



Ministry
of Justice

Alex Chalk MP
Parliamentary Under-Secretary
of State for Justice

██████████
Chair, Independent Monitoring Board
HMP Leyhill
Wotton-under-Edge
Gloucestershire
GL12 8BT

MoJ Ref: SUB88331

11 June 2021

Dear ██████,

**HMP LEYHILL: 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 particularly as the Covid-19 pandemic impacted on your ability to gather information.

I understand the Board's continued concern for those serving indeterminate sentences of Imprisonment for Public Protection (IPP) that remain in prison beyond their tariff. I wish to reassure you that HM Prison and Probation Service (HMPPS) remains committed to doing all it can to offer the opportunities IPP sentenced prisoners need to support their progression and allow them to demonstrate that they can be safely released by the independent Parole Board. It is recognised that this is not a simple task and there are some prisoners who have spent a significant number of years in custody after completing their tariff. However, HMPPS continues to work with these individuals to offer them the opportunities to reduce their risks. The latest published national figures at the end of March 2021 show the unreleased IPP population standing at 1,784, which is a reduction from 2,039 at the end of March 2020. This demonstrates that opportunities remain available to IPP prisoners to progress in their sentence, despite the pandemic.

Further to my predecessor's response in November 2020, to continue with the progress already made, the bespoke and refreshed joint IPP action plan has led to the development of additional initiatives to support an individual's progression. Case file reviews (CFR) have now been expanded to include all short tariff prisoners irrespective of previous parole hearing outcomes. This is in addition to those in custody that have failed to make any progress after two or more post-tariff parole hearings. Whilst it is important to note that the completion of a CFR does not guarantee an IPP prisoner's release, these reviews are reinvigorating cases that are not progressing, such as those prisoners that are still assessed as posing a high risk of committing further violent or sexual offences. Practitioners are identifying appropriate individual progression pathways, as well as continuing to monitor individuals' willingness and progress at a minimum of a monthly basis. To aid the effectiveness of this work, single points of contact have been identified within HMPPS Psychology Services for every region and prison group. HMP Leyhill is also working with the Prison Group Director's team to develop a local strategy to maximise the opportunities that are available for the prison's IPP population to demonstrate a reduction in their risk. However, it remains the case that those serving IPP sentences will be released only when the Parole Board conclude that the risk to the public is safely manageable in the community under probation supervision.

Regarding the Board's further concerns about the lack of Approved Premises, HMPPS remains committed to the expansion by delivering an additional 200 bed spaces as previously set out to the Board by my predecessor. The Approved Premise Expansion Programme has now delivered 56 of these spaces and more will be delivered this financial year 2021/22, including a new site for females in Bristol. It is recognised that the pandemic and national restrictions have had an impact on Approved Premises, which has been necessary to protect the safety of both the residents and staff. An Exceptional Delivery Model for Approved Premises was rapidly put in place, with all rooms becoming single occupancy. It is also acknowledged that some Approved Premises had to close putting greater strain on capacity. However, these have all now re-opened and I am informed that the individual at HMP Leyhill who had been waiting for an Approved Premise space for over a year has been released to suitable accommodation. As part of stage 3 of the National Framework for Prison Regimes and Services, HMP Leyhill has been able to recommence Release on Temporary Licence (ROTL) and it is pleasing that the Offender Management Unit's work preparing ROTL applications has been recognised. The prison will also be monitoring the availability of Approved Premises spaces to determine whether there is any impact on future ROTL opportunities for prisoners locally and will escalate any concerns through both the local and regional Senior Leaders Forums.

Despite these concerns, it was reassuring to receive your comments that the prison provides a safe environment where incidents of violence and self-harm are low. I was encouraged to read about HMP Leyhill's initiative to tackle debt and for continuing its safer prisons group despite the pandemic. I am grateful to the Board for recognising the prison's swift and positive response to the pandemic, and it is reassuring to note that sampled discrimination incident report forms show fair investigations are being conducted.

I was also pleased to read that opportunities have remained for prisoners to play an active part in the prison community despite the national restrictions, such as the work of the Lobster Pot for the over-50s, and the prison's recycling efforts to reduce its carbon footprint are a most welcome initiative. I am grateful to everyone working at the prison for their continued hard work and professionalism during the pandemic. However, I was saddened to hear there were four deaths in custody from natural causes; 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 Leyhill.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Alex Chalk', written in a cursive style.

ALEX CHALK MP

**HMP LEYHILL: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR
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HMPPS comments on matters raised in the report

Prisoners' Property

Further to last year's response, following the pause in the development of the new property framework project due to Covid-19, a meeting has now taken place with IMB representatives in August 2020. The feedback received from those members was considered alongside the comments received from other stakeholders, and 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 framework will be published later this year, which will provide greater direction and standardisation on a national basis and has been designed with procedural justice at its core. It also strengthens 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.

The Board was also previously informed about the new Prisoner Escort and Custody Service (PECS) contract and this has commenced introducing the new vehicle fleet with an increased capacity for consumable items, in addition to the existing volumetric limits governed by the current Prison Service Instruction 12/2011 – Prisoners' Property. It is not a requirement of PECS providers to transport property beyond these agreed levels, nor are the new vehicles designed to do so. However, HMPPS will continue with steps to ensure there is a consistent approach to forward on any excess items accumulated by prisoners after a transfer has taken place. While digital improvements to property processes are being explored as part of these steps, the nature of this work means that any digital changes are likely to be longer-term and as such will not be part of the forthcoming framework. However, property identification numbers will now be entered on the digital platform rather than recorded by hand on the paper Person Escort Record. This will enable better tracking of property, should it be lost in transit.

In addition, PECS has not received any complaints regarding the loss of property involving HMP Leyhill transfers in the last 12 months. It is also encouraging that the number of IMB applications about the loss of property during transfer to the prison or at another prison has reduced since the Board's last reporting period from 15 to 2, as has the number of applications about property moving within HMP Leyhill from 8 to 2. The Board will also be pleased to note that as part of the capacity expansion project which will introduce two new 60 bed units at the prison later in 2021, additional storage facilities will be provided to improve the management of prisoners' property.