



██████████
Chair, Independent Monitoring Board
HMP Wealstun
Church Causeway
Thorp Arch, Wetherby
West Yorkshire
LS23 7AZ

MoJ Ref: 82893

30 October 2020

Dear ██████████,

**HMP WEALSTUN: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 JUNE 2019 – 31 MAY 2020**

Thank you for your Board's report for the year ending 31 May 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 and still managed to perform all core duties during a challenging year for HM Prison and Probation Service (HMPPS). I was sorry to hear of the sudden death of one of your members but was pleased to read of the generous donations made to the inclusion unit family learning kitchen in his memory.

I acknowledge the Board's concern about prisoners serving indeterminate sentences for public protection (IPP) and when they are recalled on licence. The population of prisoners serving IPP sentences across the custodial estate was over 6,000 at its peak in 2012. The latest published figures show the unreleased IPP population stood at 1,895 at the end of September 2020, which is itself a reduction from 2,134 at the end of December 2019 – demonstrating good progress and improvement in opportunities available to progress in their sentence. However, it is important to note that, as the unreleased IPP population continues to decrease, those remaining in the prison population present the most complex and challenging cases. Many of these prisoners are still assessed as posing a high risk of committing further violent or sexual offences. HMPPS will continue to work with these individuals to offer opportunities to reduce their identified risks but ultimately these risks must be addressed before the independent Parole Board can consider the prisoner for release.

This is not a simple task but HMPPS remains committed to doing all it can to support the progression of IPPs and to help them reduce their risk to the point where the Parole Board determines that they may be safely released. Work is delivered via a joint IPP Action Plan, developed in partnership with the Parole Board which is regularly reviewed. HMPPS is prioritising post-tariff prisoners in accessing rehabilitative interventions which includes Psychology Service led reviews and enhanced case management for those with complex set of risks and needs. These reviews have identified pathways for individuals who have not progressed, following two or more parole hearings. The pathways include access to services available through the Offender Personality Disorder provision. To date over 1,500 reviews have taken place with 310 IPP prisoners having achieved release, and 394 having a progressive move to open conditions. HMPPS has also invested in four specialist Progression Regimes across the country providing 385 places dedicated to supporting indeterminate prisoners struggling to achieve release via the usual routes.

It was disappointing to hear that almost all of the 35 IPP prisoners released were subsequently recalled to prison (including 19 Lifers). The decision to recall is based upon the offender's reported behaviour, there

need not be a criminal conviction for a recall to be made. Equally, should authorities decide not to take further action against an alleged offence, or where the offence is considered by the courts by way of a further sentence, it does not automatically follow that the Parole Board will direct the recalled offender's re-release on IPP licence. However, it is worth highlighting that an IPP licence remains in force for a minimum of 10 years and those recalled will continue to be reviewed under their IPP sentence in custody until the Parole Board has directed their re-release. They will then remain on IPP licence unless they are successful in applying for their licence to be terminated. There is a statutory requirement for the Parole Board to review each case for detaining a recalled IPP prisoner, and only they may direct the re-release. There are no plans to change this requirement.

Regarding the location of IPPs, it is accepted that these prisoners should be located at an establishment best placed to meet their sentence planning needs in terms of interventions, and for those assessed as needing access to certain interventions in other prisons staff will seek to find a suitable location as promptly as is reasonably possible. To support IPP prisoners, HMP Wealstun intends to recommence the monthly forum group by December 2020 and will also look at providing additional training and or one to one work to assist in terms of their sentence progression.

I acknowledge the Board's comments about having sufficient funding to provide full regimes, meeting prison officer training requirements and supporting rehabilitation. Prisons at the moment are faced with the challenges surrounding Covid-19 and HMPPS has provided a helpful summary within the attached annex which sets out the position.

Despite the concerns raised in your report, it was encouraging to hear that the Covid-19 lockdown period was managed well, prisoners settled in to the revised regime and this saw a reduction in the number of violent and self-harm incidents including the number of prisoners needing to be segregated. It was also reassuring to hear that the Board commended the Safer Custody team for ensuring vulnerable prisoners are supported well. Self-harm does remain a problem for HMP Wealstun, as prolific self-harmers present a challenge for the prison. However, the Governor is hopeful that close work with these individuals can make a difference.

