



# **Annual Report of the Independent Monitoring Board at HMP Lewes**

**For reporting year  
1 February 2022 – 31 January 2023**

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## Introductory sections 1 – 3

### 1. Statutory role of the IMB

The Prison Act 1952 requires every prison to be monitored by an independent board appointed by the Secretary of State from members of the community in which the prison is situated.

Under the National Monitoring Framework agreed with ministers, the Board is required to:

- satisfy itself as to the humane and just treatment of those held in custody within its prison and the range and adequacy of the programmes preparing them for release
- inform promptly the Secretary of State, or any official to whom authority has been delegated as it judges appropriate, any concern it has
- report annually to the Secretary of State on how well the prison has met the standards and requirements placed on it and what impact these have on those in its custody.

To enable the Board to carry out these duties effectively, its members have right of access to every prisoner and every part of the prison and also to the prison's records.

The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is an international human rights treaty designed to strengthen protection for people deprived of their liberty. The protocol recognises that such people are particularly vulnerable and aims to prevent their ill-treatment through establishing a system of visits or inspections to all places of detention. OPCAT requires that states designate a National Preventive Mechanism to carry out visits to places of detention, to monitor the treatment of and conditions for detainees and to make recommendations for the prevention of ill-treatment. The IMB is part of the United Kingdom's National Preventive Mechanism.

## 2. Description of the establishment

HMP Lewes is a category B local prison for male prisoners in the county town of Lewes. It serves the courts of both East and West Sussex and holds sentenced prisoners, unsentenced prisoners, those on remand as well as young adults (men between the ages of 18 and 21) in categories B and C. It also takes some category D prisoners returned from open conditions and holds people whose prison sentences have been completed but are being detained under Home Office powers prior to deportation.

The operational capacity (the maximum population that could be accommodated without the risk of disruption due to overcrowding) was 560 at the beginning of the reporting year. The maximum operational capacity is now 624.<sup>1</sup>

At the end of January 2023, the prison held 554 prisoners.

The main buildings, which are on a fairly small site within the residential area of Lewes, were completed in 1853. A modern block housing two residential wings was added in 2008. There are nine residential wings in total:

A wing: a general wing for drug recovery, with capacity for up to 128 prisoners.

B wing: the care and separation unit (CSU). Has 16 cells including two high-risk and two special accommodation cells.

C wing: a general wing housing around 150.

F wing: mainly a vulnerable prisoner wing, housing around 125.

G wing: started the year as the first night centre (FNC) with a capacity of 23 but then changed into being the enhanced prisoners wing with similar capacity.

K wing: a drug/alcohol dependency stabilisation wing housing around 22.

L wing: started the year as a wing for sentenced category C and D prisoners with single cells housing up to 80; it has now become the first night centre with a similar capacity.

M wing: a general wing with single cells housing around 94.

Healthcare centre (HCC): an acute inpatient facility with around nine cells available.

There is also a large, well-equipped gym and a second sports hall for prisoner use, as well as a multi-faith centre and various workshops.

The main providers of services to the prison during this reporting year were:

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<sup>1</sup> Figures included in this report are local management information. They reflect the prison's position at the time of reporting, but may be subject to change following further validation and therefore may not always tally with Official Statistics later published by the Ministry of Justice.

GEOAmey (transport to and from the courts and local prisons)  
Gov Facility Services Limited (GFSL)  
DHL (ordering and delivering prisoners' purchases)  
Bidfood (kitchen supplies)  
East Sussex County Council Library Services  
Weston College (for education)  
Probation Service  
Southdown Housing  
Jobcentre Plus  
Spurgeons, providing family liaison services, was replaced by Pact (Prison Advice and Care Trust) during the year.

There are three providers of health and social care:

- Practice Plus Group (PPG) is the main service provider contracted via NHS England commissioners, responsible for primary care clinics, including GP and health screenings, the inpatient unit, substance misuse, mental health, pharmacy and crisis response services. It also provides, via subcontractors, the dentist, optician, podiatry and physiotherapy services.
- East Sussex Healthcare NHS Trust in partnership with PPG provides sexual health clinics and other screening programmes, such as abdominal aortic aneurysm screening, bowel cancer screening and diabetic retinopathy.
- Agincare, Eastbourne (contracted via East Sussex County Council social services) is responsible for social care.

Additionally, there are a number of voluntary and other organisations that provide services, although not all of these organisations have been providing services since the Covid-19 pandemic began. They include: the Samaritans, Age UK, SSAFA (the armed forces charity), National Association of Official Prison Visitors, Sussex Pathways, Prison Fellowship, The Advocacy People, LOSRAS (Lewes Organisation in Support of Refugees and Asylum Seekers).

### **3. Executive summary**

#### **3.1 Background to the report**

This reporting year has been severely impacted by shortages of prison staff. We have been told that, in comparison with other prisons, HMP Lewes has been considered relatively well-staffed throughout the year. However, a high number of these staff are non-effective in that they are off sick, on annual leave, training, on restricted duties or phased returns and therefore not available to work on the wings. They are counted as effective staff, which puts more pressure on those who are available. Low staffing levels and minimal regime have led to significant prisoner unhappiness, which is likely to have contributed to the increase in self-harm and an increase in prisoner-on-staff assaults.

#### **3.2 Main judgements**

##### **How safe is the prison?**

- There has been a near-40% increase in the incidents of self-harm but no increase in the number of assessment, care in custody, teamwork documents (ACCTs) opened.
- There has been a 46% increase in the number of assaults on staff but no corresponding increase in the number of men referred to a challenge, support and intervention plan (CSIP).
- There is a disproportionate use of force against black, Asian and minority ethnic prisoners.
- The inappropriate allocation of men from reception to the vulnerable prisoners (VP) wing resulted in the bullying of vulnerable prisoners and the potential for the bullying of non-vulnerable prisoners once moved to a main wing.
- There is inconsistent supervision of medicine dispensary hatches on wings by prison officers.
- The Board considers the induction process to be inadequate at HMP Lewes.

##### **How fairly and humanely are prisoners treated?**

- Prisoners who do not have a job or are not in education or chaplaincy sessions are out of their cells for little more than an hour a day.
- The Board is concerned about the inappropriate use of the care and separation unit (CSU) for men with complex and severe mental health needs and those on constant watch.
- The Board considers that the inadequate provision of washing and drying machines, together with a shortage of kit throughout the year, is not decent.
- The Victorian wing housing vulnerable prisoners is served by a temporary boiler which provides inconsistent heating and hot water, which at times causes damp and black mould in some cells on the wing.
- The key work system does not work as planned.

### **How well are prisoners' health and wellbeing needs met?**

- There is inadequate provision for disabled prisoners and those needing palliative and end-of-life care.
- Due to staffing issues, mental health services have struggled to keep up with assessments and there have been long waits to see the psychiatrist.
- Prisoners requiring secure mental health care are waiting too long for assessment and transfer to hospitals.

### **How well are prisoners progressed towards successful resettlement?**

- Access to education and library services throughout the year has been severely impacted by shortages of prison staff.
- Limited numbers of work training places and the small number of jobs available make progress for the majority of men difficult.
- Resettlement for sentenced prisoners was generally fine, however, remand prisoners are given no support in this area.

## **3.3 Main areas for development**

### ***TO THE MINISTER***

Will the Minister improve the funding to enable the prison to recruit and retain an adequate number of staff?

Will the Minister speak to colleagues to seek to ensure that there are sufficient beds in secure mental health hospitals to speed up the transfer of prisoners and support their rehabilitation?

Will the Minister improve the right to access probation and resettlement services for the large number of prisoners held on remand for long periods?

