

Peter Dawson
Prison Reform Trust
15 Northburgh Street
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24 January 2023

Dear Peter,

THE IMPACT OF CURRENT CAPACITY PRESSURES ON PRISONS

Thank you for your letter of 19 December, regarding the impact of recent capacity pressures on prisons.

The Government is committed to improving conditions for prisoners, making our prisons useful places of rehabilitation, and reducing reoffending. Our number one priority is protecting the public and cutting crime by taking dangerous criminals off the streets. We can only do this by always ensuring we have sufficient prison places to serve the courts.

You have asked how we are monitoring confinement in prisons, and the further measures we are planning in the immediate future to reduce confinement and crowding. The number of crowding spaces is set via a robust and fully transparent capacity challenge process, agreed through HMPPS governance, that identifies spaces that can be delivered whilst maintaining levels of decency. Upholding this process of determining maximum available capacity and viable crowding is crucial in operating and maintaining a safe estate. Whilst we are committed to protecting the public and cutting crime, the safety and decency of our prisoners is also paramount. That is why we continually monitor prison conditions and Regime Management Plans (RMPs), and take places on and offline depending on safety, stability, staffing levels and maintenance needs. Each prison has a RMP, unique to them, which sets out the regime activities they provide and on a weekly basis each prison provides a RAG rated return indicating their average RMP operating state across the week. As the RMP's are unique to each prison, delivery in each prison is different, but the weekly assessment allows us to maintain an overview of regime delivery across all prisons.

Some prisons are experiencing resourcing pressures that is impacting on regime delivery and stability. Where this is the case, prisons can submit a business case to the Operational Stability and Resourcing panel (ORSP) which meets weekly, chaired by the Deputy Director Prisons. ORSP provides resourcing support to our most challenged prisons through the use of detached duty and enhanced overtime payments for operational staff. There are currently 46 prisons being supported through ORSP. We continue to invest in measures to make prisons safer for both prisoners and staff, and in critical prison maintenance and renewal, which ensures that we keep as much capacity as possible in use and fit for purpose.

Your letter particularly references incidents in HMP Pentonville, HMP Bristol and HMP Exeter.

- HMP Pentonville's operational capacity level was set at 1,140 in mid-August 2022. Once all refurbishment and maintenance work currently under way is complete, operational capacity is

scheduled to increase to 1,205. This remains below the historical operational capacity of 1,310 and, while some crowding will be necessary at HMP Pentonville for the foreseeable future, this ongoing capacity reduction should serve, in part, to alleviate the current operational challenges.

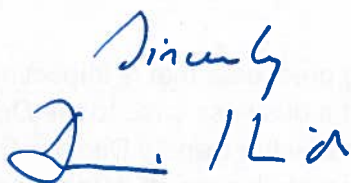
- Prior to Christmas, the heating system at Bristol failed and temporary plant was brought in until repairs were made on 4th January 2023. The repaired system is continuing to be monitored, and the hired unit will temporarily remain on site as contingency.
- We are investing in additional resources to support Safety at HMP Exeter for a period of 12 months. The target staffing figure for B3 Officers at HMP Exeter is 130, their current staff in post figure is 127, including Officer apprentices currently at college, overall, this shows a healthy resourcing picture.

You have asked for the department's projection of the prison population over the next 12 months, and how long we intend to keep Operation Safeguard in place. Prison population projections are a national statistic and our 2021 – 2026 projections are published on the Gov.uk website. At the usual time that we prepare population projections for publication, we were experiencing a greater level of uncertainty in the drivers of demand for prison places due to the Criminal Bar Association (CBA) strike action. At the end of strike action, we determined it would be more reliable to incorporate data from the post-strike action period, meaning that we needed to delay our next set of projections. We intend to update the population projections in due course. As announced on 30th November, following a recent surge in the adult male population, we are working with the National Police Chiefs Council (NPCC) to bring c. 400 police cells into use for prisoners, to provide additional capacity as and when it is needed. Operation Safeguard is a temporary measure to provide immediate additional capacity and to support the smooth running of the prison estate.

Beyond Operation Safeguard as a temporary measure, we remain committed to delivering 20,000 additional, modern prison places. As you will be aware, these places are being delivered through the construction of new prisons, the expansion and refurbishment of the existing estate, and temporary accommodation. We have already delivered over 3,100 places, including the recent re-role of HMP Morton Hall and the brand-new prison, HMP Five Wells. 1,700 further places are being created through the delivery of HMP Fosse Way, and construction has started at a new prison in Yorkshire which will open in 2025. This is in addition to the thousands of places being created through the building of new house blocks and major refurbishment programmes across the estate.

I am grateful for your ongoing engagement on this issue and your membership of the Independent Advisory Group, through which I know my officials will keep you updated on further developments on prison capacity.

I would like to thank you for taking the time to raise these concerns.

A handwritten signature in blue ink, appearing to read 'Damian Hinds', with a stylized flourish below it.

Damian Hinds
Minister for Prisons and Probation