



Chair, Independent Monitoring Board
HMP Brixton
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MoJ ref: SUB 96133

20 April 2022

Dear Chair,

**HMP BRIXTON: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 SEPTEMBER 2020 – 31 AUGUST 2021**

Thank you for your Board's report for the year ending 31 August 2021. I am grateful to you and your colleagues for your hard work in capturing these helpful observations, especially as you were short of Board members towards the end of the reporting year. I was saddened to hear that two prisoners died in hospital from Covid -19; my officials take recommendations from the Prisons and Probation Ombudsman very seriously. Every death is a tragedy, my condolences to their loved ones and to the families of the two other men who died shortly after being released into the community.

I acknowledge there is a shortage of Category D prison places and, particularly in the South, some prisons have been affected by the fire safety standards remedial works to a number of accommodation blocks. HM Prison and Probation Service (HMPPS) is managing this by occupying space through existing resources by utilising the temporary accommodation brought in 2020/21 as part of Covid-19 contingency measures. At other prison sites, new temporary accommodation is being put in place.

I hope to reassure you that the Government has committed to increase investment of £3.8 billion over the next three years to deliver 20,000 additional, modern prison places including 2000 temporary prison places across England and Wales by the mid-2020s. This project will deliver 660 additional places through expansion of the Category D estate at a number of sites across the country. Locally, the Governor has been working with HMPPS Capacity Management to facilitate transfers to open prisons and data captured over the past few months showed an improvement, less than 10% of prisoners now held at HMP Brixton are Category D.

Turning to the Board's other concern about the number of prisoners being released to homelessness, it is recognised that prison leavers face significant barriers to securing suitable accommodation which HMPPS cannot tackle in isolation. These barriers are often linked to their lack of access to necessary funds, availability of local authority housing supply, as well as the affordability and access to the private rented sector. We published a 'Prisons Strategy White Paper' on 7 December 2021 which sets out our vision that no-one subject to probation supervision is released from prison homeless. It also outlines our commitment to increase the number of Housing Specialists from 20 to 48 across England and Wales. This role supports prisons to be more strategic in their response to reducing homelessness including working in partnership with probation services and Local Authorities. We are also delivering on our commitment in

the White Paper to increase Approved Premises spaces for high-risk individuals, with the full expansion on track to be delivered by March 2024.

Additionally, since October 2018, HMPPS has had a duty to refer anyone at risk of homelessness to the Local Housing Authorities, who hold statutory responsibility for housing. To strengthen the responsibilities of prison and probation staff to make effective, timely referrals, HMPPS implemented 'The Homelessness Reduction Act 2017: Duty to Refer (England only)' policy framework on 1 July 2021. The policy framework also outlines the process supporting the Offender Pathway in Wales.

As the Board are aware, during the pandemic HMPPS provided temporary accommodation to prison leavers who would otherwise have been homeless when released. The End of Custody Temporary Release (ECTR) scheme ran in two phases from May 2020 to May 2021. Across both phases the scheme provided temporary accommodation to approximately 5,500 prison leavers with around a quarter (23%) in Phase 1 and around a third (32%) in Phase 2 progressing to permanent accommodation. Overall, rates of releases to homelessness was reduced by 28% from 2019-20 to 2020-21.

Using learning from the ECTR scheme, in July 2021 HMPPS launched a new temporary accommodation service in five probation regions. The service is providing up to 12 weeks of basic temporary accommodation for all prison leavers subject to probation supervision at risk of homelessness on release. By 2024-25 we will spend £200 million a year to reduce reoffending, including improving prison leavers' access to accommodation. This includes expanding our temporary accommodation service across England and Wales to support the thousands of people who leave prison each year without accommodation.

Despite the other issues raised in your report, it was encouraging to hear that the Governor and her staff did their best to fulfil their duty of care towards the men in the prison aided by the Healthcare team, charities such as the Samaritans and Listeners who all made a significant effort to support the men during a difficult period. Likewise, the continued good work of Chaplaincy supporting men going through emotional suffering as helpfully captured in your report. I was also pleased to hear about Ofsted's reasonable progress findings and your positive comments about the catering provision at HMP Brixton.

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 Brixton.

Yours ever,



VICTORIA ATKINS MP

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HMPPS comments on matters raised in the report

Offender Flows

We are grateful for the Board's feedback. The reconfiguration project has introduced new offender flows to ensure men are moved to the right location, to access the right services as soon as possible in their sentence. These flows underpin the Offender Management in Custody (OMiC) model and mean men will spend longer time in resettlement prisons preparing for release.

As the Board are aware, HMP Brixton will receive resettlement men from the training estate with 24 months' time left to serve or less, or from reception prisons with 16 months' time left to serve or less. Their focus is on ensuring that men are supported ahead of their release with the input of community offender management.

As reiterated by the Board, the Covid-19 pandemic created a backlog of court cases. This resulted in more people held on remand and led to i) some men having to be moved into the Category C estate to enable prisons to serve the courts, and ii) in men having reduced time left to serve once they were sentenced. This situation is improving as court activity work recovers and is projected to improve further.

Locally, the Governor is working with the Population Management Unit specifically on transferring men serving long sentences to Category C training prisons.

Accessibility for Older Prisoners

HMP Brixton currently holds 17 men aged 70 or over which equates to 2.3% of the population. The Governor will arrange for a survey to be conducted on each wing with the intention of submitting a bid for work to improve conditions to which meet the needs of prisoners requiring mobility support (in line with the Model for Operational Delivery for Older Prisoners).

Prisoners' Pay

The position outlined in our response dated 27 January 2020 remains the same, that all Governors and Directors of Contracted Prisons are required to comply with Prison Service Order (PSO) 4460: *Prisoners' Pay*, which requires them to have local pay structures that are set at or above mandatory pay rates set out in the PSO. Rates of pay for different activities are set and reviewed by the prison Governor and reflect the prisoner population needs, the type of prison and regime in operation, and the jobs/educational/vocational training available.

The resource budget for running public sector prisons is delegated directly to prison leads based on the agreed requirements for different types of prisons. Executive Directors, Prison Group Directors and Governors are empowered to utilise their budgets to best effect and will make decisions about the re-investment of any emerging underspends or income generation into prisons requiring additional funding.

All prisoners who are willing to engage in work, induction, education, training or offending behaviour programmes receive at least the minimum rate of 'employment' pay.

We acknowledge that the PSO requires an annual review of the local pay structure as part of the business plan process to ensure that it remains compliant with policy. However, during the pandemic, to mitigate

the impact of reduced regime, all prisoners including those normally unemployed, received at least basic pay. As we are starting to see greater levels of recovery and progression through the National Framework across the prison estate, we will be expecting sites to review their use of these mitigations and start planning for their withdrawal. Locally, the Governor has raised the Board's issue with the Senior Finance Business Partner and will update the Board of any developments.

Offender Assessment System (OASys) Reports

HMPPS recognises the significant challenges around OASys assessments. In the OMiC model initial OASys assessments are completed by Training/Resettlement prisons and establishments are resourced for this. The national Taskforce Group provides support to prisons with OASys backlogs and this will include HMP Brixton. This action should help the OASys process in terms of prioritising key areas.