

STATES OF JERSEY



PRISON BOARD OF VISITORS: REPORT FOR 2007

**Presented to the States on 24th April 2008
by the Minister for Home Affairs**

STATES GREFFE

REPORT

The following were appointed by the Superior Number of the Royal Court on 13th December 2006, in pursuance of Article 6 of the Prison (Jersey) Law 1957, to constitute the Prison Board of Visitors for 2007–

Jurat J.C. Tibbo (Chairman)
Jurat R.M. Bullen, M.B.E. (Vice-Chairman)
Jurat Mrs. S.C.A. Le Brocq
Jurat J.L. Le Breton
Jurat G.C. Allo
Jurat Mrs. J.M. Clapham
Jurat Mrs. L.J. King, M.B.E.

During the year under review the Board met on 12 occasions, thus enabling prisoners to seek their assistance and advice, and 45 such applications were dealt with. In addition, individual members of the Board visited by rotation in between the monthly scheduled meetings and 51 applications were recorded. Minutes of all meetings, both monthly and individual, are kept at La Moye, but for the record, the enquiries of prisoners range from simple clarification of the Prison rules to matters dealing with the legal process relating to their individual cases. In this connection, the Board members play a vital role in ensuring the prisoners receive the appropriate and timely attention of their respective legal advisers.

Meetings with Minister and Chief Executive of Home Affairs

At the instigation of the Board, meetings with the Minister and Chief Executive of Home Affairs, to include the Prison Governor, continued in 2007, and 4 meetings were held as envisaged, albeit that for various reasons the quarterly dates originally set aside had to be re-scheduled. These meetings are considered invaluable by all concerned and again, agreed minutes are kept. All of the subjects referred to in this report were discussed during the course of these meetings.

Population levels

Once again, population levels increased and a record number of 200 prisoners were locked up on 25th May. The categories of prisoners, both on that day and on average during the year, were as follows –

| | <u>25th May 2007</u> | <u>Average for 2007</u> | |
|------------------------|----------------------|-------------------------|-------------|
| Male convicted | 79 | 75 | 41% |
| Male remands | 27 | 22 | 12% |
| VPU convicted | 40 | 39 | 21% |
| VPU remands | 14 | 14 | 8% |
| YOI convicted | 10 | 11 | 6% |
| YOI remands | 10 | 5 | 3% |
| Adult Female convicted | 11 | 10 | 5% |
| Adult Female remands | 3 | 2 | 1% |
| YOI Female convicted | 4 | 4 | 2% |
| YOI Female remands | <u>2</u> | <u>2</u> | <u>1%</u> |
| | 200 | 184 | 100% |

In addition, an average of 6 prisoners were on the TRMS Scheme (Tagging) and 40 were held in prisons in England and Wales.

Funding

In 2005, at the request of the Minister, an inspection of the Island's prison was carried out by H.M. Inspector of Prisons and the report published early the following year was highly critical of the accommodation and overall facilities. This resulted in much debate and to a general acceptance there had been insufficient investment over a

long period, the conclusion being that the budget available to the Governor and his team was insufficient to enable the facilities at La Moye to at least match those generally provided in England and Wales.

The Capital Programme was accelerated and a new block is currently under construction, which, when finished, will result in the ability to accommodate a total of 240 prisoners. However, the provision of sufficient additional funds by way of the Revenue Budget has proved to be a more difficult issue, and whilst the Minister was able to offer approximately £825k for 2007, the budget for the year was only agreed after the end of the first quarter. Subsequently, a full review of the additional necessary funding was undertaken by the Governor and his management team, with the assistance of Home Affairs staff, as a result of which an additional £2.3 million was estimated to be required. Towards this amount, £1.5 million has been agreed by the Council of Ministers for 2008 pending a further review by the new Governor following the resignation of Mr. Steven Guy Gibbens, to which we shall refer later.

With the additional monies which have been available, many improvements have been made during this past year, both in facilities provided as well as in working practices. These had been identified as essential in the Performance Improvement Plan (“PIP”), drawn up the previous year, and priority was given to the recruitment of Officers as well as Support Staff. A staff training programme was also introduced and the delivery of training to staff during 2007 amounted to a total of 3,098 hours (approximately 22 hours per member of staff) as against total of 523 hours the previous year– 3.5 hours per member of staff.

The Library and Education Centre, as well as the Resettlement and Sentencing Centre, were opened on 8th November following the appointment of a Head of Learning and Skills together with support staff. All prisoners are scheduled to receive a basic skills assessment on arrival at the prison and training is now provided in industrial cleaning, carpentry and joinery, painting and decorating and trowel trades. A welcome increase in the use of the new library facilities has also been noted.

