ANNUAL UPDATE ON PROGRESS WITH HM INSPECTORATE OF PRISONS RECOMMENDATIONS

Thank you again for your report of 16 February 2018 following the Justice Select Committee (JSC) enquiry into HM Inspectorate of Prisons’ (HMIP) Report on HMP Liverpool. I wrote to you in March last year by way of response and committed to provide the JSC with an annual update on the progress of HMIP recommendations. I would also like to take this opportunity to remind the Committee of the measures in place to ensure HMIP recommendations are monitored and implemented; to provide an update on HMIP’s Independent Reviews of Progress, launching next month; and to update on progress against recommendations for specific prisons of concern to HMIP.

Monitoring and implementing HMIP recommendations

We welcome the independent scrutiny that HMIP provides, and measures have been taken to strengthen the impact of recommendations in HMIP reports.

This includes the appointment of Prison Group Directors to strengthen assurance processes. A Scrutiny and Intelligence Unit (SIU) has also been created within HMPPS’ internal assurance group. The SIU has been set up to improve the timeliness and quality of responses to reports from a range of independent scrutiny bodies, including HMIP, and to report on the progress of each establishment against their HMIP recommendations. Governors have responsibility to follow through and monitor progress against the published action plan that responds to the HMIP recommendations; progress is reviewed regularly with the Prison Group Director, holding local management to account.

Where there are specific operational concerns, the internal assurance group undertake additional activity to provide senior managers with an independent assessment on these areas and progress against implementation of HMIP recommendations.

In addition, senior officials in HMPPS and MOJ meet quarterly with HMCIP to review progress on implementing recommendations.

Independent Reviews of Progress

I wrote to the Committee last June to confirm that additional resources would be made available to HMIP this year to develop a new process for them to follow up on progress with their recommendations. You will be pleased to hear that additional resources have been provided and we have been working with HMIP on developing the methodology for their new Independent Reviews of Progress (IRPs). Two pilots have taken place to test the new methodology and will help to inform decisions on costs for 2019-20 and beyond.

The purpose of an IRP is to assess progress in implementing the recommendations from previous inspection reports, to support improvement in prisons, and to identify barriers to progress. Starting in
April 2019, HMIP will undertake 15 to 20 IRPs each business year. HMIP have written to the first prisons that will receive IRPs: Chelmsford, Exeter, The Mount, Birmingham and Manchester. HMIP will publish reports following their IRPs but decided not to do so in the case of Nottingham and Woodhill as they were pilot sites.

Progress of HMIP recommendations at prisons of serious concern

I have focused my update on prisons judged by the Chief Inspector to be of serious and urgent concern. As you are aware, we created the Urgent Notification (UN) process as part of our commitment to transparency and accountability to improve performance. Since UN was launched in November 2017, the Chief Inspector has invoked it for HMP Nottingham, Exeter, Birmingham and Bedford. In the spirit of transparency, I am also providing an update on Wormwood Scrubs and Liverpool, prisons of concern where the Chief Inspector expressed that he may have invoked Urgent Notification had this mechanism been available at the time.

HMP Wormwood Scrubs (Shadow UN)

HMP Wormwood Scrubs was identified as a shadow UN site following HMIP’s inspection in August 2017. The main issues raised were continued concerns about safety, poor living conditions, a lack of purposeful regime and the poor quality of public protection and offender management work. These issues were compounded by the levels of inexperienced staff working on residential units.

Progress has been made in a number of these areas. Staffing has significantly improved at prison officer level and the establishment is able to provide a more consistent level of regime as a result. A support programme has been implemented for officers through the 10 Priority Prisons Programme in the form of the Standards Coaching Team and an increase in Custodial Manager provision has improved management visibility and support in residential units. The Governor has reviewed the Senior Leadership Team structure and has made changes to functional responsibilities to ensure a focus on key priority areas.

A new Head of Safety has been appointed to drive forward a revised safety strategy which has been developed in conjunction with the national safety team. Improvements have been made focusing on reducing violence; the Challenge Support and Intervention Plan (CSIP) is being implemented, and staff are being trained in the ‘Five Minute Intervention’ approach to improve engagement. A weekly epidemiology workshop is being delivered to enable Prison Officers to gain a better understanding of the root causes of violence alongside violence reduction training.

