Dear Bob,

HM CHIEF INSPECTOR OF PRISONS REPORT ON HMP LEWES

Thank you for your letter of 22 May 2019. I apologise for the delay in responding, as the letter was only received by the department on 5 June. In your letter you raise a number of questions about performance at HMP Lewes while in special measures, the special measures process more widely, and progress on the Ministry's strategy to improve safety across the prison estate. I have set out a response on each of these issues below.

Special Measures

Support to governors in prisons subject to Special Measures may include, but not be restricted to, access to subject matter experts to support resource management; delivery of regime and system reviews; HR support to develop leadership teams; enhanced access to training; detached duty staff and temporary reductions in operational capacity (subject to wider population and capacity issues); and prioritisation for capital and other investment (to the extent that it is available), such as the visits centre refurbishment and reception and healthcare improvements made at HMP Lewes.

We have seen improved performance as a consequence of special measures arrangements and critically halted further decline where concerns have been most serious. HMP Rochester, HMP Hindley and most recently HMP Guys Marsh have come out of Special Measures following improved inspection outcomes. At Guys Marsh the inspection team recognised that there was some good work being undertaken on reducing violence and improvements had been made to reduce the supply of illicit drugs. Whilst there had been two self-inflicted deaths since the last inspection, they noted that support for those who self-harm was good. Scores across the healthy prison tests either improved or stayed the same since the last inspection. HMP Wandsworth, HMP The Mount and HMP Chelmsford were placed into Special Measures due to serious performance concerns. Subsequent inspections identified a number of issues consistent with those that led to the special performance support arrangements. The inspectorate however considered that arrangements were sufficient and an Urgent Notification was not invoked. The subsequent Independent Reviews of Progress at The Mount and Chelmsford identified that progress was being made across a number of the main recommendations.
The difficulties that prisons in Special Measures face arise from a combination of factors over a protracted period and the impact is now deep rooted and stubbornly difficult to change. In some cases resolving the issues will therefore require continued, determined effort over the next few years.

We recognise the need to continuously improve how we identify performance concerns and the support on offer to those prisons where performance is considered of serious concern. We have established a new Performance Directorate in HMPPS, reporting directly to the CEO. The Directorate sets performance expectations and monitors outcomes across HMPPS, ensuring that internal assurance is working effectively and to support/enable improvement activity.

One of the new Performance Directorate’s core functions is to support and enable service improvement. The Directorate is currently working with the operational line to enhance our approach to supportive intervention in prisons, building on existing best practice to provide structured support which is robust, timely and time bound. This activity will be tested in a number of prisons and will utilise best practice from the 10 Prisons Project, the Safety Programme and the existing support available to Special Measures prisons. The enhanced arrangements will include a rapid response team to ensure that performance improvement activity is delivered urgently and at pace. In addition to existing interventions, activity will focus on more rigorous development of strategic plans, engagement and communication with prisoners and staff, embedding of assurance and risk management systems, improving safety outcomes and ensuring that the corresponding resources are in place and effectively managed. A longer-term support package will be provided to build local capability and ensure that effective leadership is in place.

HMP Lewes

The decline in performance at HMP Lewes began after the previous HMIP inspection in January 2016. Following that inspection the staffing position deteriorated and the prison’s ability to run a full regime suffered. This led to instability, reflected in several disturbances and a serious concerted indiscipline in October 2016. It was clear that the prison needed central support to tackle the challenges they faced and it was placed in to Special Measures in January 2017. Performance concerns centred on the regime, staff shortages, staff retention, and an increased number of deaths in custody. Staff from other establishments provided support to Lewes and whilst this did lead to some progress it was not as swift as we would have hoped, with levels of violence increasing through 2017. Lewes was one of the first prisons to enter special measures and, at that point, levels of national support available to prisons in special measures were not as developed as they are now.

From August 2017 the senior leadership team was strengthened in terms of numbers, grades and experience levels. The prison reached better staffing levels in mid-2018, and performance began to improve in the second half of 2018. Whilst we recognise that there is still work to be done, since the application of special measures, the prison has seen significant improvements to the regime, and as noted at the latest inspection earlier this year assaults have fallen and self-harm has started to reduce as well; in April 2019, Lewes had the lowest levels of self-harm within their comparator group.

These improvements were well underway by the time the inspectorate visited in January 2019, but things had not recovered to the position that Lewes had been in when the inspectorate had visited 3 years earlier. Progress has continued since January, and the establishment is well-placed to make further progress and will focus on the Inspector’s recommendations to do so. In particular, now that Lewes is fully staffed they are in a position to roll out the key worker scheme and are able to offer a consistent regime to prisoners. The prison and local health commissioners are working together to improve the performance of the health provider, and they have also implemented a new team of healthcare professionals and senior prison staff to focus on reducing the number of self-inflicted deaths. The establishment has also awarded
a new education contract to Weston College which will address concerns the Inspectorate made on purposeful activity including taking a better account of the development of individual prisoners.

