



Ministry
of Justice

Disclosure Team
Ministry of Justice
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1 April 2021

Freedom of Information Act (FOIA) Request – 210308014

Thank you for your request, received 8 March, in which you asked for the following information from the Ministry of Justice (MoJ):

Under the 2000 Freedom of Information Act I request information relating to transparency in Belmarsh healthcare procedures.

Under the HMP Belmarsh Action Plan Submitted 13 September 2018 in response to the HMIP Inspection 29 January to 9 February 2018

[https://www.justiceinspectrates.gov.uk/hmiprisons/wp-](https://www.justiceinspectrates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2018/06/HMP-Belmarsh-HMIP-Action-Plan-2018.pdf)

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admission to the inpatient unit should be for clinical reasons except where there is overcrowding or where prisoners are admitted for reasons of safety (for themselves and others). In the case of safety, admission will be managed in line with Prison Service Order 1700, described as follows:

"Where an admission to the inpatient unit has been for the safety of the prisoner or others, it will be managed in line with Prison Service Order 1700 to ensure that all alternative locations are regularly reviewed."

- 1. Under the above agreement, since 1st March 2020, what is the average time that prisoners have been kept in the healthcare unit for reasons of safety?**
- 3. Under the above agreement what was the longest period of time a prisoner spent in the healthcare unit for reasons of safety between April and December 2019?**
- 4. Under the above agreement what is the longest time a prisoner has been kept in the healthcare unit for reasons of safety since September 2018, submission date of the action plan?**
- 5. Under the above agreement, what system or communication exists to ensure that healthcare staff know that a prisoner is admitted to the healthcare unit for reasons of safety? Are healthcare staff able to see in prisoner records that they are being managed under PSO1700?**

6. Since the 2018 submission of the Belmarsh action plan, have all prisoners admitted to the healthcare unit for reasons of safety been managed in line with PSO 1700?

7. Regarding question 6, what authority scrutinises this?

8. Please send me a copy of any documents you have that explain how the healthcare unit is used to manage prisoners not located there for clinical purposes.

9. Where the 2018 action plan states "managed in line with Prison Service Order 1700" does this mean that prisoners are not officially placed in the healthcare unit under prison rule 45?

10. Do those prisoners managed in line with PSO1700 in the healthcare unit have access to the IMB or to independent oversight?

11. Are the IMB notified of all cases where prisoners are located in the healthcare unit for reasons of safety?

12. Please send or direct me to the policy regarding the rights of prisoners managed in line with PSO1700 who do not have access to independent oversight of their segregation/removal from association while in the healthcare unit.

Your request has been handled under the FOIA.

I can confirm that the MoJ holds the information that you have requested and I have provided it below.

Q1, Q3, Q4, Q5, Q6, Q7 – Since the submission of the HMP Belmarsh Action Plan in September 2018, in response to the HMIP inspection which took place between 29 January and 9 February 2018, HMP Belmarsh has not located any prisoners in the Healthcare Inpatient Unit for reasons of safety which would require management under PSO 1700 Segregation. All prisoners located in the Healthcare Inpatient Unit at HMP Belmarsh are admitted due to physical or mental health concerns.

Q8 – The MoJ does not hold any such documents, as prisoners are only located on the Healthcare Inpatient Unit for clinical reasons.

Q9 - I have concluded that this point of your request does not call for specific documents or data but rather would require the expression of an opinion and, therefore, does not qualify for answer under the FOIA. Pursuant to Section 16 of the FOIA, we have a duty to provide advice and assistance and we are able to explain that all prisoners placed under Rule 45 would be managed in line with PSO 1700. PSO 1700 is accessible to you through the Government website: <https://www.gov.uk/guidance/prison-service-orders-psos>.

Q10 – All prisoners managed in line with PSO 1700 have access to the IMB, however, there are no prisoners being managed under PSO 1700 in the Healthcare Inpatient Unit at HMP Belmarsh.

Q11 - In accordance with PSO 1700, the IMB are notified within 24 hours of the segregation of any prisoner.

Q12 - The MoJ does not hold any such policy as all prisoners managed in line with PSO 1700 have access to the IMB, who provide independent oversight of the segregation processes in all UK prisons.

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gov.uk Disclosure Team, Ministry of Justice

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely
Tatum O'Leary
Long Term and High Security Prisons Group