



Annual Report of the Independent Monitoring Board at HMP Rye Hill

**For reporting year
1 April 2023 to 31 March 2024**

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Introductory sections 1 – 3

1. Statutory role of the IMB

The Prison Act 1952 requires every prison to be monitored by an independent Board, appointed by the Secretary of State, from members of the community in which the prison is situated.

Under the National Monitoring Framework agreed with ministers, the Board is required to:

- satisfy itself as to the humane and just treatment of those held in custody within its prison and the range and adequacy of the programmes preparing them for release.
- inform promptly the Secretary of State, or any official to whom authority has been delegated as it judges appropriate, any concern it has.
- report annually to the Secretary of State on how well the prison has met the standards and requirements placed on it and what impact these have on those in its custody.

To enable the Board to perform these duties effectively, its members have right of access to every prisoner and every part of the prison, and also to the prison's records.

The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is an international human rights treaty designed to strengthen protection for people deprived of their liberty. The protocol recognises that such people are particularly vulnerable and aims to prevent their ill-treatment through establishing a system of visits or inspections to all places of detention. OPCAT requires that States designate a National Preventive Mechanism to carry out visits to places of detention, to monitor the treatment of and conditions for detainees and to make recommendations for the prevention of ill-treatment. The Independent Monitoring Board (IMB) is part of the United Kingdom's National Preventive Mechanism.

2. Description of the establishment

HMP Rye Hill is a privately run prison for men, near Rugby, in Warwickshire. It opened in January 2001 and was operated by Group 4 Falck/GSL on a 25-year contract to the Home Office. In May 2008, GSL was acquired by G4S, which took over the running of the prison.

The premises are purpose built, with eight residential units, with a certified normal accommodation (the number of prisoners a prison can hold without being crowded) of 600¹, an operational capacity (the maximum number of prisoners that can be held without serious risk to safety, security, good order and the proper running of the planned regime), of 625 and a maximum capacity of 664. The prison provides additional operational spaces, bringing it to maximum capacity, with a population of 662 at the end of the reporting year. Building work is underway on two new accommodation blocks, to provide an additional 458 places; these are planned to open in late 2024.

The prison is a category B training prison (for those considered a risk to public safety but not categorised as a maximum security threat) for men and, occasionally transgender prisoners, convicted of a sexual offence. Once the new accommodation is completed, it will move, over an 18-month transition period, to become an all category C training prison (which holds those who escape risk is considered low but who cannot be trusted in open conditions) for prisoners convicted of a sexual offence.

¹ Figures included in this report are local management information. They reflect the prison's position at the time of reporting but may be subject to change following further validation and therefore may not always tally with Official Statistics later published by the Ministry of Justice.

3. Key points

3.1 Main findings

Safety

- The number of prisoner arrivals are lower than in previous years due to the lack of spaces for recategorised prisoners to move on; the induction process has continued to run well.
- There were two deaths in custody, both, apparently, from natural causes. There was one successful request for compassionate release, although five other requests were unsuccessful, or the prisoner died before the request could be considered.
- The number of violent incidents remains level with previous years, but self-harm has increased by almost 40%. Both are lower than most other equivalent prisons.
- The number of illicit items' finds remains low, with the only positive drug tests being the result of traded prescription drugs.

Fair and humane treatment

- No complaints have been received about the accommodation or food. There remains a small number of prisoners unhappy about the need for cell sharing.
- The number of prisoners in the care and separation unit, or CSU, remains low, and mediation is used, where possible, to reintegrate prisoners to normal location.
- From the Board's observations, staff and prisoner relationships remain good, with an active prison council and many initiatives and events to promote community spirit.
- The key worker process is now embedded, and the number of sessions delivered was above target in virtually all months. The deployment of staff to cover issues in other G4S prisons was the most likely reason for the remaining months falling short of target.
- The time out of cell has not quite returned to pre-COVID levels, but all prisoners are unlocked for work/activities during the day and all get structured association time in the evenings and weekends, plus access to off-unit activities such as gym. It is not intended to change the regime back to all prisoners on the unit being unlocked together for unstructured activity. A lot of the older/frailer prisoners say they prefer this newer regime.
- The issue with property not being sent on transfer into HMP Rye Hill, which we have reported for some years, has not improved and represents nearly 10% of all IMB applications (prisoners' written representations).

