



Chair, Independent Monitoring Board
HMP Hewell
Hewell Lane
Redditch
Worcestershire
B97 6QS

MoJ ref: SUB094646

15 February 2022

Dear Chair,

**HMP HEWELL: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 OCTOBER 2020 – 30 SEPTEMBER 2021**

Thank you for your Board's report for the year ending 30 September 2021. I am grateful to you and your colleagues for your hard work in capturing these helpful observations, particularly as you remained short of Board members and Covid-19 impacted on your ability to gather information. I was saddened to hear there were five deaths in custody during the reporting year, two of which were due to natural causes. My officials take recommendations from the Prisons and Probation Ombudsman very seriously.

I am sorry to hear the Board has experienced problems in receiving updates about developments at HMP Hewell. I understand that the Governor meets with Board members regularly and is accompanied by some functional heads to share information, however, further functional lead engagement is planned to ensure all opportunities to update the Board on developments are captured in the future. I have asked for updates to my officials to ensure this happens.

I understand the Board's continued concerns about prisoners serving indeterminate sentences for public protection (IPP). Covid-19 continues to present a unique set of challenges in maintaining services in custody and in the community. Despite this, the latest published national 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 which demonstrates that opportunities remain available to IPP prisoners wishing to progress despite the pandemic. The commitment of HM Prison and Probation Service (HMPPS) to do all that it can to support the progression of IPP prisoners has delivered a substantial reduction in the numbers that are in custody which was at its highest in 2012 at over 6,000. Every effort continues to be made to locate an IPP prisoner to a prison best placed to meet their sentence planning needs in terms of interventions as promptly as is reasonably possible. Transfers during the parole review process would be considered, to access a progression opportunity and where it 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.

Efforts also continue through initiatives such as case file reviews for those prisoners who are struggling to progress to help identify the most appropriate pathway for them. There is a work stream that is overseeing the specialist progression regimes, giving prisoners a chance to develop and test their ability to manage their risks and lives in an environment of increasing freedoms and responsibilities. There are also a broad range of work streams aimed at both the progression towards a safe release, and towards the sustainability of that release, following a positive parole outcome. However, it is important to note, that as the number of IPP prisoners continues to decrease the proportion of those that remain in prison who have committed more serious offences and whose cases are complex grows. Prisoners must be willing to address their individual risks before the independent Parole Board can consider release or re-release following recall, which is why some prisoners spend a number of years in custody after completing their tariff. This is not a simple task, but HMPPS continues to offer them the opportunities to reduce their identified risks to the point that the Parole Board determines that they can be safely released and managed in the community.

Regarding the Board's continued concern about transferring prisoners with severe mental health and behavioural disorders, the Government is determined to improve the transfer process and is committed to introducing a new statutory time limit of 28 days for transfers to mental health hospitals from custody. Legislation changes will take place once the NHS England and NHS Improvement good practice guidance is fully embedded which was published in June 2021 and promotes the timely access to appropriate treatment and reduces unnecessary delays.

It is recognised that prisoners have had long waits for transfer to secure hospital throughout the pandemic due to positive Covid-19 cases within the mental health hospital estate resulting in delayed admissions. Providing access to secure hospital is part of the Restoration and Recovery of services across the healthcare sector and in the Midlands region fortnightly calls with commissioners, prison healthcare providers, secure unit providers and secure unit case managers are providing a regular forum to discuss patients. This forum provides the opportunity to escalate concerns and delays to support the prioritisation of those with urgent needs, as well as enabling timely remissions and has seen average waiting times improve despite Covid-19 continuing to impact services. The 'Inpatient project' which is supporting delivery of mental health and primary care on an outreach basis has been extended for a further year as the pilot had a number of positive outcomes, including a reduction in the use of the segregation unit to support those with complex mental health treatment needs. Prisoners with mental health or behavioural issues at HMP Hewell are now cared for via a Targeted Care Pathway, providing increased support from mental health workers. This is allowing prisoners to remain on wings and a step-up approach provided by the newly opened Oak Unit is ensuring that few prisoners need to be managed in segregation due their behaviour. Early data also suggests a reduction in the need for hospital transfers.

It was reassuring to receive your comments that the prison is now safer than in previous years with a reduction in violence and self-harm, and there is a good relationship between staff and prisoners. I was pleased to note the progress being made in improving decency through a cleaner, smarter and more comfortable environment. It was encouraging to read about the renewed focus on equality and the improvements being made to advance Diversity and Inclusion. I note the Board also wish to recognise the prison's achievements during a pandemic and I too am grateful to everyone working at the prison for their continued hard work and professionalism during this challenging time.

