

circumstances in which force was used. On no fewer than 55 occasions, force was used solely or in part to prevent a detainee from self-harming. On a further 33, force was used directly to facilitate the transfer of a detainee from Brook House, usually for removal overseas, or to facilitate a pre-transfer search. If these 88 cases are removed from the equation, there remain 73 occasions on which force was used to control a detainee, an average of just over 6 per month which represents a small reduction on last year's adjusted average of 7.1. It is also worth noting that on 14 occasions the use of force followed erratic behaviour on the part of the detainee where the use of Spice or similar substance was suspected - a worrying development which may become a more significant problem in 2017.

5.7.2 Turning to the CSU, the figures for Rule 40 are again higher than for 2015 and the 358 occasions on which detainees were removed from association equates to a total of 12459 hours or an average of 34.8 hours for each use of Rule 40. The average length of time spent on Rule 40 is distorted by a relatively small number of detainees who, for a variety of reasons, spent a disproportionate amount of time in the CSU. Some detainees refuse to share a room, preferring a room of their own to association with other detainees. Others are held on Rule 40 because of mental health issues, which may make them a threat to other detainees or to staff or because their behaviour puts them at risk themselves from other detainees. Finally, some detainees remain on Rule 40 for extended periods because they have sought to create serious unrest within the detainee population. In 2016, there were 36 occasions when a detainee remained on Rule 40 for longer than 60 hours.

5.7.3 There is a need for caution in analysing the figures on the use of Rule 42 because the numbers involved were very small. Indeed, the use of Rule 42 was the significant exception rather than the rule. It was used on only 14 occasions in 2016 (a more than 50% decrease on the previous year) and there was no use of Rule 42 during four months of the year and only one use in another five months. The average time spent on Rule 42 was 11.2 hours. However, if the three detainees who spent 24 hours or more on temporary confinement (two of them on dirty protests) are discounted, the average time for the remaining 11 occasions is reduced to 5.75 hours.

5.7.4 The 2016 figures for the use of Rule 40 and 42 are broadly in line with those for 2015, particularly in terms of the average length of time that detainees spent in the CSU. And the IMB remains satisfied that officers and management do their utmost to keep the use of Rule 40 and 42 at the lowest possible level; and that, where these sanctions are required, detainees spend the shortest time possible in the CSU. Once again, we would like to pay tribute to the staff on the CSU for the sensitive way in which they manage detainees whose behaviour is frequently challenging.

5.7.5 In last year's report, we commented on the extent to which Brook House is fortunate in that the CSU forms a discrete unit within E Wing. As a result, many detainees with mental health issues can be relocated from the CSU to normal location on the relatively quiet E Wing, generally a far more suitable location where they continue to receive appropriate support from the same officers who had cared for them in the CSU. This arrangement continued to operate in 2016 and we are satisfied that the availability of "sheltered accommodation" on E Wing significantly reduced the amount of time that some detainees with Mental Health issues spent in the CSU. Nevertheless, the use of the CSU for detainees with mental health issues continues to reflect a worrying lack of specialist accommodation within the Detention Estate and the wider NHS. The Shaw report has led to an increased focus on detainees with Mental Health issues, but we are not persuaded this has had an impact yet. The IMB remains clear in its view that the CSU is not an appropriate location for detainees with mental problems. It simply represents the least worst available option.

## **5.8 Residential Services**

5.8.1 As part of its weekly rota visits, the members of the Board comment on the condition of the wings and yards. Generally speaking over the last 12 months there have been no major criticisms. Where Board members identify issues relating to cleanliness eg where waste bins in the wings and/or yards are full or over-flowing, staff are quick to respond and rectify the issue. Likewise, shower areas on each wing are usually kept in good order by the wing orderlies. There is an issue with the WC bowls which always look unclean. We are told this is mineral staining which can only be removed with products which cannot be made available to detainees. Some more satisfactory remedy is required. Through the year G4S has been slow to repair fax machines, printers and terminals out of action: a matter of great frustration to detainees dependent on them to contact their solicitors and caseworkers. And along with other IMBs we would advocate the introduction of Skype as a means of keeping family contacts.

5.8.2 With a current maximum of 120 detainees on a wing, with a range of nationalities and backgrounds, some of whom are vulnerable and very few of whom “want” to be at Brook House, there are bound to be issues on the wings at certain times. It is the view of the IMB that where wings are appropriately staffed and officers have time to interact with detainees, the frustrations which detainees experience can be reduced. The Board observes much good work done in this respect by wing officers. During the year there have been times, notably July and August, where officer numbers have fallen, increasing pressure on those on duty and impacting adversely, not only on staff motivation but also on the operation of the Centre. The Board acknowledges the difficulties of planning staffing for temporary wing closures during the building upgrade and then the closure of Tinsley House. Problems were increased by the knock-on effects of the escape, courtyard closures and short-term loss of the Director in the aftermath of the Medway scandal. Nevertheless, the Board noted a period from August when officer numbers were a matter of concern. Since that time there has been a series of recruitment and training exercises in order to have the staff team up to par for the expansion at Brook House and the reopening of Tinsley House.

5.8.3 One particular area of considerable frustration, especially in the summer months, was the partial closure of the four courtyards following the escape in March. Risk assessments were required and decisions as to how security could be improved, but the issue dragged on for what the Board judged an excessive length of time. Putting extra staff on courtyard duty at a time when staff numbers were low led to extra strains on operations. Cramming all those wanting fresh air, those wanting to play football and cricket or just have a cigarette on a warm day, into one or two yards led to stress and some incidents. It was a great relief when the IMB heard the work was to proceed, though it has taken most of 12 months to achieve.

5.8.4 Food continues to be an on-going source of detainee comments. Board members recognise the difficulty in providing an appropriate diet for some 60-70 nationalities. We make a point of eating with the men on the wings and overall consider Aramark do a reasonable job in providing a range of food to detainees of differing religious and cultural backgrounds. Fruit is offered at lunchtime every day, salad as an option for a main course, or it can be ordered as a side. Arrangements for various religious festivals are sensitively handled. A satisfaction survey conducted in October indicated that about 66% of detainees were satisfied or very satisfied with the food. Food Forums are held on the wings on a monthly basis to obtain feedback from detainees, but few take up this opportunity to express their opinions and complaints. This is such a good way to reduce tension around a common complaint we would encourage management to investigate ways to involve detainees more in this process. The Board has noted, and indeed observed, difficulties on the wings at meal times, connected to accusations of queue jumping and to food items running out. The IMB is assured that correct numbers of portions leave the kitchen and that more can usually be supplied. Favouritism or bullying can lead to over-portioning at the servery. Whatever the