The prison “Market Place” was established in the summer and its purpose is to invite other ‘resettlement’ agencies into the prison on a given day of the month and introduce them to prisoners who are nearing the end of their sentence and have need of assistance in accommodation, employment, welfare and general advice. Agencies who have attended have included Workwise and Careers, Housing, Grace Trust, Roseneath, The Shelter, Citizen’s Advice Bureau and Community Banking. This initiative has proved very popular and to date an average of 6 prisoners have attended each session by individual agencies.

These improvements and many more minor ones have only proved possible with the provision of additional funds and it is important to note that all changes have been implemented with sustainability as the main aim, not merely as quick fixes which have no durability. Both management and staff have embraced the performance improvement culture for the long term, but naturally they will look for the continued support not only of the Minister and Chief Executive of Home Affairs, but also of the States in general.

During the course of the year, the Prison Staff Association brought to the fore a long outstanding claim to reduce the working week of the Officers to bring them into line with other States Services. Although strike action was threatened, no decision was taken at the time and a period was called for investigation and discussion, with further meetings due to take place during the first half of 2008. Whatever the final outcome, inevitably there will be cost implications.

Deaths in Custody

Sadly, in January there was another death in custody, following very shortly after one in September 2006. At the request of the Minister, both were investigated by Mr. Stephen Shaw, Prisons and Probation Ombudsman for England and Wales. Inquests were held and reports produced, redacted versions of which appeared on the Home Affairs website. In a subsequent press interview, Mr. Shaw was reported as saying “If I had come across any prison in England and Wales in the same state as I found La Moye, I would have walked straight out and expected to see the Secretary of State for Justice within 24 hours”. This statement, together with the findings recorded in the two last Inspection Reports, are those of well qualified and experienced independent professionals and should be fully taken into consideration when assessing any plans for future improvements.

Visit and Presentation by H.E. the Lieutenant Governor

H.E. the Lieutenant Governor returned to the prison on 1st November to present the Queen's Golden Jubilee Medals during a short ceremony attended by the Minister for Home Affairs and members of the Board.

Chaplaincy

We were delighted that after some considerable time and effort, a new chaplaincy team was appointed to administer to the inmates. The Chapel was also re-consecrated by the Bishop of Winchester during his visit to the Island on 19th October.

Juvenile Offenders

The members of the Board are unanimous in their view that convicted juvenile offenders of school age should not be held in prison. Considerable monies have been spent in recent years in upgrading the facilities at Greenfields, but for reasons which we do not fully understand, there is a reluctance on the part of the Greenfields management to accept such offenders. This may be partly as a result of the responsibility for Greenfields lying with a "Corporate Parent", but we believe that greater attention should be given to this important issue. As such, we shall continue to ensure that the subject remains on the agenda for our meetings with the Minister and Chief Officer, although we very much hope that the position will be resolved in the very near future.

Resignation of Governor

In August, we were very disappointed to learn of the resignation of Mr. Steven Guy Gibbens as Prison Governor, after only 3½ years in the post and some 18 months prior to the end of his contract. The media gave considerable prominence to the announcement, and also by way of press interview when he left in December. Mr. Guy Gibbens submitted a number of reasons for his decision to retire early, but in particular he mentioned the bureaucracy he had encountered in his efforts to try to carry out the much needed improvements. He also considered that insufficient acknowledgment had been given to his 34 plus years with the Prison Service and to the considerable experience gained over that lengthy career.

In our view, much credit is due to Mr. Guy Gibbens for the significant improvements carried out to date at La Moye. He recognised the need to produce and implement a Performance Improvement Plan with the long-term benefit of the prison and its inmates as the main objective. He persevered with his pleas for additional funding and in this connection we know he appreciated the support given by the Minister. It was regrettable that he considered it necessary to resign to highlight the importance he attached to what he perceived to be shortcomings of the system.

Conclusion

When the Report of H.M. Inspector of Prisons was published in early 2006, the findings appeared to come as a great surprise to many Members of the States. A number subsequently visited La Moye to see for themselves the conditions which had been described, and there is no doubt that support has since been forthcoming to enable a number of improvements to be made. However, there is still considerable work to be undertaken before an acceptable level of facilities is achieved for both prisoners and staff, and we feel sure the staff in particular would welcome further visits by Members. We recognise that a prison is not the most desirable place to visit, but the Island does have a responsibility to provide facilities commensurate with the standards established in other jurisdictions and compatible with human rights legislation.

Jurat John C. Tibbo
Chairman
Prison Board of Visitors
31st March 2008