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Chair, Independent Monitoring Board
HMP/YOI Norwich
Knox Road
Norwich, Norfolk
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Moj ref: SUB 90611

7 September 2021

Dear ██████████

**HMP/YOI NORWICH: 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 as you continued to be short of Board members during the reporting year. I am sorry to hear about your concerns regarding your allocated visits to the prison, I understand the IMB Secretariat corresponded with you directly on this matter and that Dame Anne Owers the National Chair of the IMB wrote to the Board on 11 May 2021. The Lord Chancellor has been in touch with Thérèse Coffey MP (Secretary of State for Work and Pensions and MP for Suffolk Coastal), and I have also written to Jerome Mayhew MP for Broadland in Norfolk and Chloe Smith MP (for Norwich North) where I set out that I am supportive of the points Dame Anne put forward in her response. I was also saddened to hear there were three deaths in custody; every death is a tragedy and my officials take recommendations from the Prisons and Probation Ombudsman very seriously.

I understand the Board's concern about those prisoners serving indeterminate sentences of Imprisonment for Public Protection (IPP). I wish to reassure you that HM Prison and Probation Service (HMPPS) continue to work with these individuals to offer them opportunities to reduce their identified risks. The latest published national figures at the end of June 2021 show the unreleased IPP population standing at 1,722, which is a reduction from 1,969 at the end of June 2020 and the 6,000 at its highest in 2012. This demonstrates that opportunities remain available to IPP prisoners wishing to progress and despite the pandemic. To continue the progress already made, case file reviews have been expanded to include all short tariff prisoners irrespective of previous parole hearing outcome. This is in addition to those that have failed to make any progress after two or more post-tariff parole hearings. These reviews reinvigorate cases that are not progressing and identify appropriate individual progression pathways.

Every effort is made to locate an IPP prisoner to a prison best placed to meet their sentence planning needs as promptly as is reasonably possible. However, transfers during a parole review would usually only take place if it is to access a progression opportunity and does not disrupt an impending parole hearing date. Prisons will otherwise seek to progress IPP prisoners at the earliest opportunity following the conclusion of a parole review. It is recognised that HMP/YOI Norwich does not deliver the offending behaviour programmes (OBP) or accredited interventions which would normally be expected for life sentence or IPP prisoners. As explained by my predecessor last year, the majority of IPP prisoners at

HMP/YOI Norwich have been recalled into custody and will therefore be transferred on to other prisons. Some individuals have already progressed to Category D status to Britannia House, however others that have complex needs may require longer term multi-disciplinary to support their progression with some considered for services within the Offender Personality Disorder pathway or a Progression Regime and are awaiting transfer. Some have also already completed OBPs and for others Progression Panels will take place as they do for every recalled IPP to support their progression.

Regarding the Board's concern about overcrowding and the provision of rehabilitative programmes. The Government's announcement in the spending review to commit over £4 billion capital funding will make significant progress in delivering 18,000 additional prison places across England and Wales by the mid-2020s. These additional prison places will be safe, decent and uncrowded and will have a positive impact on lowering the proportion of crowding within the prison estate. This includes creating four new prisons over the next six years and expanding another four prisons over the next three years. In addition, construction is well underway at HMP Five Wells and work has started at the former HMP Glen Parva site. The national prison population has also fallen by approximately 5,500 since March 2020 primarily due to a decline in new receptions from courts. This has meant there has been a reduction in the number of prisoners sharing cells. However, it is recognised HMP/YOI Norwich has continued to need to operate in excess of its certified normal accommodation level because of regional capacity pressures. While these places meet HMPPS standards for crowded accommodation, it is not desirable to hold two individuals in a cell designed for one but reducing crowding at one prison would result in crowding having to increase further elsewhere.

HMPPS provides a range of opportunities for prisoners to engage in rehabilitative interventions to enable them to learn new skills to support change and reduce their risk of reoffending. Accredited interventions are only one part of this approach and are not always suitable for everyone as some may not be ready or willing to engage. Due to Covid-19 there has been a reduction in OBP places offered whilst HMPPS works through its recovery plans for all areas of delivery. However, there has always been and remains provision for those prisoners who are eligible for accredited OBPs to be transferred to appropriate prison as per agreed prioritisation principles. Plans for identification of OBP specific needs for the population at HMP/YOI Norwich will remain under review and in the meantime, the prison is well provided with educational and vocational training spaces to enable prisoners to engage in their rehabilitation flexibly to match their needs and the potential job opportunities in the local area.

