



Ministry
of Justice

Damian Hinds
Minister of State for Justice

Chair, Independent Monitoring Board
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Dear Chair,

5 July 2023

HMP HIGHPOINT: 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 Highpoint over the reporting period, especially as you had several vacancies.

I was saddened to hear there were three deaths in custody during the reporting year, with one taking place whilst at a hospital in the community and one occurring shortly after the offender had been released. 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 also recognise the Board's concerns around the risks to vulnerable prisoners where they are released on a Friday and the access to the listeners scheme whilst in custody. I am pleased that the Board welcome the decision allowing Governors to approve early release of prisoners on a Wednesday instead. Locally at HMP Highpoint this has had minimal impact on custody and reception management. In addition, the prison also now has 11 prisoner listeners on the south site of the prison who have been trained by the Samaritans and are undertaking active listener duties to support their peers. Training for a further 11 prisoners on the north site will conclude shortly and once both teams are established further training will be provided on south site to expand the team.

I address below the specific points you have raised for my attention:

I understand the Board's concerns about prisoners serving indeterminate sentences of Imprisonment for Public Protection (IPP) and the Government response to the Justice Select Committee's report. The Committee's main recommendation was to undertake a full resentencing exercise of all remaining IPP offenders who had not yet had their license terminated. Although the IPP sentence was abolished in 2012, it is the Government's long-held view that retrospectively changing the sentence which was lawfully passed would give rise to an unacceptable risk to public protection. As such, the Government rejected this recommendation. However, the Government did accept the Committee's recommendation to review the Action Plan and the updated IPP Action Plan was shared with the Committee on 26 April 2023 which can be accessed here <https://committees.parliament.uk/publications/39321/documents/192968/default/>. While the primary objective must be to protect the public, the refreshed Action Plan will be a strong driver to build on past achievements and continue to provide the best possible opportunities for those serving an IPP sentence to progress towards a safe and sustainable release. Efforts in recent years have delivered a substantial reduction in the number of IPP prisoners who have never been released, which at its highest in 2012 was over 6000 and now stands at 1,355 at the end of March 2023. In updating the Action Plan HM Prison and Probation Service (HMPPS) specifically focused on improved, clear work streams, with

deadlines, and a robust overarching governance structure. The Government is now, as a matter of priority, reviewing the Department's work to date to help more IPP prisoners progress towards release and will be considering thoroughly if there are further steps that need to be taken. The Secretary of State for Justice does not want to prejudge his conclusions, but please be assured that he will be giving the matter his close personal attention.

Turning to the Board's continued concerns about prisoners' property being lost or delayed during transfers, the *Prisoners' Property Policy Framework*, which was implemented in September 2022, is the result of 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 prisons, 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. This includes, for example property cards being accurately completed and the volume of property held by prisoners being checked regularly to ensure it does not become excessive. HMPPS also plans to undertake work in due course to establish the impact of the new Framework nationally across the estate.

It is reassuring to note that property issues within the prison are considerably less than in previous years. However, should a prisoner transferring from HMP Highpoint leave excessive property at the prison which cannot be transported by the Prisoner Escort and Custody Services providers, HMP Highpoint will courier these items to the receiving prison within a week of the transfer taking place. Where a prisoner transfers to HMP Highpoint without all of their property, the reception team make contact with the sending prison to arrange for the property to be forwarded on. When required and to avoid unnecessary delay, HMP Highpoint has in the past sent staff to the sending prison to collect the property. 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.

It was pleasing to receive your comments about the prisons progress following Covid-19 restrictions with a wide range of educational and vocational opportunities now available, including a Rail Track which has led to employment on release for those that complete the course. I was encouraged to read that self-harm has reduced, as has the number of prisoners on an assessment, care in custody teamwork plan or challenge, support and intervention plan. I was also pleased to note that the prison has support in place for those prisoners that fall outside of the scope these two arrangements and that a Neurodiversity Lead has been appointed to help identify and support prisoners who have neurodivergent conditions.

I note you have raised three local issues of concern in your report which the Governor will continue to keep you aware of as work continues. HM Prison and Probation Service (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 Highpoint.



Damian Hinds
Minister for Prisons and Probation

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

HMPPS comments on matters raised in the report

Facilities Management

The Board's continued concerns about the performance of the facilities management service provider are acknowledged and it is recognised that the service provided has not been consistently delivered for a number of years. This has been raised and discussed at the highest level within the Ministry of Justice (MoJ) and the provider. The MoJ are currently working with the provider, via an action plan, to address and improve all the shortcomings in performance. Whilst there have been small improvements in some aspects of compliance, issues do remain and the MoJ is focused on driving further improvements. Additional support is being provided to the site to direct and focus attention where it is required and a weekly review meeting has been set up with all managers to monitor against the agreed improvement targets. As the Board is aware, HMP Highpoint also employ prisoner Clean, Rehabilitative, Enabling and Decent teams who undertake small scale repairs. These tasks include fitting sinks and toilets, tiling, plumbing repairs and laying flooring. In addition to this, prisoner Decency teams undertake general and deep cleaning, painting of communal areas and cells, as well as constructing furniture.

Offender Management

It is recognised that HMP Highpoint is not yet at its target staffing levels within its Offender Management team, but recruitment is ongoing across all positions and is continuing to make improvements locally. The current staffing profile is two Senior Probation Officers in post against a target of 2.5 full time equivalent (FTE) staff. There are 7.4 FTE Probation Prison Offender Managers in post against a target of 14 staff and a further two staff join in July 2023, as well as a Probation Service Officer currently in place to support the team. In addition, there are five operational Prison Offender Managers in post and a further five non-operational Prison Offender Managers in post both against a target of six staff respectively.

Security Netting

Further to last year's response, the mitigations that HMP Highpoint put in place, such as increased external fence checks and internal compound checks remain and have proved successful in intercepting throwovers and have on occasion resulted in arrests. In order to re-install the damaged anti-contraband netting, both the netting and supports will need to be replaced which is a capital project costing in the region of £220k to complete. Funds have been requested previously to complete this work but have not been allocated yet. All funding requests from prisons continue to be considered, however, it remains the case that demands are much greater than the available funding, requiring projects to be prioritised by HMPPS to make best use of that funding, focusing on risk to life and risk to capacity, and decency.