The national team has provided support to improve the ACCT (Assessment, Care in Custody Teamwork) management process, including training on risk management to better support those at risk of self harm. A review has also been completed into the processes and care provided to men in the Segregation Unit and improvements made as a result. An early day's review has also been carried out and a dedicated early day's manager is now in post and taking forward the recommendations.

Progress has been made with public protection arrangements and a dedicated resource is now in place. All identified high risk cases are allocated and caseloads are manageable. The establishment is now live with phase 1 of the Offender Management in Custody model with 45 keyworkers in place and 294 men allocated a keyworker. Full implementation is due to be achieved by the end of July 2019.

Some significant issues remain with regards to adequate facilities management provision. Investment in the infrastructure to date has been significant with a number of improvement projects completed and refurbishment of D wing ongoing, alongside a window replacement programme. In cell telephony installation is under way and the first phones will be available for use by the end of March 2019. Further CCTV installation is progressing. The replacement of the laundry equipment on four wings is complete with a further two wings in the planning phase. Two serveries have been fully refurbished and a further two are almost complete. Four new showers are now complete on C and D wings. Five further shower refurbishments are due to start imminently on A and E wings. HMP Wormwood Scrubs is a large and old establishment and significant continued investment will be required in the future to continue to improve the site.
A clean and decency lead has been funded via the 10 Priority Prisons Programme and has led a full audit of conditions across the prison. A team including prisoner workforce and multi skilled staff is now focused on making the necessary decency improvements, such as removal of graffiti, fixing of sanitary ware, observation panels and lighting, as well as embedding a continued programme of cleanliness. A further capacity reduction has also been agreed to enable this work to move at a quicker pace across residential areas.

**HMP Liverpool (Shadow UN)**

In order to address concerns around failures in leadership and management following the HMIP inspection in September 2017, the senior management team at Liverpool has been strengthened with the appointment of a new governor, deputy governor and several new functional heads. Subject matter experts were provided to help develop a coherent progression plan with the work led by the Governor and her team. The Executive Director has continued to provide strategic leadership and governance of performance and, wider resources within HMPPS and MOJ are co-ordinated to address emerging risks and concerns, as and when required.

To ensure the prison environment is brought up to an acceptable standard, concerted action has been taken to ensure all cells are decent and well maintained. A programme of refurbishment has been undertaken which includes the replacement of all cellular accommodation windows; replacement of cell doors on two residential units; damp control improvements and improved pest control processes. To date, a full refurbishment of three B wing landings has been undertaken alongside a window replacement programme which is due for completion by the end of March 2019. This will improve living conditions for prisoners on 1st night/induction and other prisoners located on that wing. Alongside this, a full painting programme has commenced with over three hundred and forty cells now complete. To allow the work to continue at pace, the population was reduced from a prison capacity of 1147 to 700. In cell and landing refurbishment has been completed on all levels of J Wing, four levels on F wing and work has commenced on two levels on G wing. An all-weather astro turf pitch replacement is underway and on target to be completed by the end of March 2019. Prisoners cleaning and garden teams have improved the appearance of external areas.

In cell telephony is now in place allowing prisoners increased family contact time. The National Prison Safety Team and the Group Safety Team have provided ongoing support to the establishment and a meeting involving the Prison Group Director, Governor, Prison Safety Team and NHS England has taken place following the self-inflicted deaths at the establishment. There have been three self-inflicted deaths since September 2018. Immediate actions to prevent recurrence have been introduced including training for staff in the identification of risks and triggers and emergency response procedures. Key work has been introduced and delivery remains a focus for the Senior Management Team. Resources have been allocated by the Executive Director for refurbishment to the reception area which has now commenced. Waiting times for prisoners within reception has also reduced.

To support the delivery of required improvements identified by the Care Quality Commission (CQC), a joint strategic oversight group was established that included national, regional and local leads from HMPPS, NHS England, regional Public Health England and Liverpool City Council. Spectrum now provides services after Lancashire Care Foundation Trust gave notice of withdrawal and have worked with their delivery partners to stabilise and develop health services and to introduce improved operating protocols. A CQC inspection has taken place which has reported early improvements in delivery. J Wing has been refurbished and has now opened as the Wellbeing Unit which is supporting some of the most complex and challenging prisoners.

