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HM Prison & Probation Service

Director General Operations
HM Prison and Probation Service
8th Floor Ministry of Justice
102 Petty France
London
SW1H 9AJ

Mr Nicholas Rheinberg
HM Assistant Coroner, Liverpool & Wirral
Gerard Majella Court House
Boundary Street
Liverpool
L5 2QD

September 2024

Dear Mr Rheinberg,

Thank you for your Regulation 28 report of 30 April addressed to the Governor and Head of Healthcare at HMP Garth following the inquest into the death of Marlin Burows on 16 August 2022 at HMP Garth. I am responding as Director General of Operations for His Majesty's Prison and Probation Service (HMPPS). I am grateful to you for granting an extension for our response.

I am aware that Greater Manchester Mental Health (GMMH) NHS Foundation Trust have responded separately and therefore my response will focus on matters within the remit of HMPPS.

I know that you will share a copy of this response with Mr Burrows' 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.

Following evidence heard at the inquest, you have raised concerns about the welfare check processes at HMP Garth, including the welfare check sheet used by staff to monitor prisoners who are suspected of being under the influence of illicit substances. I am grateful to you for bringing your concerns to my attention.

I am pleased to inform you that HMPPS is currently developing national guidance for all staff managing prisoners who are under the influence of illicit substances. The guidance has been developed by the national Substance Misuse Group with contributions from internal and external stakeholders, including from areas such as health, and safety. Its purpose is to provide structured guidance for prisons to support the development of local under the influence guidance that will ensure that there is a consistent and safe response to the management of prisoners. It is important to note that this guidance does not replace healthcare advice and in a medical emergency instructions and advice from healthcare colleagues must be followed as a priority.

The guidance is currently in the consultation stage, and while I am hopeful that this will go live by the end of the year this will be dependent on what the consultation identifies and

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whether further changes are required. I can confirm that your concerns have been shared with the Substance Misuse Group for consideration to ensure that the guidance addresses them.

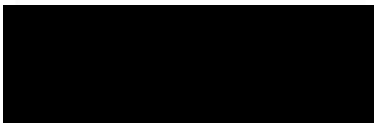
Once agreed, the guidance document will be rolled out via the regional and local drug strategy leads, and they will be responsible for developing local guidance. The Substance Misuse Group will deliver additional training and support if necessary, and through their rolling programme of support, assurance checks will be conducted to ensure that under the influence guidance has been developed and embedded at each prison.

In the meantime, I have received assurance from the Governor of HMP Garth that following the inquest meetings have been held between prison and healthcare colleagues to ensure a joined up approach going forward. Once national guidance is available, a standard operating procedure will be produced so that all prison and healthcare staff understand what they are expected to do when carrying out welfare checks on prisoners being monitored under the influence. GMMH have also committed to developing local training and awareness sessions around the use of the welfare check sheet once national guidance has been published.

I am also informed that healthcare staff now request the welfare sheet upon arrival onto wings to ensure that they have had the opportunity to review and consider entries that may inform any clinical decision making.

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

Yours sincerely



Director General of Operations, HMPPS