

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
BY DEPUTY M. TADIER OF ST. BRELADE
QUESTION SUBMITTED ON TUESDAY 4th MAY 2021
ANSWER TO BE TABLED ON TUESDAY 11th MAY 2021**

Question

Will the Minister advise whether or not the Independent Monitoring Board for H.M.P. La Moye has the ability to perform unannounced visits, and if so, will he provide a list of dates upon which unannounced inspections have been made since the Board's inception; and if no such unannounced inspections have been made, is the Minister in a position to explain why not?

Answer

The Independent Prison Monitoring Board (IPMB) was established under the Prison (Independent Prison Monitoring Board) (Jersey) Regulations 2017 (the Regulations).

Regulation 2 (2) provides that the function of the Monitoring Board is to satisfy itself as to –

- (a) the treatment and welfare of the prisoners;
- (b) the state of the premises of the prison; and
- (c) the administration of the prison.

The meaning of subsection c) above was queried by the prison authorities and was clarified by a letter dated 25 August 2017 from the then Chief Officer of Community and Constitutional Affairs to the then Chair of the IPMB. It is annexed to the IPMB's 2017 Annual Report and states that reference to the "administration of the prison" is intended to be read in relation to the treatment and welfare of prisoners.

The Regulations were made under the Prison (Jersey) Law 1957 (the Law). Article 6 (3) of the Law provides that all members of the IPMB 'shall have free access at all times to all parts of the prison and to all prisoners'.

Monitoring Visits

The IPMB's visits were initially announced in advance and were then conducted mostly unannounced until August 2018. There is a requirement for IPMB members to be escorted by a prison officer and often there was no one easily available when members arrived, for example during a period of "core movements" or when several officers were in a training session. As well as being sometimes difficult for the prison to accommodate, waiting for an escort could take some 30 minutes or more, which was not felt to be an effective use of the volunteer members' time. For these reasons most visits have been announced since then, but the place and focus of interest are not provided to the prison authorities in advance.

These points are covered in each of the IPMB's four Annual Reports, extracts of which are included below for reference.

The total number of Monitoring Visits from April 2017 to December 2020 is 83, each of which has its own report. Deputy Tadier has asked for a list of dates of unannounced visits but to provide this information would require a significant amount of searching which is not feasible within the timeframe provided. The

Chair of the IPMB would be pleased to meet the Deputy to discuss the question in more detail if he so wishes.

These 83 Monitoring Visits do not include other visits by the IPMB to see people in the Care and Control Unit, to see prisoners who applied to see the IPMB but could not be seen during a Monitoring Visit, and for the IPMB members' own training sessions. The IPMB's presence at La Moye is therefore more frequent than just the Monitoring Visits.

In addition, IPMB members attend La Moye and discuss matters with the Governor at Board meetings, of which the Regulations require a minimum of 8 per year. 11 per year are normally held, but in 2020 17 were held, many by TEAMS (see 2020 Annual Report paragraph 5.2): [r.46-2021.pdf \(gov.je\)](#).

Extracts from the IPMB's Annual Reports for 2017, 2018, 2019 and 2020

2017 p.21 para 8.1:

“During the period May to December 2017, 19 monitoring visits took place. Visits involved 2 Board Members and initially these were announced. The Board aimed to carry out at least 2 monitoring visits per month. As members became more familiar with the prison environment and systems, unannounced visits took place. The Board undertook visits at different times of the week and day and these included a night and weekend visit.”

2018 p.8, paras 4.1 and 4.2

“4.1 The IPMB regularly visits La Moye and during 2018 made 18 monitoring visits, the majority of which entailed two or more areas or facilities...”

4.2 During the first half of the year visits were unannounced but this meant the prison administration could not plan in advance for an escorting officer. From mid-2018 the dates and times of the visits have been shared in advance but the location/areas of any planned visit have not.”

2019 p.8 paras 4.1, 4.2 and 4.3

“4.1 In fulfilling its statutory function, the IPMB conducts regular Monitoring Visits (MVs) to La Moye. As has become standard practice, MVs were scheduled at a minimum of 2 per month. In 2019, 26 MVs were planned with 25 actually undertaken.”

4.2 MVs are carried out by two IPMB members, escorted by one or more prison officers.

4.3 To facilitate efficient entry to the prison, the dates and times of MVs are provided to the SoJPS in advance. In the interests of independence and objectivity, the specific area to be visited is not disclosed until members arrive at La Moye.”

2020 p.10 paras 4.2 and 4.4

“4.2 This year the programme was impacted by Covid-19 with visits having to be suspended during March, April and May in order to mitigate the risk that we, as external

visitors, presented to the prisoners. Once visits recommenced in June, we accelerated our programme to ensure all areas were visited during 2020 and this continued until Covid-19 again forced visits to be suspended during November and December. During 2020 we undertook 21 visits

4.3...

4.4 During visits we are escorted by a prison officer. The prison is usually given notice of the time of a visit so an escort can be organised but the locations we wish to see are not disclosed until we arrive....”