



Ministry
of Justice

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House of Commons
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The Right Honourable
Michael Gove MP
Lord Chancellor & Secretary
of State for Justice

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Dr Bob,

PRISON REFORM

Thank you for your letter of 23 March following my evidence to the Committee on 16 March.

Prison reform is, as you know, one of my top priorities and I very much welcome the Committee's desire to contribute to this work. Thank you for letting me know that the Committee would like to undertake pre-legislative scrutiny, should a draft of the legislation be published. I will bear this in mind as the legislative timetable develops, and we will certainly keep you informed as our plans progress. The precise timetable for the White Paper has not yet been set, but I expect that it will cover both legislative and non-legislative matters.

You referred to Alberto Costa's question about the future operational plans for HMP/YOI Glen Parva. Whilst we are working to modernise the wider prison estate, our immediate focus is how we manage adult prisoners now to make best use of the existing prison estate to provide places for all of those committed to custody. The number of young adults in custody has fallen by 40% since 2010 while the adult population has increased by around 10%. This has caused Glen Parva to operate with a significant number of unfilled places at the same time that pressure has grown to provide more places for adult prisoners. This is clearly not a sustainable position and we had three options to manage it: close Glen Parva altogether and move the young offenders further from home; change Glen Parva into an adult prison; or retain the young offenders in Glen Parva and fill the empty places with adult prisoners. After careful consideration we chose the third option because it provides the best outcome for the management of both adults and young adults and it is the way that we already operate successfully in a number of former young offender institutions, such as Portland, Rochester and Stoke Heath. The safety of the public, staff that work in prisons and prisoners themselves will always be the primary consideration for NOMS. Young adults held alongside adults in prisons such as Glen Parva are always accommodated in separate cells from adult prisoners.

Whilst this decision has been taken in relation to Glen Parva, it is not irreversible and can be modified in future should estates need to change. This does not, therefore, pre-empt the government's consideration of the future of the sentence of detention to a young offender institution. I look forward to the Committee's views on this issue in its forthcoming young adult inquiry report.

You also asked for clarification about ministerial responsibility for the disposal of the Holloway site. Caroline Dinenage MP, as Parliamentary Under-Secretary of State for Women, Equalities and Family Justice, is liaising with the London Mayor's Office for Policing and Crime and with voluntary sector stakeholders on the question of how best to support continuity of women's services in London, following the closure of HMP Holloway. The final decision on the disposal and sale of the site at Holloway, and indeed on all matters relating to my department's responsibilities, rests with me as Secretary of State. In making such a decision, I will be informed by the conclusions which Caroline reaches in the work which I have described, and I did not wish to pre-empt those conclusions in my evidence to the Committee.

You asked whether I had examined the situation of prisoners who are serving sentences of imprisonment for public protection (IPP) and who remain in prison beyond their original tariff. The tariff is the minimum custodial period which has to be served, and release on completion of the tariff is not automatic. These prisoners continue to be detained because the level of risk they are assessed to pose to the public is too great to be safely managed in the community. I believe it is right, therefore, that release continues to be determined by the Parole Board on the basis of the overall assessment of risk presented by the offender. Offenders serving an IPP are released when the risk presented by them has reduced to the level at which the Parole Board may direct their release on licence, as demonstrated by the latest figures which I attach.

Whilst I have no current plans to change the statutory release test, initiatives are underway to make sure that all IPP prisoners have the opportunity to progress towards release by demonstrating that they have reduced their level of risk. NOMS has redirected resources towards early assessment of offenders' needs and prioritising places on offending behaviour programmes, and IPP prisoners continue to be a priority group to receive interventions. NOMS has increased the supply of rehabilitative interventions for IPP prisoners, and has invested in interventions where there is a strong evidence base that they will have a positive impact on offenders' risk. Work is underway to ensure programmes can be delivered more flexibly, supporting greater access and inclusion of offenders with more complex needs such as learning difficulties.

It is important, however, to remember that it is not mandatory for Indeterminate Sentence Prisoners (ISPs - both those serving life sentences and IPP sentences) to complete accredited offending behaviour programmes in order to achieve release. Accredited offending behaviour programmes are only one of the interventions available to help reduce prisoners' risks. Completion of an accredited programme is no guarantee that a prisoner's risk has been reduced. In December 2014, NOMS introduced a progression regime in the closed estate to support ISPs who are no longer permitted to progress to open conditions due to an abscond history. The purpose of the regime is to re-introduce the responsibilities, tasks and routines associated with daily life in the community and to test prisoners' readiness to respond appropriately to the trust placed in them, and to pursue activities and relationships which support rehabilitation. The regime also aims to provide offenders with opportunities to build evidence, to the satisfaction of the Parole Board, that they have reduced their risk sufficiently to be safe for release.

I am reassured that the Parole Board is extremely positive about the regime and my officials are considering which other groups of ISPs may benefit from time spent on the regime. This includes IPP prisoners who have failed to progress to open conditions or release after three or more post tariff parole reviews, as well as those who have secured release via the Parole Board but subsequently are recalled to custody for breaching their licence conditions. This is a starting point from which we can make sure that we learn from the successes of the regime and apply its principles elsewhere.

Linked to the work on the progression regime, psychology case file reviews are being undertaken with some of the IPP population. NOMS has identified an IPP prisoner cohort who are not making progress as anticipated and is looking at what more can be done in these cases. The focus to date has been on offenders serving IPPs for violent offences who have failed to progress to open conditions or release after

three to five parole reviews. A team of senior psychologists and policy officials is reviewing these cases and has identified actions for offender managers to re-engage the offenders. In some cases, offenders have been transferred to the progression regime at HMP Warren Hill. The analysis will provide us with a more in-depth understanding of why these prisoners have not been able to successfully reduce their risk enough to achieve release. I hope this will inform measures that could help increase the speed of less dangerous offenders towards release into the community, without endangering the public.

Thank you once again for providing me with the opportunity to explain to the Committee the government's plans for prison reform. The Prime Minister and I have outlined our desire to make prisons work effectively through demanding more of our prisons and from offenders, and I look forward to making that ambition a reality.

With every good wish,
as ever,

M. Gove

MICHAEL GOVE

Tariff-expired IPP prisoner population by original tariff length and time over tariff, 31 December 2015

Time over tariff	Original Tariff length					Total
	Less than 2 years	2 years to less than or equal to 4 years	Greater than 4 years to less than or equal to 6 years	Greater than 6 years to less than or equal to 10 years	Greater than 10 years	
Less than 1 year		112	137	69		318
From 1 year to less than 2 years	21	188	147	47		403
From 2 years to less than 3 years	48	225	135	19		427
From 3 years to less than 4 years	53	262	120	8		443
From 4 years to less than 5 years	53	291	102	1		447
From 5 years to less than 6 years	81	362	41			484
From 6 years to less than 7 years	135	288	2			425
From 7 years to less than 8 years	198	103				301
From 8 years to less than 9 years	113	13				126
From 9 years to less than 10 years	15					15
From 10 years to less than 11 years	2					2
Total	719	1,844	684	144	0	3,391