Health and wellbeing

- The transition to the new healthcare provider is complete, although the head of healthcare has left and a new head is being appointed.
- Clinical care provision has remained similar to last year, with improved waiting times for most clinics. We have received few IMB applications about clinical care concerns.
- The demand for hospital outpatient appointments remains high, with up to four escorts a day available, but this has often not been enough to cover all appointments requested. The most common IMB application was concern about the long waiting times for these appointments. That said, overall, the Board believes that they do not appear to be out of step with the community.

- A neurodiversity team is now in place, shared with other sites, to provide support to prisoners assessed to have attention deficit hyperactivity disorder (ADHD), autism or learning difficulties.
- Both IMB and prisoners have experienced some difficulties getting administrative information from the healthcare department, with prisoner requests, such as SARs, or subject access requests (whereby a prisoner can ask for a copy of all their personal data), taking many weeks, even months, for a response.

Progression and resettlement

- Employment levels remain high, averaging 90% of the population. This number includes prisoners who are retired, medically restricted or not eligible to take part in regimes.
- Education attendance and successful course completions have improved, but there are still some potential sessions not attended. The best month had 3,090 spaces available and 3,030 allocated, but only 2,737 were attended.
- A reading initiative has been put in place encouraging prisoners to read for 15 minutes three times a week, with start of work delayed to accommodate this.
- There are many additional enrichment and education events organised each month to support a sense of community and encourage engagement. These are organised by prisoner-led committees and recorded and broadcast on the Rye Hill TV and radio channels by the prisoner-run media hub.
- The offender management unit (OMU) has been restructured into 'pods', where prison offender managers (POMs) and probation officers work together with a dedicated group of prisoners. It is hoped this will improve continuity for prisoners dealing with recategorisations and, especially, parole.
- The 'making sense of a long sentence' integrated process is now rolled out and prisoners are supported by their key workers in understanding where they are in their sentence and creating evidence packs to record their progression.
- There were 57 direct releases, similar to last year's figure, but the number per month had increased to eight in March 2024, at the end of the reporting year. (This trend continues into the next reporting period, with eight again in April 2024.)

3.2 Main areas for development

TO THE MINISTER

- The Board remains concerned that there is no centrally directed, long-term solution to the injustice of the IPP (imprisoned for public protection) sentence and its impact on the mental health and wellbeing of affected prisoners. The IMB has raised this for a number of years, but since the rejection of the Justice Select Committee's recommendations, there does not seem to have been any alternatives put forward. We acknowledge the work HMP Rye Hill has done internally to support these prisoners, but as many have complex needs, additional budget and central support for individual progression plans may be the only way these prisoners stand any chance of release. When and how will the Minister address this serious injustice?

TO THE PRISON SERVICE

- The Board was pleased that one terminally ill prisoner was given compassionate release during the reporting period. However, the Board is still concerned that the process remains unnecessarily difficult, particularly as it requires a GP's diagnosis of terminal illness to be confirmed by a hospital consultant. The long waiting times

to see an NHS consultant add unnecessary delays, which can be the difference between a prisoner dying while still in prison or in a setting of their choice.

- The Board remains concerned that prisoner-requested transfers within the estate have remained all but impossible, meaning that many prisoners remain held a long distance from their family and friends. While acknowledging that the over-population issue is partly to blame, there does not seem to be any active consideration of family ties when decisions are made on where prisoners are located, which can have a serious impact on their mental wellbeing.
- The Board is disappointed that the problem continues of prisoner property not being sent when transferring into HMP Rye Hill. With the requirement to send the old property card (an official record of a prisoner's personal items) with the prisoner now established, could the admissions' process include a check against the old card while the new card is created? This would highlight missing items, which could be immediately reported to sending prison.

TO THE GOVERNOR

- The Board has no areas for development it wishes to highlight within the reporting period. However, there remains some concern about the accelerated time frame for the opening of the new building and subsequent migration to an all-category C establishment. Monitoring in the coming reporting period will focus on the allocation of prisoners to the new accommodation blocks, as well as on the support provided to the more complex category B prisoners to help them progress before it becomes necessary for them to move to a new establishment, which may disrupt their progression.

3.3 Response to the last report

Please see Annex A.

Evidence sections 4 – 7

4. Safety

4.1 Reception and induction

The prison has remained full during the reporting year, with around 7-10 admissions a month to replace released prisoners and the small number of prisoners who have moved within the prison estate. The induction process appears to continue to work well.

