

Director General of Operations
HM Prison and Probation Service
8<sup>th</sup> Floor Ministry of Justice
102 Petty France
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Ms Kirsten Heaven HM Assistant Coroner for Swansea Neath & Port Talbot The Guildhall Swansea SA1 4PE

You have expressed concerns regarding

08 December 2022

in the safer cell on the induction unit

Dear Ms Heaven,

Thank you for your Regulation 28 report of 20 October 2022, addressed to the Governor of HMP Swansea and myself. I am responding on behalf of His Majesty's Prison and Probation Service (HMPPS) as Director General of Operations.

I know that you will share a copy of this response with Mr Evan's family, and I would first like 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.

As you have described, the unit within the safer cell on the induction unit has been replaced with plastic material that can be slid to allow prisoners to gain air from the outside into the cell. This function reduces the risk of an individual utilising the bars as a ligature point and, in certain cases, those who are assessed as presenting with higher or imminent risk of suicide will be located there. Whilst replacing the in the normal cells on the induction unit at HMP Swansea with those described will mitigate the risk of individuals using as ligature points, it would not make these cells ligature-resistant. Therefore, the suggested action will be made at a prohibitive cost as we do not consider that the change will achieve its intended outcome of mitigating all risk.

Staff recognise that prisoners may feel vulnerable during their early days in custody and HMPPS uses the Assessment, Care in Custody, Teamwork (ACCT) case management approach to support people at risk of self-harm and suicide. As part of any case review, those present will consider the prisoner's location and whether any possessions need to be removed or returned, and this may include moving the prisoner to a ligature-resistant cell if appropriate. HMP Swansea has multiple ligature-resistant cells that are available to locate prisoners who are assessed as being at imminent risk of self-harm or suicide.

At a national level, HMPPS is undertaking a review of ligature-resistant cells, which have been designed to eliminate ligature points as far as possible, including from the will include their build standards and how they are used to support prisoners in crisis. Our aim is to ensure that cells that are fitted with ligature-resistant features are available as an option for staff managing prisoners in crisis, and that they retain those features in full working order and do not deviate from the standard over time. At this point it is too early to say what new rules may be introduced, such as setting the frequency of maintenance, although we do recognise that cells are subject to constant wear and tear and need frequent attention to keep them up to standard.

I recognise the importance of ensuring that any evidence relating to deaths in custody is preserved, including the recollections of staff who have had recent interactions with the deceased individual. Prisons are required to have contingency plans in place that include debriefs with staff who were on the scene at the time of the incident, but these will not be the only staff to have had potentially relevant contact with the prisoner. We are currently drafting a new HMPPS Policy Framework, updating the policy for prisons to follow in the event of a death in custody, and within this will include guidance for prisons to ensure that staff who have relevant information are identified and prompted to make a record of this at an early stage. This will ensure that it is available at a later date, even if they are not required to give a police statement or interviewed by the Prisons and Probation Ombudsman (PPO) as part of their investigation.

Thank you again for bringing your concerns to my attention. I trust that this response provides assurance that action is being taken to address this matter.

Yours sincerely,

**Director General of Operations**