



Chair, Independent Monitoring Board
HMP Hewell
Hewell Lane
Redditch
Worcestershire
B97 6QS

MoJ ref: SUB104785

14 April 2023

Dear Chair,

**HMP HEWELL: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 OCTOBER 2021 – 30 SEPTEMBER 2022**

Thank you for your Board's report for the year ending 30 September 2022. I was saddened to hear there were three deaths in custody during the reporting year with two due to natural causes. 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 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 Hewell over the reporting period, especially given the continuing membership challenges and vacancies.

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

I understand the Board's ongoing concerns about prisoners serving indeterminate sentences of Imprisonment for Public Protection (IPP). The Justice Select Committee (JSC) published their report into the IPP sentence on 28 September 2022 after a year-long inquiry which contains considered recommendations for change. The Government has published its formal response to the Committee's report, which can be accessed at <https://committees.parliament.uk/work/1509/imprisonment-for-public-protection-ipp-sentences/publications/>. The Government has accepted the Committee's recommendation to review the IPP Action Plan and is committed to publishing the outcome of that review shortly. HM Prison and Probation Service (HMPPS) has already begun work on this, specifically focusing on improved, clear work streams, with deadlines and a robust overarching governance structure. The latest published figures of those who have never been released stood at 1,394 at the end of December 2022. This is reduced from 1,602 at the end of December 2021 and the updated IPP Action Plan will continue to focus on ensuring individuals have a progression pathway that is most appropriate to their current needs to give them the best prospect of making progress. In addition, HMP Hewell, in partnership with regional psychology colleagues have undertaken significant work to facilitate the progress of IPP prisoners and this has resulted in the Parole Board recommending a number of prisoners for progression or release.

Regarding the Board's continued concerns for people in prison suffering with recognised severe mental ill health. People in prison are referred to secure mental health hospitals for assessment as there are limitations in the levels of treatment that healthcare teams can provide within a prison environment as the Mental Health Act 1983 does not apply. Since last year's response to the Board, the Government

published the draft Mental Health Bill in June 2022 which contains measures to speed up access to specialist inpatient care and treatment by introducing a statutory 28-day time limit for transfers from prison to hospital. The Bill includes reforms to support people with severe mental illness in the criminal justice system and will also prevent courts from temporarily detaining people with severe mental illness in prison as a place of safety. The Bill also amends the Bail Act so that defendants can no longer be remanded to prison for their own protection solely on mental health grounds. These reforms, together with operational improvements, are targeted at enabling people with severe mental health needs to access appropriate and timely support in the most appropriate setting. Locally at HMP Hewell, NHS England has commissioned a pilot project to provide additional services to improve the pathway to secure mental health hospitals, upskill healthcare staff in managing more complex mental health presentations and use targeted interventions where previous treatment plans have not been successful. The prison has a good partnership with the mental health providers with an operational Head of Function attending a weekly meeting about the most complex prisoners, as well as joint care planning taking place with the Segregation, Oak and Wellbeing Units. Mental health workers also conduct one to one sessions with prisoners in the Segregation Unit which often also utilises psychiatrist input to support prisoners.

I recognise the Board's concerns about crowded conditions within prisons as accommodating two prisoners in a cell designed for one is never desirable but continues to be necessary across the estate to accommodate all those committed to custody by the courts. However, HMPPS is delivering 20,000 additional, modern uncrowded prison places, the largest prison build programme in a century, ensuring the right conditions are in place to rehabilitate prisoners, helping to cut crime and protect the public. There may be options in future to reduce crowding levels if the prisoner population growth is slower than projected for example. This would enable targeted reductions of the least suitable prison places, including those which are crowded, but it is not possible to commit to this based on the current projected population. In Spring 2022, HMPPS published a revised Framework Certified Prisoner Accommodation, from which the useable operational capacity of the estate is determined. While most single cells in the prison system could physically hold two people, the maximum crowded capacity of a prison is a matter of operational judgement, considering risks to safety and stability. In times of severe population pressure, prisons will be expected to hold as many prisoners as they can safely accommodate, but that number should be determined by the operational managers responsible for managing the prison, not by a central process or by wider supply and demand issues.

