



██████████  
Chair, Independent Monitoring Board  
C/O HMP/YOI Low Newton  
Brasside  
Durham  
DH1 5YA

**MoJ ref:** SUB 91522

15 October 2021

██████████,  
**HMP/YOI LOW NEWTON: INDEPENDENT MONITORING BOARD ANNUAL REPORT  
FOR 1 MARCH 2020 - 28 FEBRUARY 2021**

Thank you for your Board's report for the year ending 28 February 2021. I am grateful to you and your colleagues for your hard work in capturing these helpful observations, especially operating with five Board members during a challenging reporting period. I was saddened to hear that a prisoner died in hospital; my officials take recommendations from the Prisons and Probation Ombudsman very seriously.

I share the Board's concern about the number of women with acute mental health difficulties who enter the prison system. Women being sent to prison as a place of safety can occur via two routes - the Mental Health Act or the Bail Act. It is important to note that the review of the Mental Health Act (MHA) sought to avoid prisons from being used as a place of safety, where the court can send a person to be temporarily held for their own or others protection whilst awaiting an assessment or transfer under the MHA (authorised currently by power in the MHA). Separately, the Bail Act 1976 allows courts to remand people to prison for their own protection including under the grounds of mental health. There are many factors to be considered before a change in legislation. The use of the Bail Act power and impact of amending it is currently being reviewed. As the Board were made aware in my predecessor's letter sent August 2020, a review has also been undertaken by HM Prison and Probation Service (HMPPS) to look at this issue in a numbers of prisons in both the women's and male estate. The review has been completed and is being considered given that this has wider implications across the Criminal Justice System. A multi-agency working group has been set up to take this work forward.

Additionally, there is a review of health and social care across the women's estate jointly commissioned by HMPPS and NHS England and NHS Improvement. The review includes consideration of mental health across the estate and aims to ensure equity and a better understanding of the current ability of the existing women's estate, to enable delivery of high-quality care, treatment, and management of women in custody in England. The review is expected to be completed in spring 2022.

Locally at HMP/YOI Low Newton, staff work closely with Health and Justice partners to reduce the number of women sent to Low Newton as a place of safety and find suitable spaces within the secure mental hospital estate as soon as practicable. Due to the infrastructure of the prison and significant capital

funding required to build a new purpose-built facility, it is not possible to create a bespoke mental health unit.

Turning to some positive comments captured in your report, it was encouraging to read that HMP/YOI Low Newton provides a safe environment. I was pleased to hear that the management team and staff coped well, showed innovation and adopted different service delivery methods to keep the women occupied during the pandemic. It was interesting to learn about many other aspects of the prison such as the Clean, Rehabilitative, Enabling and Decent initiative and the service provided by the Drug and Alcohol Recovery Team, Chaplaincy and the work of the Segregation Unit. It is pleasing to see the positive equality and diversity approach throughout the prison, using data and evidence for people of different characteristics in supporting an equitable service and treatment for all prisoners.

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/YOI Low Newton.

Yours ever,

A handwritten signature in blue ink that reads "Victoria Atkins". The signature is written in a cursive, flowing style.

**VICTORIA ATKINS MP**

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**HMPPS comments on matters raised in the report**

**New Educational and Vocational Initiatives**

Whilst there is no additional funding to facilitate the Board's request, the Governor and his team are working with external organisations within current funding to change the activity profile and provide fewer non-stereotypical and a broader range of activities and opportunities.