I understand the Board's concern with the proposals within the Sentencing White Paper for longer sentences which are being brought forward by the Police, Crime Sentencing and Courts Bill currently before Parliament. Although the research referred to in your report regarding the impact of long-term imprisonment was examined when it was published in 2013 and literature on longer sentences cohorts considered as part of the Sentencing Review, the government position is that offenders must serve sentences that match the severity of their offending and which serve public protection and public confidence.

This legislation will therefore deliver a new, smarter approach to sentencing; a framework that takes account of the true nature of crimes and targets specific groups of offenders accordingly. This means ensuring that dangerous and serious offenders spend longer in prison to truly reflect the severity of their crimes, but also introducing more effective community sentences which address the causes of offending and give offenders a fair start on the road to rehabilitation. The legislation delivers on several manifesto commitments to make sentences tougher for the worst offenders, providing public confidence, which is currently undermined when serious criminals are routinely being released after serving only half of their sentence. These longer periods in prison will provide more time for individuals to engage in rehabilitative programmes and other interventions to reduce their risk and prepare them for a safe return to the

community. The measures also seek to maintain a period on licence following release for serious and dangerous offenders, which allows for a supervised return to the community with probation support. It is acknowledged that diversion from custody into treatment can be a more appropriate pathway for some individuals rather than serving a short prison sentence. A recent independent evaluation of liaison and diversion (L&D) services concluded that these are effective in identifying individuals with vulnerabilities and the Courts are handing down more non-custodial sentences to this group than to those who decline to engage. Work is therefore continuing to ensure that individuals with vulnerabilities are identified early in the criminal justice system, such as using L&D services and community sentence treatment requirements. However, for some individuals who present higher risk and are convicted of committing offences which can only have a custodial sentence, if they are assessed as unfit to be detained, they will be assessed under the Mental Health Act by police custody healthcare teams (not L&D services) and if diagnosed with a mental health condition and deemed a risk to themselves or others they will receive treatment in a mental health hospital.

Despite these services there are a significant number of people who do not have a diagnosis or are not a risk to themselves or to others and these individuals will be remanded or sentenced to prison. HMPPS takes mental health very seriously and recognises that providing the right interventions at the right time is vital to improve outcomes for individuals with mental health needs. Mental healthcare and treatment are delivered in all prisons, and health and justice partners have committed to providing a standard of healthcare in prisons equivalent to that available in the community which is set out in the National Partnership Agreement on Prison Healthcare in England. Improved mental health awareness training has also been developed and is included within Prison Officer Entry Level Training as well as there being refresher training for existing staff.

Where treatment cannot be provided in a prison, a prisoner will be transferred to another prison that has a specialised physiologically informed planned environment (PIPE) unit or therapeutic community, escorted to hospital on an inpatient or outpatient basis for specialist mental health support or, if appropriate, transferred from prison to hospital under the Mental Health Act. A White Paper titled, Reforming the Mental Health Act, was published on 13 January 2021 providing a commitment to introduce a statutory time limit of 28 days for transfers to mental health hospitals from custody. A new independent role will also oversee the transfer process to help further reduce unnecessary delays. In addition, NHS England and Improvement published revised transfer guidance on 10 June 2021 which promotes timely access to appropriate treatment and reduce unnecessary delays - <https://www.england.nhs.uk/publication/guidance-for-the-transfer-and-remission-of-adult-prisoners-and-immigration-removal-centre-detainees-under-the-mental-health-act-1983/>

Regarding smuggling of contraband into prisons through impregnated correspondence this is one of the most challenging methods of smuggling faced and can have a detrimental impact on HMPPS and those in custody. Providing a photocopy of correspondence following positive testing on a drug trace detection machine is an appropriate and proportionate response to this threat. The national policy framework outlines an appeals period during which prisoners have an opportunity to request their original letter in exceptional circumstances. If the appeal is successful, the item will not be destroyed. In producing the policy framework, HMPPS consulted with the Government's Legal Department and conducted a Family Impact Assessment and an Equalities Impact Assessment. However, HMP/YOI Norwich has taken the decision to return the correspondence to the prisoner on their release rather than destroy it which is also allowed within the framework. With regards to drug treatment, healthcare services within prisons are commissioned based on health need assessments within the funding that is available. It is recognised that Phoenix Futures withdrew face to face services during the pandemic as was the case with many services to mitigate the risk of the virus spreading. However, locally HMP/YOI Norwich has engaged with Phoenix Futures who are now delivering support and awareness courses to individuals who have problems with addiction.

