

## **Submission to the Welsh Affairs Committee's inquiry into prisons in Wales**

from the National Chair of Independent Monitoring Boards

October 2023

### **Introduction**

1. Independent Monitoring Boards (IMBs) have a statutory duty to monitor conditions in prisons across England and Wales and to report on whether proper standards of care and decency are maintained. Their role includes observing and reporting on outcomes for prisoners in relation to their safety, fair and humane treatment, health and wellbeing, and progression and resettlement.
2. IMBs are also part of the UK's National Preventive Mechanism (NPM), set up under the UN Optional Protocol to the Convention against Torture, to prevent inhumane treatment in places of detention.
3. This submission is based on recent findings and observations of five IMBs monitoring in prisons across Wales (IMBs at Berwyn, Cardiff, Parc, Swansea, Usk and Prescoed). The submission includes findings related to overcrowding, safety, living conditions, and rehabilitation and resettlement provision to address the following specific questions from the inquiry's terms of reference:
  - Is the Welsh prison estate fit for purpose in terms of living conditions, crowding and safety in prisons?
  - Is the Welsh prison estate fit for purpose in terms of the provision of education and rehabilitation facilities for Welsh prisoners?
  - How big of a problem is contraband such as weapons and drugs in Welsh prisons?
4. While this submission has focused on IMBs' findings in relation to Welsh prisons, the issues highlighted are not new or unique. IMBs have been reporting on these issues for a number of years across the prison estate in England and Wales.

### **Key points**

- Overcrowding presents significant challenges to Welsh prisons, in terms of safety and maintaining living conditions and accommodation to a decent standard.
- The prevalence of illicit drugs is a pressing issue at most prisons in Wales, as well as a recent surge in new psychoactive substances. This could increase the risk of violence and/or self-harm.
- Mental healthcare is a key concern. Many IMBs raised that prisoners had high levels of mental health need, which was sometimes unmet. Most IMBs were concerned by the long waits that seriously unwell prisoners faced for transfers to secure mental health units.

- Population pressures and staffing shortages have made it increasingly challenging for prisons to provide prisoners with adequate services and care.

## Findings

### *Overcrowding*

5. Overcrowding was a key concern for Berwyn and Swansea IMBs. The Board at Swansea was concerned that population pressures were having a wide range of negative impacts, including delayed cell maintenance and insufficient workspaces for the number of prisoners held there. At Berwyn, the Board found that overcrowding was compromising safety. Prisoner-on-prisoner assaults surged by 48% in February 2023, which appeared to be linked to Operation Safeguard. Prisoners reported that discontent with cell-sharing arrangements was a common trigger for violence, and the overcrowding of the segregation unit made it more difficult to accommodate prisoners who needed to be separated for their own protection.
6. Additionally, population pressures across the estate in England and Wales led to a greater number of out-of-area prisoners being held in Welsh prisons. Berwyn, Swansea, Cardiff and Parc IMBs all raised the specific difficulties faced by these prisoners, who were often held far from their families. Berwyn IMB also noted that these prisoners were harder for staff to manage, as they were less likely to be known to them.

### *Safety*

7. At Berwyn, the Board reported that violence has remained a pressing concern since it significantly increased in February 2023. There has been an influx of organised crime group (OCG) members transferred from prisons in the North West, such as HMPs Liverpool and Manchester, which has presented considerable challenges to the prison. Usk/Prescoed IMB was also concerned about the influence of OCG members on category D prisoners. At Parc, there was a sharp rise in violence in April-August 2023 compared to the same period in 2022.
8. Self-harm was raised as a concern by Cardiff and Parc IMBs, both of which reported increased self-harm in 2023. At Swansea, the IMB noted that staff struggled to complete the forms for ACCTs (Assessment, Care in Custody and Teamwork – a process used to support prisoners at risk of self-harm) in a correct and timely manner.
9. The availability of illicit items was a concern at many prisons in Wales (Swansea, Cardiff, Berwyn and Parc). At Cardiff and Swansea, there have been increasing numbers of prisoners found under the influence of new psychoactive substances. At Cardiff, increasing drug use has been linked to a rise in self-harm and violence; at Berwyn, it has been linked to mental health need, which was exacerbated by prisoners self-medicating with illicit drugs.

10. Although prison staff had taken action to limit the availability of illicit drugs, IMBs reported that some of these measures had limited success. The Board at Cardiff noted that drug use was rising despite more rigorous searching and an increased number of contraband finds. At Berwyn, though concerted interception efforts were being made, illicit items have become more common since the number of OCG members have increased. There has also been an increase in contraband drops via drone, due to a rise in successful interceptions of drugs when at reception.

#### *Living conditions*

11. Living conditions varied throughout prisons in Wales. At Swansea and Cardiff, the age of the prison buildings made it difficult to maintain accommodation to a decent standard. Conditions were particularly poor at Cardiff, which experienced pest issues across the prison, repeated hot water failures and extremely high temperatures on some wings during the summer. At both Berwyn and Swansea, cell refurbishments have been delayed due to overcrowding.

#### *Rehabilitation and resettlement*

12. All Boards in Wales reported on issues related to rehabilitation and resettlement. Staff shortages in the offender management units at Parc and Berwyn impacted on the services provided to prisoners. At Usk/Prescoed, the Board reported that parole hearings had been delayed or cancelled at short notice and that the Probation Service did not always meet their responsibilities. Regarding resettlement, the Board also noted difficulties in finding work for Usk prisoners upon release. At Swansea, although resettlement work was generally of a high standard, the Board was concerned that this could be undermined by the lack of suitable accommodation available for prisoners upon release.

#### *Healthcare and substance misuse services*

13. Mental healthcare was a key area of concern for many IMBs, including Swansea, Parc, Cardiff and Berwyn. The Boards at Swansea, Cardiff and Berwyn noted not only the high levels of need, which were not always met, but also the considerable delays in transferring seriously unwell prisoners to secure mental health units.
14. Berwyn IMB noted that the substance misuse service was overstretched, given the high level of need in the population. At Swansea, the Board reported that while the 12-step programme was working well, there was no ongoing funding.

#### *Property*

15. Property issues were common, with three IMBs (Berwyn, Parc and Cardiff) reporting significant ongoing losses of property. These mainly occurred on transfer between prisons. The Board at Parc noted that documents which listed a prisoner's items were frequently unavailable or uncompleted by other prisons.

## **Staffing shortages**

16. Staffing shortages were noted at all prisons other than Swansea. The Boards at Usk/Prescoed and Berwyn observed that staff retention was poor; Usk/Prescoed also noted that many staff who were new in post were leaving the Prison Service. Staff at Cardiff were often redeployed to other prisons on detached duty, which had a negative impact on how well the prison could operate. At Parc and Berwyn, offender management units were significantly understaffed.
17. Parc and Berwyn IMBs reported issues with key work in their establishments – at Berwyn, several prisoners told the Board they did not know who their key workers were. Swansea IMB noted that when the prison had experienced staff shortages in the past, key work was the first area to be deprioritised.

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IMB National Chair

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