



HM Prison &
Probation Service

Her Majesty's Prison and Probation Service

Prisons Directorate
8.37 Ministry of Justice
102 Petty France
London SW1H 9AJ

Telephone 07968 909 120
Email prisonsdirector@noms.gsi.gov.uk

Stephen O'Connell
Deputy Director
File ref: SOC/SO-Open Prisons

18 April 2018

RE: Sex Offenders in Open Prisons

Following a recent meeting of the Population and Capacity Taskforce you asked that the Prison Directorate provide you with some initial thoughts on potential options for expanding the Cat D Estate to take Sex Offenders.

In order to achieve this I have liaised in confidence with [redacted due to the section 31 exemption] Any such expansion of the Cat D estate will require careful planning and negotiations with relevant stakeholders but should not prove to be a barrier to achieving a more inclusive population including sex offenders.

Clearly there are a number of areas of concern notably:

Risks/Issues/Barriers:

- As an organisation we routinely separate sex offenders from the main population in nearly all mixed sites, mainly for safety reasons. They are held in establishments where staff supervision, physical and procedural security are at their highest levels but it is still felt necessary to provide physical separation for order and control reasons. This creates a culture for both staff and prisoners where it is accepted the two populations need to be held separately. It is therefore a significant challenge to that this history, culture and risk when it comes to progression to the open estate, particularly when prisoners have experienced and in many cases signed up to the culture of separation.
- [redacted due to the section 31 exemption]
- The open estate has a variable physical build with some having larger units but it is not uncommon to find multiple smaller units [redacted due to section 31 exemption] If the sex offender population is to be expanded then it is important that each open site is assessed for its suitability based on an agreed criteria taking account of the physical environment, staff supervision and regime provision.

- One of the reasons [redacted due to the section 31 exemption] have been successful [redacted due to the section 31 exemption] There is also a long standing cultural acceptance of this position and offenders are made aware of this before arriving. [redacted due to the section 31 exemption]
- We also need to take into account and fully understand within this proposal the significant amount of ROTL which places large numbers of prisoners in local communities daily. This will require an investment in training for staff carrying out risk assessments both on individuals and also community placements. We know from previous experience it only requires one high profile failure to undermine confidence in our operating procedures and processes. This could also damage our reputation and carefully built up relationships in the community, compromising resettlement opportunities and confidence. We need to ensure this proposal fully considers the community aspect beyond the obvious ones already stated particularly around proximity of schools, parks and other areas where vulnerable members of the public may gather.

Recommendation for further discussion:

The proposal has merit and there should be expansion of sex offenders into the open estate but this needs to be managed in a careful, thoughtful manner that will stand up to scrutiny at a future point.

We should start with two further open prisons selected on the basis that they have the best geographical fit and also have the most appropriate design configuration to enable sex offenders to be held as safely as possible. This would enable these two establishments to fairly quickly achieve a balanced, equitable population similar to Leyhill and NSC. This would also enable the impact of ROTL and the community opportunities to be properly managed and supported as well as ensuring that offending behaviour work and psychological support services could be managed.

[redacted due to the section 31 exemption]

[redacted due to the section 31 exemption] Learning could be taken from this small scale expansion whilst alleviating the current pressure and provide valuable information for any further expansion if required.

Clearly the respective Governors of the chosen sites might have very different views as will a range of key stakeholders both internally and externally. I know you will have the experience in your team to develop an engagement and consultation plan that meets this need.

I am happy to take this matter forward with the Open Prisons Forum when required.

Redacted due to the section 40 exemption

Stephen O'Connell
Deputy Director Prisons