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Chair, Independent Monitoring Board
HMP Isle of Wight
Albany
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Isle of Wight
PO30 5RS

MOJ Ref: SUB 89186

9 July 2021

HMP ISLE OF WIGHT: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 JANUARY 2020 – 31 DECEMBER 2020

Thank you for your Board's report for the year ending 31 December 2020. I am grateful to you and your colleagues for your hard work in capturing these helpful observations, particularly as the Covid-19 pandemic impacted on your ability to gather information and you were short of Board members during the reporting year.

I understand the Board remains concerned about the delays in transferring prisoners with severe mental ill health to secure hospital. It is acknowledged that the complex needs of some individuals do present a challenge for both HM Prison and Probation Service (HMPPS) and the NHS England and NHS Improvement (NHSE&I) healthcare providers in prison, as prisoners often experience poorer physical and mental health than the general population. Where a prisoner has a severe mental health need that cannot be treated in prison and warrants detention under the Mental Health Act, they should be transferred to a secure hospital and this currently takes too long.

Further to my predecessors response last year, due to the strong collaborative efforts of the Ministry of Justice (MoJ), HMPPS, Department of Health and Social Care and NHSE&I a White Paper titled, Reforming the Mental Health Act, was published on 13 January 2021. The White Paper builds on recommendations made by Professor Sir Simon Wessely's Independent Review in 2018 and provides a commitment to introduce a statutory time limit of 28 days for transfers to mental health hospitals from custody. A new independent role to oversee the transfer process has also been committed which will further help to reduce unnecessary delays. In addition, NHSE&I published new good practice guidance on 10 June 2021 which sets out the timeframe for completing the assessment, transfer and remission of individuals detained under the Mental Health Act in more detail -

<https://www.england.nhs.uk/publication/guidance-for-the-transfer-and-remission-of-adult-prisoners-and-immigration-removal-centre-detainees-under-the-mental-health-act-1983/>

It is also recognised that diversion from custody into treatment can be a more appropriate pathway for some individuals rather than serving a short prison sentence. Work is therefore continuing to ensure that individuals with vulnerabilities are identified early in the criminal justice system, such as using liaison and diversion (L&D) services and community sentence treatment requirements. These allow judges to divert people into treatment through community orders designed to address the underlying causes of their offending. There have been positive benefits from the implementation of the national model for L&D

services with an increase in the number of individuals identified with vulnerabilities, such as those with mental health needs, substance misuse and learning disabilities. Through the L&D service provider, NHSE&I intends to carry out a review of those successfully diverted from prison.

Whilst hospital admissions are the responsibility of NHSE&I, there are also initiatives within the Long Term and High Security Estate (LTHSE) to improve the experience of highly complex prisoners who may need a health pathway during their sentence. A major strand of the LTHSE *Pathways to Progression* (PTP) project is to improve cross-agency working with secure hospital settings. This includes a quarterly meeting between LTHSE specialist services, the three High Security Hospitals, Medium Secure Unit representatives and relevant NHSE&I Commissioners to discuss complex cases and better align practices. Prior to remission back to prison a review is also undertaken by the PTP lead psychologist and the Responsible Clinician of the patient, to establish which of the LTHSE prisons would best meet the patient's needs. The PTP central clinical team also attend Care Programme Approach meetings for former LTHSE prisoners who are currently in hospital, to better prepare the individual to return to a meaningful prison pathway.

These initiatives have strengthened contact between prisons and hospitals to discuss cases, seek advice and guidance, as well as pursuing urgent admission in the case of unwell individuals. In addition, all segregation units within the LTHSE have the input of forensic psychologists, as well as access to mental health services to support those prisoners with specific needs and support them to progress from segregated conditions. There are also now four small, specialist and psychologically informed units across the LTHSE whose aim is to divert and progress the most complex individuals away from segregation and this includes a unit at HMP Wakefield for prisoners on the autistic spectrum.

Despite your concerns, it was reassuring to receive your comments recognising the prisons success in containing Covid-19 to keep prisoners and staff safe, as well as reducing the level of violence and self-harm. I was pleased to read that the relationships between staff and prisoners have developed positively during the pandemic, with prisoners appreciative of the efforts to make their time in cell more manageable and to allow them to maintain contact with their family. I too am grateful to everyone working at the prison, for their continued hard work and professionalism during this difficult time. It was also encouraging to read about the progress being made in Diversity and Inclusion through the inclusion events, equality council and the work of Diversity and Inclusion Officers in raising awareness. However, I was saddened to hear that there were five deaths in custody; every death is a tragedy and my officials take recommendations from the Prisons and Probation Ombudsman very seriously.

I note you have raised some local issues of concern in your report which the Governor will continue to keep you aware of as work continues. HMPPS comments in response to other issues raised in your report are set out in the attached annex.

The Justice Secretary and I appreciate the valuable role played by members of Independent Monitoring Boards throughout the estate and we are very grateful for your continued hard work on behalf of HMP Isle of Wight.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Alex Chalk'.

