



Ministry
of Justice

Damian Hinds MP
Minister of State for Justice

Chair, Independent Monitoring Board
HMP Buckley Hall
Buckley Farm Lane
Rochdale
OL12 9DP

MoJ ref: SUB102167

10 January 2023

Dear Chair,

**HMP BUCKLEY HALL: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 AUGUST 2021 – 31 JULY 2022**

Thank you for your Board's report for the year ending 31 July 2022. I was saddened to hear about the death of a prisoner shortly after being released from custody during the reporting year. As you are aware the Prisons and Probation Ombudsman (PPO) carry out independent investigations into deaths in custody and deaths which occur within 14 days of a prisoner being released and I would like to assure the Board my officials take recommendations from the PPO very seriously.

I am very much aware of the amount of effort that goes into producing annual reports and thank you for providing a comprehensive picture of HMP Buckley Hall over the reporting period, particularly as you have a number of vacancies.

I address below the specific points you have raised for my attention:

I understand the Board's concerns about the timescales involved in the parole hearing process including approving the Parole Board's recommendation for a prisoner to move to open conditions. The Ministry of Justice (MoJ) and HM Prison and Probation Service (HMPPS) recognises that it can be frustrating for those prisoners who are waiting but as part of the parole process the Prison Offender Manager or the prisoner's solicitor will communicate with the prisoner to ensure they are kept up to date on the progress. The Board will be aware that the independent Parole Board is responsible for scheduling the parole review. The timescales involved throughout the process depend on a number of factors, including the completion of any outstanding parole reports or commissioned reports, the capacity to list an oral hearing and the availability of witnesses. The length of time will be different for each individual and, as such, it can be difficult to provide an accurate timescale. To support prisoners locally HMP Buckley Hall has re-introduced mock parole boards to better prepare prisoners and as they approach their parole hearing they can benefit from an allocated priority key worker model. It is also encouraging that the Board notes that the transfer of prisoners to category D open conditions is much improved on the previous year.

Regarding whether to accept the Parole Board's recommendations for prisoners to move to open conditions, in June 2022 the threshold which enables indeterminate sentence prisoners to achieve a progressive move to open conditions changed which included a greater level of ministerial scrutiny. It is acknowledged that implementing these changes took considerable time and attention which resulted in a

backlog. The MoJ and HMPPS are exploring ways to streamline the process to review the Parole Board's recommendations and are working to complete the review of all outstanding cases as soon as possible which will reduce the wait time for a decision.

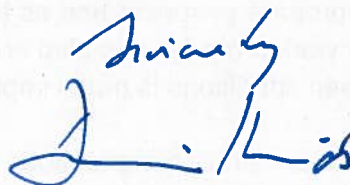
I acknowledge the Board's ongoing concerns regarding the number of prisoners serving indeterminate sentences of Imprisonment for Public Protection (IPP). The latest published figures of the number of IPP prisoners who have never been released stood at 1,437 at the end of September 2022. This is reduced from 1,661 at the end of September 2021. Whilst the main priority must always be to protect the public, rehabilitating offenders is critical to reducing recidivism and therefore protecting the public and preventing further victims. I would like to reassure you that HMPPS remains committed to doing all it can to support their progression towards a safe release. The Justice Select Committee (JSC) published their report into the IPP sentence on 28 September 2022 after a year-long inquiry and have made a number of recommendations that the government is considering in full. The Deputy Prime Minister has informed the JSC that a formal response to the report, including input from HMPPS and the MoJ will be provided in January 2023. Whilst the current IPP Action Plan already includes a broad range of work streams aimed at progression towards a safe and sustainable release, in light of the JSC report, HMPPS is reviewing the Action Plan as the evidence and observations in the report are valuable in aiding its consideration of next steps to continue to enable the progression within the context of the priority to protect the public.

Despite your concerns, it was reassuring to receive your comments that the prison remains a safe environment and that the safer custody staff have been recognised for their efforts with prisoners that self-harm. It was interesting to read about the therapy dogs being popular with prisoners and it is encouraging that this type of wellbeing and mental health support was recognised for a national award. The importance placed on maintaining family ties with the introduction of in-cell telephony and initiatives, such as It's Storytime; Raising Readers; and Family Ties, as well as the positive experiences expressed by visitors are welcoming.

