



# HM Prison & Probation Service

**Director General Prisons**  
**HM Prison and Probation Service**  
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Michael Spence  
Assistant Coroner for the area of East Sussex  
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East Sussex  
TN38 9UH

22 September 2023

Dear Mr Spence,

Thank you for your Regulation 28 report of 2 June 2023 addressed to HMP Lewes and the Ministry of Justice following the inquest into the death of Andrew Dean at HMP Lewes on 26 March 2021. I am responding on behalf of HMPPS as Director General of Prisons. I am grateful to you for granting an extension for the response and apologise for the late return.

I know that you will share a copy of this response with the family of Mr Dean, and I would 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.

Following evidence heard at the inquest you have raised two concerns which I will address in turn. Your first concern is about the process for ensuring that new prisoners can successfully make first contact with family members. The national policy provides for an exception to the monitoring arrangements that must be put in place for prisoner calls for “at least one initial phone call to be made by prisoners on the first night in Reception, if available, or else in the first night location, in line with paragraph 2.42 of PSI 07/2015 – Early Days in Custody”, and requires Governors to make local arrangements to facilitate this. I acknowledge that the policy does not cover what to do when contact cannot be made on the first night, but it is clearly within the spirit of the policy that this exception should continue to apply until at least one successful call has been facilitated. I would expect Governors to make sure that this occurs, and we will make this clear in the policy when it is next revised.

I have been assured by the Governor of HMP Lewes that there is now a specific checklist in use for reception and first night processes which includes ensuring that an initial phone call is given to all new arrivals before they are located onto a residential wing. The checklist includes a space to record the reasons why an action has not been completed and what will be done to rectify it. If a prisoner is unable to make their initial phone call or if the call is missed or unanswered, another phone call is facilitated the following day.

Your second concern is about the process for logging and handling incoming calls to the central switchboard from family members with concerns about a prisoner’s safety and/or requesting a welfare check. Whilst there is an existing requirement in our Strengthening Family Ties Policy Framework for prisons to have such a system, I regret to say that many prisons have found this hard to deliver consistently in practice.

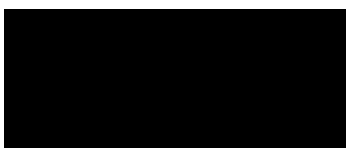
In order to rectify this from 2020-22 we funded the charity Pact (through our innovations grant competition) to work with a number of pilot prisons to develop a toolkit of guidance and resources to support consistent and effective family engagement in safety processes, including recording, responding to and acting on safer custody concerns. Electronic logging of safer custody concerns was piloted in three prisons, and the more robust recording process produced significant improvements in recording and an increase in the number and proportion of calls from families that are returned.

In light of this we are providing additional funding to Pact in 2023-24 and working with them to roll out the processes developed during the pilot to all prisons in England and Wales by March 2024. This includes the electronic logging of calls. Pact will be providing on site support to eight (geographically dispersed) prisons and the Group Safety Leads from the relevant and neighbouring prison groups will attend these prisons alongside Pact staff and participate in the upskilling sessions that they offer using the toolkit developed during the pilot, so that they are equipped to share the learning and to support the prisons in their groups that will not be receiving direct support from Pact. HMP Lewes will be one of the prisons receiving on site support from Pact – this is scheduled for December 2023.

In the meantime, the prison have informed Operational Support Grade (OSG) staff that all calls received from family members, friends and members of the public regarding the welfare of a prisoner must be recorded within the Comms log and the information must be passed to the duty Orderly Officer or the night Orderly Officer immediately so that a welfare check can be carried out. There should always be an OSG working in the Comms room, however, in case of unforeseen circumstances, a notice to all staff has also been published setting out the actions staff must take when a call is received regarding the welfare of a prisoner.

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

Yours sincerely



Director General of Prisons