Will the Minister reconsider the recommendation of the Justice Committee to commission a resentencing exercise for all prisoners on imprisonment for public protection (IPP) sentences?

Given the age of most of the prison wings, will the Minister ensure that there is sufficient funding available to make proper repairs to the infrastructure?

### ***TO THE PRISON SERVICE***

Will the prison service review the staffing budget in prisons and stop the practice of including non-effective staff in staff numbers?

Will the prison service ensure that maintenance and repairs are carried out in a timely manner and that sufficient funding is available locally to do this?

The Board is concerned that, in the light of the cost of living crisis, the prisoner food budget will very soon be insufficient. When will the prison service be reviewing this?

## **TO THE GOVERNOR**

Will the Governor ensure that the induction processes at HMP Lewes are improved and that the vulnerable prisoners wing is not used for new receptions in the future?

Will the Governor do all in her power to increase the number of hours out of cell for all prisoners at HMP Lewes?

Will the Governor ensure that all prison staff are aware of the importance of supervising dispensary hatches?

Will the Governor work towards a restoration of the key work scheme to at least pre Covid-19 standards?

Will the Governor increase the number of work and education places to allow more men an increase in time out of cell?

Will the Governor ensure that there are working washing machines and dryers on all wings to enable men to change their clothes regularly, and that men arriving into reception always receive two sets of kit?

### **3.4 Progress since the last report**

Issue raised	Response given	Action taken
<b>Minister:</b>		
1. Will sufficient funding be available for capital investment in HMP Lewes' buildings such that the basic accommodation can finally be considered uniformly decent?	The worn floor coverings will be replaced and the common areas within the prison will be redecorated. Investment has been secured for 2022-23 to include new washing machines and tumble dryers for all wing laundries, further fire safety improvement work and improved CCTV. New showers to be fitted on C and G wings. MPD will continue to work closely with the Governor and facilities management partners to deliver positive change.	The Board has seen some evidence of redecoration. Industrial washing machines and dryers were sourced early in this reporting year but, at the end of the year, have still not been fitted. (See 5.1.4). Fire safety improvements have been undertaken on F wing but there is still no CCTV on this wing housing vulnerable prisoners. Shower refurbishment is ongoing on C wing but has not commenced on G wing. The facilities management meet regularly with senior management.
2. Can the Minister ensure that IPP prisoners are released as soon as possible?	As the number of IPP prisoners who have never been released continues to decrease, the proportion of those who remain in prison who committed more serious offences and whose cases	HMP Lewes houses up to 16 IPP prisoners at any one time. All have accessed and completed the necessary courses in other prisons. Those that come to the attention of the Board are distressed and traumatised by the



	are complex grows. These prisoners are still assessed to pose a high risk of committing further violent or sexual offences and have a complex set of risks and needs. These must be addressed before the Parole Board can consider that their risk to the public is safely manageable in the community under probation supervision.	hopelessness of their situation. The Board is disappointed that the Secretary of State has rejected the Justice Committee's recommendation for a resentencing exercise for IPP prisoners.
<b>Prison Service</b>		
1. Will the prison service recognise the importance for prisoner wellbeing of them being unlocked for unstructured association, particularly when in a prison such as HMP Lewes there are insufficient work and education places for all prisoners?	HMP Lewes will maximise attendance at activities (work and education) by improving allocation processes and attendance sanctions.	There has been an attempt to maximise the number of work and education places available. However, if prisoners are not allocated work or education their time out of cell has been little more than one hour a day.
2. Will the prison service ensure sufficient funding of inter-prison transfer services so that prisoners do not get delayed moving to prisons where their rehabilitation needs can be better met?	HMPPS Population Management Unit (PMU) where possible undertake single moves, however, this is dependent on the availability of transport. The range of prisons available for local transfers has been expanded to ensure that prisoners are able to progress. Whilst transfers for multiple prisoners take place frequently, singleton transfers continue to be difficult due to transport availability.	Better working relationships between establishments have helped to overcome some of these issues.
<b>The Governor</b>		
The Board asks the Governor to do everything in her power to improve the amount of time prisoners are allowed	The Governor of HMP Lewes recognises the importance of having time out of cell and is working hard to deliver this in line with the current regime. A review of the regime and	The staff reprofiling exercise was undertaken but not completed in this reporting year. The regime has been further curtailed due to staff shortages and, although education and work places have been available, they have frequently

out of their cells as quickly as possible.	staffing profiles will take place over the summer period.	been inaccessible to prisoners due to lack of staff enablement.
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## **Evidence sections 4 – 7**

### **4. Safety**

The safety intervention meeting (SIM) committee meets weekly to discuss vulnerable prisoners, including the men subject to the assessment, care in custody and teamwork (ACCT) process. The meeting is well supported by wing staff, healthcare, the integrated mental health team (IMHT), the substance misuse service (SMS), chaplaincy and the safer custody team.

#### **4.1 Reception and induction**

4.1.1. On arrival in reception new prisoners' needs are assessed by various agencies including prison staff, primary care nurses, an early days mental health assessor and the substance misuse service (SMS). The chaplaincy sees them within 24 hours. They are given a decency box, which should include two changes of kit, a bed roll, a cup, plate, bowl and cutlery, basic toiletries and cleaning materials, together with information on canteen and a general application. However, the Board has been aware of various shortages throughout the year which has meant that not all new prisoners have been issued with enough kit to allow them to change their clothes every week. There have also been reports of towels and pillows not being issued (see 5.1.5). The Board does not consider this to be decent.

4.1.2. In March, the length of the phone call allowed to new prisoners in reception was increased from two minutes to five minutes for both UK and international numbers, although the Board noted that not all of these calls were able to be held in private.

4.1.3. From June, men were able to register any dietary requirements for health reasons on arrival in reception, after which they should receive the food that they require (see 5.1.8). If they did not do so, they had to go through the process of assessment by healthcare staff at a later date.

4.1.4. In October, new arrangements started for reception and induction with a move to a much larger, dedicated wing. It was supposed to enable a full five-day induction process, but was started prior to a staff profiling exercise being completed and adequate accommodation being made available for the enhanced prisoners who had previously occupied the wing. Staff shortages made the difficulties worse with officers being unaware of the details of any induction scheme and no idea as to how such a scheme was to be implemented, resulting in only a minimum level of induction being delivered. Dedicated first night centre (FNC) staff should have been dealing with new prisoners on L wing, but enhanced prisoners refusing to relocate meant that staffing was also combined, to the detriment of the new receptions.

4.1.5. Men identified by the SMS in reception as reliant upon methadone or needing to detox should have been located on to the dedicated SMS wing, but a shortage of space on that wing (see 6.6.3) meant that they were regularly located on to the new FNC and able to mix freely with others on the wing, as there are no physical barriers

between the landings. This also resulted in delays to men getting their medication and was potentially life-threatening for alcoholics.

4.1.6. Increasing numbers of new prisoners meant more pressure on accommodation, resulting in men not meeting the criteria for the vulnerable prisoner wing initially being located there. This had the potential to cause problems for the new reception prisoners because of the stigma which attaches to vulnerable prisoners and the potential for bullying when they were transferred on to other wings. It also meant an inadequate level of induction for the men located there.

4.1.7. The Board considers that the reception and induction processes at HMP Lewes are below an acceptable standard.

## **4.2 Suicide and self-harm, deaths in custody**

4.2.1. During the reporting period, prison data shows that there has been a significant increase in the numbers of self-harm incidents. From 1 February 2021 to 31 January 2022 there were 353 incidents of self-harm. In the same period in 2022/23 this had increased to 490, a 39% rise. However, there has been a slight decrease in the number of ACCTs opened. A total of 524 were opened during the year as opposed to 563 in the previous year.

