



HM Prison &
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Andre Rebello
Senior Coroner
Coroners Court and Offices
Liverpool and Wirral Areas
Gerard Majella Courthouse
Boundary Street
Liverpool L5 2QD
13 February 2019

Dear Mr Rebello,

Thank you for your Regulation 28 Report of 19 December 2018 following the inquest into the death of Michal Piotr Netyks at HMP Altcourse on 7 December 2017.

I know that you will share a copy of this response with Mr Netyk's family and I would like first to express my condolences for their loss. Every death in custody is a tragedy and the safety of those in our care is my absolute priority.

I am responding to your concerns that Foreign National Prisoners who are liable for deportation and detained within the prison estate do not have the same access to free legal advice as those held in Immigration Removal Centres. You were also asking for confirmation that the Ministry of Justice would be carrying out a review of first floor mezzanine safety, to include both railings and netting. I understand that the Home Office will respond directly you on the other matters raised.

You may be interested to know that in response to a recommendation in the report by [REDACTED] "Assessment of government progress in implementing the report on the welfare in detention of vulnerable persons" (2018), HM Prison and Probation Service and the Home Office are reviewing the policy for managing Immigration Detainees in prisons. As part of this review consideration is been given to how Immigration Detainees in prison are able to access immigration legal advice. This review will be concluded by the summer.

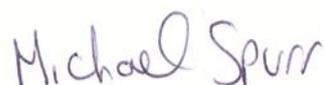
The Director at HMP Altcourse has also implemented a number of measures to ensure that when prisoners are told of immigration decisions of continuing detention, these are communicated effectively and in a way that minimises the prisoner's distress and that their risk of suicide and self-harm is assessed as part of this process. All prisoners are now informed of such decisions in a private office, by the Foreign National Lead, or if not available, by a Safer Custody first line or cluster manager, with a wing manager present. Any increased risk or concern can then be assessed and ACCT procedures instigated if necessary. NOMIS is updated with a record of the conversation including that a risk assessment has taken place. A Notice to Staff has been issued reminding staff that the Big Word translation service must be used where there are any language barriers. This information is also be displayed in the wing offices and is available on the establishment's database. Managers will also be made aware of all Foreign National prisoners on a weekly basis by email. Equalities staff will also carry out checks to ensure that procedures are being followed in each case.

In terms of the railings and netting at the establishment, the MoJ Estates Directorate keeps its construction and maintenance policies under continual review and looks to develop them in response to changes in legislation, developing industry best practice and events and trends in prisons themselves. In the last three months they have become aware of two incidents of falls from first storey balconies in prison house blocks. In the light of those incidents and in response to your concerns, the MoJ Estates Directorate Technical Standards team has agreed to carry out a review of balcony design.

Proposals for the review have now been developed and the HMPPS Estates Standards Governance Board will ensure that they are fit for purpose. The review will look to confirm the numbers of falls or instances where prisoners have nearly fallen from balconies. It will assess the level of risk, both in terms of likelihood and impact and will check that current design policies are suitable and, if necessary, revise them. The review will also consider issues relating to balustrades and netting amongst other things, with a view to this being completed in the autumn.

Thank you again for bringing this matter of concern to my attention. We will ensure that learning from this tragic incident is shared widely across the prison estate.

Yours sincerely

A handwritten signature in blue ink that reads "Michael Spurr". The signature is written in a cursive, slightly slanted style.

Michael Spurr