4.2 Suicide and self-harm, deaths in custody

There were two deaths in custody during the year, both, apparently, from natural causes. Both were reviewed by the Prisons and Probation Ombudsman (PPO) and there were no recommendations for the prison from either review. There were some recommendations from reviews following deaths last year and these areas will be included in our monitoring follow-up in the coming year.

There were six applications for compassionate release during the year, with one being successful. It was encouraging to see a successful release as, previously, this process has taken too long, with prisoners dying before release. Of particular concern is the requirement by HM Prison and Probation Service (HMPPS) for a hospital consultant to confirm a prison GP's diagnosis of a life-limiting condition. With extended waiting times for NHS outpatient appointments, this requirement can add weeks to the timescales for the application.

A total of 205 assessment, care in custody and teamwork (ACCT) plans, used to support prisoners who are at risk of self-harm and suicide, were opened during the year, compared with 129 last year. There were five open ACCTS at the start of the year, with the number of open plans remaining low during the year, at 5-7 at any one time; numbers dropped as low as two open ACCTS in January 2024.

There was an increase in self-harm incidents: 343 for the reporting year, up from 246 last year. The self-harm incidents predominately comprised superficial scratches and involved 142 individuals, with the number of incidents pushed up by a very small number of men who repeatedly self-harmed. The prison carried out an analysis of the increase, which suggested external factors such as deportation/repatriation could be a significant driver. The new policy of only issuing razors during the day seems to have reduced the severity level of self-harm and the need for associated hospital treatment.

4.3 Violence and violence reduction, self-isolation

The number of violent incidents continues to be low, with 43 recorded during the reporting year, of which eight were considered serious (one less than the nine serious incidents last year). The use of prisoner-led initiatives to discourage violence appears to continue to be successful.

There are very few men who self-isolate in the prison, although some recently transferred-in prisoners have been identified as needing additional support to adapt to the very different style of prisoner and staff relationship before they actively take part in regimes.

4.4 Use of force

There were 181 incidents of use of force, up from 145 last year. However, a large proportion of these were planned movements of a small number of difficult prisoners to allow them to safely access regimes while held in the CSU.

All use of force incidents are recorded on body worn video cameras (BWVCs), the footage of which is reviewed by a management committee. There was one incident during the reporting year when the officer involved did not activate his camera and allegations were made that procedures were not followed. Appropriate disciplinary action was taken.

4.5 Preventing illicit items

There were only three months of the year when positive mandatory drug test results (MDTs) results were recorded. In all cases, these were a small percentage (2.94%) of the tests and were for prescription opiates rather than 'street drugs' such as heroin or Spice (a chemical compound that mimics the effects of the active ingredient in cannabis). Incoming post and property continue to be X-rayed to help detect Spice and similar substances, and immediate action is taken to prevent any trading if there are finds.

5. Fair and humane treatment

5.1 Accommodation, clothing, food

There are still several prisoners very unhappy about having to share a cell, even to the point of going to the CSU rather than agreeing. This issue is unlikely to change while the prison estate remains so full, but an alteration has been made to the process of allocating any single cells not required for high-risk prisoners that do become available. A single-cell waiting list is now held for the entire prison rather than one per unit, so the cell can be offered to the person waiting the longest, even if this involves a change of unit.

5.2 Segregation

Prisoners are segregated in the care and separation unit, or CSU. Over the course of the reporting year, 52 orders to segregate were reported to the IMB, although some were for the same prisoners who struggled on normal location and spent a period in the CSU until they were stable. At any one time, only 3-5 prisoners were in the CSU. Only four prisoners spent over 42 days (the limit allowed without external authorisation) in the CSU. The longest stay was 295 days and involved a prisoner who made repeated threats to harm another prisoner due to a dispute prior to arriving at HMP Rye Hill; after many attempts at mediation failed, he was transferred. The other three prisoners all returned to normal location after a phased reintroduction.

5.3 Staff and prisoner relationships, key workers

From the Board's observations, staff and prisoner relationships remain good, with an active prison council and many prisoner-led initiatives focused on building community and supporting the more vulnerable prisoners. Good communication is a key part of maintaining these relationships, with the daily Director's vlog and the provision of Rye Hill TV and radio channels so all prisoners can stay up to date with events, and popular challenges such as the football and chess competitions. The channels are available around the clock and are produced in-house by the media hub.

