



Chair, Independent Monitoring Board
HMP Risley
Warrington Road
Cheshire
WA3 6BP

MoJ ref: SUB 95037

4 March 2022

Dear Chair,

**HMP RISLEY: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 APRIL 2020 – 31 MARCH 2021**

Thank you for your Board's report for the year ending 31 March 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. I was saddened to hear there were five deaths in custody during the reporting year, two of which were from Covid-19. My officials take recommendations from the Prisons and Probation Ombudsman very seriously.

I acknowledge the Board's comments about improving the deportation timeframes for foreign national prisoners. Officials at the Home Office are making every effort to ensure that an individual's removal coincides, as far as possible, with their release from prison on completion of their sentence. As highlighted by your Board, where this is not possible, a decision on suitability to transfer to the immigration removal estate is made on a case-by-case basis. It is important to note that individuals held in prison are there because they have been assessed as unsuitable for the conditions of immigration removal centres (IRC), because they pose a high-risk or high harm to others. As already mentioned by my predecessor, when an individual is deemed unsuitable for an IRC, their circumstances are regularly reviewed. Changes in circumstance can impact on this decision and individuals may, following reassessment, be considered suitable and accepted. Additionally, case progression panels provide a second line of assurance by reviewing the appropriateness of ongoing detention for all individuals detained at three month intervals (or when additional scrutiny is required given a person's vulnerability), ensuring a consistency of approach, driving case progression and additional oversight for managing potentially vulnerable people.

I share your concerns about the self-harm rates among the foreign national population and recognise that they are at higher risk of suicide and self-harm and have specific vulnerabilities. Foreign national prisoners are more likely to experience feelings of social and cultural isolation in prison and lack of family support. Uncertainties about their immigration status can add to their levels of anxiety and increase their risk as their deportation date approaches. Furthermore, it is recognised that language barriers can make it very difficult to adjust to prison life and to communicate with staff and peers, increasing their feelings of isolation. Providing direct support to prisoners, is an intended outcome of good quality key work to help reduce levels of violence and self-harm incidents and make prisons safer. HM Prison and Probation Service (HMPPS) issued a staff safety learning briefing in July 2021 on the risk of suicide and self-harm among the foreign national population. I hope to assure the Board that the briefing reinforced the importance of using approved translation services to assess prisoners' communication needs, help them understand prison processes and procedures and feel part of the prison community.

Likewise, caseworkers in the Home Office and the Immigration Prison Team now receive mandatory training on managing Detention and Release and Return and separate training on Vulnerability to provide greater awareness of such issues/risks and tools to help staff manage. Immigration staff who work in prisons receive suicide and self-harm training to enable them to recognise early indicator signs and they work alongside HMPPS colleagues to help manage vulnerabilities. The Adults at Risk policy applies to all individuals detained under immigration powers, regardless of location, allowing for the impact of vulnerabilities to be fully considered when making detention decisions. Careful consideration based on all available evidence is given to the impact of continued detention on a person's vulnerabilities.

A joint HMPPS and Home Office policy will be published in due course to bring together a separate status for prison immigration detainees as well parity to the formal reporting mechanisms on vulnerability, such as Rule 35 of the Detention Centre Rules 2001 and Rule 21 of Prison Rules 1999. It will also include a formalised process for relevant staff in prisons to report to the Home Office any identified vulnerabilities. This is due for completion in Spring 2022 (subject to any further pandemic restrictions) and once implemented, will create some parity for how similar vulnerabilities are managed across the detention estate.

As part of work around exploring alternatives to detention, the Home Office has introduced new satellite tracking devices to provide more efficient electronic monitoring of foreign national prisoners on immigration bail. Since November 2021, changes have been made to the legal advice process in prisons which now allows for thirty minutes of initial advice to be available to all individuals held under immigration powers (equivalent to the service currently available in IRCs, with prisons providing access to this service). Also, HMPPS has introduced a special £5 weekly payment for all those detained in prisons under immigration powers which will bring parity with individuals in IRCs. Locally at HMP Risley, a unit on A Wing is being developed to bring collaborative working with Home Office Immigration Enforcement colleagues in order to create a supportive regime for foreign national prisoners and, where possible, increase the chances of successful repatriation. A Project Lead will manage this transition and it is hoped that further improvements outcomes in safety, bail and repatriation data are seen over 2022-23.

Despite the challenging reporting period, it was encouraging to receive your comments that the prison is safe, prisoners are treated fairly and that the healthcare and mental health teams provided an excellent service. I was pleased to hear wing cleaners were able to take a qualification in infection prevention control and did a great job to help reduce the spread of coronavirus. I note and welcome the prisoner engagement sessions as part of the induction process and the decency agenda.

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 Risley.

Yours ever,



VICTORIA ATKINS MP

HMP RISLEY: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 APRIL 2020 – 31 MARCH 2021

HMPPS comments on matters raised in the report

Management of Sentence Plans

Over the last year the prisoner population at HMP Risley has changed in line with the offender flow designation equally split across main category C, category C prisoners convicted of sexual offences and foreign national prisoners. This is regarded by the Governor as a positive move for HMP Risley and resettlement strategies are currently being developed for each cohort. Within these population groups there are prisoners who do not fit HMP Risley's designation and, where possible, the prison is working with HMPPS Population Management Unit management to move them to training prisons. There are a number of men who are within the resettlement window but have not completed their identified programmes to demonstrate risk reduction. A business case to deliver further programmes has been put forward and is awaiting a regional review of provision and potential options. HMP Risley's Prison and Probation Offender Managers are aware of the number of programmes outstanding and are working with Psychology and Community Offender Managers to look at possible options to complete on a one-to-one basis or in the community.

It should, however, be recognised that there are complex and wide-ranging issues involved in transferring prisoners and allocation decisions must reflect both the specific needs and circumstances of a 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.

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 has an escalation route (through the operational management line) to help resolve any transfer issues when they do occur.

Prisoners' Property

Following a pause in the development of the new Prisoners' Property Policy Framework due to Covid-19, HMPPS circulated the draft Framework last year with internal and external stakeholders, including the IMB Secretariat and the IMB representatives previously consulted. Further operational engagement was necessary following that consultation. The feedback received has been considered and, where appropriate, adjustments to the new Framework have been made. The Framework is currently going through the necessary clearance processes and will be published as soon as those processes are concluded.

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.

Following a review of property related processes and storage areas HMP Risley has invested in an updated system to help improve the way property is managed in the prison. Men returned from category D status often arrive with excessive amounts of property over the normal transfer limits. Staff are working with local open prisons to take steps to minimise the impact of this and provide additional compliance controls on property limits.