



██████████
Chair, Independent Monitoring Board
HMP/YOI Chelmsford
200 Springfield Road
Chelmsford, Essex
CM2 6LQ

MoJ ref: SUB84502

8th January 2021

Dear ██████████

**HMP/YOI CHELMSFORD: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 SEPTEMBER 2019 – 31 AUGUST 2020**

Thank you for your Board's report for the year ending 31 August 2020. I am grateful to you and your colleagues for your hard work in capturing these helpful observations, especially as the Covid-19 pandemic impacted on your level of monitoring.

I understand the Board's continued concern about overcrowding and wish to assure the Board that reducing overcrowding is a central aim of the estate modernisation. The delivery of 18,000 places that are modern, decent and uncrowded provides HM Prison and Probation Service (HMPPS) with an opportunity to take steps towards reducing crowding. Whilst it is recognised that the problem of crowding in prisons will not be easily addressed, the average number of prisoners held in crowded conditions across the prison estate has fallen slightly in recent years. In addition, since March 2020 the overall prison population has fallen significantly following a reduction in new receptions from courts, reducing the number of prisoners having to share cells. HMP/YOI Chelmsford currently has an operational capacity of up to 690 prisoners and throughout the Covid-19 pandemic has had a stable level of crowding, which is not unusual for a local prison. HMPPS continues to maximise movements of prisoners into the training and open estate to alleviate the pressures at local prisons as far as possible. The latest population projections, however, indicate HMPPS may face challenges in dealing with demand for prison places and it is therefore likely that prisons will need to continue to hold prisoners over their certified normal accommodation in the future. It is acknowledged that it is not desirable to hold two prisoners in a cell designed for one, but these places meet HMPPS standards for crowded accommodation and reducing crowding at one establishment would result in crowding having to increase further elsewhere.

With regard to the refurbishment of A wing, work within the Segregation Unit commenced in October 2020 and will include the replacement of cell windows for modern safer cell type window ventilators, installation of safer cell furniture and the refurbishment of the showering facilities. The showering facilities throughout the wider A wing will also be refurbished, as well as the wing being redecorated, flooring replaced and new in-cell furniture installed. A small number of additional items are being included within the scope of the works such as the installation of LED lighting on the landings. The full programme of work is anticipated to be completed in spring 2021.

Regarding the Board's continued concern about foreign nationals being held beyond their sentence, the Home Office is committed to working with HMPPS and other government agencies to ensure detention paperwork is served at least 30 days prior to conditional release dates. A Service Level Agreement to this

effect was signed in January 2020. Whilst individuals of interest to Home Office Immigration Enforcement can be lawfully detained in prison or at an immigration removal centre beyond their conditional release date under the IS91 authority to detain process, the Home Office remains committed to progressing cases as quickly as possible. Foreign nationals are informed about the deportation processes as early as possible by Immigration Officers. The Home Office also continues to review its processes to ensure that foreign nationals are kept informed of the status of their deportation case and the reasons for ongoing detention. However, it remains the case that some can end up being detained longer than the Home Office would wish due to an unwillingness to engage in the process.

I acknowledge the ongoing concerns about the proportion of offenders released who have no fixed abode and can reassure you that it remains a priority to find somewhere safe and secure for them to live following their release from custody. Further to my previous response in January 2020, HMPPS has now published its national Accommodation Framework, which sets out the Agency's and its partners' responsibilities, such as the local authorities having to ensure that offenders can access and maintain settled accommodation. During the initial Covid-19 pandemic, the Ministry of Justice (MoJ) secured £8.5 million to support the provision of accommodation for individuals at risk of homelessness on their release from prison. This scheme initially ran between May and August 2020 providing up to 56 nights' accommodation to ensure individuals could be accommodated in to late October 2020. To support this Covid-19 response, seven regional Homelessness Prevention Taskforces (HPTs) were set up by HMPPS to work with local authorities and other partners to source accommodation for offenders on their release. These HPTs are still active and following the introduction of further national restrictions, an agreement was reached with HM Treasury to reinstate the emergency accommodation funding. However, the HPTs will now source with an increased focus on settled accommodation. HMPPS is also considering how the HPTs will feature in the new unified probation model to continue the progress already made with delivery partners, having contributed to improving accommodation outcomes.