4.2.2. Over the year it became the practice of wing staff to separate out the pages of the ACCT documents to make them easier to handle. The Board acknowledges that the ACCT document is unwieldy but considers this practice to be unsafe, as key information relating to the prisoner may not be available to staff and this may compromise the welfare of the prisoner. The Board also regularly notes observations not being done within the prescribed timeframe and inadequate writeups of conversations. In January 2023 new arrangements started to be introduced for ACCTs, with a clearer allocation of staff roles and responsibilities.

4.2.3. There have been five deaths in custody during the reporting period. Three of these are thought to be as a result of natural causes, however, they are all awaiting a coroner's inquest. The Board believes that the prison management and staff actions following a death in custody are compassionate and sensitive.

4.2.4. There have regularly been two or more men on constant supervision at any one time. A shortage of suitable cells on the inpatient unit led to the frequent use of the care and separation unit (CSU) to monitor them. The Board does not consider the CSU to be suitable for men on constant supervision.

## **4.3 Violence and violence reduction, self-isolation**

Over the reporting period there has been a reduction in prisoner-on-prisoner violence. However, according to prison data, there has been a significant increase in the number of assaults on staff. From 1 February 2021 to 31 January 2022, there were 69 incidents of assaults on staff, of which five were serious. In the same period in 2022/23 this had increased to 101 (a rise of 46%), of which eight were serious.

However, there has not been an increase in the number of men referred to a challenge, support and intervention plan (CSIP).

#### **4.4 Use of force**

4.4.1. There continues to be a regular review of all use of force paperwork, CCTV footage and body-worn video camera (BWVC) footage. There has been an increase in the use of BWVC and a reduction in the associated outstanding paperwork. Weekly reviews enable any issues raised to be dealt with by either advice and guidance to the officers involved or management review in a timely and effective manner. There was no use of batons by prison staff, although handcuffs are regularly used. PAVA spray was used by the national tactical response group (NTRG) in one incident at height.

4.4.2. As we reported last year, there is an ongoing disproportionate use of force involving black, Asian and minority ethnic prisoners. A review of nine months' data showed that these prisoners averaged 22.62% of the prison population, although in the same period they accounted for 35.42% of the use of force.

#### **4.5 Preventing illicit items**

4.5.1. There are three dog handlers and six dogs - three passive dogs, which search areas and three active dogs, which search people - based at HMP Lewes. They have been responsible for significant finds of mobile phones and drugs, both within the prison and around the perimeter. The team is a regional resource shared with other establishments in the south east.

4.5.2. The prison continues to be supported by dedicated search teams (DSTs) with random lockdown searches. There have been numerous intelligence-led cell searches by staff and DSTs with finds including, but not limited to, 47 weapons, 130 bottles of fermenting liquid, 91 mobile phones and 38 tobacco finds.

4.5.3. In addition, there is a body scanner used to scan all prisoners arriving at Lewes, and a Rapiscan used to scan all incoming post. This year the Rapiscan has resulted in the identification of 177 contaminated letters.

4.5.4. During the reporting period, the mandatory drug testing (MDT) department was open for 160 sessions out of a possible 612 with no testing at all in February 2022. These closures were as a result of staffing shortages.

## **5. Fair and humane treatment**

### **5.1 Accommodation, clothing, food**

5.1.1. Two shower areas on C wing were fully refurbished this year, providing more decent facilities. There is only one set of showers on that wing left to complete. In addition to wing-based painters, the 'clean and decent' officer has introduced a prisoner paint party, responsible for painting non-residential areas. This has resulted in a cleaner and brighter environment for the prisoners.

5.1.2. The Board notes again that not all prisoner in-cell toilets in HMP Lewes have lids, which means that meals are eaten within feet of an open toilet, and where prisoners are spending up to 23 hours a day, which is neither decent nor humane.

5.1.3. There has been significant progress in repairing bunk beds, predominantly on A and C wings. This has enabled cells to be brought back into use to maximise spaces and to ensure that prisoners have decent furniture to sleep in. However, the Board notes that repairs to equipment and accommodation on the wings, such as heating and plumbing, are constantly awaiting attention from GFSL, which is not always forthcoming in a timely manner.

5.1.4. There is inadequate provision of working washing and drying machines on the wings, which has resulted in continuous problems for prisoners in laundering their own clothing. Industrial washing machines and dryers have been sourced but are yet to be installed.

5.1.5. During the year, shortages of clothing and kit for the prisoners necessitated cell purges in order to retrieve items exceeding the permitted allowance. Only one set of kit was being issued to prisoners on their arrival, making it impossible for there to be an exchange on kit day. There was also a shortage of both towels and blankets. Orders of clothing, towels and blankets had been restricted by a governor early in the year, which had resulted in shortages going forward. An increase in new reception prisoners and problems with suppliers resulted in the need to bring in socks and underpants from a local supermarket, and the reuse of dirty blankets. In addition, kit had to be washed on site as there was insufficient kit to await the laundry delivery from HMP Elmley. Since August 2022, items worth £18,223 recovered from prisoners' cells were reallocated to stores or recycled to prisoners. These included clothing, sheets, curtains and mattresses.

5.1.6. The decision to move the first night centre from G wing to L wing in the last quarter of the year resulted in considerable difficulties for existing enhanced L wing prisoners, who were moved to a much smaller environment, with the need to share cells and with no room for their possessions. Incentives were offered to the prisoners, but many of these were not delivered, resulting in frustration and disappointment.

5.1.7. For most of the year, F wing, which houses vulnerable prisoners, and has the largest proportion of elderly and disabled prisoners in HMP Lewes, was reliant on a temporary standalone boiler, powered by a generator. This was insufficient to provide heating and hot water at the same time. On 7 November, the generator ran

out of diesel so there was no heating or hot water on the wing and no extra bedding available. The IMB monitored the temperatures and found them to be as low as 12 degrees centigrade. A new boiler installed on 9 December is still reliant on the generator and still unreliable for the provision of hot water and heating throughout the wing. The Board understands that this can only be fully resolved by repairing a significant underground leak underneath the only vehicular access to the prison.

5.1.8. The kitchen provides approximately 690 meals per day, with five choices for a cold lunch at 11.30am and five choices for the hot meal at 4.00pm, on a four-week cycle. Special diets are currently provided for 22 prisoners. Prisoners collect a breakfast pack with their hot meal. This consists of a 40g bag of sugar-based cereal, a carton of milk and a tea bag, a coffee sachet and a sugar sachet. Despite the food choices, prisoners report that their selection has either not been communicated to the kitchen or is no longer available at the servery, and that the quantities provided are inadequate.

## **5.2 Segregation**

5.2.1. There are 16 cells on the care and separation unit (CSU), including two high-risk and an additional two special accommodation cells, one of which has been out of use for a considerable period of time. The unit is kept very clean and tidy.

5.2.2. The Board notes that an ongoing problem has been the number of cells out of use on the unit. In the week commencing 16 January 2023, six cells were out of use either through water damage from a leaking roof or through damage inflicted by prisoners. Repairs to the showers on the second floor, which had been out of order for 18 months, were finally undertaken in January 2023. Also, having been out of order for 18 months, the Wallgate water system, which allows officers to isolate water to cells individually, is now working.

5.2.3. Each month an average of 31 prisoners spent time in the CSU, equating to approximately 6% of the prison's population. The average stay was seven days. The Board is concerned that around six prisoners a month were held in the CSU while on an open ACCT, which the Board considers to be high. In most months, around 85% of the men segregated were under 50.

