



Ministry
of Justice

The Right Honourable
Stuart Andrew MP
Minister of State for Justice

Chair, Independent Monitoring Board
HMP/YOI Moorland
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Dear Chair

**HMP/YOI MOORLAND: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 MARCH 2021 – 28 FEBRUARY 2022**

Thank you for your Board's report for the year ending 28 February 2022. I am grateful to you and your colleagues for your hard work, especially as you continue to have a number of vacancies and due to the constraints Covid-19 had on your information gathering. I was saddened to hear there were six deaths in custody during the reporting year. As you are aware the Prisons and Probation Ombudsman (PPO) carry out independent investigations into deaths in custody and I would like to assure the Board my officials take recommendations from the PPO very seriously.

I understand the Board's ongoing concerns about the availability of secure hospital beds for prisoners suffering with severe mental ill health. The Government published the draft Mental Health Bill in June 2022 which includes the provision to introduce a statutory time limit of 28 days for transfers to hospital as proposed in the Reforming the Mental Health Act (MHA) White Paper published in January 2021. This time limit, together with operational improvements, will help reduce unnecessary delays and ensure people in the criminal justice system receive swift access to treatment. The Bill also commits to ending the use of prison as a place of safety for defendants and convicted people requiring assessment and treatment under the MHA.

The overall strategic direction of NHS England continues to be the maintenance of existing secure hospital bed capacity with improved geographical distribution, not an increase. It is worth noting that throughout the Covid-19 pandemic there were closures within the secure hospital estate due to Covid-19 cases resulting in many patients experiencing admission delays. The Ministry of Justice, HM Prison and Probation Service (HMPPS), NHS England and health partners are fully committed to the 28 day timeframe and are focused on working together to improve efficiency across the pathway. This includes improving the transfer and remission process and proactively managing cases to reduce waiting times. Since NHS England published the new Transfer and Remission Guidance in June 2021 which promotes timely transfers, an implementation programme has been undertaken by NHS England to ensure staff understand the changes, the key dates being monitored and escalation routes. A new process for collecting and monitoring data on transfers has also been developed to identify trends and areas where further improvement is needed allowing targeted work to be carried out with regional health teams where required.

I understand the Board's concerns about prisoners serving indeterminate sentences for public protection (IPP). As the Board will be aware, the IPP sentence was abolished in late 2012 by the Legal Aid, Sentencing and Punishment of Offenders Act. This abolition was not applied retrospectively as the Government at the time took the view it would not be right to alter sentences that had been lawfully imposed prior to abolition. There are no current plans to change the legislation on the IPP sentence, including the licence period. HMPPS does remain committed to doing all it can to support their progression towards a safe release and these efforts are continuing through the IPP action plan. Despite the challenges that Covid-19 presented, the latest published national figures at the end of June 2022 show the unreleased IPP population standing at 1,492. This is a reduction from 1,722 at the end of June 2021 demonstrating that opportunities remained available to IPP prisoners wishing to progress. Following the publication of the Justice Select Committee report into the IPP sentence, HMPPS will review the IPP action plan so that resources and efforts are focused on the right aspects of progression. It is also important to note, that as the number of IPP prisoners who have never been released continues to decrease the proportion of those that remain in prison who have committed more serious offences and whose cases are complex grows. The risks and needs of these prisoners must be addressed before the independent Parole Board consider that they can be safely managed in the community, which is why some prisoners spend a number of years in custody after completing their tariff.

Every effort also continues to be made to locate an IPP prisoner to a prison best placed to meet their sentence planning needs as promptly as possible. Locally at HMP/YOI Moorland the implementation of the IPP ideals is part of the prisons current and future planning. All IPPs are monitored, have allocated Key Workers and Prison Offender Managers who, during supervision, are discussing appropriate support to enable risk reduction which will allow prisoners to work towards release. The prison also recognises that there is further work to do in educating and upskilling staff in understanding the behaviours and risks associated with this cohort of prisoners as well the impact the IPP sentence can have on the prisoner. The Board's focused work on IPP prisoners is also welcomed and the Offender Management Unit at HMP/YOI Moorland are working on how to get the best for these prisoners following the results of the Board's survey of IPP prisoners. However, it is recognised that the sample size of seven is small and may not reflect the views of the wider IPP population across the estate, I therefore look forward to the IMB reporting further on a national level on this matter.

Whilst recognising your concerns, it was encouraging to receive your comments that key areas of safety such as incidents of violence, self-harm and the need to use force have continued to reduce. It was pleasing to note that GP sessions have increased since the last reporting period and that health and wellbeing services are equivalent to those expected in the community. I was also reassured to read that the accommodation and cleanliness of the prison is to a good standard and that there are good relationships between staff and prisoners.

I note you have raised four 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 Moorland.


STUART ANDREW MP

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HMPPS comments on matters raised in the report

Offender Behaviour Programmes

Further to last year's response, HMP/YOI Moorland has successfully increased the group size of Offender Behaviour Programme (OBP) delivery as the pandemic restrictions relaxed and to date the prison has started 30 prisoners on Thinking Skills Programme (TSP), Resolve and Horizon this year. OBP provision has been reviewed and funding resources allocated based on population demands. However, it is recognised that resources are not the sole issue. Due to a healthy jobs market and attrition of programme staffing, maintaining a full complement of staff has been a challenge. Access to staff training was identified as a recruitment barrier during the pandemic and this is improving with quicker access to programmes now available. The prisons efforts are also continuing to recruit to vacancies. It should also be noted that the Resolve programme has been decommissioned and the prison is in transition expanding its TSP delivery in place of Resolve. Where prisoners are assessed as suitable and waiting for programmes the HMPPS Psychology Service Group Directorate Programme Manager is working with the prison to find alternative places at other prisons.