Turning to the Board's request to influence court matters as the judiciary of England and Wales is independent of Government, it is not appropriate for the Government or its representatives to direct court matters such as listings and decisions on whether to grant bail or remand a defendant in accordance with the law. The allocation and listing of cases are a judicial responsibility who are continuing to work to prioritise cases involving Custody Time Limits, as well as prioritising cases involving vulnerable complainants and witnesses (including youth cases), domestic abuse and serious sex cases. To support the judiciary, the Ministry of Justice is recruiting up to 1,000 judges across all jurisdictions in 2022/23 and the limit on sitting days in the Crown Court have been removed for the second financial year in a row which will enable courts to sit at maximum capacity over the coming years. The Ministry of Justice also continues to monitor the level of the remanded population across the reception estate and are taking steps to ensure that reception prisons can continue to serve the courts and make the best possible use of the available capacity. Locally all people on remand at HMP Hewell can access all available visits sessions which will be increasing from 250 to 275 sessions per week. Sessions are a maximum of two hour visits with people on remand able to access the full allocated time. The Prison Advice Care Trust will also be conducting a survey shortly to analyse those who do not access visits to gain a greater understand of the needs of the population at HMP Hewell. People on remand are also allowed to wear their own clothes although they are required to wear prison issue clothing to attend work.

It was encouraging to receive your comments about the progress to provide a decent and clean environment for prisoners. I was pleased to read that there is positive communication between the Senior Management Team and prisoners as well as respectful relationships between staff and prisoners as well as valuable peer support provided by prisoners. It was reassuring to note there is increased efforts to provide prisoners with meaning purposeful activity, which is continuing, and it was interesting to read about the soft skills events and initiatives. I was also pleased that recognition has been given to the work to improve family ties as well as prisoners now having access to in-cell telephony and social video calls.

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 Hewell.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Damian Hinds', is centered on the page.

Damian Hinds
Minister for Prisons and Probation

HMP HEWELL: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 OCTOBER 2021 – 30 SEPTEMBER 2022

HMPPS comments on matters raised in the report

Reducing Reoffending

As set out in the Prisons Strategy White Paper, the Ministry of Justice and HMPPS is driving down reoffending through investing in getting offenders into skills training, work and stable accommodation and tangible progress has been made in tackling the £18 billion cost of reoffending and protecting the public. Between 2010/11 and the 2020/21 financial year, the overall proven reoffending rate has decreased from 31.6% to 24.4%. This includes drops in the rate of reoffending for robbery, criminal damage and arson, drug offences and sexual offences. Reoffending among adult offenders has fallen from 30.0% to 24.0% and among juvenile offenders from 40.9% to 31.2% between the same 2010/11 to 2020/21.

HMPPS already measures accommodation outcomes for people on probation and prison leavers at specific points in their sentence. These measures link to the success of those being in settled accommodation, bail or probation accommodation with prisons and probation having a joint target for 90% of individuals in accommodation on their first night of release from custody. Probation also has an additional target for 80% of supervised individuals, those released from prison and those on community sentences, to be in settled accommodation three months after commencement of their supervision. These targets are supported by the investments made in accommodation interventions, including expanding the Approved Premises and Community Accommodation Service Tier 2 estates, expanding the Community Accommodation Service Tier 3 provision, and introducing Strategic Housing Specialists across prison groups. Additional specialist accommodation services to people on remand are being considered to help prepare for release and will be in addition to the support offered from Pre-Release Teams, Community Accommodation Services (CAS) and Homeless Prevention Teams.

Infrastructure Improvements

HMPPS recognises that it is required to have measures in place to try and ensure that each prisoner needs are met so they are treated with dignity and respect. All reasonable adjustments are made to ensure equity for prisoners with a disability, including relocating to another prison that is more suitable for their needs if necessary.

