



██████████  
Chair, Independent Monitoring Board  
HMP Haverigg  
North Lane  
Millom  
Cumbria  
LA18 4NA

**MoJ Ref:** SUB 86087

24 March 2021

Dear ██████████,

**HMP HAVERIGG: INDEPENDENT MONITORING BOARD ANNUAL REPORT  
FOR 1 DECEMBER 2019 – 30 NOVEMBER 2020**

Thank you for your Board's report for the year ending 30 November 2020. 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 level of monitoring and you were short of Board members during the reporting year. It is encouraging that new members are anticipated during 2021.

I understand the Board's concern about prisoners having to continue to serve indeterminate sentences of Imprisonment for Public Protection (IPP). The Legal Aid, Sentencing and Punishment of Offenders Act abolished the IPP sentence in December 2012, but this was not applied retrospectively. This was due to the Government, at the time, taking the view that it would not be right or appropriate to retrospectively alter sentences that had been lawfully imposed prior to their abolition. More so in IPP cases because these sentences were imposed with risk management issues in mind. Furthermore, these prisoners cannot be simply massed released as many of them are still assessed as posing a high risk of committing further violent or sexual offences and have a complex set of risks and needs. I am sure the Board will appreciate these risks must be addressed before the independent Parole Board can consider release. Consequently, it remains the case that those serving IPP sentences will be released only when the Parole Board concludes that the risk to the public is capable of being safely managed in the community under supervision of the National Probation Service.

HM Prison and Probation Service (HMPPS) and the Parole Board continue to regularly review the joint IPP Action Plan, developed to deliver the support IPP prisoners need in order to demonstrate that they can be safely released. Through the joint Action Plan, HMPPS is prioritising post-tariff prisoners in accessing rehabilitative interventions, delivering Psychology Services-led reviews, and operating enhanced case management, for those prisoners with a complex set of risks and needs. HMPPS has also invested in four specialist Progression Regimes at HMPs Warren Hill, Buckley Hall, Humber and Erlestoke, dedicated to supporting indeterminate prisoners who are struggling to achieve release via the usual routes. To prevent the spread of the virus, some aspects of the usual regime in prisons have been paused or restricted. HMPPS, however, remains committed to doing all it can to support the progression of IPP sentenced prisoners and will continue to work with these individuals via a multi-disciplinary approach, to offer them opportunities to reduce their identified risks. The latest published national figures at the end of December 2020 show the unreleased IPP population standing at 1,849, which is itself a

reduction from 1,969 at the end of June 2020. This demonstrates that opportunities remain available to IPP prisoners to progress in their sentence.

It is acknowledged that Release on Temporary Licence (ROTL) is a valuable tool to support resettlement, but it also presents an increased risk to the safe operation of prisons during the pandemic. Most ROTL was suspended in March 2020 as part of measures to help limit the spread of the virus. However, HMPPS did re-introduce ROTL when and where it was safe to do so via two Exceptional Delivery Models before the second national lockdown in November 2020. Wider use of ROTL has been paused again due to the current national lockdown, but it remains available for essential covid-secure work placements, or for compelling, compassionate reasons. The resumption of the full ROTL provision is intended when and where it can be delivered safely and will take account of changes in the national restrictions.

Locally at HMP Haverigg, senior managers are aware of the issues and challenges faced by those serving IPP sentences. It is recognised their needs must be balanced with the needs of determinate sentenced prisoners and parole cases are being prioritised, which are typically those serving indeterminate cases. Determinate sentenced prisoners do not take priority over IPP prisoners, but it remains the prison's priority to keep prisoners and staff safe whilst providing a consistent regime throughout the Covid-19 restrictions, as well as increasing the residential places in the short-term following the transition to an open prison. These have inevitably impacted the Offender Management Unit and ROTL opportunities locally for all prisoners particularly during periods of national lockdown.

Despite your concerns, it was pleasing to read the recognition given to both Governor and staff for their commitment to transitioning to an open prison and managing the impact of the Covid-19 pandemic. I am grateful for all their hard work during this difficult time. It was reassuring to note that the prison provides a safe environment where prisoners are treated fairly and humanely and have good relationships with staff. The opportunities for prisoners to be involved in the refurbishment of the accommodation and village hall (venue for retired prisoners) were encouraging to read, as were the improvements to the grounds of the prison, such as the memorial to [REDACTED] and the tree planting in the local wildlife park. It is also encouraging to read that equality and diversity work has continued to progress with prisoner representatives supporting many local initiatives and Black and Minority Ethnic prisoners receiving proportionate and equitable access. I was, however, saddened to hear there was a death in custody during the reporting period; every death is a tragedy and my officials will take the recommendations from the Prisons and Probation Ombudsman very seriously.

I note you have raised a local issue of concern in your report about the potential for staff to become deskilled and demotivated. I understand staff will continue to receive the necessary refresher training and managerial oversight to ensure they are appropriately skilled, motivated and can manage the population. The Governor will continue to keep you aware 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 Haverigg.

Yours sincerely,

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

**ALEX CHALK MP**

**HMP HAVERIGG: INDEPENDENT MONITORING BOARD ANNUAL REPORT  
FOR 1 DECEMBER 2019 – 30 NOVEMBER 2020**

**HMPPS comments on matters raised in the report**

**Prisoners' Property**

Further to the previous response in June 2020, in light of the pressures placed on Boards by Covid-19, HMPPS agreed with the IMB Secretariat to pause the consultation on the changes to shape the new Prisoners' Property Policy Framework. A meeting with IMB representatives took place in August 2020 and the feedback received from those members is being considered alongside other contributions. There has been a slight delay in HMPPS being able to circulate a revised draft policy framework because of the need to ensure sufficient operational engagement. That work is now progressing well, and it is anticipated that the draft policy framework will be circulated for wider consultation shortly.

It is encouraging that the number of applications about the loss of property on transfer to HMP Haverigg has reduced significantly since the last reporting period from 22 to just two. The Prisoner Escort and Custody Services (PECS) vehicle fleet is designed to carry the number of custodies it is intended for, together with their property in line with the volumetric limit which is governed by the current Prison Service Instruction 12/2011 – Prisoners' Property. The escort contractor will additionally transport a reasonable volume of legal documentation as these are an exemption from the volumetric control limit. In addition, the PECS 4 Generation contract also began during August 2020 which includes a new vehicle fleet with an increased capacity to facilitate an additional half bag of property for consumables to the limit of 7.5kg.

As previously advised, HMPPS is also continuing to take steps to ensure there is a consistent approach when prison staff forward on any excess items to prisoners at their new establishment after a transfer has taken place. While digital improvements are being explored, the nature of that work means that any digital changes are likely to take longer to develop.