



Ministry
of Justice

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Don Chair

**HMP/YOI NORWICH: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 MARCH 2022
– 28 FEBRUARY 2023**

Thank you for your Board's report for the year ending 28 February 2023. 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/YOI Norwich 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, one of which occurred shortly after their release from custody. 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 hope that the visit to the prison by a previous Lord Chancellor and Secretary of State, Brandon Lewis MP, in September 2022 was helpful. I address below the specific points you have raised for my attention:

I appreciate the Board's continued concerns about prisoners serving indeterminate sentences for public protection (IPP) and those serving life-sentences. The Government has now issued a formal response to the Justice Select Committee's report into the IPP sentence, including accepting the Committee's recommendation to review the IPP Action Plan. The updated action plan was shared with the Committee on 26 April 2023 - <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. HM Prison and Probation Service (HMPPS) specifically focused on improved, clear work streams, with deadlines, and a robust overarching governance structure. The Government is also 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.

Due to HMP/YOI Norwich providing a reception function, lifers and IPP prisoners who are recalled to custody or those newly sentenced will initially be located at the prison. Some of those recalled will remain at the prison and be supported in their reassessment by the Parole Board. Others will transfer to another prison. Those that are newly sentenced will move into the long term and high security estate in due course in line with Offender Flows and the Offender Management in Custody model.

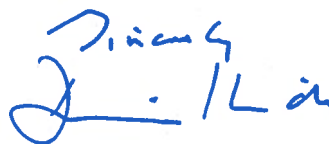
I understand the Board's continued concerns about those prisoners with severe mental ill health and those with learning difficulties. Further to last year's response, the draft Mental Health Bill has been subject to pre-legislative scrutiny with the Joint Committee on the Bill publishing its report on 19 January

2023. The Committee's recommendations are being considered and the Government will be publishing its response in due course. HMPPS and NHS England are fully committed to the 28-day timeframe and to improve oversight, new performance metrics have been developed to monitor patients being referred, assessed and transferred under the Mental Health Act. In addition, efforts are continuing to improve the services available within prisons, which are reflected in the new National Partnership Agreement on Health and Social Care in England that was published on 23 February 2023. The new agreement sets out a shared priority workplan to deliver safe, decent and effective care that improves health outcomes for people in prison and those subject to statutory supervision by the probation service. The Ministry of Justice (MoJ) is also committed to providing support for neurodivergent people encountering the criminal justice system. On 25 January 2023, a six-month update to the Cross-Government Neurodiversity Action Plan was published which demonstrates a wide range of work that is already in progress to improve the support for neurodivergent people, including the introduction of Neurodiversity Support Managers in prisons and the promotion of Autism Accreditation across the prison estate. Work is also underway to develop a whole-pathway approach to the care of offenders, including diverting offenders from the criminal justice system where appropriate, and reconnecting those leaving custody with health services in the community.

Turning to your concerns about foreign nationals remaining in custody after their sentence, every effort is being made to ensure that a foreign national's deportation coincides, as far as possible, with their release from prison. To allow the Home Office to detain a foreign national after their prison sentence, there must be a realistic prospect of removal in a reasonable timescale and those in detention have the option to apply to an independent immigration judge for bail at any point. It is recognised that there can be challenges during the process, including travel documentation, late applications and appeals and non-compliance. The Government is doing everything possible to reduce these legal challenges and to increase the numbers of foreign nationals being removed. For example, under the Nationality and Borders Act 2022, the Early Removal Scheme was expanded to allow foreign nationals to be removed directly from prison up to 12 months before their Conditional Release Date, providing the minimum requisite period has been served. In addition, since January 2023 Home Office casework resource has increased, establishing a dedicated Custodial Decision Team to focus on deportation decisions being made early in the process. Risk assessments were previously conducted which determined that those detained in HMP/YOI Norwich were not suitable for transfer to an Immigration Removal Centre. The Board should note that theft (including shoplifting) was not the primary offence in any of the cases considered.

Despite your concerns and the current staffing challenges, it was encouraging to receive your comments about the effective teamwork across prison staff, many of whom go above and beyond to provide a safe environment and to treat prisoners fairly and humanely. I was pleased to read about the Safety teams work supporting prisoners with mental health needs and those that are vulnerable. It was also encouraging to note that the links with local employers is providing employment opportunities for category D prisoners and at the point of release.

I note you have raised several 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/YOI Norwich.



Damian Hinds
Minister for Prisons and Probation

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HMPPS comments on matters raised in the report

Segregation Policy Framework

Further to last year's response, the review of Prison Service Order 1700 Segregation has considered learning from research, promising practice and recommendations from independent bodies such as HM Inspectorate of Prisons, the PPO and the Independent Monitoring Board. The revised policy framework is currently undergoing consultation and when published this will be accompanied by a range of supporting tools which will assist staff and prisons in the safe management of prisoners held in segregation. The new framework is now expected to be issued in December 2023.

Refurbishment

All refurbishment requests from prisons continue to be considered, noting that demands for maintenance are much greater than the available funding. Therefore, HMPPS is prioritising work very carefully to make best use of that funding, focusing on risk to life and risk to capacity and decency. Roof replacements to healthcare, L wing, E wing and F wing are taking place this year. Works to E wing's roof is scheduled for completion shortly and works in F wing and healthcare are scheduled for completion in December 2023. These will resolve the issues with leaks damaging the internal building fabric and enable internal remediation works to be carried out to the damaged walls, ceilings and corridors. In addition, forty-eight additional rapid deployment cell places were installed in January 2023 and, as part of the Accelerated Houseblocks Delivery Programme refurbishment, there will be an additional pharmacy dispensary provided in the Elizabeth Fry wing. However, there are no planned projects to modernise or improve the Segregation Unit.

Prisoners' Property

The new Prisoners' Property Policy Framework implemented on 5 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. These include ensuring that property cards are being completed accurately and that the volume of property being held by prisoners is checked regularly to ensure it does not become excessive. HMPPS plans to undertake work in due course to establish the impact of the new Framework.

Video Visits Booking

The provider of secure social video calls has already made their booking instructions available in various languages other than English, including Polish, Lithuanian, Albanian, Romanian, Farsi and French. The provider will continue to add other languages based on demand.

Staffing

HMP/YOI Norwich's Operational Support Grade (OSG) staffing target increased in May this year and recruitment for OSGs is taking place for day and night shifts. There are candidates in the recruitment

pipeline and some ready for placement which takes place fortnightly. MoJ Resourcing continues to remain in regular contact with HR colleagues at HMP/YOI Norwich to ensure the prison's needs are prioritised. In addition, the recruitment and retention of staff has dramatically improved following the pay award in 2022 and HMP/YOI Norwich anticipates being at full staffing capacity by the end of 2023. As staffing numbers increase the regime will expand to provide greater opportunities for prisoners to learn, work, associate, and plan for a positive release.