



Ministry
of Justice

Victoria Atkins MP
Minister of State for Justice and
Minister for Afghan Resettlement

██████████
Chair, Independent Monitoring Board
HMP Rye Hill
Willoughby, Nr. Rugby
Warwickshire
CV23 8SZ

Moj ref: SUB 91007

27 September 2021

Dear ██████████,

**HMP RYE HILL: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 APRIL 2020 – 31 MARCH 2021**

Thank you for your Board's report for the year ending 31 March 2021. I am grateful to you and your colleagues for your hard work in capturing these helpful observations, especially as you continued to operate with a reduced complement of Board members during an unprecedented reporting year. I was saddened to hear there were eight deaths in custody during the period, four of which were Covid-19 related. Every death is a tragedy and my officials always take recommendations from the Prisons and Probation Ombudsman very seriously.

I appreciate the Board's ongoing concerns about prisoners serving the indeterminate sentence of imprisonment for public protection (IPP). As the Board will be aware, the IPP sentence was abolished in late 2012 by the Legal Aid, Sentencing and Punishment of Offenders Act. This abolition was not applied retrospectively as the Government at the time took the view it would not be right to alter sentences that had been lawfully imposed prior to their abolition. This means that the Parole Board will grant those prisoners serving the IPP sentence release only once the Board has concluded that it is no longer necessary for the purposes of public protection for them to remain confined to custody.

Although Covid-19 continues to present a unique set of challenges, I would like to reassure you that HM Prison and Probation Service (HMPPS) remain committed to doing all it can to support the progression of IPP sentenced prisoners to the point where the Parole Board determines that they may be safely released. The IPP Action Plan referred to in last year's response continues to deliver a substantial reduction in the number of IPP prisoners who have never been released. That number stood at 1,722 at the end of June 2021, a reduction from 1,969 at the end of June 2020. To continue this progress, the IPP Action Plan includes psychology work stream consultancy/case file reviews (CFRs) and prioritises IPP prisoners in custody where they have failed to make any progress after two or more post-tariff parole hearings. These reviews reinvigorate cases that are not progressing and, where necessary, with consultation, practitioners agree and identify appropriate individual progression pathways. HMPPS also continues to monitor Progression Regimes at four prisons across the country that are dedicated to progressing IPP prisoners struggling to achieve release via the usual routes.

As mentioned in last year's response, it is important to note that as the number of IPP prisoners who have never been released continues to decrease, the proportion of those who remain in prison who committed more serious offences and whose cases are complex grows. 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 and these must be addressed before the Parole Board can consider release. This is not a simple task, and we continue to work with these individuals to offer them opportunities to reduce their identified risks. For these reasons, there are some prisoners serving the IPP sentence who have spent a significant number of years in custody after completing their tariff.

Though this year has been a challenging reporting period and very difficult to measure any progress, it was encouraging to receive your comments that the Board considers the prison to be a safe environment for all prisoners, with fair and humane treatment within the nationally imposed restrictions. The pandemic has been a worrying time for all, and it is therefore important to recognise the prison's efforts and initiatives to keep all prisoners and their families informed of what was happening in response to Covid-19. I was further encouraged to note that daily welfare checks were made on prisoners during lockdown periods, and the resumption of the "Pets as Therapy" scheme that continues to be a success.

I note you have raised some local issues of concern in your report, of which the Director will continue to keep you aware 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 Rye Hill.

Yours ever,



VICTORIA ATKINS MP

**HMP RYE HILL: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 APRIL 2020 – 31 MARCH 2021**

HMPPS comments on matters raised in the report

Mental Health Provision

Further to last years' response, it is regrettable that individuals have had long waits for transfer to secure hospital. Throughout the pandemic in 2020, and the early part of 2021, there have been frequent closures within the mental health hospital estate, such as Rampton and St Andrews Northampton, due to positive Covid-19 cases. This has resulted in many patients incurring significant delays to admission and as a result, once restrictions were lifted, there were significant waiting lists for beds. This is part of the Restoration and Recovery of services across the healthcare sector.

In order to proactively manage and support reductions in the waiting times for admission to secure hospital, NHS England Health and Justice (Midlands) Governance team and Commissioners have developed a Clinical Case review meeting that takes place every two weeks. This is clinically led and seeks to proactively manage those waiting for secure beds through dynamic risk assessment (every case on the waiting list is required to be risk assessed every two weeks). The meeting covers the whole Midlands Region and incorporates all patients who have exceeded the 28-day timeframe. This is a multi-agency meeting to ensure that a whole systems approach to supporting the most vulnerable and high-risk patients is adopted. Patients can move up and down this list dependent on their presenting risks. These meetings have impacted positively on the waiting list.

It should be noted that the pathway into secure beds is complex and that the responsibility for the commissioning and provision of high, medium and low services sits within NHS England's Specialised Commissioning team. As such, the provider and HMP Rye Hill are working with multiple teams and constraints, and within the confines of services not commissioned by NHS England Health and Justice.