A drug diagnostic visit was undertaken in February 2019 by the Drugs Taskforce which will support the Governor in preventing the ingress of illicit items into the establishment. To further support this initiative a collaborative approach has been adopted with the police to address drone activity and training for staff on conditioning. There remains a continued focus on the use of force at the establishment with the
introduction of additional training for staff in decision making and de-escalation techniques. Governance relating to the use of force has improved.

**HMP Nottingham**

The HMIP inspection in January 2018 raised concerns around the poor safety rating at Nottingham for the third consecutive inspection. There were also concerns around a high rate of illicit drug misuse, a large number of inexperienced staff in whom prisoners did not have confidence; and poor supervision and accountability in respect of the use of force, which was high.

The senior management team has now been strengthened with the appointment of a new Governor and several new functional heads to further support the strategic leadership of the establishment. In addition, the establishment has recruited staff into key roles including a health and wellbeing lead. This role will drive improvements across all aspects of mental and physical health, drug strategy, social care and complex needs. Custodial management grades have been increased to improve consistency and the operational grip of the residential function. In October 2018, the Executive Director agreed to a reduction in the prison capacity from 1060 to 800 to support the operational stability of the establishment.

The National Safety Team has been working with the establishment to support reception and early days, improve the quality of the Assessment, Care in Custody and Teamwork (ACCT) processes and has been supporting the implementation of the Challenge, Support and Intervention Plan (CSIP) the principles of which have been enhanced with a revised violence reduction strategy. Training has been provided to safer custody officers with regard to investigating acts of violence and incident reporting. C Wing has been developed as a progressive unit incorporating a violence reduction landing supported by a positive rehabilitative ethos. The First Night Centre has been moved from D wing to F wing which is supporting prisoners through their early days in custody.

The Wellbeing Unit opened in January 2019 on E Wing with support from NHS primary care and mental health colleagues. This unit, once fully developed will support prisoners with complex mental health needs and will include a dedicated space to facilitate group and individual sessions in a safe and therapeutic environment. To further support safety, the National Safety Team has facilitated a workshop predominantly aimed at SMT and Custodial Managers on defensible decision making. A new streamlined intelligence reporting system has been introduced allowing for the timely analysis of information and as a result the significant backlog of security information reports has reduced.

A vulnerability assessment alongside a drug diagnostic has been incorporated into a wider establishment support plan which the establishment is progressing. A drug strategy manager has been appointed to drive the identified improvements incorporating the three strands of the drug strategy, restricting supply, reducing demand and building recovery. Supporting this, a strong working partnership has been developed between the establishment, healthcare, Community Rehabilitation Company (CRC) and National Probation Service (NPS) colleagues. The establishment is part of the 10 Priority Prisons Programme and bids have been submitted and approved to purchase a body scanner and Rapiscan machine. Additional staff resources have been recruited to support areas identified as vulnerable thorough the drug diagnostic and vulnerability assessment.

There has been an increase in new staff at the establishment and whilst this is a positive step, inexperience amongst this cohort continues to be of concern to prison management. The Standards Coaching Team has selected and intensively trained prison officers from establishments which are part of the 10 Priority Prisons Programme. The training, developed from the Prison Officer Guidance provides direction on the necessary standards and core principles to successfully carry out procedural security core duties including accommodation fabric checks and searching. Additionally, the programme includes building positive relationships with prisoners and dealing with confrontational situations. Ten officers have been deployed into Nottingham and allocated across five residential units to work with staff in promoting consistent best practice across routine tasks, show newly appointed staff how to create
positive staff-prisoner relationships, encourage the use of Five Minute Intervention and build confidence in staff with less experience.

**HMP Exeter**

During the time of the inspection in May 2018, violence and self-harm were high and were intrinsically linked to the availability of drugs and in particular psychoactive substances. Since the inspection, a violence reduction summit has been held to understand the drivers for violence, informed by prisoners and staff. This led to a number of local measures including more control and supervision at key unlock times. Work is ongoing to provide a separate exercise yard for the two largest residential wings to improve control during this key period, which is due to be completed in May 2019.