All prisoners continued to receive at least one key worker session a month, with those in the CSU having weekly sessions. There were only three weeks across the reporting year when less than the target 50% of sessions delivered and this was mainly due to staff being temporarily seconded to other G4S prisons. There were five months when more than 65% of sessions were completed, with over 2,100 sessions delivered in June 2023.

5.4 Equality and diversity

Equality action team (EAT) meetings are now being held more regularly, with a new Equality officer in place and a new paid prisoner role of disability representative/joint engagement worker being advertised.

Support groups and representatives are in place for additional groups such as veterans and the Gypsy, Roma and Traveller community, as well as the standard protected characteristics (these include, among others, race, religion, age, disability, sex, gender reassignment and sexual orientation, which it is unlawful to discriminate against). The groups arrange events and education sessions to help other prisoners to better understand their group.

The number of discrimination incident reporting forms (DIRFs) submitted was low, with only six in the last six months of the reporting period. Of these, only one, from a transgender prisoner, was upheld.

5.5 Faith and pastoral support

The chaplaincy continues to provide support to a broad number of faiths, both those with a large number of followers and those with only one or two devotees. The head of chaplaincy is reducing his role to part-time but has been replaced by another reverend, who is already working in the prison.

5.6 Incentives schemes

The incentives scheme was relaunched during the reporting year, with an emphasis on rewarding positive behaviour, as well as sanctioning negative behaviour. The new scheme includes behavioural observation forms to replace warnings. These forms can be used to record observations of both types of behaviour, so prisoners get a tangible record of the positive behaviour and not just of warnings. Both the negative and positive observations are monitored, and in every month the number of positives exceeded the number of negatives.

There was one incident during the reporting year when a prisoner applied to the IMB to complain about receiving a negative observation, which he felt was unfair. After some investigation, this was agreed to be the case by the prison and the judgement was rescinded.

The majority of prisoners continue to be on the enhanced (upper) level of the incentives scheme. There were very few prisoners on the basic (lowest) level. The highest month was 13 and the lowest was five.

5.7 Complaints

There was an average of 74 COMP1 (ordinary) complaints a month, with a high of 104 in August and low of 42 in December. This is higher than last year's average of 61 a month, but lower than the year before. There were only 13 COMP2 complaints (about a sensitive/confidential issues) across the entire reporting year. There have been a number of IMB applications where the prisoner feels the response to a COMP1 has not addressed the issue raised. But, in the main, the system seems to work satisfactorily.

5.8 Property

The number of IMB applications concerning property lost on transfer into Rye Hill continue to increase, with 14 received during the reporting year (nearly 10% of the total applications). The Prisoners' Property Policy Framework, issued in August 2022, called for old property cards to be forwarded on transfer, which does seem to be happening. However, this action is of no real benefit, as the cards are just filed and not checked against the property actually received. Getting the sending prison to engage with finding, or even acknowledging the loss of the property, remains almost impossible, with unhelpful responses such as, 'If it is missing, the prisoner must have sold it'.

It is hoped that greater access to the PPO's new independent prisoner complaint investigations (IPCI) service will help to address this issue, as it has the ability to work across the whole estate.

6. Health and wellbeing

6.1 Healthcare general

The transition to the new provider, Practice Plus Group (PPG), is now complete, although the head of healthcare in place during the process recently left and a new head will be appointed shortly.

The new structure put in place by PPG means that most of the administrative information and statistics needed to respond to applications or to chase prisoner-generated requests, such as complaints or SARs, are only available from a single individual. In the Board's view, this has made it more difficult to get administrative information from healthcare. In the Board's experience, replies to emails can take a long time and phone calls are not answered. There is also some evidence that response times to prisoner requests, such as SARs, can take many weeks or even months. We understand that PPG is recruiting further administrative support, which may improve these response times.

6.2 Physical healthcare

The number of appointments offered daily remains high, at an average of 85, although this can be as high as 147 on some days. This is similar to last year, with the number of 'did not attend' occurrences remaining low.

Waiting times are only given for new cases and not recalls/follow-ups, but the situation seems to have improved since last year.

- Prisoners waited for a maximum of two days for an urgent GP appointment, while a routine wait was 14 days.
- The average wait for a podiatry appointment was around 27 days, with the longest being 102 days (this has fallen since last year).
- At the start of the reporting year, the average wait for an optician's appointment was 61 days, with the shortest wait being 11 days; by the end of the reviewing year, the longest wait was 34 days.
- The average waiting time for a physiotherapy appointment at beginning of reporting period was 38 days, with the shortest wait being 12 days; by the end of the reporting year, the longest waiting time was 34 days.
- Dental appointments started the reporting year with an average wait of 39 days, but this fell to 22 days, with longest wait being 48 days by the end of the reviewing year.