5.2.4. Six prisoners stayed on the unit for more than 42 days which is a significant improvement on 14 last year. The Board is pleased that the prison has been successful in introducing initiatives which have persuaded prisoners to return to normal location.

5.2.5. The prisoners on the unit receive a visit, usually from the duty governor, every day. There are phone points outside cells, excluding the constant watch cells, so that, on request, prisoners can make phone calls from their cells. Similarly, library services, including distraction packs, are available on request.

5.2.6. The Board has been disappointed that the segregation, monitoring and review group (SMARG) meetings, which should be held monthly, have been held irregularly, and on occasions three months' data have been discussed at one meeting. The Board notes that the data disclosed at the SMARG meetings show that in five months of the year, the number of black prisoners segregated was significantly

higher, between one and a half to two and a half times higher, than might be expected given the number of black prisoners in the prison (see also 5.4.3).

5.2.7. The adjudication standards review committee has also met, but not in a timely manner and many weeks after the quarter finished. The data recorded is used to analyse the reasons prisoners are adjudicated, their age, ethnicity and which wing they live on, so that trends and potential problems are monitored.

5.2.8. The Board has also recorded that the paperwork for the use of special accommodation has not always been completed accurately or in a timely manner. On 20 December an Board member raised the issue of the removal of sanitation from a prisoner's cell, as a result of the cutting off of his water, to the relevant governor. The Board member recorded that this occurred on 14 days between 29 November and 19 December, yet it was only on the final date that special accommodation paperwork was drawn up and authorisation given by the duty governor.

### **5.3 Staff-prisoner relationships, key workers**

5.3.1. The key worker scheme, which envisages prison officers individually managing around five or six prisoners and meeting them weekly for 45 minutes on a one-to-one basis, has once again not operated as intended in this reporting year.

5.3.2. In the absence of formal key work sessions, in 2021/22 HMP Lewes adopted enhanced level wellbeing checks (key work priority checks) for around 50 men identified as being in priority groups, including men on ACCTs, post-closure ACCTs, CSIPs, and those on the inpatient unit and the CSU. The Board observed these short conversations on a number of occasions, although management reports noted that the number of checks planned was not often achieved.

5.3.3. In January 2023, the management at HMP Lewes changed the focus of these enhanced wellbeing checks, as the previous system covered a large cohort of prisoners who were already getting additional support. Enhanced wellbeing checks are now carried out under new criteria, removing those on ACCTs etc. and including prisoners aged under 22 and over 67, prisoners on recall, prisoners returning from open conditions, first-time prisoners and those with domestic violence charges. On 31 January 2023, there were around 30 men on the list.

5.3.4. The impact of staffing shortages on every aspect of the regime for prisoners has been noted throughout this report (see 6.5). With the relaxation of Covid restrictions and a new regime, high numbers of new staff have not experienced a full wing unlock before. Some have raised informal concerns about this with the Board.

### **5.4 Equality and diversity**

5.4.1. New individual discrimination incident reporting form (DIRF) collection boxes came into use in April 2022. Forms are collected by safer custody staff on Mondays, Wednesdays and Fridays. There were 39 DIRFs submitted and dealt with between 1 February 2022 and 31 December 2022, which is a significant decrease on the 64 logged and processed in the previous reporting year.



5.4.2. The quarterly diversity and inclusion meetings were behind schedule in the first half of the year, with a meeting at the end of March 2022 being held to cover the data for the period October to December 2021. Until mid-June, no meetings had been held to discuss data for 2022. The Board has been told that four meetings were held within the reporting period but no data has been made available.

5.4.3. The Board notes that disobeying a lawful order is the most common charge against prisoners. It also notes that, while around 16% of the prison population is black, around 26% of the charges of using threatening, abusive, insulting words or behaviour were made against black prisoners.

5.4.4. In January 2023, there were 337 prisoners who had been identified as disabled, some of whom had self-identified in reception. Of these, over a third were suffering from mental health problems.

5.4.5. During this reporting period, the lift located in the forecourt of the prison, which enables disabled prisoners or visitors to access the visits hall, has been out of use for a considerable period of time. The internal lift has also been out of order on many occasions. The Board also notes that the few car parking spaces allocated to disabled drivers outside the prison are regularly occupied by either able-bodied staff or contractors.

5.4.6. In order to highlight the importance of the various protected categories, each member of the senior leadership team (SLT) was allocated a characteristic for which they organise prisoner forums. Although they were limited over the Covid-19 period, all have initiated some forums, the most successful being those for veterans and the LGBTQ population, along with the faith forums.

5.4.7. The veterans' forum has held 10 meetings in the year with veterans being asked to identify themselves in reception. The Soldiers, Sailors' and Airmen's Families Association (SSAFA) has allocated a caseworker who looks out for anything that the charity can provide for veterans, whether it be a visit from the Department for Work and Pensions (DWP) to make them aware of the benefits they can claim on leaving prison, or engaging with regimental organisations to get them clothing. SSAFA can also help with training courses for prison leavers, and in aiding them to get a deposit and the first month's rent for accommodation. This is an inter-wing forum and staff say that the ex-servicemen's banter rises above any wing rivalry.

5.4.8. Foreign national prisoners are supported by a Border Force officer who tried to hold regular immigration surgeries throughout the year. Very few of these went ahead due to prison staff shortages. Lewes Organisation in Support of Refugees and Asylum Seekers (LOSRA) has been very active in the prison. They contact prisoners by email and are able to visit them using official visits. They also refer those who need it to the Migration Law Clinic (MLC). The chaplaincy can also make referrals to the MLC.

## **5.5 Faith and pastoral support**

5.5.1. Although the main objective of the chaplaincy team is faith provision, the needs of prisoners differ and 70 to 80% of the work carried out is pastoral, being about care and decency etc. A member of the team sees everyone in the CSU and on the inpatient unit daily, and all new prisoners within 24 hours of arrival. They also visit all prisoners on an open ACCT at least weekly, and conduct pre-release supportive interviews six to eight weeks prior to release and on the day of discharge. They deal with dietary requirements for religious reasons, and make between 70 and 80 safety visits a week.

5.5.2. A challenge this year has been the recruitment and retention of staff. The team of around 20 chaplains consists of volunteer chaplains and directly and indirectly paid chaplains. Only three of these are full time. In addition, there are 25 chaplaincy volunteers and 12 Official Prison Visitors managed by the chaplaincy. There is a high turnover of voluntary staff and it can take up to two years to get a chaplain in post.

5.5.3. Sycamore Tree courses in restorative practice restarted on 23 May and were run four times in the reporting year. At the same time, faith groups across wings returned to a weekly basis from a two weekly rota basis and the chaplaincy offered various kinds of support to prisoners to maintain family and community ties, including family tracing, the Official Prison visiting scheme, prisoner penfriends and the Angel Tree scheme, which gave men the opportunity to send a Christmas present to their children. A living with loss bereavement course was also run twice and there was a six-week facing up to conflict correspondence course offered on an ongoing basis.

5.5.4. The Board believes that the chaplaincy team works incredibly hard and contributes to prisoner welfare in an important and meaningful way.

## **5.6 Incentives schemes**

5.6.1. The system of privileges is a key tool used by the prison for incentivising prisoners to abide by the rules and engage with the regime. It allows privileges to be taken away from those who behave poorly or refuse to engage.

5.6.2. The prison operates three incentive levels: standard, basic and enhanced. Prisoners enter on standard and can apply for enhanced after three months. Enhanced benefits can mean increased access to visits and personal clothing, as well as increased money to spend. A reduction to basic can mean removal of in-cell TV, restricted access to the gym and less money to spend.

