



# HM Prison & Probation Service

**Director General of Operations**  
**HM Prison and Probation Service**  
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102 Petty France  
London  
SW1H 9AJ

Ms Jenny Goldring  
HM Assistant Coroner  
Southwark Coroners Court  
1 Tennis Street  
London  
SE1 1YD

16 February 2024

Dear Ms Goldring

Thank you for your Regulation 28 report of 3 October 2023, addressed to the Governor of HMP Belmarsh, the Lord Chancellor and Secretary of State for Justice, and the Director General Chief Executive of His Majesty's Prison and Probation Service (HMPPS). I am responding on behalf of HMPPS as Director General of Operations.

I understand that Mr Santos's family were not involved in the inquest, however I would still like to express my condolences, every death in custody is a tragedy and the safety of those in our care is my absolute priority.

You have raised some concerns regarding the management and support of Foreign National prisoners, specifically the signposting and facilitating of access to legal advice and communication between the Home Office, HMPPS and Healthcare. I understand that the Home Office and Practice Plus Group (the healthcare provider at HMP Belmarsh) will be providing a separate response. Further to this, you have raised concern with Operational Support Grades' (OSG) understanding of the night state policy at HMP Belmarsh.

In October 2021 guidance was provided to all establishments setting out the requirement that immigration detainees be informed about and provided with access to 30 minutes of legally aided legal advice. The operational implementation and support group have ensured that all prisons holding immigration detainees have implemented these instructions. As set out in the report, HMP Belmarsh published this information in the form of a poster on all houseblocks including the first night centre. This information also now forms part of the induction to custody process that all prisoners receive when they first come into custody.

To implement a change programme that supports Foreign National Offenders (FNO) nationally, a specific coordination hub has been developed by the Probation Service. Seconded probation practitioners have been allocated to the Home Office to support the work in increasing efficiencies in the interface. Further to the probation specific strand on the joint HMPPS/FNO removal centre taskforce, the seconded members of staff support front line practice and respond to any escalations or obstacles that are brought to their attention.

The Home Office uses a specific form called 'Request for Risk Information' to request an OASys assessment. These are now centrally administered by the FNO coordination hub to ensure that there is a central referral point for the Home Office. The request is then sent directly to the relevant practitioner to action, or the team if the matter is not yet allocated. We have also introduced an escalation process that highlights responses that have not been received within 20 days.

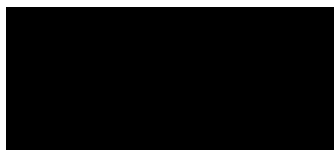
Separately, a new learning team has also been created and resourced by HMPPS to enable learning from probation-involved inquests to be disseminated across the probation service, and included as part of the Offender Management in Custody (OMiC) model of working.

We remain committed to ensuring that staff and prisoner safety is a key priority across the prison estate. The prison have re-issued a notice to staff clearly stating the procedures to follow in the event that a cell door needs to be unlocked during the night state. Both officers and OSGs have been reminded that, subject to a dynamic risk assessment being completed, the preservation of life takes precedence over any normal circumstance. This has been highlighted further during full staff briefings.

I hope the measures outlined above provide you with reassurance that learning and appropriate action has been taken following Mr Santos's death.

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

Yours sincerely,

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Director General of Operations