The prison has also further developed its safety strategy and introduced the national case management approach to managing prisoners at risk of causing violence. The introduction of a weekly multi-agency safety intervention meeting ensures that support measures are identified for men with complex needs, including mental health support, psychology, key workers and offender management support. These measures have resulted in a general downward trend in incidents of violence and self-harm.

The limited regime on C1 Landing was highlighted as a particular concern by the Inspectorate. The landing is now an additional Enhanced Living Unit occupied by prisoner workers who have access to a full regime. A recent audit has noted significant progress in use of force governance. Procedures are now in place to monitor use of force incidents including the recording and viewing of all planned interventions, and increased use of body worn video cameras.

Living conditions were rated as unacceptably poor. The recruitment of an additional eight employees by the Facilities Management contractor has seen a significant increase in reactive repairs which are contributing to improved living conditions throughout the establishment. This is driven and supported by a living conditions and cell readiness policy which incorporates assurance checks by middle and senior managers to inform compliance and consistency. All cells are fully equipped and daily checks ensure that any faults and damage is reported and repaired in a timely manner.

There has been considerable and much needed investment in the fabric of the building with new showers currently being installed on C Wing; this will be followed by new showers in the gymnasium. All cells on A Wing are currently being refurbished with new flooring and decoration, and plans have been approved to replace all cell windows throughout the establishment. Proposals have been developed to complete shower refurbishments across the rest of the site and complete window refurbishment but this remains subject to funding pressures in 2019/20.

The Inspectorate raised concerns about the facilities for constant supervision of at risk prisoners. The local policy has been revised and investment to provide a new constant supervision cell has been delivered successfully.

**HMP Birmingham**

Following the poor inspection at HMP Birmingham in August 2018, notable progress has been made to better understand and analyse the causes of violence and anti-social behaviour. HMP Birmingham is operated by G4S. HMPPS stepped in at HMP Birmingham on the 20th August 2018 for an initial period of six months, which has since been extended and will be reviewed again in summer 2019. The prison is currently under the control of a public-sector Governor.

The Prison Reform Trust has completed a series of active citizen panel forums to assist with analysing the causes of violence and anti-social behaviour. The final report will be utilised to assist with our overall violence reduction strategy. Challenge, Support and Intervention Plan (CSIP) has been implemented with early evidence of harm reduction. This is supported by active daily use of the safety diagnostic tool. A weekly multi-disciplinary forum (including a range of specialist staff) has been introduced to support those individuals who are likely to be the perpetrators of violence. A successful safety themed week was
held in December 2018. This involved staff, residents and partners with the aim of launching our revised safety strategy. The strategy is based on the 5Ps system (People, Physical, Population, Partnerships & Procedural). There is emerging evidence that the safety strategy is proving to be effective: levels of violence are reducing; timely investigations are taking place; there is a better understanding of the drivers of violence; and the number of self-isolating men have significantly reduced.

Comparing the month prior to Step In, July 2018, to the current published figures in February 2019, the number of fights has more than halved (23 v 7), the number of assaults combined (prisoner on prisoner (70 v 28) and prisoner on staff (31 v 24) has halved, the number of incidents of deliberate damage (56 v 15) has more than halved and the number of incidents of disorder (22 v 10) has halved. The percentage of positive drug tests has significantly decreased (23% v 12%) which has been helped by the move to Intelligence Led searching and the introduction of a dedicated searching team which has seen an increase in the quantity of drugs (13 v 43) and mobile phones (13 v 40) that have been found and therefore removed from use by the prisoner population. These performance figures are now more in line with Birmingham’s Comparator prisons.

The original Operating Capacity of the prison was 1450 spaces, and following the closure of G Wing was reduced to 1334. After the HMPPS Step In, the population was further reduced by 306 places to allow for the closure of the Victorian Wings A, B and C. A and C Wings have already been decanted and B Wing will follow shortly as G Wing has now been refurbished to a high standard and will reopen by April. There will be a further small reduction in Operational Capacity to facilitate this taking place and the final Operating Capacity will become 977.

