



Ministry
of Justice

Rob Butler MP
Parliamentary Under
Secretary of State for
Justice

Chair, Independent Monitoring Board
HMP Send
Ripley Road
Woking, Surrey
GU23 7LJ

MoJ ref: SUB100590

27 October 2022

Dear Chair,

**HMP SEND: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 APRIL 2021 – 31 MARCH 2022**

Thank you for your Board's report for the year ending 31 March 2022. I was saddened to hear there was a death in custody during the reporting year. As you are aware the Prisons and Probation Ombudsman (PPO) carries out independent investigations into deaths in custody and I would like to assure the Board that my officials take recommendations from the PPO very seriously.

My own first experience of the prison system was serving on an IMB between 2006 and 2010, so I understand, and greatly appreciate, the dedication and commitment shown by volunteers both in monitoring the treatment of prisoners and assisting them when they particularly need help. 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 Send over the reporting year.

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

I recognise the Board's ongoing concern about the introduction of new prison places for women, in light of the Female Offender Strategy for more women to be managed in the community and fewer serving a short custodial sentence. However, custody will always be the appropriate sentence for some women in light of their offence, and the proposed new places reflect a projected increase in demand – for example as a result of the recruitment of approximately 20,000 new police officers. The Justice Select Committee's recent report on women in prison looked at this issue and noted that the additional facilities had the potential to improve custodial conditions, as well as going some way towards achieving the Strategy's aim of making the female estate more trauma informed. It is also important to note that there will be new Open facilities, including at HMP Send. These will extend the prison's existing scope under which women are eligible to work in the community on licence. Should the projected increase in the women's population not materialise, the Ministry of Justice has committed to using the new places to close existing older, less suitable accommodation in the women's estate. I can reassure the Board that the Government remains committed to the Female Offender Strategy and the Delivery Plan, which was announced in the Prison Strategy White Paper, and will set out clear plans for progressing this work over the next three years. We aim to publish the Plan later this autumn.

I understand the Board's concerns about the number of women with acute mental health difficulties who enter the prison system. The Government published the draft Mental Health Bill in June 2022 which seeks to improve the support for people with acute mental health needs, including those who come into contact with the criminal justice system. The Bill 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 women in the criminal justice system receive swift access to treatment. I

am very pleased that the Bill also includes reforms to end the use of prison as a place of safety. This will stop the practice of courts diverting offenders and defendants who require assessment and treatment in an inpatient setting to prison, and instead ensure they receive the right support in the right setting. It also includes an amendment to the Bail Act (1976) to ensure vulnerable defendants can no longer be remanded to prison for their own protection where the court's sole concern is a defendant's mental health. In addition, HM Prison and Probation Service (HMPPS) and NHS England have jointly commissioned a review of health and social care across the women's estate to obtain a better understanding of the current provision and ensure equity and next steps will be considered once the review reports, which is expected to be later this year.

I also share the Board's ongoing concern about indeterminate sentenced prisoners (IPP). Whilst the main priority is to protect the public, HMPPS is committed to supporting IPP prisoners' progress towards a safe and sustainable release through a broad range of work streams in 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. Every effort is made to locate an IPP prisoner in a prison best placed to meet their sentence planning needs in terms of interventions as promptly as is reasonably possible. At HMP Send the Women's Estate Psychology Service (WEPS) works closely with the Offender Management Unit and others to provide a proactive risk assessment in response to the parole process for IPP women, rather than waiting for assessments to be directed. In addition, the WEPS team at HMP Send has expanded to provide greater capacity for the completion of individual psychological interventions with women who require bespoke offence-related work to address their risks. I hope it also provides reassurance to the Board that the IPP prisoner mentioned in the annual report has now progressed from HMP Send having been granted access to the women's open prison estate, where increased provision will be delivered as part of the Female Offender Strategy to ensure the time spent there is as effective and decent as possible.

