



Chair, Independent Monitoring Board
HMP Haverigg
North Lane
Millom
Cumbria
LA18 4NA

MoJ ref: SUB095164

11 March 2022

Dear Chair,

**HMP HAVERIGG: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 DECEMBER 2020 – 30 NOVEMBER 2021**

Thank you for your Board's report for the year ending 30 November 2021. I am grateful to you and your colleagues for your hard work in capturing these helpful observations. I am sorry to hear you were short of Board members; my team have forwarded your concerns around recruitment to the IMB Secretariat who will respond to you directly.

I acknowledge that the Board remains concerned about the number of men at HMP Haverigg serving indeterminate sentences of Imprisonment for Public Protection (IPP) who have passed their tariff. Our priority must be to protect the public by making sure that they do not pose an unacceptable threat to public safety. It is the Government's long-held view that legislating to resentence IPP prisoners would cause an unacceptable risk to public safety. Any re-sentencing would risk the immediate release of many who have committed serious sexual or violent offences without a risk assessment and, in many cases, with no licence period. It is, therefore, vital to public protection that they are released only where the independent Parole Board determines that risk can be safely managed in the community.

The current Parole Board release test is constructed so that the Parole Board must only give a direction for release when they are satisfied that it is no longer necessary for a prisoner to remain confined. If the burden of proof test would be reversed so that the Parole Board would direct release unless it is satisfied by evidence from the detaining authority that further detention is necessary for public protection, the Government's view is that this would not have a material impact on release outcomes for IPP prisoners. The Parole Board would still have to undertake an assessment of risk of harm and of reoffending in order to make a judgement on whether the risks could be managed effectively in the community under supervision of the Probation Service.

The power to recall is another crucial public protection measure, where risk has escalated to the point where a person may no longer be safely managed in the community, even with the imposition of additional licence conditions. IPP prisoners may only be recalled if their behaviour has a causal link to their index offence (or they are out of contact with probation where the link can be presumed). Again, it is vital to retain the power to recall a person back to prison for the duration of their IPP licence.

The HM Inspectorate of Probation (HMIP) 2019-20 Annual Report on inspections of the Probation Service published in December 2020 found that recall is being used appropriately to prevent further serious offending. That followed similar findings in a HMIP thematic inspection of recall published in February

2018. Nevertheless, the Probation Service will always consider and explore alternative steps that can be taken to continue to manage safely risks in the community. National guidance requires probation officers to consider alternatives to recall when considering how to respond to evidence of escalating risk and licence breaches. HM Prison and Probation Service (HMPPS) is working with the Parole Board to ensure that the post-recall review and management processes are as efficient and streamlined as possible, to ensure that recalled prisoners are re-released as soon as it is safe to do so.

Furthermore, the Government brought forward an amendment during the Lords stages of the Police, Crime, Sentencing and Courts Bill which puts the policy of automatic referral of applications to terminate the IPP licence onto a statutory footing. This enables all eligible IPP prisoners to be referred to the Parole Board for consideration for licence termination at the appropriate time. Like the Board, the Government looks forward to hearing the Justice Select Committee inquiry in to IPP sentences recommendations and will consider them closely.

The latest national published figures at the end of December 2021 show the unreleased IPP population standing at 1,602. This is a reduction from 1,849 at the end of December 2020. An increasing emphasis of work undertaken with these individuals is on enabling a change in attitude or behaviour, and in building motivation to address offending behaviour. Locally, the case management, care and support given to all prisoners at HMP Haverigg, including those who are held under IPP, is centred around progression plans to prepare them for release. During your Board's reporting period 55% of IPPs that reside at HMP Haverigg were approved for Release on Temporary Licence with the remainder under consideration, and 54% of those considered by the Parole Board have been released.

Turning to opportunities for prison leavers, employment is known to cut reoffending rates by up to nine percentage points, with a job providing the financial means and incentive to continue leading a crime-free life. I am pleased the Board welcomes our commitment to provide at least 1,000 prison leavers who have fully turned their back on crime with employment in the Civil Service by the end of 2023 (recruiting through the government wide Going Forward Into Employment scheme aimed at providing life chances for people and 500 through a fair and open competition). At present these opportunities will not be available to those convicted of a sexual offence as the operational risk is considered too high.

Although it has been a very challenging reporting period, it was positive to note good progress in a number of areas since your last report and I am pleased to see that there were no deaths in custody. It was also reassuring to hear prisoners felt the Covid-19 pandemic was managed well by the prison team, they felt safe and commented favourably about the healthcare service. I am pleased the men had access to talking therapies and healthy living choices were promoted through joint collaborative work.

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 the other issue raised in your report is 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 Haverigg.

Yours ever,



VICTORIA ATKINS MP

**HMP HAVERIGG: INDEPENDENT MONITORING BOARD ANNUAL REPORT
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HMPPS comments on matters raised in the report

Prisoners' Property

The feedback received from operational engagement and from our internal and external stakeholders has been considered and, where appropriate, adjustments to the new Prisoners' Property Policy Framework have been made. The Framework aims to ensure that property is handled with efficiency, care and respect and that staff and prisoners are clear on the arrangements in place. It provides clear requirements and strengthens guidance on known problem areas. This includes providing stronger guidance to ensure volumetric control limits are respected, so that prisoners do not build up excessive amounts of property. It is now anticipated that the Framework will be published this Summer.

As mentioned in last year's response, digital improvements to the property processes are being explored and 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.

Unfortunately, men continue to arrive at HMP Haverigg without all their property. Local systems have been put in place to ensure they receive their property immediately on arrival and any property left behind is followed up by HMP Haverigg's Reception team.