by the boys. However, once again, the limited number of officers meant sports staff were often unclear about which boys were due exercise and when, which added to the inconsistencies in the regime. Time on the recreation yards was a chance for officers to build a rapport with the young people but, once again, there were missed opportunities to use this time wisely by some officers. The IMB witnessed some officers keeping themselves to themselves; however, we also saw some officers actively engaging with the boys at these times, which created a much calmer atmosphere - although it was far from consistent.

Fair and humane treatment

- Many of the young people held in the youth estate had complex needs that could - and did - present as challenging behaviour. The IMB saw some very effective work happen with individual boys.
- Overall, many boys continued to experience a regime that failed to meet the minimum of at least two hours per day out of room, as set by the United Nations. This regime continued for over six months after the Urgent Notification, which is inhumane in the Board's view. Being locked in rooms for over 20 hours a day meant many interactions between boys and prison staff were conducted through locked doors. This did little to build strong and trusting relationships or give confidence to the boys that their wellbeing mattered.
- The lack of a predictable regime caused frustration and uncertainty for the boys and, overall, Cookham Wood failed to provide enough opportunities for them to feel valued or live in a supportive community.
- The reception process was, overall, positive. The IMB witnessed good engagement with boys entering Cookham Wood. Staff worked hard to make them feel at ease and explain the regime: this work was sensitive, responsive and put boys at ease.
- Reception staff listened to feedback from the boys and IMB members, and small improvements made to the efficiency of parcel deliveries made a big difference to the boys and was maintained.
- Despite an overall depressing picture, the IMB did witness, and hear from some boys about, isolated positive experiences regarding conflict resolution, as well as the handling of some Rule 49 meetings (used to authorise the continued segregation of a prisoner) and the overall sports and gym offer. Also, boys were moved from C wing to the main house block and continued to receive an enhanced regime.
- The physical appearance of the estate had started to improve, and cleanliness had improved and was being maintained.

The decision, taken on 20 March 2024, to freeze new admissions to Cookham Wood came out of the blue and was seen by officers as the forerunner to closure. Morale amongst staff and officers was further damaged. For the boys, the closure decision was very unsettling and increased anxiety for all of them. Concerns over placements and access to their families were major issues for all the boys. For staff, a lack of any concrete information in a timely manner caused tensions and uncertainty. Despite this, the IMB saw some staff strive to have meaningful conversations with the boys and we witnessed some good work between staff and boys in this period.

The decision to close led to a positive impact on the regime for the boys. As prisoner numbers slowly started to decrease, through transitions to other locations and out of the estate, a marked improvement in the regime was noticed by the Board:

- Time out of cell improved.
- The boys were able to attend education for longer.
- Boys appeared far calmer and more contented.

HMIP returned to judge progress against the Urgent Notification in April 2024, despite the YCS decision to remove boys from Cookham Wood. However, the average population at Cookham Wood at that time was 36, with the population recorded as 20 on 30 April. The Chief Inspector reported that staff were operating in a period of uncertainty and that, despite this, they were doing their best to support the boys. Progress was deemed as satisfactory, or better, in four of the seven issues, and unsatisfactory in three. Specifically, progress had been made in promoting decency and raising standards and in improving care and support for separated boys. There had been some improvements - although not enough, according to HMIP - in behaviour management and violence reduction and in management-oversight systems. Ofsted inspectors found marked improvements in the provision and planning of education.

The final weeks of operating as a YOI showed what is possible in the treatment of children and young adults in a prison context. The fall in the number of boys in the YOI improved the ratio of staff to boys, which delivered a completely different establishment. This was one that was humane in its regime; that offered a good amount of education and other activities; and where officers had the time to work more closely with individual boys. The small units were able to support the needs of boys with very challenging behaviour, including violence. Increased time out of room calmed the boys; they were occupied with education and increased association time. The resettlement team continued to offer release on temporary licence (ROTL) opportunities until the final day. That commitment did much to impress on the boys that their wellbeing mattered. It is very sad that the YCS had been unable to offer this type of regime previously at Cookham Wood.

Health and wellbeing

- The standard of healthcare was generally good. The boys' access to a dentist and attendance at hospital appointments were generally managed well, in the Board's view.

Education

- Following the Urgent Notification's (UN) findings - that access to education and meaningful activity for the boys was limited - an action plan for

improvement was created. The Board observed that the resulting new regime meant that boys could be moved more easily around the YOI, which resulted in increased time in education. The education provision improved considerably when the new education manager started, and some boys were able to take exams. When Ofsted inspectors returned to judge progress, they found noticeable improvements in the provision and planning of education.

Progression towards transfer and release

- ROTL continued to be a strength for boys who were eligible, with innovative and creative opportunities provided. In the Board's view, they were exemplary across the whole of the youth estate and continued until the final week, which is a real credit to the staff.

Change to an adult prison for men

The Board monitored the impact of the prison's transition to the adult estate on the boys living at Cookham Wood YOI.

The decision to close Cookham Wood as a YOI means the youth estate has lost an establishment able to serve under 18s in the south of England and has uprooted 80 boys without any guarantee that their outcomes will be improved by such a move.

When the closure was announced on 21 March 2024, there were 64 boys at Cookham Wood. Between March 2024 and May 2024, 44 boys were released from the establishment, while 21 boys were moved to the over 18s estate.

There was insufficient information given as to how the boys would be supported during the closure. How will their outcomes be measured and what evaluation is taking place to assess the impact of closure on the 80 boys?

Whatever the timeline and decision-making process on these projects, the IMB has seen an appalling lack of clarity of leadership and a similar lack of clear, impactful project management. Lack of timely information created, and continues to create, as we near the end of the reporting period, a vacuum into which speculation has been rife. This affected staff morale, which risked impacting the boys - and now the men - in their care.

While the capacity that Cookham Wood offers will be useful to the adult prison service, the project will undoubtedly be at a significant cost to the public purse. Our concern is for the boys who transitioned from Cookham Wood to be able to access a much better regime and be afforded opportunities that will build their resilience and support their rehabilitation. There has been no reassurance about how budgets will be deployed to provide this entitlement.

There remains a vacuum of information for officers who hold enhanced youth status, as band 4 officers. We are aware that there is a YCS requirement for staff to take on additional training and accreditation to be a part of the youth estate - a qualification that is not required for work in the adult estate. Again, there has been a lack of detail about how these highly trained individuals will be deployed. This means that skilled prison officers may not be able to use their training to support young adults or may have to relocate in order to continue in their role.

And finally, whilst the IMB are all volunteers, we are all committed to the work we do, and the way in which decisions have been taken has left our members feeling

exposed and uncertain about their futures. These are people who undertake an important public role, and their professionalism and dedication should be acknowledged and respected with direct and timely communication from the YCS and HMPPS central teams.

3.2 Main areas for development

TO THE MINISTER

- The Board recommends that there should be close scrutiny of the decisions taken in this restructure and re-rolling of a YOI to determine lessons learned and how those lessons are being disseminated.
- Will the Minister examine the costs incurred by the YCS and the wider HMPPS in this project (not least the penalties incurred in terminating contracts early, such as will have been the case with Novus, the education provider)?
- Will the Minister evaluate the potential for a better way of working in the English YOI estate?

TO THE YOUTH CUSTODY SERVICE (YCS)

- How has the closure of Cookham Wood improved the outcomes for those boys moved to other YOIs and, crucially, how has the decision to reduce the youth estate by one impacted the outcomes for **all** boys in the youth estate?

TO HMPPS

- Men now held in Cookham Wood should be offered an appropriate regime, supportive of their preparation for release.



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