Improving safety across the prison estate

I share the Committee’s concern about the continuing high levels of violence, self-harm and in particular self-inflicted deaths. Improving safety is my and HMPPS’s highest priority for prisons. HMPPS’s national strategy for safety addresses the drivers of violence, self-harm and self-inflicted deaths and is split into 5 themes (the 5 P’s): People, Physical, Population, Partnerships and Procedural. All establishments in the adult estate now use this framework as the basis for their local safety plans. As you are aware, we are also testing new approaches to reducing violence through the 10 Prisons Project.

People

Work under this area is about ensuring that we have the right numbers of staff and that they provide the right level of authority, support and supervision to prisoners. We want staff to feel and be supported, particularly in the aftermath of traumatic events, and we are working to build capability and confidence through learning and development.

The investment in additional prison officers announced in the 2016 white paper has supported the introduction of key workers. By the end of April 2019, 60 establishments in the closed male estate had finished implementing key worker, and the remaining 32 have all begun implementation. Our focus is now on embedding the new approach so that 1-1 sessions between officers and prisoners are happening regularly and having the right impact on relationships and safety more widely. HMPPS has also begun planning implementation planning in the Women’s Estate, having made changes to the model to ensure our approach is gender-informed and appropriate to this part of the estate.

We are also continuing to rolling out improved suicide and self-harm training for new and existing staff. Over 14,000 staff have now completed all six modules, and over 25,000 staff have completed at least some of the modules.

In order to support staff appropriately following traumatic events, we have also trialled Trauma Risk Management (TRIM) which is a peer to peer support programme designed to assist people to deal effectively with the effects of a traumatic event. TRIM Practitioners are trained to identify sustained responses to these events in order to signpost the member of staff to the most appropriate support service. The trial is currently being evaluated and TRIM training will then be delivered in a number of priority prisons in early 2020.

Physical

Work under this area is about ensuring that conditions provide a protective and supportive environment that give a sense of safety for those that live and work in them as well as ensuring that we restrict illicit items coming into our prisons such as illicit substances which are a driver of violence. We work to ensure that the environment is clean, decent, promotes wellbeing and reduces levels of violence, self-harm and suicide.

To reduce the violence associated with drugs in prisons, it is essential that we restrict the supply of drugs, reduce demand through rehabilitative activities, and support prisoners to build recovery from substance
misuse. To tackle supply, we have trained more than 300 specialist drug dogs, introduced better technology and made it a criminal offence to possess psychoactive substances in prison, becoming the first prison service in the world to introduce innovative mandatory drug tests for psychoactive substances. We have invested £70 million to improve safety, security and decency in prisons, allowing us to fund new security scanners, improved searching techniques, phone-blocking technology and a financial crime unit to target criminals operating in prisons. These units work with prisons, the police and other law enforcement agencies to identify and take action against suppliers. We are also working with the police to catch and convict criminals who use drones to smuggle contraband into prisons. To date, there have been at least 45 convictions related to drone activity, with those sentenced serving a total of more than 140 years in prison.

We are continuing to closely monitor the use of PAVA in the four pilot sites, which is providing valuable learning for the planning of the roll out of PAVA across the adult male estate. A review of the decision to continue to use PAVA in the pilot sites has been undertaken and an operational decision was made to continue use in those sites but that staff undergo refresher training alongside refreshed training materials and guidance. We have also strengthened use of force governance and improved recording in these prisons. As part of the plans for roll out to the rest of the adult male estate, each establishment will undergo a thorough and robust readiness assessment before it can introduce PAVA, and only prisons who have rolled out the key worker scheme – which is vital in building relationships between offenders and staff – will receive PAVA following comprehensive training. Alongside the rollout of PAVA will be the introduction of a new Personal Safety package; (S.P.E.A.R.). This is to ensure that PAVA is introduced as part of a wider package of skills for staff to resolve and deescalate incidents. The training is based on using the body’s natural flinch reaction when faced with danger and focuses on pre-contact cues to give staff greater awareness of their surroundings.

We continue to recognise the value body worn video cameras (BWVC’s) bring and we have extended the maintenance contract nationally and we are exploring the possibility of improving our data management with a central server. Five Minute Intervention (FMI) continues to embed and support our safety initiatives, and the FMI manual is being reviewed to enhance and update its content.

We have undertaken a review of the use of and response to cell bells (cell call systems) and are taking actions and recommendations from this and we are undertaking a review of safer cells in the coming months.

Population

Work under this area is about ensuring that prisoners with needs that increase their risk of hurting themselves or others have these needs addressed and recognising that prisoners also have a role to play in improving their own environment and levels of care through peer support schemes.

We are currently testing in 8 prisons a new approach to categorisation of prisoners to give prisons better information about the risk prisoners pose: both escape risk and also other risks such as violence or continued criminality. The new policy is supported by a digital tool which brings together information to support prisons to make this fuller risk assessment.

We are continuing to improve the Assessment, Care in Custody and Teamwork (ACCT) process that prisons use to manage people at risk of self-harm or suicide, so that we ensure the ACCT process is consistently focused on individuals’ needs and multi-disciplinary working. We are currently piloting an updated version of ACCT at 10 prisons, informed by a consultation exercise held last summer. We are carrying out a formal evaluation and the evidence collected will be used to finalise a further updated
version by autumn of this year, with communications and training materials being made available by the close of 2019. We aim to begin national rollout in early 2020.

