



Ministry  
of Justice

The Right Honourable  
**Stuart Andrew MP**  
Minister of State for  
Justice

Chair, Independent Monitoring Board  
HMP Lowdham Grange  
Lowdham  
Nottingham  
NG14 7DA

5 August 2022

Dear Chair

**HMP LOWDHAM GRANGE: INDEPENDENT MONITORING BOARD ANNUAL REPORT  
FOR 1 FEBRUARY 2021 – 31 JANUARY 2022**

Thank you for your Board's report for the year ending 31 January 2022. I am grateful to you and your colleagues for your hard work, especially as you had a few vacancies. I was saddened to hear that four prisoners died in custody during the reporting year. As you are aware the Prisons and Probation Ombudsman (PPO) carry out independent investigations into deaths in custody and I would like to assure the Board my officials take recommendations from the PPO very seriously.

Regarding the outstanding inquests into the deaths in custody referenced in last year's annual report, my officials have contacted the Coroner's Office on my behalf. As in many areas across England and Wales, jury inquests in this coroner area could not be completed during the national pandemic restrictions and have also been affected by social distancing requirements. Although investigations are often complex, involving many Agencies as Interested Persons, and necessitate the summoning of a jury where the deceased died an unnatural death or the cause of death is unknown, the Coroner's team have continued to do all they can to ensure bereaved families remain central to processes.

Since September 2021, the City of Nottingham and Nottinghamshire Coroner Service (who also undertake inquests for deaths in three other prisons, a secure hospital, and police custody), has completed ten death in custody inquests, all requiring a jury, and including the two oldest deaths at HMP Lowdham Grange. All deaths in custody prior to 2021 across the coroner area now have allocated listing dates before a nominated coroner and will be completed within the next ten months. Of the five outstanding inquests at HMP Lowdham Grange, inquest hearings for the three oldest deaths are scheduled to take place by March 2023. PPO reports are awaited on the two most recent deaths (in August 2021 and October 2021). The Senior Coroner for the City of Nottingham and Nottinghamshire can provide your Board with further updates if required through the IMB Secretariat.

As the Board is aware, the Imprisonment for Public Protection (IPP) sentence was abolished in late 2012 by the Legal Aid, Sentencing and Punishment of Offenders Act. This abolition was not applied retrospectively as the Government at the time took the view it would not be right to alter sentences that had been lawfully imposed prior to abolition. In terms of progression and risk, HM Prison and Probation Service (HMPPS) is committed to doing all they can to support these individuals in their progression towards a safe release. This commitment continues to be delivered by a bespoke and regularly refreshed IPP Action Plan. This also includes a work stream to oversee specialist progression regimes, which gives a chance to develop and test prisoner's ability to manage their risks in an environment of increasing

freedom and responsibility. These efforts continue to deliver a substantial reduction in the number of IPP prisoners who have never been released with the number standing at 1,554 at the end of March 2022. It is important to note that a proportion of those who remain in prison are still assessed as posing a high risk of committing further violent or sexual offences and have a complex set of risks and needs.

Following the publication of the Justice Committee's report into the IPP sentence, expected in early July 2022, HMPPS will be reviewing the IPP Action Plan taking account of the evidence presented in the publication, so HMPPS can be confident that they are focusing its resources and efforts on the right aspects of progression.

Turning to your comments on mental health, some closures within the secure hospital estate due to positive Covid-19 cases caused delays to admission and significant waiting times. NHS England and NHS Improvement Health and Justice are concerned that people in prison are experiencing long transfer waits to a suitable secure hospital but as the Board will appreciate, the secure care pathway is complex and challenging. However, I can assure you that the healthcare provider is working collaboratively with colleagues across departments to aid better access to secure hospitals. Multi-agency Delayed Hospital Transfers clinical case reviews continue and since April 2022 there has been a greater presence by the Mental Health Team at Segregation review meetings. The individual mentioned in your report who had been waiting nine months for a secure bed has recently been transferred to a hospital.

More broadly, my department has been working closely with the Department of Health and Social Care to reform the Mental Health Act (1983) to ensure people with severe mental health needs receive better, more personalised care, with greater autonomy over their treatment. The draft Mental Health Bill for pre-legislative scrutiny was published on 27 June 2022 and it contains several policies to improve support for people with acute mental health needs in contact with the criminal justice system. This includes, introducing a statutory time limit of 28-days for transfer from prison and other places of detention to hospital, where the individual meets the threshold for treatment under the Act.

