



Ministry
of Justice

Lucy Frazer QC MP
Minister of State for Justice

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

MoJ ref: ADR81060

3 September 2020

Dear ██████,

**HMP ISLE OF WIGHT: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 JANUARY 2019 – 31 DECEMBER 2019**

Thank you for your Board's report for the year ending 31 December 2019. I am grateful to you and your colleagues for your hard work in capturing these helpful observations.

I understand the Board's concerns about those prisoners with complex mental health needs. The Ministry of Justice and HM Prison and Probation Service (HMPPS) have a responsibility to ensure those in prison receive appropriate care in the right setting and at the right time. Where a prisoner is suffering to an extent that warrants detention under the Mental Health Act, they should be transferred to hospital. We are determined to improve the transfer process, ensure delays are reduced and avoid prison being used inappropriately. The Secretary of State for Justice is committed to working with the Secretary of State for Health and Social Care (with health partners) to articulate a coherent picture of how healthcare is delivered throughout the criminal justice pathway. Government resources and priorities are currently being directed to the response to Covid-19, but we remain committed to continuing bilateral discussions on this topic when it is appropriate to do so.

We are also continuing to work in close collaboration with health partners to make sure that vulnerable offenders are diverted away from custody and, where possible, from the criminal justice system altogether. This includes Health and Justice partners working together through the Community Sentence Treatment Requirement Programme, to ensure greater use of mental health, alcohol and drug treatment requirements as part of community sentences. Revised guidance on the transfer and remission to hospital from prison will also be published later in the year, which will promote timely access to appropriate treatment under the Mental Health Act and should reduce unnecessary delays to treatment. This Government is also committed to legislate to reform the Mental Health Act and is working on producing a White Paper in the coming months.

NHS England and NHS Improvement commissioners recognise that there has been an increase in the number of referrals to secure mental health beds and, in some cases, there have been unacceptable transfer delays. The primary reason for the delays has been the shortage of secure beds across the whole system which have resulted in long waiting lists. All activity is being monitored as part of the Health and Justice Indicators of Performance reporting and is reviewed at the quarterly Contract and Partnership Board meetings. These enable commissioners to track the assessment and waiting periods for transfer to identify those prisons that are under pressure and to take action by providing further healthcare support to prisons where necessary.

NHS England and NHS Improvement also has a new service structure in place, which has combined both mental health and health and justice commissioning within the same Directorate. A strategy is in place to foster greater synergy in the decision making impacting the transfer of vulnerable patients with mental health needs. In addition, the NHS England Quality team are conducting a review of previous cases where there has been a delay in accessing secure beds to better understand the regional picture regarding transfers. Commissioners are also considering a business case submitted by the healthcare provider for a further nurse to provide additional cover to both sites of the prison during night state.

Prisoners with mental health needs are, on occasions, held in segregated conditions at HMP Isle of Wight. However, this is always as a last resort and only where the prisoner has been assessed as suitable for segregation by a healthcare professional. In such instances, the mental health team work closely to support the segregation staff to care for the individual and enhanced multi-disciplinary case reviews are held to consider the individuals location, the risk to themselves, their mental wellbeing and the risk to others.

I note the Board also recognised that there had been positive developments locally such as increased mental health staffing to provide support seven days a week, an Acceptance and Commitment Therapy programme, and the weekly mental health induction meeting which was recognised as good practice by HM Inspectorate of Prisons (HMIP) when they visited between April and May 2019. It is worth noting that HMIP also recognised as good practice the effective joint working between the libraries and mental health team, providing a range of materials to support those with mental health needs whilst they remain in prison. In addition, since HMIP's visit, a further 199 members of staff have received mental health awareness training increasing the total to 67% to continue to ensure those with mental health needs are appropriately referred to the mental health team for support.

Despite your concerns, it was reassuring to receive your comments that the regime provides fair and equitable treatment and that even the most complex and demanding prisoners are managed in a caring and sensitive manner. I was encouraged to read about the progress with prisoner-led forums and that successful events have been taking place to enhance awareness of different cultures, which is improving engagement. It was also pleasing to note that the number of discrimination incident report forms have reduced and that the complaints process has been improved, as well as seeing a reduction in those about property. I was also encouraged by the work of the Offender Management Unit in supporting progressive transfers for a large number of prisoners to category C conditions.

I also wish to recognise that the prison faced a tragic event at the end of 2019, where a member of staff passed away whilst on night duty and I appreciate the hard work and continuing professionalism of everyone at the prison whilst having to come to terms with the loss of a colleague and friend. 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



LUCY FRAZER QC MP

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HMPPS comments on matters raised in the report

Funding for Building Work

Currently, there are fire safety improvement works taking place at HMP Isle of Wight, which includes the full refurbishment of House block 15 following the fire some years ago. This refurbishment work is now planned for House block 14 and will continue over time until all units have been completed. However, at this stage until this work on the Albany site is completed, the replacement fire alarm system cannot take place on the Parkhurst site due to the need to move prisoners.

Other works have been approved for HMP Isle of Wight, including the upgrade to the steam laundry boilers and the full refurbishment of the showers at the Parkhurst site. However, it is recognised that due to more urgent competing priorities within the Ministry of Justice capital projects budget, it has not been possible to schedule these works to date. HMPPS' Prison Maintenance Group is now considering the possibility of funding the steam boilers should sufficient funding become available from within its own budget, but there are no timescales at this stage. However, smaller projects such as a new boiler for House block 17 and an upgrade to the gate security systems have been funded and the HMPPS Regional Estates Manager and Service Delivery Manager are currently working with the Facilities Management provider, GSFL, to be able to get these works completed within the available funding.

It is also acknowledged that, due to Covid-19 and the type of roof construction creating difficulties in gaining access, these have delayed getting the contractor onsite to repair the leak on the roof to the Albany site Tailor's workshop. However, GSFL are now engaging with the contractor again and it is expected that a repair will be resolved in due course. The work on the roof which collapsed in the programmes area of the Parkhurst site has also now been completed.

Facilities List

All prisoners, irrespective of the local incentive level, can have access to the permitted items listed under Part 1 of the National Facilities List set out in Annex C of the Incentives Policy Framework, which went live to prisons on 13 January 2020. Governors can then choose to make additional items available from Part 2 of the list to those on the Standard and Enhanced levels or any additional levels introduced locally above Enhanced. Allowing prisons to determine locally what incentive level prisoners must be on to have access to these additional items provides them with the flexibility to tailor incentives to their local needs and challenges.

Should a prisoner be subsequently transferred to another prison where items which they have earned are not permitted, the Incentives Policy Framework and PSI 12/2011 Prisoners' Property makes it clear that the prisoner would normally be allowed to retain these items unless it is considered a risk to good order, discipline, security, safety or would exceed volumetric control limits.