ALEX CHALK MP

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HMPPS comments on matters raised in the report

Independent Review of Progress (IRP)

HMPPS acknowledges the Board's concerns about the progress with recommendations highlighted by HM Inspectorate of Prisons Independent Review of Progress (IRP) visit in January 2020. The Executive Director of the Long Term High Security Estate responded to HM Inspectorate at the time confirming that the Governor, with the support of the Prison Group Director and the resources of the LTHSE, would continue to progress the full Action Plan covering all the original recommendations that HM Inspectorate made. The response also reiterated that HMPPS remains committed to ensuring progress continues against HMP Isle of Wight's Action Plan which would be closely monitored through the LTHSE operational assurance functions and the support of headquarters Operational and Systems Assurance Group. It is recognised that due to Covid-19 prisons have faced unprecedented challenges over the last year which the Board will recognise has impacted delivery, however, these earlier commitments remain unchanged.

Significant investment has been agreed and work is underway to improve the current Night Sanitation system on the Albany site. These improvement works will be completed by summer 2022 and will provide a more robust system to allow prisoners to access a toilet overnight. Only in a small number of prisons, due to the age and design of the buildings, it has not been possible to install in-cell sanitation or the cost of doing so is prohibitively high. In such cases, a system of electronic unlocking is in place. Whilst not ideal, particularly for older prisoners, these systems provide access to adequate sanitation. At present there are no further plans or the funding available to increase the number of cells on the Albany site with in-cell sanitation. However, as part of the long-term strategy for the prison estate that is currently in development, HMPPS will be considering the continued use of night sanitation systems and the feasibility of replacing them with in-cell sanitation.

The Board will be aware that HMP Isle of Wight previously reduced its crowding levels by 43 places which was a permanent reduction to the prison's operational capacity. Assurance can also be provided to the Board that the Government announced in the spending review to commit over £4 billion capital funding to deliver 18,000 additional prison places across England and Wales by the mid-2020s. These additional prison places will be safe, decent and uncrowded and will have a positive impact on lowering the proportion of crowding across the prison estate. In addition, the national prison population fell during the pandemic due to a decline in new receptions from courts and the reduction in the number of people in prison sharing cells enabled HMPPS to implement its compartmentalisation strategy to reduce the risk of transmitting Covid-19. Despite this, the latest population projections indicate HMPPS may face challenges in demand for prison places once the population returns to pre-pandemic levels. This will continue to be monitored, but it is likely that prisons such as HMP Isle of Wight will need to continue to hold people in prison over its uncrowded capacity. It is recognised that it is not desirable to hold two individuals in a cell designed for one but reducing crowding at one prison would result in crowding having to increase further elsewhere.

Refurbishment

Project delivery processes are well established to successfully deliver commissioned work and a team of consultants under MoJ Project Delivery oversee the design and build contractor using these delivery processes. They include a strictly managed sign-off and handover process, where any snags or defects apparent at the build-up to handover are addressed to deliver defect free projects at the point of

occupation. Any issues arising after occupation are dealt with promptly under the 12 months contractual defects liability period.

The issues the Board has raised about the roof leaks, defective or missing locks, broken windows and lack of phone lines on House Unit 15 were not in scope of the project designed to address the fire damage in the two affected floors, replace the heating distribution, and upgrade the fire safety systems. To clarify the work in House Unit 15 was completed in August 2019 and the contractor returned to HMP Isle of Wight in August 2020 to continue the rolling programme of work. Work on House Unit 11-13 on the Albany site will be complete in February 2023.

Changes in the structure of MoJ Property moving forward will allow for more maintenance issues to be addressed through Capital Maintenance projects and on the Albany site, replacement floor coverings and decoration work have now been added to the core scope of the rolling programme project to improve the House Unit environments. Prison Maintenance Group have also placed orders with the facilities management provider for the temporary repair of various roofs across the Albany site and Ident 9 (Tailors Shop) and the Chapel have already received these repairs. Window repairs have also been completed and although there is no start date yet for further roof repairs, these are being planned for the gym and HU15. However, the introduction of additional telephone lines within the prison would require funding to be found through an additional works request.

The newly installed night sanitation system also incorporates a replacement cell call system to alert staff. Cell call notifications now go to the wing office computer and if not answered, to the control room. A light also provides indication outside the cell to alert staff. However, after handover, the prison requested an audible and visual indication outside the wing office, as well as at the main entrance door at each landing. This work has been instructed but due to a delay in sourcing the repeater panels it is planned to be completed in the coming months.

Prior to the pandemic all servery workers had completed the food hygiene training, however this training ceased during the pandemic due to regime restrictions and led to a reduction in servery workers with certificates. Catering colleagues are now delivering this training again on wings to ensure all servery workers have certificates or training in food hygiene. The Catering Manager is also attending hotplates on a regular basis to ensure that food temperatures are being taken and recorded. Wing staff have also been reminded of its importance.