I note your comments that the availability of drugs increased in May 2020. I am pleased to report the prison has adopted several new strategies that will in time develop a better management of drug supply, demand and recovery, and the Governor has taken robust steps to challenge supply routes including corruption. HMP Wealstun has more recently created their own searching team that will be reactive to drug related intelligence.

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 for their attention 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 Wealstun.

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

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HMPPS comments on matters raised in the report

Refresher Training

The four sites who piloted PAVA (incapacitant spray) are still considered as pilot sites whilst HMPPS continues to monitor and learn from their practices. This position will be reviewed as the wider rollout progresses and is eventually completed.

In response to ensuring HMP Wealstun's prison officers are up to date with their training, the use of force instructors at all four of the pilot sites, which includes HMP Wealstun, were up skilled in both PAVA and Spontaneous Protection Enabling Accelerated Response training to then carry this training out with officers locally. Whilst the responsibility rests with individual prisons to ensure staff training is delivered and is current, HMPPS Safety and Rehabilitation Directorate were aware of some delays and the impact of Covid-19 has further hindered progress due to all training being paused. However, the prison has a Safe Operating Procedure in place and will commence training at the earliest opportunity. The Governor intends for staff to be fully compliant and receive their training by June 2021 with support from Physical Safety Group (Safety and Rehabilitation Directorate).

Offending Behaviour Programmes (OBPs)

Resolve OBP only ceased due to Covid -19 restrictions and although HMP Wealstun is hoping to procure a further years funding for Tackle It, the domestic violence programme run in partnership with Leeds Rhinos, this also will be subject to Covid restrictions as delivery of the programme involves group activity work. Recently six staff were trained to deliver Time Wise, an intervention designed to address violent behaviour which will be rolled out once the prison has appropriate IT to deliver it.

Category D Prison Spaces

As part of the 10,000 additional prison places programme, plans are also being developed to increase capacity in the Category D estate to enable more men to move to open conditions to support their rehabilitation.

Locally, there are currently approximately 32 Category D prisoners held at HMP Wealstun. Several of these prisoners are deemed unsuitable for allocation to HMP/YOI Hatfield Category D Resettlement Prison as this establishment cannot facilitate supervised medication to the men held in their care. Some individuals are approved a move but require a completed offender assessment review prior to the transfer, due to a change in risk. The Category C estate is unfortunately currently inadequately resourced to enable these reviews to take place, creating a system grid lock. This grid lock is under review and HMP Wealstun is part of a pilot that intends to improve this capability.

Post Covid-19 Lockdown Recovery

The key worker scheme has been largely targeted towards very vulnerable prisoners during Stage 4 of the Covid -19 regime delivery, as HMP Wealstun fully progresses into Stage 3, and when staffing availability allows, staff will start to deliver more key worker sessions. With the introduction of the new Offender Management in Custody staffing profile, this will allow for keyworker activity during the morning and afternoons to ensure all prisoners receive their allocated keyworker time. All Prisoner Offender Managers (probation, operational and non-operational) will be assigned an area of special interest, one of these areas will be IPP/Lifers.

Staffing Resources

HMP Wealstun received a staff surge of detached duty Band 3 prison officers in March 2019 on loan from HMP/YOI Moorland. This was due to several reasons namely to build resilience within the permanent staffing group, to cover vacant posts, and largely to provide additional resource to HMP Wealstun's agreed staffing levels. Resources have now been provided to the Equalities team; the Senior Manager Equalities Lead position was re-evaluated and has been replaced with a Band 6 Equalities Manager who took up post in September 2020. A part time Band 3 Administrator has also joined the team.

HMP Wealstun has sufficient funding in line with the operational staffing benchmark to provide a Covid regime / full regime and post Covid-19 recovery a new staffing profile will be introduced.

Cost of Refreshments

The costing of items sold in the staff mess and the visits hall refreshment bar are not informed by regional policy. The staff mess is operated both as a learning and business enterprise by the provider of education Novus and HMP Wealstun has no influence over their pricing structures. The visits hall refreshment bar costing is in comparison and comparable to the services provided by a local community café and similar pricing to other establishments within the Yorkshire region.