5.6.3. Prisoners moved to basic should be reviewed after seven days and then every 14 days. The Board has recorded and expressed concern about men on basic not having their reviews on time. The Board noted that of the 28 basic to standard reviews held during a 28-day period in January 2023, only 15 (54%) were held within the seven-day period, with one review not held for 14 days.

5.6.4. In last year's report, the IMB raised concerns about the disproportionate number of residents from ethnic minorities being put on to basic. Data obtained by

the Board shows that on average around a third (33%) of the men downgraded to basic were from ethnic minority backgrounds, compared with an average prison population of around 20 to 25%.

## **5.7 Complaints**

5.7.1. The prison's complaints analysis for 2022 to 2023 shows that it received 848 complaints: 832 stage one and 16 progressing to stage two, with no confidential access complaints. This is a reduction of 25% on the previous year, when a total of 1,138 complaints were received: 1,048 stage one plus 66 stage two, with 24 confidential access complaints. It should be noted that the prison's annual reporting period runs from April to March, and at the time of writing the final year-end position is not available.

5.7.2. The largest proportion of complaints in 2022 to 2023 came from C and F wings, each recording 165 complaints, together accounting for 46% of the total. Overall, the highest category of complaint across the prison involves residential concerns at 182 (23%). This is followed by transfer to other establishments (18%), reception (16%), property (15%), and canteen (5%). Healthcare complaints are made separately to PPG and not included in this analysis.

## **5.8 Property**

5.8.1. Loss of property is very frustrating and upsetting for prisoners, especially when they have a very limited regime and little else to focus on. With shortages of staff, tasks have to be prioritised and usually property is very low on the list. Many of the property applications received by the IMB are repeat complaints by prisoners who have not received help or satisfactory outcomes either from the staff or the complaints system. The revised HMPPS prisoners' property framework, which has been in use since September 2022, highlighted the need for prisoners' property on transfer to get to them faster, and gives more stringent guidance about cell clearances and a single point of contact for property within the prison. The Board hopes that these will bring about improvements to the processes for property within HMP Lewes.

5.8.2. In this reporting year, the number of complaints to the prison about lost property, both within the prison and on transfer, reduced from 26% of the total to 15%. In comparison, applications to the IMB about property, within the prison and on transfer, increased from 5.6% to 9.3% of the total. (It should be noted that complaints to the prison do not include healthcare, which are made direct to PPG, but applications to the IMB do include healthcare. For IMB applications data, see page 34).

5.8.3. A large number of the applications about property on transfer refer to property lost or delayed between HMP Ford and HMP Lewes. This is often due to the higher volume of property allowed at Ford and the speed at which the transfer is facilitated.

5.8.4. Whilst we tend to focus on difficulties in complaints and applications, it is worth recording that in November 2022 an IMB member observed an officer in reception working hard to overcome problems with the transfer of a prisoner to another establishment whose property exceeded their volumetric limits. The officer's careful negotiation with the prisoner, the transport provider and the receiving establishment secured a good outcome for all concerned.

## **6. Health and wellbeing**

### **6.1 Healthcare general**

6.1.1. Healthcare services continued to be provided by Practice Plus Group (PPG) and staffing was still a major issue in terms of recruitment, retention and managing patient care. There was a dependency on bank and agency staff with the associated problems of not being able to draw keys and access p-NOMIS (the national offender management information system). At the start of the year, delays in prison vetting, induction and key training exacerbated the problem, and healthcare posts were only 49% filled. Relations between PPG staff and prison staff were poor, as was attendance at local delivery board meetings. There was also a negative effect on healthcare delivery due to the prison being short staffed. The head of healthcare left at the end of March 2022, after which serious efforts were made on both sides to improve the relationship. Healthcare staff began to attend wing briefings and there has been a positive improvement in the attitude of prison staff towards them. At the end of the year, 70% of healthcare posts were filled. The posts vacant included the head of healthcare, the head of mental health, the head of pharmacy and the head of the substance misuse team (SMS). PPG has placed experienced interim managers into these roles, and responses to adverts for these jobs are said to be positive.

6.1.2. Patient forums were undertaken in April by the PPG national patient engagement lead (PEL) to improve patient engagement in service delivery. From October, a dedicated PEL for Lewes has been employed for two days a week. She works directly with the men on the wings and holds forums for up to 20 men monthly on each wing, as well as visiting weekly to maintain communication with patients. This has greatly improved relations between prisoners and healthcare, and helped to reduce officers' workloads as they spend less time dealing with healthcare issues.

6.1.3. The PEL has been better able to explain PPG's concerns/complaints system to the men and often been able to resolve them prior to submission. Healthcare complaints, known by PPG as concerns, started the year with a backlog in February, with 19 more submitted in March and 18 in May, but reducing to four in October and back up to 11 in January. The main complaint themes were delivery or stopping of medication, and appointments. Applications to the IMB on healthcare have reduced by 22% overall, with the themes mirroring healthcare complaints.

6.1.4. Telemedicine, a facility for remote consultations, has been set up in a room in outpatients and it is understood that staff have been trained. This could be used for remote consultations between prisoners and specialists, and reduce the need for prison staff to escort men to hospital. While the Board understands that the preference would always be for a face-to-face consultation, we are disappointed to see that this facility has not so far been used.

6.1.5. Outpatients' clinics and the inpatient unit were disadvantaged when prison staff numbers were low, as these were often the first places for officers to be taken from to be redeployed to larger units. The Board noted shortages of basic necessities on the inpatient wing over the year. The phones were said not to be working properly in the summer and, in the autumn, there was a shortage of clothing, towels and bedding. Cleaning equipment and products were also in short supply,

and the kitchen was poorly equipped. The upstairs shower was out of order for much of the year. However, the librarian visited regularly bringing book orders to patients, there was an art therapy group once a week and, from October, men on the inpatient ward were able to book a session in the gym, which really benefited some of the more complex individuals.

## **6.2 Physical healthcare**

6.2.1. At the start of the year, the prison was still a Covid-19 outbreak site, although cases had slowed down considerably. Healthcare staff were also affected and this impacted on absences. The outbreak classification was removed on 5 May and the prison service formally exited the Covid-19 national framework on 9 May, when most restrictions were removed. In June, the reverse cohort unit (RCU) was removed, with only those new receptions testing positive for Covid-19 or refusing to test required to isolate. There were further outbreaks between July and August and again in the first two weeks of October. Together with prison staff, PPG worked hard to encourage as many men as possible to be vaccinated.

6.2.2. Shortage of prison staff impacted on the numbers of men going to and from healthcare clinics, as did the late delivery of appointment notices to advise men of the time of their appointment. These two things combined resulted in a large number of appointments being missed because of men being unaware of their appointments and going to work or education instead. To reduce the number of men who did not attend (DNA), a new system of appointments was started in early July. Men were told of their appointments in advance and should have been able to return to their place of work or education afterwards. This faltered due to the shortage of prison staff available to facilitate it. In August, annual leave for both prison and healthcare staff had a detrimental impact on numbers attending clinics, and the numbers did not improve significantly this year. Appointment notices were delivered late or not at all, and the three officers who should have been on duty in outpatients were regularly redeployed to the wings, meaning a shortage or lack of staff for escorts. Clinic schedules being given to wing staff late or not at all meant that prisoners were often in the wrong place when staff came to collect them. All of this resulted in a waste of clinic and clinicians' time, with a subsequent affect on waiting times as appointments had to be rescheduled.

6.2.3. The Board notes that, apart from vaccinations, very little work is undertaken in the wing clinics. The Board considers this a waste of a valuable resource, especially on the vulnerable prisoners' wing.

