

The Rt Hon Damian Hinds MP
Minister of State
Ministry of Justice
102 Petty France
London
SW1H 9AJ

19 December 2022

Dear Minister

The impact of current capacity pressures on prisons

I am writing to pass on the information we are receiving from prisoners and their loved ones about the impact of the current capacity pressures, to enquire how those pressures are being monitored and to ask what further measures you have in reserve should they continue to increase.

As you may know, we operate free advice and information services for prisoners and their families. Although we have been hearing for many months about the continuation of excessive time in cell, as a consequence of staff shortages rather than Covid, those complaints have become more frequent in recent weeks. We have also heard from the IMB at Pentonville about the terrible impact of a decision to cram more men into that already chronically overcrowded prison, and from prisoners who are being forced to share cells as similar decisions are taken elsewhere to alter overcrowding levels that were previously deemed to be as much as a prison could decently maintain. We note that at HMP Bristol where the heating system has failed, the response has had to be to issue extra blankets rather than move prisoners to prisons where they could live in civilised conditions while the problem is fixed.

We have also noted the response to the urgent notification at Exeter, and in particular that, in contrast to similar situations in the past, it includes neither a reduction in overcrowding at that prison nor an increase in the complement of band 3 prison officers. In our judgement, that response, fundamentally constrained by the national situation, falls well short of what is required, and does too little to mitigate the risk of continuing avoidable fatalities.

We know that you are aware of these chronic operational problems, and that you implemented the unfortunately named "Operation Safeguard" as a consequence. But we worry that you continue to answer parliamentary questions on the matter in a way that implies that the majority of prisons are operating normally. In reality, there is no central measurement of how many prisoners are spending how many days in excessive confinement. The only reliable measure appears to be the snapshot figures provided in a succession of inspection reports, which comprehensively undermine any implication that all is well.

It is obvious to people living and working in prisons, and to those that visit or are in communication with people in prison, that the system is chronically overloaded. The temporary expedient of using police cells has not improved regimes which are unrecognisable from the ambitions set out in the Prison Strategy White Paper.

We have four questions which seem to us to be urgent now, and likely to become even more pressing as courts resume in the first week of the new year:

- How are you monitoring excessive confinement?
- What is the department's projection of the prison population and capacity over the next 12 months?
- How long does the department intend to keep Operation Safeguard in place?
- What further measures do you plan in the immediate future to reduce both excessive confinement and overcrowding?

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Dawson', with a stylized, cursive script.

Peter Dawson
Director
Prison Reform Trust