MoJ Property Directorate have worked closely with HMP Hewell to target specific works to support those with disability, accessibility and relevant social care needs and have been led by the prison to prioritise the limited funding available. Demands for maintenance are much greater than the available funding and projects are prioritised carefully to make best use of that funding, focusing on risk to life and risk to security, capacity, decency and sustainability. The Board will be aware of the construction of 12 concrete ramps taking place across the prison to allow access to accommodation and supporting functions. In addition, work is underway on the installation of internal floor to floor lifts on Houseblock 1 and Houseblock 2 to ensure prisoners can access medical and pharmacy services as well as additional internal access ramps. Installation of an external lift to Houseblock 1 will also take place to aid access for Staff, Visitors and Residents. A design has already been commissioned for a riser platform lift in Houseblock 1 for those with reduced mobility to navigate the entrance staircase and a bid for funding in the 2023/24 financial year is being submitted for its installation. Funding has also been sought to replace the current lift in Houseblock 6 with a new one which will further improve accessibility for those with

mobility issues. Wheelchairs are available for those who need them and additional chairs have been ordered.

Therapeutic Interventions

It is acknowledged that HMP Hewell does not offer accredited offending behaviour programmes. Accredited programme provision is reviewed annually, looking at the population needs to find the appropriate Offending Behaviour Programme (OBP) delivery as part of the broader HMPPS OBP strategy. Those who do meet the criteria and are prepared to engage can be transferred to an appropriate programmes delivery site. There is also a national service offer in place for all prisoners who screen into the Offender Personality Disorder (OPD) pathway, which identifies supports and promotes therapeutic interventions and psychologically informed approaches in both prisons and probation. These services are jointly delivered with the health sector and include approaches working with trauma and psychological and emotional disturbance. Support is available to all Offender Managers overseeing cases screened into the OPD Pathway. In addition, HMP Hewell has appointed a Neurodiversity lead who is raising awareness of this critical area and working to improve knowledge and understanding as well as directly supporting prisoners with neurodiversity needs. It is encouraging that the Board welcome the opening of the Oak Unit which supports prisoners with complex health and behavioural needs. Staff working in this area, as well as the Segregation Unit where the needs of prisoners are also particularly complex, receive group supervision facilitated by psychology colleagues.

Staffing Resources

A key component of the Prison Strategy White Paper is the commitment to invest in the development and support of the workforce and to provide a modern employment offer that encourages candidate attraction and assists retention. To help deliver these ambitions a Transforming Delivery Directorate has been created in HMPPS who are developing future workforce plans so that they are better enabled to deliver the improvements to outcomes. Since late 2021 a retention tool kit has been in place to help Governors to tackle the main drivers of attrition in their prisons and the data from this and enhanced exit interviews is being used to better understand why employees are leaving. In April 2022, there has been new initiatives to improve the experience of new joiners and increase retention. These include a new peer-to-peer learning scheme, the introduction of mentors for new employees, a supervision pilot in two prisons, and new leadership training in prisons facing retention challenges. The 2022/23 pay award has also delivered an increase in base pay of at least 4% for all staff between bands 2 to 11, alongside further targeted pay rises for our lowest paid staff of up to £3,000. The increase in base pay will support attraction and hopefully reduces leaving rates.

Overall resourcing levels are monitored which provide the appropriate level of information for staffing decisions to be made and at a local level, the workforce planning processes are in place ensure prison groups can manage current staffing levels and make accurate predictions around future resourcing needs. It is acknowledged that recruitment remains a challenge for HMPPS, with it being particularly difficult to attract candidates in some parts of the country. However, recruitment activity is underway for all sites with a current or future need.

The current staffing position at HMP Hewell means it is difficult to raise levels of keywork currently but there have been improvements since the Christmas period when key work was unable to be conducted. It remains a priority and whilst the prison continues to work on improving its staffing levels the focus will be on ensuring keywork is delivered to those in most need.

Healthcare Out of Hours

NHS England continue to monitor out of hours service provision and the current commissioned healthcare service out of hours at HMP Hewell is a Healthcare Assistant and Qualified Registered Nurse. In exceptional circumstances such as unplanned absence staffing levels may not meet this requirement.

However, there are established pathways through the GP Out of Hours service and there is a Head of Healthcare on-call rota, which includes mental health cover out of hours.