Turning to supporting individuals at risk of homelessness, funding during the pandemic provided an emergency scheme to support prison leavers with up to 56 nights in accommodation. The scheme ran between 18 May and 31 August 2020 and was reintroduced on 22 October 2020 until 9 April 2021 because of further public health and public protection considerations. HMPPS has retained the Homeless Prevention Teams as a permanent feature to develop relationships with local authorities and other strategic partners in order to embed and expand housing options for prison leavers. In addition, building on the learning from the emergency scheme more than £20 million is being invested which will provide up to 12 weeks of transitional accommodation whilst long-term settled accommodation is found. The service is initially launching in five regions and will support around 3,000 individuals in the first year. HMPPS has also strengthened the actions to be taken by prisons and probation staff under the new unified probation model, by implementing 'The Homelessness Reduction Act 2017: Duty to Refer (England only)' policy framework on 1 July 2021. It is anticipated that this will ensure more prisoners receive statutory accommodation support at an earlier stage. Community probation practitioners now have responsibility for pre-release planning earlier enabling more time to plan for an individual's needs such as accommodation. HMP/YOI Norwich has also been chosen as an Accelerator Prison providing greater support to assist prisoners with accommodation and employment on release and is well connected with the local authorities and charities.

Regarding resources to support reform, HMPPS want Prison Officers to stay and progress their careers and induction processes have been improved to ease transition into the role, provide care and support for staff and offer additional training. Work to develop clear career paths and professionalise the service continues which will aid motivation and offer greater reliance across the system, providing development as well as promotion opportunities for our experienced staff. New staff are also being supported and mentored, and with the extra staff that have been recruited across the estate there will be greater confidence in working in a safe, decent and secure environment. Whilst the move to the 15-month Custody & Detention Apprenticeship was paused during the pandemic it is being rolled-out now in phases, providing much more practical skills development. Key work activities were implemented in all closed male prisons providing 45 minutes one to one contact per prisoner each week to support their needs. This unfortunately was suspended due to the pandemic until Exceptional Delivery Models provided clear guidance on what could be delivered safely at each stage of recovery to minimise the risk of transmission. The levels of key work will continue to increase and will remain an important focus in the care and engagement with prisoners ensuring any risks are mitigated as regimes increase to manage safety and violence. Whilst Covid-19 has also had an impact on staffing at HMP/YOI Norwich, plans are in place to build back better by ensuring staff recruitment, training and welfare is prioritised in delivering each stage of recovery.

I acknowledge the Board's concern about the priority order of the Covid-19 vaccinations programme. The roll out by the NHS has been rapid and is at the centre of the Government's plan to enable life to return to normal. The Joint Committee on Vaccination and Immunisation (JCVI) advised on an approach based on age with phase one including those who were clinically extremely vulnerable and those with underlying health conditions, as evidence showed that this was the most effective way of reducing deaths and hospitalisation from Covid-19. Prisoners have been vaccinated no faster or further than the general public in the community and the JCVI wrote to the previous Secretary of State for Health on 1 March to advise "Every effort should be made to ensure persons in detained setting are offered vaccination in line with the offer to persons in the wider community" and the correspondence can be found at <https://www.gov.uk/government/publications/letter-from-the-health-and-social-care-secretary-on-covid-19-vaccination-phase-1-advice>.

It is also recognised that the pandemic imposed unprecedented challenges on the justice system. However, the UK was among the first of comparable international jurisdictions to re-start jury trials and the

outstanding caseload in the Crown Court has begun to reduce. To support the recovery plans £142 million has been invested in the court estate and £110 million on emergency measures to ensure courts are safe, as well as acquiring new spaces. The court estate has been pushed to the limits within the confines of social distancing and every possible option to maximise court productivity scrutinised, including simultaneously enabled remote hearings and the use of increased prison to court video links to reduce prisoner movements and the risk of transmitting the virus. Norwich Crown Court for example has made building adjustments to increase capacity to hear trials including the installation of a Perspex and plexiglass to enable jury trials to recommence. Kings Lynn courthouse was repurposed as a jury trial venue bringing Norwich's capacity to five courtrooms, four of which are jury enabled.