The National Probation Service have also improved commissioning rates and set minimum levels of funding for commissioning Through the Gate (TTG) services from Community Rehabilitation Companies (CRCs) for those people leaving non-resettlement prisons. The data on the status of released prisoners is now published on Gov.UK - <https://data.justice.gov.uk/prisons/life-after-prison>. In addition, despite the introduction of Exceptional Delivery Models in all prisons to safeguard the wellbeing of prisoners and staff due to Covid-19, which impacted TTG services, reducing access to prisons and prisoners, the local resettlement team at HMP/YOI Chelmsford have maintained a physical presence. Regular meetings between the HMPPS Contract Management Team, the CRC and its provider NACRO, and the prison are taking place every six weeks to address any issues around the delivery of resettlement services.

I also acknowledge the Board's concern for those prisoners with mental ill health. The MoJ and HMPPS 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 and health partners to articulate a coherent picture of how healthcare is delivered throughout the criminal justice pathway. The Government is also committed to reforming the Mental Health Act and we are working closely with Department for Health and Social Care to respond to the recommendations of the independent review, chaired by Professor Simon Wessely. A joint White Paper will be published in the coming months.

NHS England and NHS Improvement (NHSE&I) supports the expectation that prison is unsuitable for those whose mental health requires in-patient care. The healthcare service commissioned by the local police force always consider whether a person is well enough to be detained and to plead, and where appropriate this will influence whether they are remanded to prison. For the small number of people whose mental health deteriorates whilst in prison, NHSE&I continues to monitor the time from referral to transfer. This is reported at contract review meetings to ensure that all opportunities to reduce this delay


are maximised and where there are any challenges delaying the transfer of care these are escalated within the Trusts and the Clinical Commissioning Groups. HMP/YOI Chelmsford has an Improving Access to Psychological Therapies service, a primary care mental health service and a secondary care mental health service to support those held at the prison until such time as a more suitable bed becomes available. Multi-disciplinary team meetings are also used to discuss those prisoners who are unwell with care plans in place to manage their behaviours and treatment until they can be stabilised or transferred.

Despite your concerns, I was pleased to receive your comments about the care, professionalism and dedication shown by staff in an improved environment following the accommodation refurbishments. It was reassuring to read about the steps taken to support prisoners during the pandemic and I also thank staff for their efforts during this difficult time. I was encouraged to note that the introduction of the youth council has been well received giving younger prisoners a voice. However, I was saddened to hear there were three deaths in custody during the reporting year; every death is a tragedy and my officials take recommendations from the Prisons and Probation Ombudsman very seriously.

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 the issues raised around equality 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/YOI Chelmsford.

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/YOI CHELMSFORD: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 SEPTEMBER 2019 – 31 AUGUST 2020**

HMPPS comments on matters raised in the report

Equality

HMP/YOI Chelmsford has given Diversity and Inclusion increased focus during 2020, with clearer direction from the Deputy Governor and the introduction of a dedicated administrative post and additional Band 5 Custodial Manager support. Support is also being provided by the Regional Diversity and Inclusion Lead and Ipswich and Suffolk Council for Racial Equality to improve engagement with prisoners and provide an independent view of processes and policy.

The Deputy Governor is now leading the equalities sub-group to ensure the meeting is well informed, well attended and is held regularly. HMP/YOI Chelmsford never intended that the previous dedicated Equality role would be a permanent change to the prison's staffing. The functions of Safer Custody and Equality were separated for a short period to facilitate senior leader development and the combined role of Safer Prisons and Equality is a recognised job description under the HMPPS Job Evaluation Scheme.