



██████████
Chair, Independent Monitoring Board
HMP Leeds
Gloucester Terrace
Armley
Leeds
LS12 2TJ

Moj ref: SUB 90631

8 September 2021

Dear ██████████,

**HMP LEEDS: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 JANUARY 2020 – 31 DECEMBER 2020**

Thank you for your Board's report for the year ending 31 December 2020. I am grateful to you and your colleagues for your hard work in capturing these helpful observations during what has been an unprecedented period and as you continued to operate with a reduced complement of Board members. I was saddened to hear there were ten deaths in custody. Every death is a tragedy and my officials always take recommendations from the Prisons and Probation Ombudsman very seriously.

HM Prisons and Probation Service (HMPPS) and I appreciate the disruptions that short sentences cause HMP Leeds and the wider estate. Sentencing is a matter for our independent courts. However, when deciding the sentence, it is an established principle that the court is able to take into account the likely impact of a custodial sentence in an individual case. We are clear that sentencing must match the severity of a crime, and public protection is our priority. It is therefore imperative that judges and magistrates have the power to impose short custodial sentences where they are appropriate and necessary. Custody should nevertheless always be a last resort. If we are to break the cycle of reoffending, solutions will often lie in community sentences which we are legislating to strengthen.

As part of Probation Reform Programme, all Probation Regions will have a short sentence function to work with those serving 10 months and less at point of sentence, and Yorkshire and The Humber probation region is an early adopter area. The aims include sustaining any community services already in place, such as accommodation or engagement with substance misuse services and to fast track into new services based on need. Due to the limited time available, Probation Service staff will engage with people in prison as quickly as possible after sentencing. As short-sentence prisoners often tend to have disruptive behaviour, going forward HMP Leeds aims to house all these prisoners in one bespoke unit offering increased one-to-one support including additional support from the Probation Service referred to earlier.

Secure hospital capacity is managed by NHS England and I can confirm that Liaison and Diversion (L&D) services have been fully operational in West Yorkshire since 2014 as part of the national pilot project. At the end of the pilot in April 2019, procurement was undertaken for L&D services across the whole of Yorkshire and Humberside, which covers Police Custody and Courts. These contracts have subsequently been reviewed and contract extensions awarded for a further three years until March 2024. All L&D services across the north east of England and Yorkshire (including Humberside) successfully completed a Commissioning for Quality & Innovation (CQUIN) project in 2020/2021 to develop relationships and

information sharing pathways with all reception prisons across the region and is monitored by NHSE England and Improvement (NHSE&I) on a quarterly basis. The L&D services also have good relationships with community services, including mental health, and are able to access information for court reports etc. as required. Referral pathways are now well established across the region.

Regarding mental health transfers, the NHSE&I Access Assessment Guidelines (2019) detail the process for assessment and admission for individuals referred to and deemed appropriate for admission to Secure Mental Health Services. An access assessment is the specialist clinical assessment and formulation of the mental health and risk management needs of an individual. It is used to inform decisions about the most appropriate inpatient placement for the person in terms of their care and treatment needs and the level of security required if admission is felt to be clinically indicated. This includes people with a diagnosis of Autism and/or Learning Disabilities. Referrals can be assessed urgently, with a 48-hour timeline, and a verbal response given 24 hours after this and a written response within five working days. On 1 October 2021, future commissioning of secure mental health beds will transfer to Lead Providers in the NHS collaboratives.

The situation with immigration detainees has not been forgotten. I am pleased to confirm that the rollout for Phase 2 of the Detained Immigration Appeals (Hendon) process started on 26 July 2021. This includes the introduction of video conferencing as an option to Foreign National Offenders (FNOs) for First Tier Tribunal hearings. The pilot will include HMPs Huntercombe, Maidstone and Highpoint. The criteria for this phase of the pilot remains the same, where all cases prior to the Early Release Scheme or those who are within six months of their Conditional Release Date/Earliest Release Date are suitable. The current plan is to go live in HMPs Moorland and The Mount in October, and then at HMP Risley around January 2022. It will then be a full year (plus evaluation) before the Hendon process is rolled out nationally. It is of note that the Home Office's FNO Team allocated to HMP Leeds maintained a face-to-face presence at the prison on a weekly basis throughout the pandemic.

Although the pandemic has had a major impact on our estate and operations, it was encouraging to receive your comments about the body scanner in reception and the successful change of format to the 'Governor's Question Time'. I am grateful to the Board for highlighting the work of the senior nurse practitioner who has forged links with a local hospice enabling prisoners to be supported at the end of their life. I was also pleased to read that the Governor and Deputy Governor helped the new Board become established in the most trying of circumstances. I echo your praise of staff at all grades for their efforts to ensure the smooth running of the establishment throughout the pandemic.

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 Leeds.

Yours sincerely,

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

ALEX CHALK MP

**HMP LEEDS: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 JANUARY 2020 – 31 DECEMBER 2020**

HMPPS comments on matters raised in the report

Cell Sharing

HMP Leeds has continued to need to operate in excess of its certified normal accommodation level (i.e. its uncrowded capacity) due to regional capacity pressures. This is despite a fall in the national prison population of approximately 5500 since March 2020 primarily driven by a reduction in inflows from the courts during lockdown, which has meant there has been a reduction in the number of prisoners sharing cells, and has enabled HMPPS' compartmentalisation strategy to be implemented.

Whilst the average number of prisoners held in crowded conditions has fallen across the estate during 2020/21 compared to 2019/20, HMPPS recognises the concerns raised by the Board. Although these places meet HMPPS standards for crowded accommodation, holding two men in a cell designed for one prisoner in order to accommodate national population pressures is not desirable.

The wider problem of crowding in prisons is a longstanding issue that will not be easily addressed. However, we welcome the Government's recent announcement to commit over £4 billion capital funding to make significant progress in delivering 18,000 additional prison places across England and Wales by the mid-2020s. This includes creating four new prisons over the next six years and expanding another four prisons over the next three years. Construction is well underway on HMP Five Wells, the new prison at Wellingborough in Northamptonshire, and works have started at Glen Parva, Leicestershire. These additional prison places will have a positive impact on lowering the proportion of crowding within the prison estate by providing accommodation that is safe, decent and uncrowded. However, the extent to which the proportion of prisoners held in crowded accommodation will reduce will be dependent on levels of demand in the system.