Turning to the ongoing concern about resettlement accommodation, the Prisons Strategy White Paper set out plans for supporting women with accommodation needs on release. These included the expansion of the temporary accommodation service across England and Wales, as well as Strategic Housing Specialists who will support prisons to reduce homelessness. An extra £200 million is being invested each year until 2024/25 to transform the approach to rehabilitation and improve access to settled accommodation for all prison leavers. This includes an offender at risk of homelessness on release from prison being able to access up to 12 weeks of transitional accommodation as well as support to move on into settled housing. The new transitional accommodation service accounts for the needs of women, providing 10% of all beds for women leaving prison. These beds are within dedicated single gender accommodation and offer the option of a female support worker. In addition, Homeless Prevention Teams are continuing to strengthen relationships with local authorities and other strategic partners to help find accommodation for prison leavers; all have access to specific guidance on working with women. The number of Housing Specialists increase from 20 to 48 across the estate from late 2022 to provide strategic support to regional prison and probation leads to reduce homelessness.

Whilst recognising your concerns, it was reassuring to receive your comments that the prison provides a safe environment where incidents of violence are low and women are treated humanely. It was encouraging to note that staff and prisoners have respect for one another and that there is a positive and supportive culture. I was also pleased to read about the recognition given to staff for keeping the women safe from Covid, providing in-cell activities during restrictions and the progress that has been made in opening the regime compared to the previous reporting year. I too am grateful to everyone working at the prison for their continued efforts and professionalism during these difficult times.

I note you have raised some local issues of concern in your report; the Governor will continue to keep you aware of work related to these. HMPPS comments in response to other issues raised in your report are set out in the attached annex.

The treatment of women in prison is a significant area of focus for me and I hope to visit HMP Send in the months ahead. I would be delighted to meet representatives of the Board at that time.

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 Send.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Rob Butler', with a stylized flourish extending to the right.

ROB BUTLER MP

HMP SEND: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 APRIL 2021 – 31 MARCH 2022

HMPPS comments on matters raised in the report

In-Cell Technology

HMPPS is committed to the continued rollout of in-cell technology across the prison estate including at HMP Send in line with the funding that is made available. The prioritisation of prisons is being carefully considered balancing available funds and greatest need. It is also recognised that there have been delays in mobilising IT for prisoners to use due to security concerns and alternatives are being trialled.

Staff Training

It is recognised that staff training has been impacted by the Covid-19 pandemic. However, training has now recommenced across the prison which includes Becoming Trauma Informed training. The training looks at how having an understanding of trauma can affect the behaviour of women whilst in custody and gives staff the tools and knowledge to be better equipped to manage situations that may arise from a result of any trauma to reduce conflicts and make prisons safer.

Staff Recruitment

Recruitment marketing campaigns are being used on a variety of channels to attract candidates. These campaigns demystify that you need to be a certain type of person to be a prison officer and explain the impact prospective candidates could make on prisoners and society. Whilst operational staff are recruited centrally, for all other recruitment HMP Send holds a local workforce planning meeting bi-weekly to ensure that all recruitment campaigns are on track to ensure that each vacancy within the prison is being addressed as soon as possible.

MoJ Resourcing are alert to the specific challenges many sectors face in attracting diverse talent and there is an emphasis on embedding inclusivity throughout the delivery of recruitment campaigns and the support offered to staff. Recruitment is kept under review for effectiveness in attracting diverse candidates and evidence of any adverse impacts in the assessment process. HMPPS is already using an enhanced recruitment approach targeting where there is disparity between the ethnic minority workforce population within a particular prison area compared to the regional working population. This approach includes outreach with the wider diverse community to increase knowledge of careers within HMPPS, designing and facilitating recruitment attraction events through digital platforms and providing a buddy for candidates from ethnic minority backgrounds to support them through the recruitment process. Additionally, the HMPPS Race Action Programme continues to build on the ambitions of Lammy recommendations 28 and 29 and enhancing regional recruitment activity.

Purposeful Activity

In May 2022, HMPPS exited the *National Framework for Prison Regimes and Services* and ceased central Covid Gold command which moved regime delivery and local decision making wholly back to governors. It is recognised that the level of restrictions that prison regimes have experienced during the Covid-19 pandemic means there is a need to increase access to purposeful activity and the time prisoners are unlocked to support well-being, rehabilitation and sentence progression. HMPPS is committed to expanding prison regimes at an appropriate pace which balances the competing demands, whilst maintaining safety through building the confidence and competence of staff and ensuring there is capacity to respond to the most acute staffing challenges in the system. Locally HMP Send has been operating a full regime since April 2022 which is providing numerous purposeful activities opportunities and during this financial year the prison will be developing further opportunities for the women in its care.