



Ministry
of Justice

Lord Timpson
Minister of State for Justice

Chair, Independent Monitoring Board
HMP Fosse Way
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28 May 2025

Dear Chair,

**HMP FOSSE WAY: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 29 MAY 2023 – 31 MAY 2024**

Thank you for the Board's first annual report on HMP Fosse Way. I am grateful for your observations as the prison progressed through its first year of operation.

The Board shared its views on the successes of HMP Fosse Way's initial opening and prisoner intake between May and August 2023 and its concerns about the increased prisoner intake in the months that followed. Originally, the plan was to bring the prison to full capacity over 43 weeks, with an intake of 40 prisoners per week but due to national capacity pressures, this timeline was shortened to 38 weeks.

To accommodate the accelerated intake, an enhanced prisoner selection criterion was implemented, exceeding the initially agreed 40 prisoners per week. Weekly local meetings were held to assess risks to the prison's stability, and breaks in the intake plan were included as contingencies. However, neither the prison provider nor HM Prison and Probation Service (HMPPS) found it necessary to pause the intake process based on stability and threat assessments.

For the final 12 weeks, the intake schedule was adjusted as follows:

- Two weeks of 90 prisoners per week
- A one-week break
- Eight weeks of 60 prisoners per week
- One week of 55 prisoners per week

Mobilising a prison the size of HMP Fosse Way inevitably presents challenges, especially with the increased prisoner intake. It is acknowledged that the prison provider faced a recruitment gap, as staffing had been planned based on the original intake projections. The operational staff group managed to cover all vacancies through overtime, with additional support from prison custody officers seconded from sister sites.

Despite these challenges, the Prison Director takes pride in what HMP Fosse Way achieved during its first year of operation. The prison successfully reached full operational capacity ahead of schedule, without encountering any serious instability, a remarkable accomplishment. I, too, am grateful for the provider's cooperation during this period to address the capacity challenges.

Despite this, I was profoundly saddened to learn that one prisoner died in a self-inflicted incident during this first reporting year and I extend my heartfelt condolences to their friends and family. The Prisons and Probation Ombudsman (PPO) investigated, and the recommendations have been taken very seriously. An action plan outlining how these recommendations were addressed has been published on the PPO website.

In terms of security, the 3.6m fencing around each house block yard does not require razor wire to be compliant but provides a deterrent to anyone attempting to get from one area of the prison to another. The Category C technical standard is for one 5.2m fence line around the perimeter and the design at HMP Fosse Way includes three 5.2m fence lines which are all topped razor wire which should provide the Board some assurance that the risk of escape is mitigated. The houseblock windows are without bars but are designed and tested to a specific standard and made of multiple layers of glass and polycarbonate to maintain the windows integrity and to reduce the ability to break the glass or use the broken pieces for self-harming. There has been some breakage of windows in the CSU which is a different design to the houseblocks as these include bars and learning is being taken into consideration in relation to this.

It is recognised the gym facilities are small but were designed with direct access to the outside sports areas and along with the wing provision, would provide a suitable physical activity profile. The use by only 15 prisoners would be due to local risk assessment. However, changes have been made in future prison designs, such as HMP Millsike to incorporate a larger gym in the central services area and as the Board notes HMP Fosse Way has increased its physical activity offer to incorporate more indoor provision by converting some workshops. The library has also been redesigned for future prisons and is enclosed in the central services hub.

The prison provider is responsible for the laundry and electrical equipment installed on site and the prison design provided a fully functioning laundry room on each houseblock floor with a total of 28 spaces for laundry appliances. Whilst there is no central laundry, many prisons send washing to other prisons and there are ongoing discussions in relation to a larger laundry facility at Fosse Way. I also acknowledge the Board's concern that cell furniture can easily be damaged by prisoners. Other solutions have been considered, such as resin bonded materials, but these produce dangerous debris and create self-harm and staff safety risks. The current furniture is less likely to be adapted into weapons and is more cost-effective to replace when damaged. In addition, regarding the Boards comments about the healthcare services provided at HMP Fosse Way these are commissioned by NHS England and is the standard for a Category C resettlement prison to take account of prisoners needs.

I look forward to the Board being able to increase its visibility at the prison and provide further observations as the prison develops during the next reporting period.

The Lord Chancellor and I are very grateful for the valuable role played by members of Independent Monitoring Boards throughout the Prison estate, and we are thankful on behalf of HMP Fosse Way for your report.

Yours sincerely,

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

Lord Timpson
Minister for Prisons, Probation, and Reducing Reoffending