



██████████
Chair, Independent Monitoring Board
HMP Birmingham
Winson Green Road
Birmingham
B18 4AS

MoJ Ref: SUB 83240

16 November 2020

Dear ██████████,

**HMP BIRMINGHAM: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 JULY 2019 – 30 JUNE 2020**

Thank you for your Board's report for the year ending 30 June 2020. I am grateful to you and your colleagues for your hard work in capturing these helpful observations especially as Covid-19 impacted on the Board's ability to gather information during the final weeks of the reporting year.

I understand the Board's concerns about cell occupancy on the three Victorian wings once they are refurbished. I can confirm that the refurbished wings will consist of single cells and there has been no suggestion that this decision will be reversed to create additional space. Work is likely to commence in early 2022. I can also advise the Board that there are currently no plans to reduce the number of prisoners held at HMP Birmingham by transitioning to a completely single cell prison.

Regarding the staff to prisoners ratio, HMP Birmingham received significant resource investment following the prison's return to the public sector, with increases to staffing on the residential units and in many key areas of the prison. The Governor has the freedom to make staff model changes and has made a number of these in order to make the best use of resources. In the six months to August 2020, HMP Birmingham averaged 30 staff vacancies across the staffing groups. The 'step-in' resourcing benchmark process was applied to HMP Birmingham. The model provides sufficient resources for a complex local prison and includes a unique custodial management provision that greatly reduces the span of control for line management purposes. It is recognised that this has been pivotal to the improvements highlighted by the Board.

HMP Birmingham has operated in line with the HM Prison and Probation Service's (HMPPS) Covid-19 framework and this has presented an exceptional set of circumstances which requires social distancing and necessitates the vastly reduced number of prisoners unlocked throughout the core day. Whilst lessons will be learned from this period, we do not believe that staffing levels need to be increased post-Covid-19.

Turning to strategies for reducing the influence of urban and organised crime gangs in the community, the Ministry of Justice liaises with all relevant agencies to ensure joint working and close co-operation in reducing criminality associated with criminal gangs and organised crime. The Local Criminal Justice Board, which is chaired by the Regional Police and Crime Commissioner (PCC), is the main forum for this work through its Crime in Prisons Taskforce. The taskforce has representatives from the PCC, police, prisons, probation service, Crown Prosecution Service, HM Courts and Tribunals Service and the judiciary. It focuses on reducing serious criminality, including gun crime, gangs and knife crime. The PCC

has also led the West Midlands' Commission on Gangs and Violence and has introduced a local violence reduction unit in the community.

It is also important that we support prison leavers to tackle anti-social relationships which might draw them back into criminal activity, and help them build positive relationships which can encourage rehabilitation. As part of the Prison Leaver Project, which recently received £20 million funding, we will be testing new ways to help prison leavers build healthy relationships and community ties.

I appreciate the Board's concerns about HMP Birmingham's cohort of prisoners serving indeterminate sentences for public protection (IPP). HMPPS remains committed to supporting efforts to reduce their risk and enable progression to the point where the independent Parole Board determines that they may be safely released. A range of work to improve the management and progression of people serving IPP sentences has been underway for some time, such as the joint HMPPS and Parole Board IPP Action Plan. This includes HMPPS Psychology Services dedicated IPP strategy, which is providing case reviews of the most complex and challenging cases. These reviews have identified pathways for individuals who have not progressed following two or more parole hearings. We have also invested in the establishment of four specialist Progression Regimes across the country, providing 385 places in the prison estate to IPP prisoners who are struggling to progress. These places provide an environment in which they may work to understand and address their risks with dedicated support from staff.

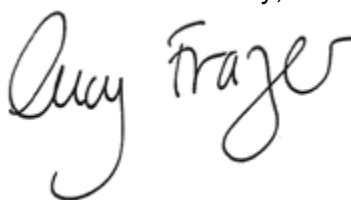
The latest published figures show the unreleased population standing at 1,895 at the end of September 2020, a reduction from 2,039 at the end of March 2020. This is good progress considering that the population of unreleased prisoners serving IPP sentences was over 6,000 at its highest in 2012. It is important to note that as the unreleased IPP population continues to decrease, there is a growing proportion of the most complex and challenging cases remaining in the population and therefore the release rate may not be sustainable. As the Board will appreciate, many of these prisoners are still assessed to pose a high risk of committing further violent or sexual offences and have a complex set of risks and needs. These must be addressed before the Parole Board can consider release. This is not a simple task, but HMPPS will continue to work with these individuals in a multi-disciplinary approach.

Further to my letter in January, I was encouraged to hear that the prison continues to improve in many aspects including better living conditions, a cleaner perimeter and higher standards of cleaning measures and reduced violence. I was also pleased to hear the Board's views on the creation of a new permanent senior lead for equalities, diversity and inclusion. Further to this the additional forums, increased use of data and the proactive steps taken by senior management following the killing of George Floyd and Black Lives Matter activity in the community are all most welcome.

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 Birmingham.

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 BIRMINGHAM: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 JULY 2019 – 30 JUNE 2020**

HMPPS comments on matters raised in the report

Prisoners' Property

HMPPS understands the Board's concerns around prisoners' property and it is unfortunate and regrettable that this is an issue at some sites. The Board may be aware that development of the new Prisoners' Property Policy Framework was being informed by a project undertaken in summer 2019, involving stakeholders across HMPPS and the escort services. 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. Its purpose was to support the policy review and identify areas where immediate and more long-term changes may be required to improve operational practice.

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 a meeting with IMB members took place in August. Consultation with operational colleagues is also expected to resume soon, subject to any further Covid-19 impacts on recovery. The feedback received at the meeting with IMB members will be considered alongside the comments received from other stakeholders, with the intention that the revised draft policy framework will be circulated for wider consultation at the end of 2020. While digital improvements are being explored, the nature of that work means that any digital changes are likely to take longer to develop.