



██████████  
Chair, Independent Monitoring Board  
HMP Leicester  
Welford  
Leicester  
LE2 7AJ

**Moj ref:** SUB 89583

21 July 2021

Dear ██████████,

**HMP LEICESTER: 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 were short of Board members. I was saddened to hear there were two deaths in custody; every death is a tragedy and my officials take recommendations from the Prisons and Probation Ombudsman very seriously.

I am grateful to the Board for highlighting some key issues in your report particularly around the mental health of people in prison. It is regrettable that ██████████ had to wait a lengthy period until they were transferred to a secure hospital. ██████████ during this period, however, were in the Lambert Unit under the good care and attention of the mental health team.

Nationally, in terms of improving efficiency across the pathway for transfers and remissions, new performance metrics will be implemented during 2021-22 to monitor the secure hospital process. The strategic direction continues to be the maintenance of existing hospital bed capacity, not an increase, albeit with improved geographical distribution. More broadly, the Reforming the Mental Health Act White Paper published on 13 January 2021 provides a commitment to introduce a statutory time limit of 28 days for the transfer process and a new independent role to manage the transfer process. Additionally, the Transfer and Remission of Adult Prisoners Guidance published on 10 June 2021 provides further details. The annex attached to this response sets out the regional and local perspective.

Although Covid-19 continues to present a unique set of challenges that we must address to maintain services in custody and the community, I wish to reassure the Board that Her Majesty's Prison and Probation Service (HMPPS) remains committed to doing all it can to support Indeterminate Sentence for Public Protection (IPP) prisoner progression and reduce their risk to the public. This is not a simple task, as part of the psychology work stream, reviews are conducted on all priority IPP prisoners where they have not made any progress after two or more post-tariff hearings before the Parole Board. This cohort has been expanded to short tariff prisoners (less than two years), irrespective of previous hearing outcomes. These reviews reinvigorate cases and where necessary, through consultation, practitioners agree and identify appropriate pathways. As HMP Leicester is not resourced to deliver intervention courses (due to its function), the vast majority of the IPP population have been successfully moved on to

more appropriate prisons. Across the custodial estate, the population of unreleased prisoners serving IPP sentences was 1,784 at the end of March 2021, reduced from 2,039 at the end of March 2020. This is very good progress considering that the population in 2012 was at its highest, over 6000.

Turning to the Board's concerns about the provision of suitable permanent accommodation for people leaving prison. The Ministry of Justice is working collaboratively with the Ministry of Housing, Communities and Local Government, the 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. I am pleased the Board supports the work of the Homelessness Prevention Teams (HPTs), who have been highly successful in securing temporary accommodation. As such, HPTs will be integrated into the future landscape of the Probation Service. HMPPS is building on the learning from the Covid-19 emergency scheme, by using it in the development of a new Community Accommodation Service. This service will provide up to 12 weeks of transitional accommodation to prison leavers (supporting around 3,000). Initially, this will be launched in five probation regions with the intention of rolling out nationally. Locally at HMP Leicester, staff will continue to liaise with local councils and colleagues in probation to identify suitable accommodation prior to release.

Regarding the Board's concern about the backlog of court hearings, the remand population at HMP Leicester has certainly increased due to the pandemic, mostly due to the challenges in holding Crown Court trials and judges have not been able to sit at maximum levels. To increase capacity to hear trials during the pandemic, building adjustments have been made to Leicester Crown Court and is now operating six court rooms (and a portacabin used as a jury deliberation room). Staff have been working tirelessly to support local and national court recovery and the outstanding caseload has begun to reduce. In addition, HMP Leicester is making the best strategic use of video links to support cases progress. By the end of September 2021, a new 'super court' is anticipated to open in Loughborough primarily set up to accommodate large multi-handier trials. The largest cases which normally would take up two courtrooms will be heard there and free up capacity in the local court estate. This should lead to the rate of case disposals, including the remand population, to increase. As HMPPS moves into recovery, the Custodial Capacity team will work with prisons to move people where they can access the right services and support at the right time in their sentence.

