



Chair, Independent Monitoring Board  
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13 June 2023

**HMP GRENDON: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 JANUARY – 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 Grendon over the reporting period, especially as you operated with a severely depleted complement of members and continue to have vacancies. I address below the specific points you have raised for my attention.

I appreciate the Board's concerns around the impact of decisions to override Parole Board recommendations. Following the publication of the 'Root and Branch' review on 30 March 2022, we introduced a new test for considering an indeterminate sentenced (IPP) prisoner's suitability for a move to open conditions following a recommendation by the Parole Board.

The new test allows the Secretary of State (or an official with delegated responsibility) to accept a recommendation from the Parole Board (to approve an indeterminate sentence prisoner for open conditions) only where: the prisoner is assessed as low risk of abscond; and a period in open conditions is considered essential to inform future decisions about release and to prepare for possible release on licence into the community; and a transfer to open conditions would not undermine public confidence in the Criminal Justice System.

This new test, for moves to open conditions, was implemented following the recent abscond of several high-risk prisoners which gave cause for concern, and Ministers were of the view that HM Prison and Probation Service (HMPPS) must make changes to better ensure public protection. These prisoners present an unacceptable risk to public protection and have a detrimental impact on public confidence in the Criminal Justice System. A move to open conditions is not essential for many prisoners in their journey to release by the Parole Board. The Parole Board have the power to release prisoners from closed prison conditions and do continue to make these decisions. We are aware that fewer indeterminate sentenced prisoners are moving to open conditions following the implementation of the new test and work is underway to explore what further opportunities can be developed to support the progression of these prisoners in closed conditions.

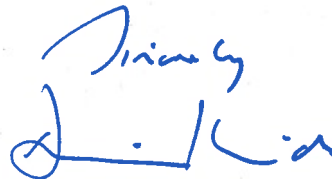
Turning to what HMPPS is doing to support operational staff and prisoners through this change, we have reviewed and refreshed the IPP Action Plan following the Justice Select Committee (JSC) report into the IPP sentence in September 2022. The Action Plan is the driver of activity to improve the progression of those serving an IPP sentence towards a prospective future safe and sustainable release and, ultimately,

to reduce the population who are still serving the sentence in custody and the community. The updated plan was shared with the JSC on 26 April 2023. This refreshed plan will deliver a core level of support across all prisons and probation regions to ensure the effective delivery of sentence management as well as introducing new policies and operational oversight to improve how the HMPPS system enables IPP offenders to progress. It will also deliver a series of staff-focused actions to assist staff in providing appropriate and specific support. The Action Plan, now fully reviewed and updated, will provide the best opportunities for those serving an IPP sentence to progress through their sentence as well as supporting operational staff to facilitate this. Many of the workstreams within the Action Plan will also benefit those serving life sentences.

It was encouraging to receive your comments that staff-prisoner relationships are generally good and that complaints have reduced by a substantial amount. I was also pleased to note that there is now a dedicated Diversity and Inclusion manager with positive outcomes in this area, that family contact is facilitated really well at HMP Grendon, and the chaplaincy team for offering bereavement counselling in the absence of a specialist provider.

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 Grendon.



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

## HMP GRENDON: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 JANUARY 2022 – 31 DECEMBER 2022

### HMPPS comments on matters raised in the report

#### **Transport for those Out of Therapy (OOT)**

The HMPPS Population Management Unit works closely with HMP Grendon to help manage its population effectively and to make best use of the available space there and across the entire estate in the face of ongoing population pressure challenges. HMPPS prioritises moves for those men who have spent the most time out of therapy, balancing this with the need to use available prison transport as efficiently as possible. It is also recognised that HMP Grendon does its utmost to facilitate progressive moves, including diverting staff resources in instances where repeated transfer requests have failed.

#### **Fire Safety Project**

The projected completion date for the overall Fire Safety Improvement project is currently June 2025. This project is extremely complex and comes with great design challenges to retrospectively fit a compliant fire safety system into a built environment that requires significant adaptation. These adaptations require extensive discussions with the establishment stakeholders which can be protracted.

Both F and G wings have been handed back to the establishment and a thorough 'lessons learned' exercise carried out to ensure improvements are captured for the remaining four wings. There is an ongoing bi-weekly review meeting between the contractors and site facilities management team to ensure the works progress smoothly together with the recommissioning of the wings. The on-site facilities management team also aid in any other issues encountered and, along with main contractor, ensure funding is available where possible and unforeseen issues are resolved.

#### **Night Sanitation**

As part of the fire safety project, all night sanitation locks and door wiring looms are being removed in advance of the works. The locks are required to be fully stripped and cleaned, reassembled and made ready for reinstallation. The door wiring looms are also being replaced with new looms with the aim of mitigating any further issues with the performance of the overall night sanitation system.

HMPPS acknowledges that during the hottest day of the year in 2022, the switch room, which houses the night sanitation control equipment, became extremely hot due to lack of ventilation. When the door was opened, and the heat was allowed to dissipate, the sanitation system resumed normal operation. As the switch room is completely panelled off with no visible vent, HMPPS is exploring the feasibility of installing an air extraction or air conditioning system to reduce the risk of this issue reoccurring. The Governor also has operational contingency plans in place to deal with rare system breakdowns to ensure prisoners have access to services.

#### **Adjudications Appeals**

Prison Service Instruction (PSI) 05/2018 *Prisoner Discipline Procedures (Adjudications)* governs the process around adjudications appeals. Paragraphs 3.4-3.6 in Annex A of PSI 05/2018 outlines the timeframes for prisoners to receive a response to any appeal lodged to Prisoner Casework. The time a prisoner is required to submit an appeal and receive a reply depends on whether the case is determined to be a 'fast track' appeal or not.

The policy states that the Prisoner Casework team will inform the establishment of the outcome of an appeal within 20 working days (or 48 hours for fast-track appeals). In the majority of cases, this timeline is

adhered to. It is recognised that there may be individual appeals that regrettably do not receive a response within this timeline due to a number of factors, such as increased caseloads, staffing/resourcing issues, delays in receiving adjudication paperwork, or delays in receiving a decision from the Prison Group Director (or their delegated authority). HMPPS would like to assure the Board the agency will always strive to achieve a timely response to appeals wherever possible.

### **Prisoners' Pay**

HMPPS acknowledges that inflationary pressures are affecting the cost of prison canteen items. To mitigate against rising prices, every effort is made to work with retailers and suppliers to ensure that prisoners are offered a range of value items as alternative branded products. Additionally, a 10% uplift in the amount of private cash which prisoners can access from money sent in by family and friends was introduced in September 2022. This increase was intended to match the inflationary increases as closely as possible and to help prisoners manage the impacts of price increases.

Prison Governors have the autonomy to distribute the prison pay budget as they see fit (under Prisoners' Pay policy, Prison Service Order 4460 *Prisoners' Pay*) which gives them the autonomy to set rates of pay to encourage participation in the daily prison regime and to incentivise prisoners to undertake work or activities that contribute to their rehabilitation. The Governor at HMP Grendon has recently reviewed their implementation of the prisoner pay policy and has made adjustments to some pay scales. The overall prisoner pay budget remains the same.