



Ministry  
of Justice

**Lucy Frazer QC MP**  
Minister of State for Justice

██████████  
Chair, Independent Monitoring Board  
HMP Lewes  
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**MoJ ref:** ADR80697

30 August 2020

Dear ██████████,

**HMP LEWES: INDEPENDENT MONITORING BOARD ANNUAL REPORT  
FOR 1 FEBRUARY 2019 – 31 JANUARY 2020**

Thank you for your Board's report for the year ending 31 January 2020. 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 understand the Board's concerns for those prisoners that have serious mental health issues, learning difficulties or other disabilities for which prison may not be suitable. 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 and 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 (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 is made 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. The Government is also committed to legislate to reform the Mental Health Act and is working on producing a White Paper in the coming months.

HMPPS also has a duty to make reasonable adjustments for prisoners with disabilities and introduced a new Learning Screening Tool at the end of October 2019 to help identify those who may be more likely to have learning disabilities or challenges. Although this does not replace a comprehensive assessment and diagnosis, the tool aims to help prisons be more responsive to those who might need support or adjustments to their care. In addition, HMPPS provides specific learning and development resources to all staff on the MyLearning platform including e-learning aimed to encourage more confident working with those with low IQ, learning disabilities or autism. The new prison staff apprenticeship for all new prison officers includes autism-specific training which will help increase their awareness and the overall safety

training for all staff will be refreshed later this year, with the development of an improved modular approach and a specific module taking a more in-depth look at mental health and neurodiversity.

Locally, a new healthcare provider, Care UK, took over at HMP Lewes on the 1 April 2020, who is maintaining strong ties with the local community and wider access to services to ensure, where appropriate, transfer to secure units are managed appropriately and within the approved clinical guidelines. Prisoners identified as needing mental health services receive ongoing support from the on-site Integrated Mental Health Team (IMHT) and anyone identified as having a learning disability or indeed any other disability is also provided with support. HMP Lewes has also been identified to take part in the NHS England Early Days Mental Health Practitioner pilot, which will provide additional support to prisoners during the initial stages of their time in custody. Specific cells are identified for individuals with physical disabilities and the weekly Safety Intervention meeting and a quarterly Equalities meeting discuss and manage complex cases. Where an individual is identified as requiring immediate or urgent attention, the prison coordinates multi-disciplinary professional meetings to discuss the individual needs and agree actions. The prison also works closely with East Sussex County Council to provide Adult Social Care packages for those with physical disabilities and with the education provider, Weston College, to ensure education facilities are maximised to help those with learning disabilities.

I also acknowledge the Board's request for resources to improve the standard of accommodation. HMPPS and the Governor of HMP Lewes are committed to making improvements at the prison and I note the Board recognise the considerable improvements that have already been made to the decoration of cells, doors, railings and walls on wings and welcome the introduction of curtains and telephones in every cell. I am pleased to be able to confirm around £188,000 has been allocated for enabling work and plastering of cells in the healthcare wing and around £150,000 has been committed for shower refurbishments on A and K wings. A further bid is also being sought to refurbish the remaining shower areas in the older A and C wings. In the meantime, trained prisoners now work on every residential unit to keep landings decorated and to repaint vacant cells or those cells highlighted as requiring improvement.

To tackle cleanliness issues cleaning products have been reviewed and additional items, such as descaling agent, steam cleaners, pressure washers and wet-vacs have been ordered for use in landings, cells, serveries and showers. Significant efforts are being made across all residential units, including the introduction of daily cleanliness checks by the Heads of Residence and decency checks are carried out by the whole Senior Leadership Team, with a focus on décor, graffiti, cleanliness, equipment and facilities. Further work is also under way to develop pre-occupation cleaning and checks on cells to ensure standards of cleanliness and decency are maintained. Where there is any damage to cells or prisoner equipment, these are logged and reported to the facilities management provider and repairs are tracked. These are reported to the Governor and senior managers daily including the lack of furniture, which is being addressed through regular orders being placed to maintain sufficient stock levels to deal with damage or wear and tear to in-cell furniture. Encouragingly, the HM Inspectorate of Prisons Independent Review of Progress, published in January 2020, noted reasonable progress had been made against its recommendation around cleanliness noting an overall improvement in standards, graffiti reduced and the rodent problem successfully tackled.

In addition, in December 2019 it was confirmed that HMP Lewes had secured funding through the national HMPPS Clean and Decent project to further improve standards. This work was due to commence in April 2020, but was put on hold due to Covid-19. However, cleanliness has remained a key focus in responding to the Covid-19 outbreak. Serveries and showers are cleaned before and after use to minimise the spread of infection, and all door handles, handrails, and commonly touched areas are cleaned throughout the day. Funds have also been allocated for the deep clean which was completed in December 2019 to be repeated annually.

Despite your concerns, it was encouraging to receive your comments that overall violence and incidents of self-harm have reduced, and there are efforts in place to tackle drugs and improve safety further. It was pleasing to read about the many examples of staff treating prisoners fairly and with humanity, kindness and patience and that newly arrived prisoners are treated with respect and dignity. The work of Spurgeons and in-cell telephony improving access to maintain family ties was reassuring to note, as was the chaplaincy's service and support available to prisoners. It was also encouraging to read about the initiatives to improve work allocation and the new careers service to help prisoners use their time in custody effectively; I look forward to reading about the progress on these during the coming year.

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 Lewes.

Yours sincerely

A handwritten signature in black ink that reads "Lucy Frazer". The signature is written in a cursive, flowing style.

