



Chair, Independent Monitoring Board  
HMP/YOI Elmley  
Church Road  
Eastchurch  
Sheerness  
Kent ME12 4DZ

17 April 2023

*Dear Chair,*

**HMP/YOI ELMLEY: INDEPENDENT MONITORING BOARD ANNUAL REPORT  
FOR 01 NOVEMBER 2021 – 31 OCTOBER 2022**

Thank you for your Board's report for the year ending 31 October 2022. 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/YOI Elmley over the reporting period, especially as you continued to operate with several vacancies together with members that suffered ill health.

I was saddened to hear there were five 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 appreciate the Board's concerns about access to immigration authorities for foreign national offenders (FNOs) and thank you for drawing this to my attention. The increasing number of FNOs at HMP/YOI Elmley is due to the small boat arrivals in Dover and the increase in prosecutions of these individuals. The Home Office's Immigration Prison Team (IPT) now have an officer present at HMP/YOI Elmley four days a week. Monthly surgeries have recommenced with a focus on the FNO remand population. The prison is working proactively to transfer prisoners to Immigration Removal Centres (IRCs), and specialist foreign national prisons where appropriate, which has resulted in a reduction of FNOs at HMP/YOI Elmley. The prison has utilised IT to run key work groups with foreign nationals to provide them with dedicated support.

The key performance indicator the Home Office IPT are currently working towards is to induct all sentenced FNOs within twenty-eight days. Following sentencing all cases are reviewed and if appropriate deportation action will commence. Those that do not meet the deportation threshold will be considered for administrative removal or issued with a warning letter. Since November 2021, changes have been made to the legal advice process in prisons which now allows for thirty minutes of initial advice to be available to all those individuals held under immigration powers in prisons, equivalent to the service currently available in IRCs. HM Prison and Probation Service (HMPPS) has also introduced a special £5 weekly payment for all those detained under immigration powers in prisons which will bring parity with individuals in IRCs.

It was pleasing to note the numerous positive comments cited in the report. I was encouraged to hear that the Young Adult Strategy is proving successful and the reintroduction of Key Work has improved relationships with staff and contributed to making the establishment a less volatile environment and reducing self-harm. I was also impressed to learn how staff interact and accommodate FNOs with innovative methods, how they dealt with the incident involving 10 FNOs on the netting, and that work-

based learning has increased this year including the use of the officers' mess to provide training in catering, food safety and barista work.

Local issues of concern raised in your report will be addressed by the Governor and his team who will continue to keep you aware of progress 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 Elmley.

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

**Damian Hinds**  
**Minister for Prisons and Probation**

## **HMP/YOI ELMLEY: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 01 NOVEMBER 2021 – 31 OCTOBER 2022**

### **HMPPS comments on matters raised in the report**

#### **Fabric of the Prison**

The Ministry of Justice Property Directorate is developing numerous projects to improve the standard of the existing built environment. There are mandates to refurbish the showers on Houseblock 5 and to improve the building's fire compartmentation. Approval has been obtained to replace flooring and upgrade shower facilities, and there is a project mandate to build a new accommodation block. Funding is also being sought to replace the current CCTV provision and this will greatly improve the safety of prisoners and staff.

HMPPS continues to invest in prison maintenance so that existing prison places remain in use and are safe. There is a continuing focus by the residential function on cleanliness, kit availability and painting to improve the living conditions on all houseblocks. This includes quality assurance by residential managers.

The Government also remains committed to delivering 20,000 additional, modern 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.