



Chair, Independent Monitoring Board
HMP Morton Hall
Swinderby
Lincoln
LN6 9PT

30 May 2023

Dear Chair,

HMP MORTON HALL: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 6 DECEMBER 2021 – 31 DECEMBER 2022

Thank you for your Board's report for the year ending 31 December 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 Morton Hall over the reporting period. I appreciate your efforts especially as it was the first year of operation as a prison and all that entailed. I address below the specific points you have raised for my attention.

The Early Removal Scheme (ERS) allows foreign nationals serving a determinate sentence to be removed from the country up to twelve months before their Conditional Release Date. The actual ERS period in each case varies according to the length and type of sentence imposed. Legislation states that one half of the 'requisite custodial period' of the sentence must be served before removal can take place. Therefore, the maximum one-year window applies only to sentences of at least four years where the earliest release point of the sentence is at the halfway point. The ERS window will be proportionately shorter for sentences below these terms.

A large proportion of the prisoner population in HMP Morton Hall is serving sentences of less than four years. This means that many will only be required to serve one year or less in custody. Having taken time served on remand into consideration, many prisoners will reach their ERS window immediately or very soon upon transfer into HMP Morton Hall. It is therefore not always possible for the Home Office to carry out all the caseworking and administrative processes as soon as the prisoner becomes eligible for removal under ERS, even in cases where the prisoner wishes to return voluntarily. Additionally, there are practical considerations such as securing travel documents, flights and escorts that affects removals. I would like to assure the Board that HM Prison and Probation Service (HMPPS) is working closely with the Home Office to ensure the ERS process runs as efficiently as possible.

Regarding timely notifications to prisoners, the Home Office continues to work in partnership with HMPPS and other government agencies to improve the service of detention paperwork and to ensure that removals take place at the earliest opportunity. The Home Office acknowledges that delays in moves to Immigration Removal Centres (IRCs) can occur at times, however, not all prisoners are suitable to be detained in an IRC. Foreign National Offenders (FNOs) that have completed their sentence are risk assessed for suitability to transfer to an IRC by a dedicated Home Office team. The Home Office are notified weekly by HMPPS of all individuals who have completed their custodial sentence and are detained under immigration powers. The Home Office thereafter conducts a careful and timely risk assessment taking into account several factors including the nature of an individual's offence, sentence length, their behaviour whilst in prison and any medical concerns.

The Home Office Immigration Prison Team embedded at HMP Morton Hall has recently taken on four additional Immigration Officers with a further two due to arrive in the coming months. This will assist in ensuring any decisions made by the Home Office caseworking teams are conveyed to FNOs at the earliest opportunity. The team also make themselves available to FNOs to answer any wing applications and provide case updates as and when received. Any concerns can be raised directly with the teams involved and the Home Office Duty Desk helpline is available to both the IMB and HMPPS should any party wish to check on any aspect of case progression.

The Board can be reassured that the Service Level Agreement between the Home Office and HMPPS agreed in January 2020 is closely monitored for compliance. Detention reviews are completed every twenty-eight days, and Case Progression Panels with independent panel members provide additional assurance and challenge on the progress of cases of individuals in detention reinforcing the consideration of removability and risk factors in decisions to maintain detention. All those detained can also apply to the courts at any time for bail from detention.

It was encouraging to receive your comments about the fair and humane treatment of prisoners at HMP Morton Hall. It was pleasing to hear that there is a welcoming atmosphere at the prison and that officer-prisoner relationships are good. It was refreshing to note that there were few complaints about officers and prisoners are overwhelmingly complimentary about them.

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 Morton Hall.



Damian Hinds
Minister for Prisons and Probation

HMP MORTON HALL: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 06 DECEMBER 2021 – 31 DECEMBER 2022

HMPPS comments on matters raised in the report

Prison Occupancy, Purposeful Activity, and Regime

Prison Occupancy

The population increase at HMP Morton Hall was jointly agreed and managed between the prison and headquarters to enable individual accommodation units to be commissioned sequentially as they became available within the overall building programme. This meant that the ramping up of the population was aligned to the availability of essential services and facilities together with the prison's ability to safely manage this. Additionally, the original population increase plan had to be amended due to delays with the in-cell telephony project which affected the re-role work due to the overlapping of contractors in the same areas. Fire Safety work further impacted and delayed the population increase plan.

Purposeful Activity and Regime

The regime profile at HMP Morton Hall took into account the gradual increasing of the population and maintained a steady pace resulting in activity for all. It is recognised that a larger number of prisoners were unemployed after January 2023. Purposeful activity figures indicate that 84% of the population were engaged and HMP Morton Hall was second in its comparator group. Opportunities to engage in activities have increased further following the opening of new workshops. HMP Morton Hall has also increased time out of cell by introducing an enrichment hour.

Prisoners' Property Transfers

The new Prisoners' Property Policy Framework, implemented in September 2022, has been designed with procedural justice at its core and aims to ensure consistency and fairness and enhance prisoners' satisfaction with processes and outcomes. Given the nature of property, and the movement of prisoners between establishments, the Framework looks to provide greater direction and standardisation on a national basis. It strengthens processes in relation to the main problem areas identified by IMBs and staff including the handling of valuable property, managing cell clearances, compliance with volumetric control and forwarding on excess property following a prisoner's transfer.

The Prisoners' Property Policy Framework is clear that in situations where a prisoner arrives with items which were permitted at the previous establishment but not at the receiving prison, Governors are required to consider the items on a case-by-case basis to determine whether they should be allowed. The expectation is that the prisoner will be able to retain the item(s) unless it is considered a risk to good order, discipline, security, safety and/or exceeds volumetric control limits. Items determined to be a risk to security or the protection of the public will not be allowed.

Food Provision

Food Budgets

Prison food budgets are determined locally by the Governor in Public Sector Prisons (or the Director in privately managed prisons) and kept under review as part of normal budget allocation planning. Prison Rules also require that prisoners are provided with three meals a day that are varied, nutritious and meet the religious, cultural, and medical needs of all.

The HMPPS Catering Team has been providing support to all prison establishments to help address the rising cost of food. They are working closely with local catering managers to understand issues and share good practice ideas with food suppliers to look at supply and sourcing options. They are also working

closely with the Office of Health Improvement and Disparities, following government guidelines, to provide enhanced advice to prisoners and staff across the estate on eating healthy meals. Despite the pressures, including a large number of different nationalities, it was encouraging to note that prisoners were satisfied with the quantity and quality of the food provided.

Canteen

The canteen at HMP Morton Hall provides a valuable service to prisoners and offers a wide variety of products including ambient, fresh and chilled products. Items are delivered by an approved national supplier responsible for sourcing products to meet the needs of the population and to ensure that products are delivered to the correct quality. Following prisoner reports around the quality of some fresh produce, the HMPPS Retail Team met with the prison and the supplier in February and a new process has been introduced by the supplier to ensure the quality and freshness of delivered products.