The demand for hospital outpatient appointments remains high, with up to four escorts available each day. This number is not usually enough to cover all the appointments needed, following GP referrals. In some months, there are more than 100 appointments booked, plus up to eight urgent A&E referrals, which take priority. This has resulted in 26%-41% of possible appointments not having escorts available, a direct result of the older profile of the prison's population. This aspect is the most common issue for healthcare-related IMB applications, with concerns about the waiting time for outpatient appointments to happen.

Another consequence of the older population is the number of unplanned bed watches following emergency hospital admissions, with up to 40 bed watch nights needing to be staffed in a month.

6.3 Mental health

There were, on average, 65 prisoners under the care of mental health team during the reporting year, with an average of 360 appointments held. The number of prisoners increased in November/December, probably due to the additional stress of men spending Christmas away from family. Waiting time for a new assessment was five days, or fewer, and two days if considered urgent.

There is now a neurodiversity team within the healthcare department, including a neurodiversity support manager and a learning disability nurse. The team works across two sites but a member is at HMP Rye Hill three days a week. The team has a caseload of individuals with either autism, ADHD or a learning disability, and each patient get individualised help. There is also a learning disability register and all prisoners on this are offered an annual health check, in addition to everyone on ADHD medication having regular checks. We are advised by the neurodiversity team that referrals are assessed within 10 working days. The ADHD assessment process can include diagnosis and medication. There is no diagnosis process for autism, but a screening around traits can be completed and a summary report and support agreed based on this. If a learning disability is suspected, the prisoner is referred to the psychology team to complete an IQ assessment.

There have been no IMB applications concerning access to mental health services.

6.4 Social care

At the end of reporting period, 10 prisoners were receiving social care. This has steadily increased, up from eight last year. Due to the older prison population, this trend is likely to continue.

6.5 Time out of cell, regime

All prisoners are unlocked during the working day to attend employment, education, programmes, chapel, gym or the activities centre (see section 7.2 for employment figures). During association times, each landing is unlocked, based on its own schedule for structured activities, to ensure the units do not become too crowded. Activities can be booked, such as use of pool tables, to ensure everyone has a chance for equal access. There are no plans to change this - to return to a full unit unlock for unstructured association - and this arrangement seems to be preferred by the older and frailer prisoners, as the units are less busy, which makes it easier for them to move around.

6.6 Drug and alcohol rehabilitation

The reporting year again saw a slight increase to 177 prisoners engaging in treatment. There is a short waiting list for some popular groups, but all those who are referred are seen by a member of staff from the drug and alcohol recovery team (DART) while waiting for a place.

7. Progression and resettlement

7.1 Education

Education attendance is above the target of 80%, but it could still improve (although it is acknowledged this is higher than other similar prisons. These percentages still mean that, in the best month of 3,090 spaces available, 3,030 were allocated but only 2,737 were attended. The lower attendance may be due to:

- Programme attendances, as these take priority (about 8% of absences)
- Healthcare appointments (about 13% of absences)
- Blended learning, where a prisoner does half a day in education and half in a workshop.

The focus on English, reading and maths courses continues and during the reporting year 48 learners gained Level 1 English, with 45 gaining Level 2. A total of 36 gained Level 1 maths and 37 Level 2. Overall, education achievement has seen a marked improvement in 2023-2024, with the overall successful course completions increasing from 60% in 2022-2023 to 84.6% in 2023-2024.

There is also a reading initiative in place at 9 am Mondays, Wednesdays and Fridays, where all prisoners are encouraged to read for 15 minutes and work is suspended to allow this to happen. There were 200 prisoners with no recorded reading level, so they were screened and 89 were found to need help: 61 of these have now developed their reading to a functional level.

In addition to formal education, enrichment/extracurricular opportunities at Rye Hill are varied and engaging. They support the sense of community in the establishment. These have included: model UN events, Coventry University and Arden University lectures/seminars, technology days, veterans' meetings, film nights, charity fundraising activities, prison council awards, choir performances and quiz nights.

The expansion of Rye Hill includes plans for expanded education possibilities for prisoners, with additional vocational training upcoming, increased resettlement- relevant courses and further opportunities to study at Level 3.

