



Chair, Independent Monitoring Board  
HMP Lindholme  
Lindholme  
Doncaster  
DN7 6EE

*Dear Chair,*

19 June 2023

**HMP LINDHOLME: INDEPENDENT MONITORING BOARD ANNUAL REPORT 1 FEBRUARY 2022 – 31 JANUARY 2023**

Thank you for your Board's report for the year ending 31 January 2023. I was saddened to hear there were two deaths during the reporting year. As you are aware the Prisons and Probation Ombudsman (PPO) carry out independent investigations into deaths in custody and I would like to assure the Board my officials take recommendations from the PPO very seriously.

I am very much aware of the amount of effort that goes into producing annual reports and thank you for providing a comprehensive summary of HMP Lindholme over the reporting period, especially as you had several vacancies. Likewise, I appreciate the work of the Board around raising the profile of the IMB and trialling prisoner applications digitally, making the process more accessible.

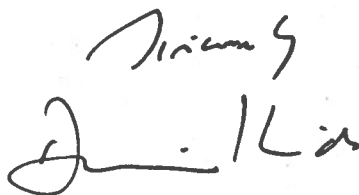
I address below the specific point you have raised for my attention concerning overcrowding:

In times of severe population pressure, such as currently, establishments are expected to hold as many prisoners as they can safely accommodate. Accommodating two prisoners in a cell designed continues to be necessary across the prison estate in order to accommodate all those committed to custody by the courts. HM Prison and Probation Service (HMPPS) is committed to delivering 20,000 additional, modern uncrowded prison places, the largest prison build programme in a century. This is to ensure the right conditions are in place to rehabilitate prisoners, which in turn helps to cut crime and protect the public. There may be options in future to further reduce crowding levels, for example if population growth is slower than projected and there is sufficient headroom in the estate. This would enable targeted reductions of the least suitable prison places (including crowded places), but it is not possible to commit to this based on the latest projected population. Furthermore, it is also difficult to predict how national trends will play out at a local level and the proportion of prisoners held in crowded cells at HMP Lindholme will always ultimately depend on regional population levels and demand.

It was encouraging to hear all staff in the prison worked tirelessly to maintain a decent standard of environment for prisoners, treating them fairly and humanely and for their management of the prison during the Covid-19 pandemic. I was pleased to note during the reporting period prisoners' health and wellbeing needs were met and, like the Board, I look forward to seeing some positive rehabilitative outcomes from the incentivised substance free living and drug recovery unit and more progress made in equality and diversity, with the newly appointed Equalities manager.

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 Lindholme.

A handwritten signature in black ink, appearing to read 'Damian Hinds', written in a cursive style.

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

## HMP LINDHOLME: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 FEBRUARY 2022 – 31 JANUARY 2023

### HMPPS comments on matters raised in the report

#### **Imprisonment for Public Protection (IPP)**

Following the publication of the 'Root and Branch' review on 30 March 2022, a new test has been introduced for considering an indeterminate sentenced 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 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 has 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.

In terms of the Justice Select Committee (JSC) report into the IPP sentence published on 28 September 2022. The inquiry conducted by the Committee constituted a thorough assessment of the issues surrounding the IPP sentence and contained considered recommendations for change. The Government's formal response to the Committee's report can be accessed here: <https://committees.parliament.uk/work/1509/imprisonment-for-public-protection-ipp-sentences/publications/>. The Government did, however, accept the Committee's recommendation to review the Action Plan and shared the updated IPP Action Plan with the JSC on 26 April 2023, which can be accessed here: Letter from the Lord Chancellor and Secretary of State for Justice on the Imprisonment for Public Protection Action Plan ([parliament.uk](https://www.parliament.uk)).

This 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. HMPPS is supporting operational staff and prisoners through the changes. Furthermore, it 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. The Action Plan will also provide a series of staff-focused actions to assist staff in delivering appropriate and specific support and will provide the best opportunities for those serving an IPP sentence to progress through their sentence. Many of the workstreams within the Action Plan will also benefit those serving life sentences.

Regarding the power to recall, this is considered a vital public protection measure and all individuals supervised under licence in the community are liable to recall to prison if they fail to comply with their

licence conditions. IPP offenders are subject to a higher threshold for recall than determinate sentenced offenders. Where IPP offenders are recalled, it is because they present an assessed risk of serious harm to the public and the controls available are no longer sufficient to keep the public safe. What might appear to be a relatively minor breach of a licence condition might actually indicate a much-increased risk of serious harm, particularly if viewed with reference to the offender's behaviour at the time they committed the offence(s) which attracted the IPP sentence.

In response to the JSC's assertion that offenders serving an IPP sentence on licence in the community are being recalled unnecessarily, the Government has requested for the Chief Inspector of Probation to carry out an independent thematic inspection on the proportionality of recall. HMPPS is committed to ensuring recall culture and practices are regularly evaluated and hopes that the review will corroborate the findings of the most recent thematic review of probation recall culture and practice, published on 10 November 2020, that recall was being used appropriately and in order to protect the public.

Locally at HMP Lindholme, a local Action Plan is being developed which will include how the prison team can effectively establish a local support group, prioritising IPP prisoners for activity placements to promote achievement and assist these individuals in demonstrating they have made progress.

### **Prisoners' Property**

The new Prisoners' Property Policy Framework which came into effect on 5 September 2022 involved extensive consultation, including with the IMB. It 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 Framework is clear that Governors should ensure management checks are undertaken to have confidence that prisoners' property is being handled correctly and with care. For example, ensuring that property cards are being completed accurately and that the volume of property held by prisoners is checked regularly and does not become overly excessive. In due course, HMPPS intends to undertake work to establish the impact of the new Framework.

The introduction of digitally recorded Person Escort Records including property tags, which is under continuous development, has assisted with investigations for property that is lost in transit with Prisoner Escort and Custody Services (PECS) suppliers. PECS receive few complaints for lost property overall and often the issues do not sit with the PECS transportation. PECS continue to monitor all aspects of the contractors' performance and on occasions where it fails to meet the agreed levels will be raised with the contractor for improvement. PECS has not received any complaints from HMP Lindholme in relation to property during 2021 and 2022.

The Governor fully accepts that property management needs to be improved. To address some of the difficulties, he intends to appoint a custodial manager to lead on improving cell clearances, both in terms of timeliness and accuracy, ensure staff are equipped with body worn video cameras that are used during cell clearances and review associated paperwork to improve transparency and accuracy. Furthermore, improvements will be made to the property process so that discrepancies are highlighted at an early stage and improving security measures prior to cell clearances.