

12 December 2022

The Rt Hon Dominic Raab MP  
Lord Chancellor and Secretary of State for Justice  
Ministry of Justice  
102 Petty France  
London SW1H 9AJ

Dear Secretary of State,

I am writing to you on behalf of the HMP Pentonville Independent Monitoring Board (IMB) about our grave concerns regarding the increasing numbers of prisoners being sent to Pentonville by the local courts in response to the increasing Operational Capacity (OpCap) sanctioned by HMPPS.

The Pentonville IMB Annual Report (for the period 1 April 2021 – 31 March 2022) was published on 24 August 2022. HMIP's report of its unannounced inspection of Pentonville in July 2022 was published on 18 October 2022. Both reports highlight the challenges faced by Pentonville due to overcrowding and the continuing poor physical condition of the prison.

When Pentonville was designed in 1842 the OpCap (or then equivalent) was 520. The current OpCap is 1155, and this is due to rise to 1170 over the next few weeks, with a plan ultimately to increase it to 1205. This will represent a population increase of 20% since the end of March 2022.

In his response to the latest IMB Annual Report, the Minister of State for Justice the Rt Hon Damian Hinds MP refers to a historical OpCap of 1,310. According to the IMB's records this was the OpCap around 2012, but since then the following developments have occurred:

- In 2016 two prisoners escaped through an insecure cell window and another prisoner was unlawfully killed (resulting in a reduction in OpCap to 1,270);
- the poor state of the windows and grilles led to a further reduction over the following years as a very slow programme of repair and replacement started (latest estimates state that this work will not be finished until 2030);
- the Covid pandemic led to another reduction to around 1,000 partly in recognition of how difficult it was to contain infection when the majority of prisoners shared small, squalid cells;
- the backlog in Crown Court cases due to Covid, barristers' strike action and local staffing pressures has resulted in a situation where over three quarters of the population at Pentonville are on remand. This means they cannot be

transferred to other establishments, and the pressure on prison places nationally means that moving on those potentially eligible sentenced prisoners to make space for others is also difficult.

Given that the OpCap of a prison is the maximum number of prisoners it can hold without serious risk to safety, security, good order and the proper running of the planned regime, we are very concerned at the continued increase in prisoner numbers at Pentonville given that there has been no commensurate improvement in either the physical state of the prison or in staffing levels, which are consistently too low for the prison to be able to run a full regime for the prisoners and necessitate frequent lockdowns.

Furthermore, you have previously stated that you want prisons to be able to give prisoners "a better shot at rehabilitation". In addition to the inhumane living conditions at Pentonville, the effect of overcrowding on almost every other aspect of a prisoner's existence is hard to overestimate and in the Board's view the resulting environment is not conducive to any kind of rehabilitation.

We are fully aware of the current pressure on prison places but notwithstanding these we would urge you, for the reasons set out above, to act with compassion and ask HMPPS to do all it can to reduce the population pressures on Pentonville. As HM Inspector of Prisons Charlie Taylor wrote, "If the prison is to make further progress, national leaders need to accept the limitations of an establishment that has to work harder than most to battle through its entrenched problems".

I would be very happy to meet with you at Pentonville and show you first hand the challenges faced by this Victorian prison as a result of being forced to squeeze more and more prisoners into squalid and decrepit accommodation.

Yours sincerely

**Alice Gotto**  
**Chair, IMB Pentonville**

A handwritten signature in black ink, appearing to read 'Ah - Gatto', written in a cursive, slightly stylized script.