7.2 Vocational training, work

Employment levels have remained high, averaging 90% of the population, and all prisoners who can work are allocated a job. These figures include those who are sick, in the CSU, on medical restrictions, retired, suspended/dismissed or newly arrived and on induction. There were 57 prisoners signed off sick during the reporting year, including three on long-term sickness. There are now clear criteria for a prisoner to be signed off sick, as attending work is mandatory and any attempt for prisoners to 'self-declare' themselves too sick to work is discouraged.

7.3 Offender management, progression

The offender management unit (OMU) has moved to a new structure with 'pods' of prison offender managers (POMs) working together with probation officers to support a group of prisoners. These 'pods' are new and they are currently being assigned caseloads, which will mean that 80% of prisoners will have a change in either their prison or probation contact. The OMU is holding surgeries on the units to explain the new structure and allow queries to be raised. According to some prisoners, this change is causing short-term delays in getting recategorisation reviews completed.

Over the reporting year, there were an average of 81 recategorisation reviews each month, up from an average of 77 last year, with May 2023 seeing 98, but August, September and December lower at 75. Where we have monthly success percentages, these varied from 11% to 17%, which is higher than the average 6% of last year.

As the prison now has a high percentage of category C prisoners, face-to-face panels are being introduced where a prisoner can put forward their evidence to be considered for Category D open conditions. There have already been some prisoners who have conditional acceptance responses from some Category D establishments and are now awaiting the due date for their next review.

The same Offending Behaviour Programmes are offered as last year. There were over 170 programme participants with over 100 completing their programme during the year.

7.4 Family contact

Social visits and social video calls have continued to be available. Family days, which bring together prisoners and their families outside of their statutory entitlement, usually in more informal settings, have also been held.

7.5 Resettlement planning

There were 57 direct releases from May 2023 to April 2024, which was only a slight increase on the figure of 54 last year. But the number per month increased to eight in March 2024, at the end of the reporting period. (This trend continued into the next reporting period, with eight again in April 2024.)

'Making Sense of a Long Sentence' was an integrated process launched in 2023. Its concept was initially to help IPP prisoners break their long sentences down into manageable milestones in order for them to develop a realistic sentence plan. The sentence is broken down into four stages: induction; building education and employment; interventions; and planning for release. It was quickly realised that this model could be used for all types of sentences and this was rolled out across the establishment. The aim is that, on reception, the prisoner will meet with their prison offender manager and discuss their sentence dates, the stage they are at and what they should be doing to progress through their sentence. Each prisoner received booklets relevant to their stage.

It is planned that key workers will meet weekly with prisoners to discuss their progress and record updates. The NECST (new environment community support team) is a prisoner-led initiative. It supports all prisoners and signposts them throughout the stages of their sentence. Using this process, the prisoner can build their personal 'evidence of progression', which can be used at recategorisation boards or parole hearings.

Work with IPP prisoners continues with a prisoner representative to be appointed specifically for this group. Some of this prisoner group have been identified as being neurodivergent and are getting one-to-one support from the neurodiversity team in the healthcare department.

The work of the IMB

Board statistics

Recommended complement of Board members	14
Number of Board members at the start of the reporting period	5 including 1 in induction
Number of Board members at the end of the reporting period	7, including 2 on induction and 1 new member who is not attending at present
Total number of visits to the establishment	159

Applications to the IMB

Code	Subject	Previous reporting year	Current reporting year
A	Accommodation, including laundry, clothing, ablutions	3	13
B	Discipline, including adjudications, incentives scheme, sanctions	7	18
C	Equality	6	1
D	Purposeful activity, including education, work, training, time out of cell	14	8
E1	Letters, visits, telephones, public protection, restrictions	9	7
E2	Finance, including pay, private monies, spends	3	0
F	Food and kitchens	1	0
G	Health, including physical, mental, social care	22	33
H1	Property within the establishment	7	10
H2	Property during transfer or in another facility	8	14
H3	Canteen, facility list, catalogues	0	2
I	Sentence management, including HDC (home detention curfew), ROTL (release on temporary parole), parole, release dates, recategorisation	8	8
J	Staff/prisoner concerns, including bullying	23	27
K	Transfers	4	8
L	Miscellaneous	4	5
	Total number of applications	119	154**

**142 application forms were received but 12 dealt with more than one topic.

It should be noted that a small number of prisoners were responsible for multiple applications during the year, with one prisoner generating 16 (11.3% of the total) and another 14 (9.9% of the total). These applications involved frequently repeated topics.