Debt, and particularly drug-debt, is a significant driver of violence across the estate. The issue of debt is closely linked to existing work on contraband and drug treatment, but reducing harm from debt requires work explicitly focused on debt itself. We have developed a Debt Framework for Governors which is designed to assist in the development of an establishments debt strategy. We are also working with individual prisons to develop innovative approaches to tackling debt, the learning from which will be available by the end of the summer, while pilot initiatives for the women’s estate are expected to be run and evaluated in early 2020.

**Partnerships**

Work in this area is about ensuring that we have effective, meaningful and impactful relationships and partnerships inside and outside of the organisation that support prison safety across the staff and prisoner groups.

We have refreshed our partnership with the Samaritans, which awards a grant of £500,000 every year for the next three years. This supports the Listeners scheme, which trains prisoners to provide emotional support to their peers. We also developed a peer support toolkit at the end of 2018 to provide prisons with the tools to develop local peer support strategies.

A joint HMPPS / MoJ Drugs Taskforce was created in Summer 2018 to tackle the use of drugs as one of the main drivers of violent behaviour in prisons. HMPPS published a national Prison Drugs Strategy in April 2019, accompanied by guidance to support prisons to tackle drugs. The strategy commits each prison establishment to introduce a Local Drugs Strategy tailored to its local needs and challenges by September 2019. To support this commitment, funding has been made available for Regional Drugs Leads. These thematic leads are building their knowledge and expertise, supported by the centre, to share experience and best practice locally, across the regions and nationally. Alongside this, the Drugs Taskforce is continuing its programme of Drug Diagnostic Visits to support the prisons most challenged by the impact of drugs, the learning from these visits is being fed into local strategies.

We are working with health partners to test and evaluate innovative approaches to tackling drugs in prisons through our £9 million joint MoJ / HMPPS and Department of Health and Social Care / NHS England Drug Recovery Prison pilot at HMP Holme House to build recovery from substance misuse. The National Partnership Agreement (NPA) for Prison Healthcare in England was agreed between the five health and justice partners in April 2018. This sets out how health and justice partners will work together to deliver the partnership’s core objectives and priorities, one of which is to reduce the impact and risk of substance misuse.

We have also recently run a Violence Symposium which considered our current approaches with academia and other organisations outside of HMPPS and MoJ. We are planning to run a Self-Harm & Suicide Symposium in the summer, again with representation from a wide variety of individuals, a range of government departments and others from outside of the organisation to test our work and learn from others.

**Procedural**
Work under this area is about ensuring that we have procedurally just processes with assurance to ensure that prisoners perceive them as legitimate and fair. We are working to ensure that we have strong risk identification and case management processes that challenge but also support the violent and vulnerable.

We have developed and implemented a Safety Diagnostic Tool (SDT), which is a web-based tool that provides management information and decision support to both HQ and front-line staff based on self-harm and violence data. A revised version of this SDT will soon be rolled out, which enables staff to see more detailed information on safety issues, from establishment level to individual level. The new version of the tool features more individualised information about those within our care and should help staff to better identify those who are at risk of harming themselves or others. This will help staff to ensure that individuals get the right type of support. The new version of the tool has been piloted and received positive feedback from staff.

We are rolling out a new case management model, the Challenge, Support and Intervention Plan (CSIP), to help staff to manage violent prisoners and those identified as posing a raised risk of being violent. CSIP was mandated across the estate in November 2018, and implementation is underway in a 3-stage approach, with support provided to establishments. CSIP provides a multi-disciplinary framework and consistent approach for case managing these individuals, that is person focussed to support individuals to move away from violent behaviours.

10 Prisons Project

In addition to the 5 themes of the national Safety Programme (the 5 P's), the 10 Prisons Project was launched in August 2018 with the aim of cutting violence in 10 of our most challenging prisons by reducing the supply of drugs, restoring basic decency, and bolstering leadership capability amongst the workforce. After ten months of the project, all 10 prisons have delivered new posts, training, and technology – including metal-detecting wands and trace detection machines. 9 out of 10 prisons have installed new x-ray body scanners with the tenth due to be installed by the end of July.

The 10 Prisons Project had an initial £10m investment that has been allocated to three distinct areas where it can have the most positive effect:

- enhancing security and capability to reduce the supply and demand of drugs – including body scanners, drug-detection dogs and other measures to improve internal and perimeter security;
- improving the standards of decency and cleanliness – including new medical treatment rooms, furniture and toilet privacy screens; and
- boosting leadership and staff capability - developing new training programmes to help Governors and prison officers build the skills they have told us they need for the challenges they face.

We will be announcing the results of the project in August 2019. Violence data from June to August 2018 will be compared with data from April to June 2019 – the most recent that will be available at that point – to establish whether progress has been made in improving safety. We are evaluating the project to identify practice and investment to replicate elsewhere.

Yours ever,

Robert

ROBERT BUCKLAND QC MP