



Ministry
of Justice

Alex Chalk MP
Parliamentary Under-Secretary
of State for Justice

██████████
Chair, Independent Monitoring Board
HMP Garth
Ulnes Walton Lane
Leyland, Preston
PR28 8NE

MoJ Ref: SUB 86948

19 April 2021

Dear ████████,

**HMP GARTH: 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 your Board's membership reduced during the reporting year and the Covid-19 pandemic impacted on your ability to gather information.

I understand the Board's continued concern for prisoners serving indeterminate sentences of Imprisonment for Public Protection (IPP) and the request for retrospective legislation to address this. In her response of 5 October 2020, my predecessor outlined why the IPP sentence was abolished but was not applied retrospectively. There are no plans to change the legislation, however, 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 allow them to demonstrate that they can be safely released by the independent Parole Board. The latest published national figures at the end of December 2020 show the unreleased IPP population standing at 1,849, which is a reduction from 2,134 at the end of December 2019. This demonstrates that opportunities remain available to IPP prisoners to progress in their sentence, despite the Covid-19 pandemic. To continue this progress, case file reviews have been expanded to now include all short tariff prisoners irrespective of previous parole hearing outcomes. These reviews are reinvigorating cases that are not progressing, identifying appropriate individual progression pathways where necessary, as well as continuing to monitor individuals' progress at a minimum of a monthly basis.

Due to the increased service provision and suite of programmes available at HMP Garth, the prison holds the highest number of IPP prisoners across the Long Term and High Security Estate (LTHSE). The number of IPP prisoner at HMP Garth at the beginning of March 2021 was 50, with around 70% either engaging with the prison's specialist units, being assessed, undertaking Offender Behaviour Programmes (OBP) or recently completing an OBP. For those IPP prisoners where there is no or limited engagement with their sentence plan, there is a significant level of psychological resource to help assist with their progression and these prisoners are being prioritised for multi-disciplinary IPP progression panels. For the most complex of IPP cases, referrals are also made to the LTHSE Pathways to Progression team.

Turning to the delays in conducting investigations into deaths in custody I recognise the Board's concern at how distressing the process can be for family members, staff and prisoners involved. I was also saddened to hear there were three deaths in custody during the year; every death is a tragedy and my officials take recommendations made by the Prisons and Probation Ombudsman (PPO) very seriously. All

deaths are subject to independent investigations carried out by the PPO, which includes a clinical review undertaken by a healthcare professional, and a Coroner. It is acknowledged that investigations can be lengthy, but these are mandatory and it is appropriate that these are undertaken when a prisoner dies in order to establish the cause of death, allow the family the opportunity to participate in the investigations and to produce important learning. It is also recognised that there have been unavoidable delays as a result of the Covid-19 pandemic. Nonetheless, HMPPS remains committed to minimising delays by working closely with the PPO and coroners to ensure they are given the information they need quickly and efficiently. HMPPS also endeavours to provide the support that both staff and prisoners need during this very difficult time.

I acknowledge the Board's request that consideration should be given to undertaking further recruitment to support existing staff. The Government is fully committed to maintaining staff numbers in prisons and since 2016 has increased overall staffing to support the implementation of Offender Management in Custody and for enhanced security measures. However, it is acknowledged that the past year has proved difficult for prison officer recruitment as the pandemic prevented the attraction and selection for several months. A Ministry of Justice Resourcing Recovery Project was set up to co-ordinate and manage the recovery of recruitment across operational roles in HMPPS and this is now progressing with HMP Garth having a healthy pipeline of new prison officers who will join up to the end of July.

Locally, HMP Garth is aware of how difficult the last year has been for its staff and continues to raise awareness of employee support services already on offer, such as PAM Assist and Optima Health in addition to introducing new initiatives. The prison has recruited and trained nine Mental Health Allies, fourteen Trauma Risk Management (TRiM) practitioners and four TRiM managers. These are working alongside the existing Staff Care Team to provide greater over-arching mental health and trauma support. Structured Professional Support has been implemented for senior managers with the intention to roll this out to all staff later in 2021 and a Staff Support Lead has been appointed to ensure momentum continues. An emphasis has also been placed on line-manager's conducting wellbeing checks with staff, alongside regular promotion of campaigns, such as the Charity for Civil Servants and the Reach Out Save Lives. There has also been guidance on how to keep well, and seek advice to support family, children and finances. Events have also been held at the prison during the pandemic to allow staff some down time, whilst recognising and appreciating the work they have done and continue to do.

Despite your concerns, it was reassuring to receive your comments recognising the efforts of everyone working at the prison who have helped maintain a safe and secure environment during the Covid-19 pandemic. I too am grateful for all their hard work and professionalism during this difficult time. It was pleasing to note that diversity and inclusion work has continued to be proactive and that prisoners are treated with respect. I was also encouraged to read about the war memorial garden that has been created by prisoners and staff who are ex-service personnel; this is something that the prison, and all those involved should be proud of. I note you have also raised a concern about prisoners' property and HMPPS comments in response to that matter is 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 Garth.

Yours sincerely,

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

ALEX CHALK MP

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

Prisoners' Property

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. HMPPS welcomes the Board's suggestions to improve the transportation of property and as previously advised, towards the end of this reporting period the new PECS contract commenced in August 2020. This introduced a new vehicle fleet with an increased capacity to facilitate an additional half bag of property for consumables to the limit of 7.5kg. Whilst there is insufficient room and it is not a requirement of PECS providers to transport property outside these limits, HMPPS is continuing to take steps to ensure there is a consistent approach when forwarding on any excess items prisoners may have accumulated to their new establishment after the transfer has taken place. It is also encouraging that the number of applications about the loss of property on transfer to HMP Garth has reduced since the last reporting period from 39 to 17, as has the number of applications about property moving within the prison from 46 to 13. PECS has also not received any complaints regarding property involving HMP Garth in the last 12 months.

In addition, following a pause in the development of the new Prisoners' Property Policy Framework project due to Covid-19, a meeting with IMB representatives took place in August 2020. The feedback received from those IMB members were considered alongside the comments which were received from other stakeholders and subsequent operational engagement. The draft framework has now been shared with some key stakeholders, including the IMB representatives that were previously consulted, and this will be followed by wider consultation shortly.