Despite your concerns, it was reassuring to read your comments praising the leadership of governors and the teamwork and efforts of staff to support prisoners during the pandemic. I too am grateful for all their continued hard work and professionalism during these difficult times. I was pleased to read that the investment made in improving security measures has been recognised and that promising progress is being made to improve the prisons environment. It was also encouraging to note the emphasis on diversity and inclusion including training to increase understanding and knowledge.

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 Norwich.

Yours sincerely,

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

ALEX CHALK MP

HMP/YOI NORWICH: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 MARCH 2020 – 28 FEBRUARY 2021

HMPPS comments on matters raised in the report

Segregation

During the last year HMP/YOI Norwich has devoted the work of a Governor grade to oversee the Segregation Unit with a real aim for creating the opportunities and co-operative enthusiasm to return prisoners to mainstream accommodation. The unit is not simply focussed on punishment but has the ability to deliver a strong element of secure containment, which is necessary due to the nature of some of the regular occupants.

It would not be appropriate to discuss the individual circumstances of the prisoner referred to in the Board's report. However, where any prisoner finds themselves in the Segregation Unit either for their own safety or the safety of others, HMP/YOI Norwich makes every effort to continually encourage the individual to engage with the regime and be part of the prison community. Whilst it can be difficult to manage such individuals it is noted within the Board's report that the individual circumstances of all prisoners within the segregation unit are being regularly reviewed and in doing so input will be sought from a multidisciplinary team where considered appropriate. These reviews will consider whether it is appropriate for an individual to be transferred to another prison, taking into account the needs of the individual including whether they are on remand and will be required to appear at a local court and the progress other prisons could make. All prisoners within the segregation unit are also seen regularly by the healthcare team to ensure that the location remains suitable for their wellbeing.

Self-Harm

There have been no further changes to the policy regarding the recording of ligatures since the letter which the Board refers to from Dame Anne Owers. Ligatures are still reported as self-harm incidents, but noose making is not. These incidents represent a small proportion of reported incidents but as the definition change will have an impact on statistics, to ensure full transparency, HMPPS will publish a revised time series showing the effect of the change to the definition.

Governors have also been informed to notify staff that the change in reporting does not mean noose-making should be treated any less seriously and HMP/YOI Norwich takes the matter very seriously. Where any prisoner is found with a ligature whether that is attached to him or not a full risk assessment is conducted following the Assessment Care in Custody and Teamwork (ACCT) process and any issues or concerns would be dealt with in a caring and compassionate manner. HMPPS will continue to highlight in all training and guidance for staff the potential lethality of ligaturing as a method of self-harm and the need for immediate action in all cases where material fashioned into a noose is discovered.

Wellbeing

Throughout the pandemic, maintaining safety and the focus on the mental health and wellbeing of prisoners has been and continues to be a priority. HMPPS has tailored staff guidance for supporting specific groups of people in prison whose wellbeing has been more impacted by Covid-19 measures, including a Wellbeing Plan in conjunction with the charity Mind. It is recognised that family contact has also provided a crucial lifeline for those in prison and to continue to support prisoners' wellbeing, increased opportunities have been provided with an additional £5 pin phone credit per week and the use of secure video calls. The Board will be pleased to note that HMPPS is committed to keeping a secure video calling capability as a core tool to support family ties beyond the pandemic which will complement

social visits. HMPPS also continues to work closely with the Samaritans and has renewed the Listener scheme grant for 2021-22.

HMP/YOI Norwich is currently delivering a stage 3 regime, and whilst stage 2 may not be fully embedded until the New Year, there remain support systems in place for both prisoners and staff, with support for prisoners mental health being supplemented by the healthcare provider. The success of these have been shown to reduce to number of open ACCT documents, and there has been a recent reduction in the level of staff absence.

Time Out of Cell

A National Framework for Prison Regimes and Services was published in June 2020 which set out the strategy for a staged recovery - <https://www.gov.uk/government/publications/covid-19-national-framework-for-prison-regimes-and-services>. The Board can be assured that the focus is on enabling prisons to recover, expand regimes with increased time out of cell and begin to address the backlog of activity created by Covid-19 restrictions as soon as it is safe to do so. The Future Regime Design project team are creating the prison regime model for Stage 1 of the National Framework, ready for when it is safe and operationally deliverable. This presents an opportunity to review how HMPPS delivers a more purposeful regime that is focused on the person, underpinned by safety and well-being. The causes of violence in prison are complicated, however it is known that debt is a significant driver across the estate. A Debt Framework for Governors has been developed which is designed to assist in the development of a local debt strategy. HMPPS is also working to mitigate these risks by providing staff with the relevant support, guidance and training to help manage and reduce the levels of violence and self-harm as part of the recovery plans.

