



Chair, Independent Monitoring Board
HMP Pentonville
Caledonian Road
London
N7 8TT

7 November 2023

Dear Chair,

**HMP PENTONVILLE: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 APRIL 2022 – 31 MARCH 2023**

Thank you for your Board's report for the year ending 31 March 2023. Thank you for providing a comprehensive picture of HMP Pentonville over the reporting period, especially as you had several vacancies.

I was saddened to hear there was one death in custody 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 acknowledge your continued concerns about overcrowding across the prison estate and thank you for drawing this to my attention. Accommodating two prisoners in a cell designed for one is never desirable but 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 delivering 20,000 additional modern uncrowded prison places to ensure the right conditions are in place to rehabilitate prisoners, helping to cut crime and protect the public. Around 5,500 of these places have already been delivered including the new prisons, HMP Fosse Way, which started accepting prisoners at the end May 2023, and HMP Five Wells which opened last year.

I also understand the Board's continued concerns about the maximum operational capacity level at HMP Pentonville and I note that I have previously corresponded with the Board on this matter on 29 December 2022. I can reassure the Board that the total number of prisoners that a prison can hold, including the maximum level of crowding, continues to be set by the Prison Group Director (PGD) who considers risks to safety and stability, and not the wider supply and demand issues. The PGD is also required to take into account the operation of the planned regime using their operational judgement and experience. Given that several of the factors that affect maximum crowding levels are dynamic, this decision is regularly reviewed. The latest assessment is that there are no plans to increase the operational capacity of HMP Pentonville above the current level of 1205.

Turning to your concerns about access to resettlement services for remand prisoners, under the new resettlement approach all resettlement prisons including local prisons, will have an embedded resettlement provision and where embedded staff are not in place yet, alternative arrangements will have been agreed by the Regional Probation Director and Prison Group Director. These pre-release teams identify and address immediate resettlement needs and provide support to all people in prison including those that are unconvicted and from out of area. This includes signposting to specialist services within the

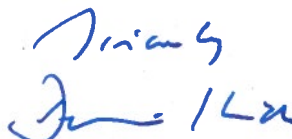
prison, such as Prison Banking Administrators and Healthcare and supporting people to access pre-release services for accommodation and personal wellbeing as these Commissioned Rehabilitative Services are currently only available to sentenced people in prison. The Ministry of Justice and HMPPS continues to work to extend the accommodation contracts to unsentenced and remand people in prison.

It is acknowledged that London Probation are having to provide a prioritised resettlement service to people in prison at HMP Pentonville including some that are on remand, as it is unable to deliver to all prisoners due to current resourcing pressures. The number of resettlement assessments completed is on the increase, however currently the focus continues to be on those considered vulnerable who need the most support. Recruitment is continuing to enable a fully resourced service to be provided and it is forecasted to be fully staffed within the next six months to deliver the fuller service.

Despite your concerns, it was pleasing to receive your comments that there are good relationships between staff and prisoners and it was interesting to read about the Time4Change initiative which supports young adult prisoners. I was encouraged to read about the efforts to tackle contraband and support prisoners in their drug rehabilitation, as well as the good care and support prisoners receive in the 24 hour inpatient unit including some prisoners with particularly complex needs. It was interesting to read about the prisons diversity and inclusion work including the opening of a neurodiversity unit, forums and the cultural awareness raising events. I was also encouraged to note the work being undertaken with business employers to provide purposeful work opportunities to improve chances of employment on release.

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 Pentonville.



Damian Hinds
Minister for Prisons and Probation

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HMPPS comments on matters raised in the report

Facilities Management Provider

Despite the challenges with the age of the prison building, the facilities management provider has made improvements in all areas, attending to more jobs within the Service Level Agreement, achieving more first-time fixes and to a higher quality. The provider also has new management and staff, and a new Area Property Operations Manager has been supporting the provider to make further improvements. Action is being taken to identify business critical faults around the prison and ensure dilapidation and condition surveys are completed to support the submission of funding bids, which are all focussed on providing a safe, secure and comfortable living and working environment. It is recognised that the sports hall had badly corroded heating pipes in the lower walls and floors that had damaged the floor surface and steps have been taken to isolate this issue. The lift contractors have been changed and action is being taken to ensure all lifts are operational. In addition to the regular scheduled visits carried out by Rentokil to tackle vermin, further ad-hoc visits have been funded to help eradicate vermin, as well as a Field Biologist survey of ants and cockroaches taking place. The prison continues to find it challenging to control the waste thrown out of windows by prisoners which attracts the vermin, but the installation of the new cell windows has helped significantly and the programme to replace further windows will continue once funding has been approved.

Purposeful Activity

The allocation of education funds is provided on a fair and consistent basis, based on the population size and function of the prison. Additional funds provided for localised delivery are also available to Governors, with the Education Group in HMPPS Headquarters regularly requesting prisons identify projects prisons would like to introduce and be funded for in addition to the annual allocation of funds.

It is recognised that the activity spaces that HMP Pentonville can provide are limited by the infrastructure and crowding at the prison, which results in the prison having insufficient space to employ all of its prisoners who are able to work, with the exception of people on remand who are not required to work. Improvements do continue to be made, which has resulted in an increase in allocations, as well as the numbers of employed prisoners increasing incrementally. A wider range of activities, known as Tier 2, will also be implemented over the remainder of the year allowing more prisoners to access new time out of cell opportunities.

Vulnerable Prisoners

HMP Pentonville always prioritise vulnerable prisoners for transfer, however, due to capacity pressures there are currently not enough spaces in the appropriate prisons and as many are unsentenced, they need to remain at the prison. The safety of all prisoners including those that are vulnerable is taken seriously with regimes for vulnerable prisoners run separately and the potential for mixing with other prisoners minimised. It is recognised that at times there is an overspill of vulnerable prisoners into non-vulnerable prisoner landings and wings which can make this more difficult to control and HMP Pentonville is giving consideration to the feasibility of allocating another area of the prison to locate vulnerable prisoners.

Prisoners' Property

HMPPS notes the Board's concerns that, despite implementation of the new *Prisoners' Property Policy Framework*, excess property is still not being sent across quickly enough when a prisoner transfers to

HMP Pentonville. The Framework introduced a new requirement that prisons must transfer excess property within four weeks unless there are exceptional circumstances which make this impossible. To avoid the problem of delays altogether, the Framework places an emphasis on ensuring compliance with volumetric control limits, since anything within these limits will be transferred with the prisoner. HMPPS will monitor the impact of the new Framework going forward and will continue to look at what further improvements can be made. The guidance set out in the Incentives Policy Framework is clear, other than books, and not including the additional rights unconvicted prisoners have, unless items are being permitted in line with the 'one-off parcel of clothing' rule specified in the Policy Framework, property should not be sent in to convicted prisoners, except where the Governor feels that there is an exceptional circumstance. This is to ensure that the incentives scheme is not undermined, and to control the amount of property in the prison estate.

Local property complaints have reduced as HMP Pentonville has become more effective at promptly processing prisoners' property. However, the prison continues to monitor these complaints regularly to identify any themes and the high number of remand prisoners has created a pressure point as more is being sent in than would be for convicted prisoners. Whilst there are no local plans to review the property systems options are being considered to ensure the department is resourced appropriately to improve processing rates.