It was also interesting to read about efforts of the Offender Management Unit during the Covid-19 pandemic which was recognised by a regional award, as well as the creation of the Settlement Hub and successes of the Aspire Unit working with complex prisoners. I was reassured to note that collaboration between the prison and education provider has improved with the good support continuing for prisoners on Open University and distance learning courses. I welcome the efforts of prisoners and staff raising substantial sums for various local, national and international charities, including the effort of staff raising money for a severely injured colleague at another prison. It was also pleasing to read that food standards have been maintained whilst the prison has a temporary kitchen and I congratulate the catering manager for being nominated in Catering Magazine's annual awards.

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 Buckley Hall.

A handwritten signature in blue ink, appearing to read 'Damian Hinds', is positioned above the printed name and title.

Damian Hinds
Minister for Prisons and Probation

HMP BUCKLEY HALL: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 AUGUST 2021 – 31 JULY 2022

HMPPS comments on matters raised in the report

Prisoners' Finance

Further to last year's response the policy remains the same that prisoners must have instant access to their balance when they transfer between the public and private prison estates. HMP Buckley Hall allows prisoners an immediate £20 allowance to spend in reception on canteen goods, as well as a £20 advance to spend on vapes and phone credit to avoid getting into debt with other prisoners. The delays experienced in transferring a financial account when a prisoner arrives from a private prison at HMP Buckley Hall have been intermittent and with the measures in place it has not been necessary to escalate these further at this stage with the MoJ Financial Governance Team.

Maintenance

Demands for maintenance across the HMPPS estate are much greater than the available funding, even with the significant increases achieved in the last two Spending Reviews. A bid was submitted to fund the installation of CCTV in the healthcare building at HMP Buckley Hall but this was not successful on this occasion within the funding available to the Greater Manchester, Merseyside and Cheshire Prisons Group. Bids are subject to a careful prioritisation process that is used to make the best use of the available funding, which focuses on risk to life and risk to capacity, decency and sustainability. A bid will be re-submitted during the next financial year, 2023-24. However, funding has been approved to continue the work on the wing showers and boilers on a rolling basis. This work is currently at the design stage and will progress soon.

Transfers

A National Allocation Protocol was introduced to support the flow of prisoners through the estate. All category B prisoners with more than 28 days time left to serve should be allocated into the Long Term and High Security Estate, including those prisoners who have been re-categorised from category C to category B. Reception prisons will no longer be able to accommodate routine transfers of prisoners who are categorised to a higher security category, but where the sending prison is unable to secure a transfer there is an escalation route within the National Allocation Protocol.

HMP Buckley Hall has developed relationships with the Long Term and High Security Estate which has resulted in the four transfers throughout the calendar year taking place promptly.

- Following a request on 12 January 2022 the prisoner was transferred to HMP Garth on 20 January 2022.
- Following a request on 6 June 2022 the prisoner was transferred to HMP Manchester on 8 June 2022.
- Following a request on 20 July 2022 the prisoner was transferred to HMP Lowdham Grange on 4 August 2022.
- The final transfer to HMP Manchester was originally requested on 24 August 2022, did not proceed as HMP Buckley Hall withdrew the request to enable staff locally to engage further with the prisoner. The request was re-submitted on 8 November 2022 and the transfer was accepted by HMP Manchester on the same day.

Substance Free Living Unit

As the Board is aware funding was secured for a dedicated Drug Strategy Manager to head up the Incentivised Substance Free Living Unit. In addition, the Governor has funded specialist training for the Prison Officers working on the unit that is comparable to that of Drug Recovery Workers. During November 2022 and February 2023 funding has also been secured to ensure that Prison Officer hours are protected using overtime payments so that the Incentivised Substance Free Living Unit is not routinely closed in response to limited staffing resources as part of the regime management plans. In addition, as part of the prisons commitment to develop the unit a project has been launched to roll out communal cooking and dining with some limited funds for equipment.