In the Prisons Strategy White Paper, we committed to refreshing the National Partnership Agreement (NPA) for Healthcare in Prisons in England, which will be developed to include People released from Prison or on Probation. The new NPA is due to be published this year and will detail a shared priority workplan to deliver safe, decent, effective healthcare.

Turning to some positives captured in your report, it was encouraging to receive your comments that the on-site Healthcare Team and prison staff response has been remarkable in their handling of the serious outbreaks of Covid-19. I was pleased to note the continued efforts and preventive measures made to tackle the ingress of illicit items.

I note you have raised some local issues of concern in your report which the Director will continue to keep you aware of as work continues. HMPPS comments in response to other issues raised in your report are set out in the attached Annex.

The Justice Secretary and I appreciate the valuable role played by members of Independent Monitoring Boards throughout the estate and we are very grateful for your continued hard work on behalf of HMP Lowdham Grange.

  
STUART ANDREW MP

## HMP LOWDHAM GRANGE: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 FEBRUARY 2021 – 31 JANUARY 2022

### HMPPS comments on matters raised in the report

#### **Prison Regime**

The Covid-19 pandemic has seen the biggest operational impact on prisons for a generation. HMPPS recovery from the restrictions presents as great a challenge as the response itself. As the Board has identified, the pandemic has left areas of backlog and a series of competing demands. We intend to move beyond restoring our service to transforming delivery in a range of areas, including regimes, considering pandemic learning, and our experience of different ways of working in the past two years.

An oversight of the level of purposeful activity in each prison is being captured weekly and currently a positive upward trend showing increased employment and regime engagement. A dedicated Regime dashboard now provides this management information locally and centrally ensuring progress is tracked and any concerns identified to drive supportive action via the management line or centrally where required.

There has been considerable active engagement between HMPPS Directors and the Future Regime Design Project Team to achieve the maximum quality from the quantity of regime that can be delivered in prisons. We continue to be ambitious in transforming the regimes we deliver and developing new practice to make prisons more purposeful and more able to meet individual needs and ensuring we have the capacity to respond to the most acute staffing challenges in the system through cross deploying resources where there is greatest need.

HMP Lowdham Grange has recently exited the Covid-19 national framework and successfully re-mobilised its operations enabling prisoners to have the opportunity to attend all aspects of the prison regime.

#### **Probation Services**

Key probation interventions to support successful resettlement, such as accommodation and personal wellbeing, are delivered by the Commissioned Rehabilitative Service (CRS) providers to sentenced people in prison and on probation. CRS providers are mandated to have a presence in the resettlement prisons in their region and HMPPS is currently working on extending the contracts for Accommodation to unsentenced people in prison with delivery expected to commence this Summer. Additional CRS contracts, to provide Finance, Benefits and Debt (FBD) will commence across several Regions in Autumn 2022.

Under the new resettlement approach all resettlement prisons including locals, will have an embedded resettlement provision managed by or otherwise linked to a Probation Delivery Unit. The embedded Pre-Release Teams will provide pre-release services not currently available via CRS including FBD services and support services to the people in prison. The transition period following unification has affected the delivery of resettlement services in some prisons. Regional Probation Directors are working to stabilise the Pre-Release Teams and CRS provision to secure improved service delivery to all people in prison.

HMP Lowdham Grange has a total of 8.2 Probation Officers (POs) against a target of nine POs. As such, there is no reason for Prison Offender Managers to be working with high-risk prisoners except in a case management support role.

**Prisoners' Property**

It is anticipated that the new Prisoners' Property Policy Framework will be published this Summer 2022 and any digital changes are likely to be longer-term and will not be part of the forthcoming Framework.

**Family Liaison Officers (FLOs)**

The central Learning and Development (L&D) Team worked in conjunction with HMP Lowdham Grange to prioritise access to FLO training places to reach the desired staffing level of six (as three trainees have recently passed the course).

Regarding the Board's concerns about the number of courses offered, L&D Team has delivered 23 courses since April 2021 when they resumed training following the easing of lock down restrictions. The baseline figure is normally 12 courses a year (one per month), but in order to cater for the increased demand, they have almost doubled this. The L&D Team will continue to work closely with establishments to ensure their training needs are responded to efficiently and as soon as practicable.