The staffing levels that were at their target levels in August 2018, were further supported by 14 detached G4S Prison Custody Officers and 50 HMPPS detached Prison Custody Officers. A number of HMPPS specialist seconded staff were also brought in to mentor staff and to help revise policies and procedures. The annualised levels of sick absence prior to Step In were 10.9 days and this has now dropped to 5.89 as the staff confidence returns and absences are better managed.

Competence and confidence of staff is improving through the delivery of training. Capital funding (circa £300k) has been secured to install CCTV throughout the prison. Partnership working with West Midlands Police and Crime Commissioner, West Midlands Police and the Crown Prosecution Service has improved the response to criminality and restored confidence in staff and residents that affirmative action will be taken where appropriate.

Several measures have been taken to support the recommendation that prisoners should live in decent, humane conditions. A clear focus upon cleanliness and hygiene has contributed to significantly reducing the number of rodents. A and C Wings are closed with G wing fully refurbished. The introduction of the Activities, Basics and Cleanliness (ABC) strategy is beginning to provide assurance that decent and humane living conditions are maintained. All certified accommodation is now subject to daily accommodation fabric checks. This is supported by regular residential management compliance audits.

Work has been undertaken to improve access to a decent regime, activities, association and exercise. A new core day, regime and staffing profiles went live on 3rd February 2019. The new staffing profiles included a stronger Senior Management Team, with additional roles of a Drug Strategy Manager, Violence Reduction Manager and an additional Head of Residence. Middle managers have also been increased from 41 to 50 to allow for additional management oversight of processes in all areas. This was supported by the introduction of the HMPPS “MY-DETAIL” rostering system. The new core day incentivises men to attend activities with the offer of increased access to evening association.

To improve the response to cell bells, a new system has been implemented to assist in meeting the five-minute response time expectation. This includes raising staff awareness through training and briefings. Monitoring processes have been introduced to assist with compliance.
To effectively monitor progress against recommendations, a new HMIP framework has been implemented. This overt system has been widely publicised across the prison and is underpinned by responsibility and accountability by senior leaders.

**HMP Bedford**

The HMIP inspection that took place between August and September 2018 found serious concerns around poor living conditions, a lack of purposeful activity, issues around safety, violence and drugs and a lack of control, despite the best efforts of staff at all levels.

The establishment has temporarily reduced its overall capacity from an Operational capacity of 487 to 406 to help address the concerns from HMIP on decency, order and control. An experienced Governor and Deputy Governor have taken up post and fourteen experienced staff of varying grades have been deployed to the establishment on detached duty with the aim of upskilling, supporting and training existing staff to deliver the levels of decency required.

A bespoke training package has been developed for inexperienced staff called 'the step-up programme.' To date 107 staff members have begun the programme and general confidence within the group is growing. This is being reviewed based on feedback and lessons learnt and a similar programme is now being developed for the management team.

Work has been completed to help improve safety at the establishment and to develop current violence based strategies, including a violence summit with local stakeholders to explore the reasons behind violence. The establishment has seen the implementation of the Challenge Support Intervention Plan (CSIP) and the rate of prisoner assaults is starting to show a downward trend.

New additional security measures have been introduced including replacement windows and grills in key areas to help reduce the ingress of drugs caused by throw overs or drones. Netting is being installed in high risk areas to support a reduction in the number of illicit items coming into the establishment. Two additional drug dog handlers have been agreed. Additional internal and external staff patrols have been implemented and the number of finds has increased. The establishment has also received a new Rapiscan which will aid the detection of illicit items.

Work is ongoing to improve the attendance of prisoners to education and other work. Although this has improved slightly there is much improvement required. The Prison Group Director has commissioned the Education Provider to implement an urgent plan to improve the quality of education provision to encourage attendance as there has been insufficient progress against this plan.

HMP Bedford has seen some progress regarding decency, cleanliness, and living conditions in all areas. Work in developing and embedding a “clean and decent” strategy is advancing and a new decency assurance process has been developed to include daily and weekly checks by managers. A refurbishment programme is underway and work has already been completed with new flooring, shower refurbishments, and a painting programme on A Wing showing some significant improvements. Pest control has improved and the maintenance backlog is being addressed.

I hope this letter reassures you that we take the issues raised in HMIP reports seriously and are committed to addressing these concerns.

RORY STEWART OBE MP