Lastly, I fully understand your Board's comments about the priority order of the Covid-19 vaccination programme. The roll out by the NHS has been a rapid one and the centre of the Government's plan to ensure life can return to normal. The Joint Committee on Vaccination and Immunisation, advised on 26 February 2021, in favour of an age-based vaccination approach as evidence shows that this is most effective way of reducing deaths and hospitalisation from Covid-19. I am pleased the entire population at HMP Leicester has now been offered the vaccine, and the Governor can provide the Board with a more detailed update at the earliest opportunity.

Turning to some of the positives captured in your report, it was encouraging to receive your comments that HMP Leicester is well-run with good staff-prisoner engagement. I note that during the lockdown period staff in all departments did their best to provide a good service and adopted excellent partnership work. I was pleased to hear there is a healthcare assistant now in post solely responsible for social care needs.

I was also encouraged by the many other aspects mentioned in your report such as the successful outcome regarding the prolific self-harmer, the research Art project, the Critical Time Intervention project, and the valuable work of Listeners and the Finance Officer. 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 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 Leicester.

Yours sincerely,

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

**ALEX CHALK MP**

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

### HMPPS comments on matters raised in the report

#### **Reintroduction of Key Work**

Maintaining safety and the focus on the mental health and wellbeing of prisoners continues to be a priority. HMPPS has tailored staff guidance for supporting specific groups of people in prison whose wellbeing has been more impacted by Covid-19 measures. As the Board is aware, the key worker role allows staff dedicated time to provide support to prisoners, utilising the knowledge gained from the revised and enhanced suicide and self-harm prevention training. Following the impact of Covid-19 restrictions on the delivery of key work in the closed estate, HMPPS is now supporting prisons to resume regular key work sessions. In addition to this, HMPPS continues to work closely with the Samaritans and has renewed the £500,000 grant for the Listener scheme for 2021-22.

The key worker scheme at HMP Leicester restarted gradually at the end of June and is expected to be in full operation by the beginning of August 2021. This will comprise of a dedicated team of 18 prison officers to deliver this crucial work during the Covid-19 recovery period.

#### **Regime Safety**

Regimes vary significantly across different prison types and are dependent on population risks and infrastructure. The statistics and actual events show that HMP Leicester remains safer than before, there is greater ability to keep men with issues in different cohorts and all men have better access to phone calls due to in-cell telephony going live in May 2021. The size of HMP Leicester does limit the regime provision whilst the cohorting arrangements are in place, however communication of the necessary restrictions to the regime have been well received.

HMP Leicester is progressing well through Stage 3 of the recovery programme, implementing incremental regime changes and hopes to be able to move to Stage 2 at the beginning of August. An establishment plan has been prepared to introduce more work and activities once the prison reaches Stage 1 of the recovery process. This will address the issue of purposeful activity, whilst maintaining the benefits of a safer prison (for internal publication in due course).

#### **Mental Health Transfers (continued)**

Throughout the pandemic in 2020 and the early part of 2021, there have been frequent closures of particular areas within the mental health hospital estate, such as Rampton Secure Hospital, due to the sheer number of positive test results of Covid-19. This has resulted in many patients incurring significant delays to admission and as a result, once restrictions were lifted, there were significant waiting lists for beds. This is on the agenda of the Restoration and Recovery of services across the healthcare sector.

In order to proactively manage and support reductions in the waiting times for admission to secure hospital, NHS England Health and Justice (Midlands) Governance team and Commissioners have developed a fortnightly Clinical Case review meeting. This is clinically led, and the function is to seek to proactively manage those waiting for secure beds through dynamic risk assessment (every case on the waiting list is required to be risk assessed every two weeks). This is a multi-agency meeting to ensure

there is a whole system approach to supporting the most vulnerable and high-risk patients and this covers the entire Midlands Region and incorporates all patients on the waiting list beyond the 28-day time frame. Patients can move up and down this list dependent on their presenting risks. These meetings have impacted positively on the waiting list. At end of June 2021, [REDACTED] at HMP Leicester remains on the Gatekeeping process (awaiting a suitable placement).

Here is the link to the published guidance mentioned on page one.

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