

## **MEMORANDUM OF UNDERSTANDING BETWEEN THE PRISONS AND PROBATION OMBUDSMAN (PPO) AND HM INSPECTORATE OF PRISONS (HMIP)**

This Memorandum of Understanding sets out working arrangements between the PPO and HMIP. We share:

- a commitment to decency and fairness in places of detention;
- a mutual interest in judgments on the conditions for and treatment of detainees in prisons, immigration removal centres, secure training centres and other services in remit;
- a desire to protect and develop the independence of our offices and ensure adequate resources for our work; and
- a desire to work jointly where this would achieve or enhance our shared goals.

### **The PPO and HMIP will:**

- Share intelligence relevant to HMIP's duty to inspect the conditions and treatment of prisoners and detainees and the PPO's duty to investigate deaths and complaints in custody and immigration detention.
- Ensure that PPO investigators and HMIP inspectors share emerging findings with each other at the earliest opportunity, particularly when:
  - they might inform a forthcoming HMIP inspection or the scheduling of the inspection programme
  - they would inform or further substantiate an ongoing PPO investigation
  - they could contradict findings made by the other organisation.
- Share all relevant draft reports of fatal incident investigations and inspections at the earliest opportunity and when requested.
- At full inspections, HMIP will also report on establishments' implementation of PPO recommendations resulting from death in custody investigations and provide structured feedback to the PPO.
- Together with the IMB/Lay Observers, work in accordance with the agreed Protocol to protect prisoners and detained individuals from sanctions or other prejudice arising from their communication with either HMI Prisons, IMBs, Lay Observers or the PPO, or from communication from someone acting on their behalf.
- Provide opportunities for the development of each other's staff, including learning about the work of the other organisation at induction and the opportunity to shadow investigations, inspections and survey visits.
- Support each other's recruitment campaigns (where appropriate).

### **Information Sharing**

Both organisations agree to information sharing in respect of HMIP's duty to inspect the conditions and treatment of prisoners and detainees and the PPO's duty to investigate deaths and complaints in custody and immigration detention. Such data sharing is undertaken in accordance with the relevant data protection legislation (as defined under their 'Public Task' remit in the GDPR). Information provided by each organisation will be stored and processed for limited purposes under the relevant processing principle in line with the rights of the data subjects, and will not be disclosed without permission.

## Meetings

Colleagues from HMIP and the PPO will meet formally (at least quarterly) to:

- Facilitate a continuing, structured exchange of intelligence
- Share learning, recent recommendations and plans for thematic work, identifying where joint work might be appropriate
- Discuss matters of mutual interest

These meetings will be attended by relevant colleagues from both organisations.

An annual review of this protocol will be attended by the Deputy Chief Inspector (HMIP) and Deputy Ombudsman (PPO) for both Fatal Incidents and Complaints.

HM Chief Inspector of Prisons and the Prisons and Probation Ombudsman will continue to meet regularly away from these larger meetings.



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**Sue McAllister**

**Prisons & Probation Ombudsman**

**Date: 15 February 2022**



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**Charlie Taylor**

**HM Chief Inspector of Prisons**

**Date: 17 February 2022**