Urgent Notification at HMP Birmingham

Thank you for informing us of the urgent notification issued by the Chief Inspector following his visit to HMP Birmingham, and for your continued cooperation on this matter. I'm sure you will agree that what the Chief Inspector reports having seen at Birmingham is shocking. We await the full report, but the findings he has shared so far are the worst I think we have seen.

As you know we have corresponded on previous urgent notifications, and I am grateful to you and officials at the Ministry and HMPPS for your ongoing assistance. We do, however, remain deeply concerned about the conditions in which some prisoners are living. It is especially worrying that it falls again to the Chief Inspector to shine a light on ongoing problems which should have been raised and resolved through normal reporting and oversight mechanisms long before his visit.

There were many red flags prior to the Chief Inspector's visit to Birmingham that do not appear to have prompted sufficient improvement. We saw a similar pattern leading to urgent notifications in Liverpool and Exeter, but it is particularly startling in this case because of the significant disturbance at Birmingham (which endangered the lives of both prisoners and staff). It appears that even this was not enough to result in a demonstrable improvement in conditions. Both the disturbance and a subsequent inspection prompted action plans, but it is not clear if they led to improvement. I echo your comments in the Chamber last week that this is unacceptable.

We welcome your proactive approach, but we remain deeply concerned by the failure of individual prison Governors (or Directors), HMPPS and the Ministry to act to rectify problems when they are identified. I have discussed this with my Committee and the severity of the situation in Birmingham has led us to conclude that we must act to hold the right people to account for this failure. I have asked Clerks to contact officials at the Ministry to arrange for a public evidence session so we and the staff, prisoners and families of HMP Birmingham can understand what went wrong and what the Ministry is doing to fix it. We hope you will be
able to attend and will be as open, honest and helpful as you have been to date and were
during our evidence session in January on HMP Liverpool. Officials will arrange an appropriate
date which will be confirmed in due course, but it is likely to take place shortly after we have
seen the full HMIP report and your action plan.

In the mean time we would like clarity on the following and would be grateful if you could
provide a written response at your earliest convenience:

- You said in the Chamber, that issues with Birmingham have been ongoing for a while.
  o What information were you collecting from G4S on their performance at
    Birmingham?
  o When were issues were first identified, and what action was taken as a result?
- A number of action plans have been put in place at Birmingham:
  o Can you provide us with all the action plans that have been put in place since
    January 2016, and the log of progress against them.
  o If progress against action plans fell short of expectations, what action was
    taken?
- You said that you had issued G4S with notices to improve:
  o When were notices to improve issued and what prompted them?
  o What measures did you put in place for G4S to demonstrate the improvement
    required?
  o Did the prison show improvement following these notices?
  o Did the Government penalise G4S in any way - for example, issuing financial
    penalties if they did not meet their contractual obligations? If not, was this
    because G4S were meeting their contractual obligations, or were there other
    reasons?
- You noted that G4S had changed the Director (also known as the Governor) of HMP
  Birmingham prior to the most recent inspection visit:
  o In January 2018 G4S announced that it was going to move the Director of HMP
    Birmingham to Oakhill STC. Was this the move you referred to?
  o If so, why was this Director moved to a facility that was also struggling, having
    been rated Inadequate by Ofsted two months earlier, in November 2017? If
    not, can you provide additional information on Director moves, for clarity?
- We now know that 300 prisoners have been moved out of Birmingham:
  o When was the decision taken to reduce the number of prisoners at
    Birmingham, and what prompted that decision?
  o Where have the prisoners moved out of Birmingham been moved to?
  o What has been the impact for receiving prisons and how have the Ministry or
    HMPPS assisted receiving prisons in catering for the additional prisoners?
- You noted that you have brought 32 prison staff into Birmingham:
  o Are these 32-staff full time equivalent, and if not, can you clarify how many full
    time equivalent posts have been moved into Birmingham?
  o What mix of grades and roles are these staff (i.e. are they all prison officers)?
  o Where did the additional 32 prison staff come from, and have other prisons
    lost staff in order to put more staff into Birmingham?
- You said that action was being taken with no additional cost to the tax payer:
  o We understand that you are not currently paying G4S to run the prison. Are
    the Government currently paying G4S staff in the prison, and covering G4S
overheads in the prison, or are G4S still paying these costs out of their own pocket?

- If this cost is being picked up by Government, does the money which would normally be paid to G4S for this contract cover the current running costs, including the additional 32 staff?

Many thanks again for your continued co-operation on this matter. I understand that we have asked a number of detailed questions and would invite officials from the Ministry to contact the Clerks of the Committee to arrange a reasonable timeframe in which to respond before the public evidence session.

Bob Neill
Chair, Justice Committee