Annex A

Response to the last report

Issue raised	Response given
<p>To the Minister</p> <p>The board is aware of the Prison Service IPP reviews and announcements at the end of the reporting period and also the new initiatives that Rye Hill is putting in place to support this cohort. However, we are still concerned that they will make little material difference to those with complex needs without dedicated budget provision. The issue of IPP progression has been repeatedly raised in annual reports and the recent decision to not accept the review recommendations has increased the anxiety for these prisoners.</p>	<p>I appreciate the Board's ongoing concerns about prisoners serving indeterminate sentences for public protection (IPP). The Justice Select Committee held a year-long inquiry into the IPP sentence and published their report on 28 September 2022. The inquiry conducted by the Committee constituted a thorough assessment of the issues surrounding the IPP sentence and the published report contains considered recommendations for change. The Government has now issued a formal response to the Committee's report, which can be accessed online or via https://committees.parliament.uk/work/1509/imprisonment-for-public-protection-ipp-sentences/publications.</p> <p>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. It remains 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 and that the IPP Action Plan, suitably updated, is the best option by which these offenders can progress towards safe release. As such, the Government has rejected this recommendation and has no plans to conduct a resentencing exercise. Whilst the Government welcomed the report as an opportunity to take stock of the issue and identify areas for improvement, we recognise that there is still more that remains to be done. Indeed, the Government, as a matter of priority, is reviewing the Department's work to date to help more IPP prisoners progress towards release and consider if there are any further steps we need to take. I would like to reassure you that we remain committed to doing all we can to support the progression of those serving IPP sentences and efforts to reduce their risk, to the point where the Parole Board determines that they may be safely released.</p> <p>HM Prison and Probation Service (HMPPS) has reviewed and refreshed the IPP Action Plan, which was published on 26 April this year and can be accessed online. HMPPS's review of the Action Plan specifically focused on improved, clear performance measures, achievable deadlines, and a robust overarching governance structure. Our key priority for the updated Action Plan is ensuring that the delivery of HMPPS systems and processes in every prison and probation region facilitates risk reduction and the prospect of progress towards a safe and sustainable release. The refreshed Action Plan is a strong driver to build on past achievements and continues to provide the best possible opportunities for those serving an IPP sentence to progress towards a safe and sustainable release. The Lord Chancellor and his Ministerial team, as a matter of priority, are reviewing all possible options and steps that may be open to us in order to identify what more can be done to address the IPP issue. We look forward to sharing more on this in due course.</p>
<p>To the Prison Service</p> <p>The Board is concerned that processes designed to ensure prisoners have sufficient prescribed medication with them when transferring to Rye Hill are not being consistently applied across the prison estate.</p>	<p>Prisoners' Medication</p> <p>Responsibility to ensure that medication and/or prescription is with the prisoner following a transfer lies with the sending establishment and is outside of the control of the receiving establishment. Measures are taken by the receiving establishment to understand medication needs of a transferring patient prior to transfer and ensure that medication is reconciled upon arrival. Healthcare providers across the estate take all measures to ensure continuity of medication.</p> <p>HMP Rye Hill has an on-site dispensing pharmacy to ensure continuity of medication for men arriving at the prison. The healthcare team is able to provide medication as prescribed following an initial screening process in admissions on the day of reception for all prisoners, regardless of whether it is in possession or not. The prison also conducts a further review of each prisoner and their medication needs within 72 hours of admission to ensure awareness of any health issues and required prescribing.</p>

