

STATES OF JERSEY



PRISON BOARD OF VISITORS (S.R.9/2015): RESPONSE OF THE MINISTER FOR HOME AFFAIRS

**Presented to the States on 18th January 2016
by the Minister for Home Affairs**

STATES GREFFE

**PRISON BOARD OF VISITORS (S.R.9/2015): RESPONSE OF THE
MINISTER FOR HOME AFFAIRS**

Ministerial Response to: S.R.9/2015

Review title: Prison Board of Visitors

Scrutiny Panel: Education and Home Affairs

INTRODUCTION

The Panel decided to follow up on a report published by a Scrutiny Sub-Panel in 2009 relating to the Prison Board of Visitors. Whilst enquiries were made to ensure the facts had not changed, it became apparent that there had been some major changes in the interpretation of the requirements to meet the standards of the Optional Protocol to the UN Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). This made signing up to the Optional Protocol possible and desirable for Jersey. The constitution of the Prison Board of Visitors was central to the requirements. The Panel has outlined that Jurats are not independent and therefore changes need to be made.

FINDINGS

Findings		Comments
1. Prison Board of Visitors	7.8 That the Chief Minister, within his work preparing the Island to meet the conditions required for OPCAT, takes a proposition to the States that removes the Jurats from the Prison Board of Visitors and replaces them with independent members.	<p>Agree:</p> <p>The Minister for Home Affairs signed Ministerial Decision MD-HA-2015-0075 on 26th November 2015 – (http://www.gov.je/Government/PlanningPerformance/Pages/MinisterialDecisions.aspx?docid=1daa0d6aca80e8484097d182980708cc MDs2013), instructing officers to take forward the changes necessary to ensure that Jersey complies with the requirements of the United Nations OPCAT treaty and the establishment of an independent Prison Board of Visitors. The intention is that an amendment to the Prison (Jersey) Law 1957 will be lodged during 2016 for the Assembly to consider.</p> <p>The Chief Minister signed Ministerial Decision MD-C-2015-0134 on 27th November 2015 – (http://www.gov.je/Government/PlanningPerformance/Pages/MinisterialDecisions.aspx?docid=3741d5cbe8af14e1672c577c3163ea1 MDs2013), instructing officers to make arrangements for the Optional Protocol to the UN Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment to be extended to Jersey once all legislative and administrative actions have been taken to ensure Jersey’s compliance.</p>