6.2.4. Until a curtain was put up in April, the toilet in the holding cell on outpatients was clearly visible from the circulation space outside. The curtain was torn down by prisoners and has not been replaced with a more permanent solution. The Board does not consider this to be decent and has expressed this view to management several times.

6.2.5. PPG struggled to recruit enough GP hours in this reporting year. They were heavily dependent on one locum GP who worked three days a week face to face with prisoners. The GP selected whom they would see in the clinic and when, which

resulted in the waiting list being distorted and, on occasion, some men waiting up to 12 weeks for a consultation. Although waiting time for the dentist was said to average four weeks, the Board is aware of some men waiting up to 15 weeks for a non-urgent appointment. In September, the dental team were planning to go to the wings to give advice and pain control to men whose appointments had been delayed. The longest waiting time was for the optician, with some prisoners waiting up to 28 weeks. Extra optician time was bought in to deal with the backlog, but this was limited due to needing prison staff to enable attendance.

6.2.6. Although the number of healthcare applications to the IMB have reduced this year (see page 34), the overwhelming issue is still medication either being withdrawn without adequate communication or taken away in reception and not returned for some time. It was said to be a frequent cause of poor behaviour and low-level self-harm, and was exacerbated by prisoners not being able to get an appointment to see a GP quickly to talk about medication continuation. The Board also received reports of delays in repeat prescriptions, with appointments to see the doctor not being made until the medication had run out. The GP was reluctant to prescribe medication in possession, and the Board received some applications from men whose medication was time-critical and who were unable to gain access to it at the correct time but not allowed to keep it in possession.

6.2.7. The Board has frequently noted the lack of officers supervising the dispensary hatches on wings. Dedicated times for hatch opening were agreed in the summer and there was some improvement. However, with low staffing levels on wings, officers have sometimes been required to cover the supervision of the hatches alongside, for example, supervising the servery or the exercise yard. The Board considers this to be a serious safety issue.

### **6.3 Mental health**

6.3.1. At the start of the year, there were 30 men waiting for assessment by the mental health team. There was a shortage of practitioners, with staff leaving due to the pressures of large caseloads which could not possibly be managed. The crisis caseload was discontinued, and those who would have been on it were managed on the wings on an ACCT. Medication was routinely removed in reception until it could be assessed by a GP, which might not be for several days. First reviews were prioritised. The psychiatrist was on site for two days a week, but this was not enough to deal with the large number of men needing to see him.

6.3.2. Low staffing levels continued throughout the year and in April there were only four-and-a-half substantial staff on the team instead of eight. Recruitment and retention were difficult and exacerbated by key training taking between six weeks and three months. Alongside a shortage of mental health staff, low numbers of prison staff and their attitudes towards healthcare staff was impacting on the delivery of mental health triage. On 3 May, the IMB was approached by a prisoner on a wing who had a letter dated 11 February stating that his mental health assessment would be 'very soon' but who was still waiting almost 12 weeks later.

6.3.4. Due to the requirement for men arriving in reception to be processed within two hours, there was often not enough time for a full mental health assessment, so the box was ticked for a referral, causing referrals to increase by 60% between January and April. There then followed an extension to the reception screening time, which meant that all men could be triaged in reception. By June, extra agency staff had helped to reduce the number of men waiting for assessments to within the five-day time limit. In the summer, there were some reports of no mental health staff being available to do assessments in reception, but by September a mental health nurse was routinely working there.

6.3.5. In October, mental health nurses had a caseload of between 10 and 15 men each. They visited each man weekly to give support, medication, conversation and to liaise with the prison. They also guided six-week self-help short courses to help with low mood, anxiety or sleep. Programmes, which require a room on each wing to deliver, had been held up by Covid-19 but were further delayed due to the lack of both healthcare and prison staff.

6.3.6. As well as practitioners, PPG has struggled to keep a psychiatrist in post this year. In February, the psychiatrist was on site for two days a week but this was not sufficient to deal with the caseload. By April, they were seeing five to six men a week over three full days, and there was a six-week wait to see them. In June, the psychiatrist left without serving a notice period and a locum had to be brought in to help deal with the backlog. By October, the waiting time had increased by up to nine weeks. The regular locum psychiatrist withdrew at the end of November.

6.3.7. Throughout the year, there have been up to five patients at any one time awaiting mental health beds in the community. Due to a lack of beds, some of these exceeded the 28-day good practice guideline limit for a transfer to a secure mental hospital under the Mental Health Act, which the Board does not think is acceptable.

## **6.4 Social care**

6.4.1. At any one time, there are around six prisoners receiving adult social care, although the facilities at HMP Lewes remain unsuitable for the physically disabled and those requiring palliative or end-of-life care. A cell on the inpatient unit has been allocated as an end-of-life suite but has not been commissioned.

6.4.2. The occupational therapist started group therapy sessions with inpatients early in the reporting year but, for operational reasons, these stopped in the summer and have not been restarted.

## **6.5 Exercise, regime**

6.5.1 Due to staffing shortages, HMP Lewes has operated a highly restrictive regime throughout this reporting year, leading to prisoners who do not have a job or a place in education being out of their cells for little more than an hour a day. The Board does not consider this to be adequate or humane.



6.5.2 The prison was a Covid-19 outbreak site until 16 February. A move to stage two in early March meant that it was possible to start lifting the regime restrictions. Time out of cell was increased to 45 minutes a day each for domestics and exercise, apart from those on the RCU, who were only allowed 30 minutes each. The hot meal continued to be served at 11.30am with tea packs handed out in the afternoons. Bubble sizes were increased with education, workshops, industries and faith services all being reintroduced to encourage part-time working.

6.5.3 In April, training for prison staff was started on Friday afternoons, so that all regime activities were completed in the morning and all men locked up from Friday after the serving of the hot meal until the following day. This is still ongoing.

6.5.4 Due to staffing levels, regime restrictions were in place on the weekend of 9 April. The Easter Bank Holiday weekend was also restricted, with shortened periods of domestics and exercise on all days, but prisoners had no other time out of cell, apart from those attending faith services or a limited number of gym sessions. Weekend regime restrictions were again in place for at least two weekends in May and continued sporadically until August, when all weekend regimes became restricted (see 6.5.7).

6.5.5 Social distancing restrictions were removed on 9 May, and by 23 May most Covid restrictions had been lifted, although they remained in place in the RCU. Numbers in activities were increased and mixing between wings in these groups was allowed. Small faith groups were allowed from all wings together, and the enhanced wing was allowed a full wing unlock. Due to staffing levels, all other wings remained in two bubbles. There was frustration among the prisoners due to the limited amount of unlock time, during which a man could spend his whole domestic period waiting to speak with an officer. Many struggled with the lack of activities and things to do.

6.5.6 During the July heatwave, conditions in cells were exacerbated by a shortage of staff, meaning that cell doors could not be left open and the airflow was limited due to restricted window openings.

6.5.7 Weekend regime restrictions, reducing the regime to 30 minutes a day of domestics and exercise, were introduced on 30 July and this became the regime for the whole week from 15 August, although gym sessions did continue on a reduced timescale. Staffing levels necessitated this regime continuing throughout the year, with those men not working or going to education, when it was open (see 7.1), being out of their cells for little more than an hour a day.

6.5.8 On 28 September, wings were in patrol state due to a planned maintenance event in which power and water supplies were disconnected between 3am and 10am. Medication, transfers and food were able to be delivered, but there was no regime until the afternoon. This was followed by further regime restrictions on 29 September due to a Butler Trust event for staff held that day. This was the cause of a peaceful protest by prisoners on the enhanced wing on 30 September, who felt that the timing of these two events was inconsiderate. The Board would not disagree.