**LUCY FRAZER QC MP**

## HMP LEWES: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 FEBRUARY 2019 - 31 JANUARY 2020

### HMPPS comments on matters raised in the report

#### **Prisoners' Property**

It is unfortunate and regrettable that prisoners' property continues to be an issue. The development of the new Prisoners' Property Policy Framework is being informed by the project mentioned last year which was undertaken in summer 2019. The project involved visiting 14 prisons, consultation with staff and prisoners, and engagement with external stakeholders such as the Independent Monitoring Board Secretariat and Prisons and Probation Ombudsman. Following the conclusion of the project, HMPPS has worked closely with stakeholders to consult on proposed changes to the policy. Discussions ahead of consultation with IMB members began with the IMB Secretariat in late February 2020, who proposed meetings take place with Board members in April. In light of the pressures placed on Boards by Covid-19, HMPPS agreed with the IMB Secretariat to pause this consultation. This work is now moving forward again and the IMB Secretariat have proposed that the meetings now take place between August and September. The feedback received from IMB members at these meetings will then be considered alongside the comments received earlier this year from other stakeholders, with the intention that the revised draft policy framework will be circulated for wider consultation at the end of 2020.

The Prisoner Escort and Custody Service (PECS) take steps to transport all property which falls within the agreed volumetric limits with prisoners when they transfer between establishments. A new fleet of vehicles are being provided through the PECS 4 Generation contract which started in August 2020 which will be able to transfer an additional half box of consumable items for each prisoner. In addition to this, HMPPS is considering what more can be done to encourage prisoners to send out or dispose of excess items to reduce the amount of their property that cannot transfer with them. Steps are also being taken to ensure a consistent approach when prisons forward on any excess items to prisoners at their new establishments after transfers have taken place.

Locally, HMP Lewes has revisited its facilities list and has communicated this to prisoners to ensure they understand what they can and can't have in possession. Noticeboard's on residential units also display information, best practice and useful guidance on property issues and bi-weekly surgeries have been introduced where reception staff can offer guidance and advice to prisoners on the units. In addition, weekly assurance checks are conducted by the reception Supervising Officers on both property boxes and property cards and to tackle prisoners that refuse to pack their own in-possession property when transferring. Finally, additional checks are being introduced to ensure cell clearances are effective.

#### **Safety and Drugs**

As part of the HMPPS Security Investment Programme HMP Lewes is due to receive an X-Ray Body Scanner in the second wave of the rollout, however, due to Covid-19 there has been a three month pause on the rollout with wave one sites now scheduled to be completed by mid-September and the second wave taking place between October and December 2020. This new equipment will reduce illegal substances entering the prison and will have a positive impact on dynamic security, debt and bullying. HMP Lewes has also been identified as a priority site to receive the enhanced gate security package, which includes the installation of archway metal detectors, x-ray baggage scanners and Drug Dog Handlers to complement the search procedures on entering the prison. Detailed plans for the installation and modification of the prison's gate area is currently being drawn up and it is anticipated that this will be completed within the current financial year.

Throughout the reporting year HMP Lewes has increased the use of the Rapiscan itemiser to ensure all prisoner mail is now screened prior to issue and has improved the Email-a-Prisoner scheme to include a reply and attachment service, which has reduced the amount of posted mail that could contain illegal substances. The prison continues to work closely with HMPPS regional teams to monitor and understand the networks behind the ingress routes, as well as sharing data and receiving support from the Regional Dedicated Search Team when required. The prison is also well supported by Sussex Police with local operations resulting in positive outcomes, such as a conviction with a suspended sentence for a person throwing items into the prison. In addition, referrals continue to be made by security to the substance misuse team where intelligence suggests individual prisoners may be misusing drugs to allow clinical and psycho-social support to be offered.

### **Offender Management in Custody (OMiC) Model**

The OMiC resourcing model builds on specification, benchmarking and costing work and following extensive consultation across HMPPS and the MoJ, all offender management processes have been mapped in HMPPS Excellence and Quality in Processes (EQuIP) to ensure OMiC is implemented successfully. The resourcing model will also be reviewed on a biennial basis to help ensure there is flexibility in place to account for any changes in prisons.

In addition, probation recruitment has been a priority in the last 12 months, with over 450 newly qualified probation officers deployed between January and April 2020. There remains a significant number of probation officers undertaking the qualification process, which can take up to 21 months to complete and in September 2019 a further 555 successfully went through the assessment centre process. While future assessment centres have been put on hold due to Covid-19, plans are being put in place by MoJ People Group to open assessment centres as soon as possible and HMP Lewes has been prioritised as a training centre in the recovery plans.

Locally the extra funding provided to HMP Lewes for OMiC has enabled the prison to increase the number of prison officers from 132 to 156 and first line manager support from 12 to 20 Custodial Managers. During 2019 this enabled the prison to develop the case management side of OMiC and to also recruit Prison Offender Managers. However, it is recognised that the prison experienced high absence levels during the reporting period, which was impacting the regime, including the ability to deliver Key Work. Since January 2020 a plan to incrementally increase the number of key work sessions was introduced resulting in weekly delivery peaking at 47%, until Covid-19 resulted in a restricted regime and Key Work being temporarily suspended. As the prison was seeing sickness decreasing prior to the Covid-19 and more than 90% of prisons officers were trained to carry out Key Work duties, the Governor is confident that HMP Lewes will be able to achieve these levels and higher once the restrictions are lifted.