<p>The Board is still concerned that not one compassionate release has been agreed, despite a number of applications and an increase in the number of terminally ill prisoners dying in custody at Rye Hill.</p>	<p>Compassionate Release</p> <p>The Secretary of State will only release a prisoner early if they are satisfied that there are exceptional circumstances which justify the prisoner's early release on compassionate grounds (ERCG). Each application for ERCG is considered on the facts of each case and will include evidence from medical professionals. If the application meets the criteria, as set out in policy, the prisoner will be released. The ERCG Policy Framework was updated and republished on 16 August 2023. The policy was not broadened and the fundamental principles underlying the approach to ERCG remain in place, however, the policy now provides further examples of the types of illnesses that can be considered under the scheme, which should support establishments such as HMP Rye Hill with considering all appropriate cases. In addition to the updated policy, the Ministry of Justice and NHS have created guidance documents which have been issued to Governors and prison healthcare commissioners and providers. This is to support them with identifying prisoners who may be eligible for the scheme at an earlier stage, and in completing good quality applications that are in line with policy and provide information on risk management and current medical condition.</p> <p>HMPPS Public Protection Casework Section (PPCS) has liaised with HMP Rye Hill and have confirmed that three applications for ERCG were made during the reporting period, rather than five. Out of these three, two applications were refused and one was withdrawn due to the prisoner sadly dying before a decision was made. The two cases were refused because the policy criteria had not been met and it was concluded that the safety of the public could still be at risk. ERCG should only be granted in exceptional circumstances and when the fundamental principles detailed in the policy have been met. PPCS continue to review completed applications within the two-week target and continue to offer support to establishments by providing advice to staff prior to and whilst completing the application.</p>
<p>The Board remains concerned that the move from category B to category C, then to category D prisons represents a particular problem for prisoners convicted of sexual offences and the increasing number of direct releases (54 this year against only 20 in 2019-/2020 reporting year) frequently leaves them being released with no specialist support</p>	<p>Sentence Progression</p> <p>HMPPS continues to strive to maintain offender flows regardless of offence in the face of ongoing, unprecedented population pressures across the entire adult male prison estate. The remand population has grown to unprecedented numbers as a result of the courts backlog and recent industrial action taken by the Criminal Bar Association and the impact is being felt in the training estate. In order to maximise the amount of space available in the Category C resettlement estate, we have taken action to speed up transfers of eligible prisoners to the open estate, ensuring that all prisoners have up-to-date risk assessments and are reviewed regularly for suitability.</p> <p>In addition, it has been necessary for Category B and Category C training prisons to continue to hold prisoners in their resettlement period to allow spaces to be allocated by reception prisons. The request for flexibility in the cohorts of all these prisons is a shorter-term measure which, we anticipate, should be mitigated by the continued ramping up of HMP Five Wells and recent opening of HMP Fosse Way. HMPPS acknowledge that, as at 7 August 2023, HMP Rye Hill held 61 men with 24 months or less left to serve, a number of whom may be ready to progress to Category C conditions subject to risk assessment by the Prison Offender Manager. Our priority nonetheless continues to be to encourage prisons to respect offender flows as much as possible and to ensure that the individual and rehabilitation needs of each prisoner are met and protected.</p> <p>At HMP Rye Hill, a Resettlement Offer is available to all prisoners that are within eighteen months from release or those that are within their parole window. The offer provides prisoners access to a range of services to ensure they are fully prepared for their release into the community. The CONNECT initiative will support all prisoners with applications and contact with external agencies. HMP Rye Hill has been successful in ensuring that 100% of prisoners released have been provided an accommodation address prior to release from custody.</p>
<p>To the Governor</p> <p>The Board is concerned about the number of older prisoners who have complained to the IMB about being required to retake English and maths Level 1 qualifications to obtain a particular work role, because they have no way to prove their qualification/s. We would like to see a balanced approach taken when prisoners are clearly proficient in the skills even when formal certificates cannot be produced.</p>	<p>There have been no further applications to IMB concerning this issue and there now seems to be a more pragmatic approach where prisoners can sit the relevant test without having to attend the course so they then have a formal record of their achievement level.</p>

Annex B

Service providers

- Healthcare and social care services are provided by Practice Partnership Group (PPG), commissioned by the NHS.
- The education provider is Novus Foundation for Change.
- Catering is provided by Aramark.
- Links with the Samaritans are established, together with a Listener service.

Annex C

Population statistics

At the end of the reporting year, the prison held 73 prisoners under life sentences; this is only a small change from the 75 held at the start of the year. The number held on an indeterminate sentence for public protection (IPP) decreased from 23 in March 2023 to 15 in March 2024.

At the end of the reporting period, the prison held 318 category B prisoners and 344 category C prisoners. The large increase in category C prisoners reported for the last three years, in spite of the prison officially being for category B prisoners, has continued. This is partly due to a lack of space in the category C estate. Now that a decision has been made to transition HMP Rye Hill to a category C prison, it is expected that these prisoners will remain and efforts will be made to progress as many as possible of the remaining Category B prisoners over the next 18 months.

The ethnic breakdown has remained predominantly white, with approximately 80% white, 7.6% black, 8.2% Asian and 4.2% others.



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