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 Hewell.

Yours ever,

A handwritten signature in blue ink, reading "Victoria Atkins". The signature is fluid and cursive, with the first name "Victoria" and the surname "Atkins" clearly legible.

VICTORIA ATKINS MP

HMP HEWELL: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 OCTOBER 2020 – 30 SEPTEMBER 2021

HMPPS comments on matters raised in the report

Remand Prisoners

People who are unconvicted have not been tried and are presumed to be innocent. As set out in Prison Service Order 4600 - Unconvicted, Unsented and Civil Prisoners, unconvicted people held on remand in prison are not required to work but should have access to opportunities for training and work if they wish to take part. The Ministry of Justice has taken steps to address delays in the court system to help reduce the length of time people are being kept on remand. This included removing the limit on the number of days the Crown Court could sit during 2021, reconfiguring 70 courtrooms to enable larger trials to be heard, and 32 Nightingale courtrooms have been extended until April 2022.

Following the National Probation Service and Community Rehabilitation Companies unifying to become the Probation Service in June 2021, responsibility for the delivery of immediate resettlement needs and pre-release services have moved to the Regional Probation Directors (RPDs) with Commissioned Rehabilitative Service (CRS) providers delivering key resettlement interventions. As part of these changes a service will be available for all unconvicted people in prison, with an assessment of immediate resettlement needs completed on reception. Based on these assessments, pre-release teams will work with the unconvicted cohort to sustain community services including accommodation where possible. They will also work to plan for their release in case of immediate release from Court or a short prison sentence. In addition, a resettlement pack is being developed which will include sources of support and advice on accommodation and HMPPS is also exploring what additional accommodation and rehabilitative support could be provided to the unconvicted population.

Transfers

There are complex and wide-ranging issues involved in transferring prisoners and allocation decisions must reflect both the specific needs and circumstances of the prisoner, as well as the operating environment and range of services at the receiving prison. Within the context of these often competing operational and logistical demands, HMPPS Population Management Unit seeks to ensure that prisoners who have been accepted for transfer are moved as soon as is practical. However, the Covid-19 pandemic is having a lasting impact on the adult male estate. To support reception prisons to serve the courts, maximise available capacity and ensure prisoners are accessing the required offending behaviour courses, some prisoners in the resettlement cohort are required to remain in training prisons in the interim.

Where progressive prisoner moves do occur, these are consistently being completed in line with the offender flows with a success rate of approximately 90% across the estate. In all other instances the Probation Service provides commissioned rehabilitative services for sentenced prisoners wherever they are held and released. The National Allocation Protocol also has an escalation route through operational line management and senior management to try to resolve any transfer issues when they do occur. However, it is recognised that there is high demand for category D places across the estate, with many category D prisoners being held in closed conditions. HMPPS is set to deliver 660 additional places through expansion of the category D estate, having identified six category D sites to provide new units which will significantly reduce pressure in the medium and long term.

Mobility

Further to last year's response which set out the key elements being considered to improve access and accommodation for those with physical disabilities across the prison estate, HMP Hewell has secured funding via the Prison Performance Support Programme to improve disability access and is currently developing plans to carry out this work. The Governor will be able to update the Board as work progresses.

External Grounds

It is acknowledged that the approach to the prison and external grounds were previously maintained by category D prisoners from HMP Hewell Grange, which was a separate prison on the same site. This service stopped when that prison closed and consideration was given to adding the external grounds to the Facilities Management (FM) service contract at HMP Hewell but it was not deemed cost effective. An interim solution was put in place to deliver the road and pathway work maintenance as a standalone agreement. It is recognised that the external grounds need to be cleared at least annually and the hedges, trees and shrubs will be cut back before the spring with the verges cut at the earliest opportunity. Costs to complete this as an ad-hoc piece of work this year have been sought from Amey, the FM provider. The prison is also exploring local solutions such as using prisoners on Release on Temporary Licence to undertake the work but is not able to implement this currently.

Prison and Probation Ombudsman (PPO) Investigation

The Board's frustration with the conclusion of the PPOs investigation into the death of a prisoner at HMP Hewell in June 2018 is recognised. Whilst the police investigations are ongoing the PPO is unable complete their investigation which currently remains suspended.