6.5.9 On Mondays and Wednesdays, when possible, a gym session was provided between 8am and 9am for those men on the CSU on the CSU exercise yard. In October, provision was also made for those men on inpatients deemed suitable to go to the gym.

6.5.10 Brighton and Hove table tennis club also held sessions, in addition to the usual gym programme.

## **6.6 Drug and alcohol rehabilitation**

6.6.1. At the start of the year, the SMS had no head of service in place and was understaffed by practitioners. Programmes suspended due to Covid-19 had not restarted (see 6.6.4). SMS was also adversely affected by the low numbers of prison staff.

6.6.2. Illegally brewed alcohol (IBA) and synthetic cannabinoids, known as spice, were the main problems within the prison for substance misuse, with prisoners finding new ways to make IBA and to hide both. The increase in IBA, levels of which were high throughout the year, appeared to correspond to a decrease in the availability of other drugs in the prison.

6.6.3. K wing, the small, dedicated wing for addicts to detoxify when they arrive in the prison, had a high number of 'governor locates', men placed there because it was not possible for them to be on a large wing. These were said to be slow to move off the wing, as were men who had finished their detox. In October, new arrangements for reception and induction (see 4.1.4) meant a move for the first night centre from G wing to the much larger L wing. SMS no longer had its dedicated room on reception for screening, and addicts were regularly taken to L wing rather than K wing. This resulted in a delay in men getting their medication, and was potentially life-threatening for alcoholics.

6.6.4. Group work restarted in July, with six men completing a recovery focus group that month and 10 in August. These sessions were then paused while the prison did a risk assessment. They started again at the end of October with reduced numbers attending due to the need for an officer, rather than a facilitator, to escort prisoners to the sessions. Each programme lasts for nine sessions with a new nine-session programme starting every month. They work on the basis of cognitive behavioural therapy (CBT) to give men the mind tools to cope with their addiction issues.

6.6.5. The SMS team met on Monday mornings to plan for releases the following week. Community drug and alcohol services were informed.

6.6.6. Two members of staff completed their top-up training for acupuncture in June, although the need to comply with NICE (National Institute for Health and Care Excellence) guidelines has delayed the start of this.

## **6.7 Soft skills**

It was not possible to restart support groups such as Alcoholics Anonymous during this reporting year.

## 7. Progression and resettlement

On 4 January 2023, the number of prisoners engaged in work and education in the prison was 238 out of a population of 550, i.e. 43%. All education placements were part time, as were many of the work roles. These were allocated as follows:

Tea packs	30
Kitchen	30
Wing workers	49
Off-wing orderlies (red bands, G wing etc)	18
Clothing exchange	5
Waste management	6
Land-based activities	5
Bio-cleaning	6
Education	89

### 7.1 Education, library

7.1.1. Education at HMP Lewes has been provided by Weston College since April 2019. The provision of education this year was severely impacted by the shortage of prison officers, despite a full complement of education staff. At the start of 2022, only one or two wings were taken to education once or twice a week when there were sufficient prison officers to facilitate it. For two months from April 2022, L and M wings went to education from 9.15am to 11.15am and F, A and C wings from 2pm to 4pm. From July 2022, there were severe prison staff shortages and the number of education sessions that were able to run for the following months were: July 20%; August 20%; September 30%; October 27%; November 0%; December 10%; January 2023 21%. Education staff went out on to the wings, but prison officers were not always able to facilitate unlocking the prisoners, so conversations had to take place through cell doors, which was very unsatisfactory. Interview rooms were utilised wherever possible. The quality and quantity of time spent was severely affected, although exams were still facilitated and some good results achieved.

7.1.2. As part of the induction process, English and maths skills are assessed, and then a prisoner is allocated to a course based on learning needs. During the year, classroom-based learning was offered in maths and English to the equivalent of GCSE level. Other courses included City and Guilds in horticulture, art and English for speakers of other languages (ESOL). There were unaccredited courses in maths, English and art, both classroom-based and in-cell. A level 1 customer service course, lasting three weeks, and a level 2 peer mentoring course, lasting four weeks, were run five times in the year. There was also a wing-based unaccredited entry level mentoring course. IT qualifications were available in Word, PowerPoint and Excel to levels 1 and 2.

7.1.3. The library is a very popular resource in the prison, but during the year prison staff shortages prevented prisoners attending the library, despite a full complement of library staff. During August and November, there were no library sessions, so prisoners were deprived of their only access to the internet and online education.

Many of the initiatives on offer, such as the chess club, the debating club, family time, health information and advocacy, prison law legal session, Reading Ahead and the reading group were unable to take place at all during the year. A proposed visit by Caroline Lucas MP was not able to take place, and it was not possible to celebrate Black History Month in October with all the proposed activities. Storybook Dads took place sporadically between April and January, with only 21 prisoners in total recording stories on to tapes for their children during that time. The library continued to deliver outreach by fulfilling book requests to individual cells on the wings on a regular basis.

7.1.4. The Shannon Trust volunteer visited the prison three or four times a month from June 2022 to try and establish trained mentors on each wing, to enable them to deliver the Turning Pages programme to non-readers. Between November 2022 and January 2023, there were 10 participants a month on the programme. As the prison had been locked down for most of the year, it was not possible to train the mentors from different wings together. Therefore, the mentors had to be trained wing by wing, which was facilitated by the librarian in escorting the volunteer to the wings, and in locating potential mentors. The wings were not an ideal place for delivering the training, as they were noisy, there was limited time and conversations were usually through the cell doors. Unless a prisoner and mentor were unlocked at the same time, it was impossible to deliver the programme. It was difficult to keep the trained mentors motivated. (See also 7.5.4.)

## **7.2 Vocational training, work**

7.2.1. Work-based activities included the staff mess where three qualifications could be obtained - NVQ level 1 food preparation, level 2 barista, and level 2 food safety. In House Records was a course in writing, recording and producing music. A self-employment course was run all year round and was very popular. This course helped prisoners understand how to run a business, including presentation, accounts and pathways. Work towards the construction skills certification scheme (CSCS) card prepared prisoners for work on building sites, and was provided every five weeks. Teams engaged in special projects around the prison, including artwork installations and the refurbishment of the legal visits area by painting.

## **7.3 Offender management, progression**

7.3.1. A new governor was appointed to the offender management unit at the start of the reporting year, and this has seen an increase in morale among staff and an improvement in communication between prison offender managers (POMs) and prisoners.

However, overall prison staff shortages have affected the operation of the unit, as a shortage of officers on the wings often meant that prison offender managers (POMs) were redeployed, sometimes leading to backlogs in offender assessment system (OASys) assessments.

7.3.2. There have been ongoing problems and delays with outside parties who input into sentence management, particularly community offender managers (COMs). There have also been delays in police checks for addresses, including for home detention curfews (HDCs). Due to staff shortages, the Metropolitan Police suspended these altogether in August, which prevented men from being released to a London address on a tag.

7.3.3. Offender management should include key working which, having been suspended during Covid-19, has hardly been done at all this year (see 5.3.1).

7.3.4. With a rising prison population, transfers can be difficult but with good working relationships between establishments these have been overcome without too many problems.