Locally HMP/YOI Norwich has maximised the amount of time that prisoners are able to spend out of their cells under Stage 3 of the recovery plan. It is acknowledged these are shorter periods than before the pandemic, however the regimes during the recovery are staff intensive. These are necessary to safely manage the whole prison and not a strategy for violence reduction. The prison does have staff vacancies which has resulted in key work only being consistently delivered to those prisoners deemed vulnerable or at risk, but greater access is being made available to others ad hoc many days of the week.

Property

As part of the planning for the new Prisoner Escort and Custody Services (PECS) contract which commenced in August 2020, PECS engaged with MoJ Policy to review property limits on transportation and it was agreed that the new vehicle fleet would have increased capacity to facilitate an additional half bag of property for consumables to the limit of 7.5kg. PECS continue to monitor all aspects of contractor's performance and there have been no complaints of lost property received involving HMP/YOI Norwich in the last 12 months. HMPPS also expects to publish a new Prisoners' Property Policy Framework early next year. The framework will provide greater direction and standardisation on a national basis and has been designed with procedural justice at its core. It strengthens guidance on known problem areas such as volumetric control and seeks to ensure prisoners' property is managed efficiently, effectively, consistently and with care and respect.

Whilst it remains the responsibility of the sending prisons to forward on any excess property a prisoner has accumulated to the receiving prison as soon as possible, HMPPS is continuing to take steps to ensure there is a consistent approach. Digital improvements to the property processes are being explored as part of these steps, but the nature of this work means that any digital changes are likely to be longer-term and as such will not be part of the forthcoming framework. However, property identification numbers will now be entered on the digital platform rather than be recorded by hand on the paper Person Escort Record. This will enable better tracking of property, should it be lost in transit. It is also encouraging that the number of IMB applications about the loss of property during transfer to the prison or at another prison

reduced since the Board's last reporting period from 30 to 6, as has the number of applications about property moving within HMP/YOI Norwich from 60 to 33.

Refurbishment

The refurbishment of the Healthcare Unit and L Wing at HMP/YOI Norwich are not considered necessary at this time as these units are clean, functional and appropriate for their current use. However, it is recognised that the shower in Healthcare is not accessible to all prisoners and an additional works request will be submitted to see if the step can be removed. Regarding the Segregation Unit there are no plans for replacement or refurbishment. The overall priority of maintaining and developing HMP/YOI Norwich for the years ahead is likely to focus funding towards the video conferencing centre, a new sports hall, the replacement of the new modular M wing, and complete refurbishment of the old A wing.

It is also acknowledged that the postcode area of NR1, in which HMP/YOI Norwich is situated has had widespread and severe rat infestation since December 2020. The Prison Group Director therefore authorised emergency action within the prison which proved to be effective in tackling the infestation and the sighting of rats has become nothing more than an occasional occurrence. Pest control has now returned to the originally agreed treatment but is being closely monitored.

It is acknowledged that the 'A' wing lift is of poor design and has been problematic since the unit opened in 2009. Whilst replacement of the lift is not considered a priority the prison will raise this issue with MoJ Property and facilities management to consider if a long-term effective solution can be found.

Dental Care

As the Board is aware dental care was significantly affected by Covid-19 both in the community and in prisons. It is recognised that delivery of dental care continues to be impacted due to specific arrangements being needed to mitigate the risk of aerosol generating during procedures. However, access to dental care in each prison is being recorded and once the issue of ventilation has been resolved there will be a drive by NHS England and Improvement to reduce waiting times.

Food Budget

The last food budget set by HMPPS was at £2.02 in 2012 and although this is used by some prisons as a budgetary figure, since 2017 responsibility for budgets have been devolved to Governors. This provides discretion as to how much is spent daily per prisoner on food based on the needs of the local population from the overall budget delegated to prison. The dietary requirements for all prisoners at HMP/YOI Norwich are fully met and no one is deprived of any necessary nutrient based on financial restraint. It is reassuring to note that the Board consider portions to be adequate in size and daily meals are nutritionally balanced. The Board can be assured that any special diet required by a recognised religion or prescribed by the doctor are always made available at HMP Norwich irrespective of cost.