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Chair, Independent Monitoring Board
HMP Lewes
1 Brighton Road
Lewes, East Sussex
BN7 1EA

Moj ref: SUB 89616

23 July 2021

Dear ██████████,

**HMP LEWES: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 FEBRUARY 2020 – 31 JANUARY 2021**

Thank you for your Board's report for the year ending 31 January 2021. I am grateful to you and your colleagues for your hard work in capturing these helpful observations, especially as you continued to be short of Board members during the reporting year. I was saddened to hear there were two deaths in custody. Every death in custody is a tragedy, it was therefore reassuring to receive the Board's comments that these incidents were handled in a respectful and dignified manner.

I understand the Board's concerns around mental health provision and bed availability. The Ministry of Justice (MoJ) and HM Prison and Probation Service (HMPPS) are determined to improve the transfer process and ensure delays are reduced. This is dependent on strong collaborative efforts with the Department of Health and Social Care (DHSC) and NHSE&I. A White Paper titled 'Reforming the Mental Health Act' was published on 13 January 2021 which 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. 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 which will reduce the length of time prisoners have to wait for treatment.

Everyone leaving prison should have somewhere safe and secure to live and I appreciate the Board's concerns around coordination between different authorities. Those leaving prison face significant barriers to securing suitable accommodation for many reasons and overcoming these barriers is something that the MoJ cannot do alone. The department is therefore working together with the Ministry of Housing, Communities and Local Government (MHCLG), Welsh Government and Other Government Departments, to address this issue, ensuring an effective contribution towards the Government's goal to eliminate rough sleeping by the end of the current Parliament.

To support and strengthen collaborative working between agencies, HMPPS has recently published its National Accommodation Framework that sets out the agency's responsibilities, and their partners' responsibilities (including local authorities). Additionally, to deliver the COVID-19 response, HMPPS introduced the Homelessness Prevention Taskforces (HPTs) to work with local authorities and other partners to find accommodation for those released from prison. These have now been retained as a permanent feature.

Turning to prisoners serving Indeterminate Sentences for Public Protection (IPP), HMPPS remains committed to doing all they can to support their progression and efforts to reduce their risk to the point where the Parole Board determines that they may be safely released. This commitment has in recent years delivered a substantial reduction in the number of IPP prisoners who have never been released. The most recent published figures show that the number stood at 1,784 at the end of March 2021, a reduction from 2,039 at the end of March 2020.

It is important to note that whilst there are some prisoners serving IPP sentences who are post-tariff, these prisoners are still assessed to pose a high risk of committing further violent or sexual offences and have a complex set of risks and needs. These must be addressed before the Parole Board can consider release. This is not a simple task, and we continue to work with these individuals to offer them opportunities to reduce their identified risks. This work includes HMPPS' and the Parole Board's joint IPP Action Plan. An element of this is the psychology work stream consultancy/case file reviews (CFRs) covering IPP prisoners in custody that have failed to make any progress after two or more post-tariff parole hearings. These CFRs reinvigorate cases that are not progressing and, where necessary, with consultation, practitioners agree and identify appropriate individual progression pathways. HMPPS also continues to monitor progress at four prisons across the country that are dedicated to progressing indeterminate prisoners struggling to achieve release via the usual routes.

The commitment of staff throughout HMPPS during the pandemic has been outstanding and exemplary. We recognise this and that is why I am pleased to advise the 2020 Spending Review provided £246 million for the justice system's continued recovery from Covid-19, including funding of £43 million to ensure the continued safety of prisons and to support the probation service during the recovery process. Locally, the Governor and her senior management team continue to work on recovery plans to safely restore regime and activities, which include a focus on the wellbeing of staff and prisoners alike. Many services and activities have resumed, and the local Reward and Recognition Committee continue to recognise individual staff members and teams who have exceeded the usual expectations of their role.

The reporting year has been an unprecedented period with many associated challenges. It was therefore encouraging to note that Samaritans-trained Listeners remained available in reception throughout the pandemic, the numerous occasions where additional care was given to some very vulnerable men by staff who went above and beyond their responsibilities, and the commendable work of the chaplains providing tailored in-cell activities along with pastoral support both for staff and prisoners during an extremely difficult period. I was further encouraged to receive your comments about the improved healthcare provision and the setting up of a Black and Minority Ethnic prisoners' forum.

I note you have raised some local issues of concern in your report, particularly about Diversity and Inclusion, 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 the Independent Monitoring Boards throughout the estate and we are very grateful for your continued hard work on behalf of HMP Lewes.

Yours sincerely,

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

ALEX CHALK MP

Annex

HMP LEWES: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 FEBRUARY 2020 – 31 JANUARY 2021

HMPPS comments on matters raised in the report

Staff Training

Training recommenced at HMP Lewes in Autumn 2020 and has continued into 2021. The primary focus has been on fire safety and use of force training. Use of Force instructor revalidations is scheduled to recommence during July 2021 and Advanced Use of Force training is scheduled to recommence at the end of September 2021. Training also included the delivery of TRiM (Trauma Risk Management) and packages for the introduction of Assessment Care and Custody Teamwork (ACCT) Version 6. A comprehensive training plan for 2021/22 will shortly be completed and will be monitored regularly by the Prison Group Director as part of her normal assurance visits and discussions with the Governor.

HMPPS has a range of learning that includes mental health and several specific e-learning courses covering equalities. A review is underway to further develop the equalities learning portfolio for HMPPS staff.

Maintenance Contracts

HMP Lewes has experienced some delays in delivery between contracts awarded and their start dates. To address this, HMPPS is now developing a direct route to market to allow Prison Maintenance Group (PMG) to self-deliver some projects. PMG have introduced new funding streams that target specific issues across the estate, and these projects will be managed by a dedicated team to improve delivery. Within the region, HMPPS works closely with the Government Facility Services Limited (GFSL) Projects Team as there were issues with GFSL during the last financial year. HMPPS is therefore utilising the lessons learned from that period and working with GFSL to ensure that this year's allocation of projects is delivered on time as far as possible.

Regarding smaller repairs and improvements such as the showers, toilets etc., PMG monitor the service level agreement (SLA) to ensure that work is prioritised correctly. The local GFSL team and Site Delivery Manager are actively working to improve delivery and service levels. The Governor and local Senior Management Team will also continue to monitor and audit the Key Performance Indicator scores.

Prisoners' Property

Further to last year's response there was a pause in the development of the new Prisoners' Property policy framework due to COVID-19, however a meeting with IMB representatives took place in August 2020. The feedback received from those members was considered alongside the comments received from other stakeholders, together with comments from subsequent operational engagement. HMPPS has now circulated the draft framework with internal and external stakeholders, including the IMB Secretariat and the IMB representatives previously consulted, and the comments received are being considered. The new framework is due to be published later this year.

The framework will provide greater direction and standardisation on a national basis and has been designed with procedural justice at its core. It will strengthen guidance on known problem areas such as volumetric control and seeks to ensure prisoners' property is managed efficiently, effectively, consistently and with care and respect. While digital improvements to property processes are being explored, the nature of that work means that any digital changes are likely to be longer-term and as such will not be part of the forthcoming framework.