7.3.5. Once again, the Board is disappointed that there are still prisoners detained many years beyond their tariff dates under imprisonment for public protection (IPP) sentences. In this reporting year, there have been up to 16 IPP prisoners in HMP Lewes at any one time. As a local prison, Lewes is not suitable for these prisoners, as they do not have access to the courses that they need to take in order to progress to the satisfaction of the parole board. They are regularly reviewed by the prison psychologist and also the regional probation director. However, the Board is aware that, since last summer, any recategorisation or release of these prisoners had to be signed off by the Secretary of State, and COMs were no longer asked to give a recommendation. In September, the parliamentary Justice Select Committee held an enquiry into IPP sentences and recommended a resentencing exercise for anyone serving an IPP.<sup>2</sup> The Board is very disappointed that the government decided to reject this recommendation.

7.3.6. The Board is also aware that men with life sentences are not being notified of the outcome of parole boards within a reasonable timeframe, due to any recommendation for a change in categorisation having to be approved by the Secretary of State. In the autumn, there was a large backlog of cases to be decided in this way, and the delays caused blockages in the system, with the prison being unable to move men on. The offender management unit, together with the safer custody and healthcare departments, works constructively with these prisoners in managing their expectations, and notifies and supports them as soon as a decision has been made.

## **7.4 Family contact**

7.4.1. Low numbers of staff have caused delays in processing post and PIN telephone numbers this year, which has led to more frustration for prisoners. There has also been an increase in the number of in-cell phones out of order and the amount of time it has taken to get these repaired.

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<sup>2</sup><https://publications.parliament.uk/pa/cm5803/cmselect/cmjust/266/summary.html>

7.4.2. Applications to the IMB about family contact were 107 out of the total of 635, almost 17%, an increase of 3% on last year and the second highest category of applications.

7.4.3. Due to regime restrictions brought about by staff shortages, visits were discontinued on Wednesdays and Fridays from 15 August. They have not been reinstated and social visits only happen on Monday, Tuesday and Thursday afternoons. If necessary, legal visits can take place on Saturdays. Due to a change in furniture in the visits hall, the number of visits that can happen at any one time after the lifting of Covid-19 restrictions has reduced from 35 to 28.

7.4.4. The Board received 22 applications about difficulties arranging social visits, including six which raised concerns about accumulated visits. The Board believes that these prisoners, who had transferred to HMP Lewes in order to make use of their accumulated visits, had good reason to be disappointed.

7.4.5. The Board understands that the system of social video calls works well, apart from the occasional internet problem.

7.4.6. Board members observed successful family day sessions in August and December. The August session was facilitated by Spurgeon's, a national prison-based family support services charity, and included tables of activities, together with a good quantity of party food for both the prisoners and their families. This service has now been transferred to another national charity, Pact (Prison Advice and Care Trust).

## **7.5 Resettlement planning**

7.5.1. Staff in the induction and pre-release centre (IPR) are continuing to work through the changes following the unification of probation services in June 2021. Prison offender managers (POMs) work with prisoners in the prison and community offender managers (COMs) work with them on release. On leaving HMP Lewes, every prisoner should have a resettlement plan tailored to their needs. Access to resettlement services should start 12 weeks before release and this includes identifying support for the prisoner, such as accommodation, finance and relationships with family. The recently-appointed head of IPR splits the role between HMP Lewes and HMP Ford and is seeking to strengthen links with community organisations such as Sussex Pathways and the Shannon Trust to help prisoners on release.

7.5.2. The employment hub, set up in August 2022, can provide prisoners with copies of their birth certificates and set up bank accounts via HSBC. Copies of birth certificates can take about four weeks to arrive, but bank accounts can take between six and 10 weeks. If the prisoner leaves HMP Lewes before the paperwork is complete, the employment hub staff can send the birth certificate or information about how to access the new bank account to their new address.

7.5.3. Sussex Pathways, a criminal justice charity based in Lewes, can meet prisoners at the gate on release. They help them to access their accommodation and

also provide support in obtaining benefits, signing on with a local GP and other issues to aid the transition from prison to the community.

7.5.4. The Shannon Trust helps prisoners with literacy and reading. Although most of its work is based in the prison, library staff have recently organised further training between the Shannon Trust and a branch library in East Sussex. They are hoping that this scheme could be extended to Brighton and Hove council. On release, library staff also help prisoners to join their local library where they can access computers for job searches, job forums and free skills training events (see 7.1.4).

7.5.5. Prisoner release relies on prisoners having suitable accommodation to move to; HMP Lewes does not want to release prisoners to homelessness. Local authorities are the main providers of accommodation for residents on release, but the shortage of accommodation is a national problem and continues to be a major issue for prisoners leaving prison. Additional funding, known as CAS3, has helped in securing accommodation for a short period and has been continued into 2023.

7.5.6. Resettlement arrangements continue to be complicated by the increased number of prisoners arriving from out-of-area courts, such as Southampton and Portsmouth, the lasting effects of Covid-19 and the changes to through-the-gate arrangements; moving responsibility away from POMs to COMs. In addition, access to prisoners on the wing has become increasingly difficult due to IPR staff vacancies and prison staff shortages. IPR staff work on the wings in pairs or are reliant on officers bringing prisoners to the IPR office. At the end of this reporting year, there was the equivalent of one-and-a-half full-time permanent staff and a trainee in post in a department which should have a staff of eight.



## The work of the IMB

The Board has been able to monitor in the prison face to face this year and attend prison meetings, with only a few meetings still held online. There are two members on rota every week of the year, with one concentrating on monitoring and observing and the other dealing with applications from prisoners. These are mostly received on paper with a smaller number received via the 0800 phone line. There are no Board members active as call handlers on this line.

While applications from prisoners to the Board this year have only increased by 2%, the Board notes that there has been a substantial increase in the number of applications in the three years since 31 January 2020, the last reporting period pre-Covid-19, up from 291 to 635, an increase of 118%. This must, in part, be due to staff shortages, with wing staff having less time available to help prisoners, leading them to apply to the IMB for assistance. Such a significant increase over three years has made it difficult for the Board to process this volume of applications.

The highest number of applications still relate to healthcare, but the Board is pleased to acknowledge a reduction of 22% in this area. Letters, visits, phones etc. were the second-highest number of applications and increased by 26%. The Board acknowledges a 78% decrease in applications about equality and a 15% decrease in applications about discipline. There has also been a 27% decrease in staff/prisoner concerns, but an increase of 63% in sentence management. However, 27 (30%) of the applications about sentence management were from one prisoner. Many more were due to the high number of prisoners on remand and the low level of help that they are entitled to from the prison.

### Board statistics

Recommended complement of Board members	14
Number of Board members at the start of the reporting period	9
Number of Board members at the end of the reporting period	11 + 1 on sabbatical
Total number of visits to the establishment	344
Total number of shifts on the 0800 telephone line	0
Total number of segregation reviews attended	135

### Applications to the IMB (including via the 0800 telephone line)

Code	Subject	Previous reporting year	Current reporting year
A	Accommodation, including laundry, clothing, ablutions	63	66
B	Discipline, including adjudications, incentives scheme, sanctions	21	18
C	Equality	28	6
D	Purposeful activity, including education, work, training, library, regime, time out of cell	26	22
E1	Letters, visits, telephones, public protection restrictions	85	107
E2	Finance, including pay, private monies, spends	22	11
F	Food and kitchens	12	13
G	Health, including physical, mental, social care	146	114
H1	Property within this establishment	22	32
H2	Property during transfer or in another establishment or location	13	27
H3	Canteen, facility list, catalogue(s)	10	18
I	Sentence management, including HDC, release on temporary licence, parole, release dates, recategorisation	55	90
J	Staff/prisoner concerns, including bullying	66	48
K	Transfers	15	39
L	Miscellaneous, including complaints system	37	24
	<b>Total number of applications</b>	<b>621</b>	<b>635</b>



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