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# STATES OF JERSEY



## PRISON BOARD OF VISITORS: ANNUAL REPORT 2009

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Presented to the States on 15th June 2010  
by the Minister for Home Affairs

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STATES GREFFE

## REPORT

The following Jurats were appointed by the Superior Number of the Royal Court on 12th December 2008 to constitute the Prison Board of Visitors for 2009, in accordance with Article 6 of the Prison (Jersey) Law 1957.

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

Jurat Bullen retired in April and was replaced on the Board by Jurat Liddiard, whilst Jurat Le Breton became Vice-Chairman, and Jurat Allo retired in September and was replaced by Jurat Kerley.

### **Applications to see the Board**

During the year there were 61 applications to see the Board at their monthly meetings at La Moye (12 held in 2009) and a further 60 when the members of the Board visited individually on another 12 occasions. Although the quorum for a meeting of the Board is 3, on average 5/6 members attended each time. It is also appropriate to record that in addition to being advised well in advance, when appropriate, as well as on the day of the impending visits by members of the Board, boxes are now located on the landings to enable prisoners to submit written applications, and these are recorded when the boxes are opened.

As usual the requests for assistance covered a wide range of topics, from problems in locating personal possessions, legal concerns and family issues, to health and medical problems. However, it should be noted that the difficulties encountered with missing personal effects following arrest appeared to be greater when the Police Liaison Officer was temporarily transferred to other duties. We are therefore very pleased that he has returned to his post at the prison

Although the Deputy Governor and Senior Unit Managers made a number of adjudications for breaches of the prison rules, none of their decisions was subject to appeal to the Board.

For some years, regular meetings have been held with the Minister for Home Affairs and we are pleased to record that 4 such meetings took place in 2009 and were attended by the Minister, Assistant Minister and Chief Officer, as well as the Prison Governor. There can be no doubt that these meetings are mutually beneficial as they provide a forum for discussing the current problems facing all those involved with the welfare of prisoners.

### **Operational**

The highest number of prisoners locked up on any day was 199 on 26th May and the daily average throughout the year was 184, slightly higher than 193 and 181 respectively in 2008. These figures include the prisoners who required greater

vigilance due to being considered in danger of self-harm. For the greater part of the year, one female prisoner was held in solitary confinement until she was found unfit to plead, at which point she was transferred to an appropriate unit in the UK where she will receive treatment. Regrettably no facilities exist in Jersey where this treatment can be administered in a suitable establishment.

With the new “wings” officially opened on 11th December by the Bailiff, Mr. Michael Birt, the total capacity of the prison has increased to 243 and the outdated system of “slopping out” has ceased. Towards the end of the year, the prison population was somewhat lower and although too early to reach a definitive conclusion, it is hoped the educational and training facilities introduced in recent years have played a part in this welcome trend.

The Young Offenders have been moved to the top floor of the new building but this should only be a short term expedient, as they should not be accommodated in the same building as adult prisoners.

Unfortunately, the multi-purpose new hall has not been in commission as there have been problems with the floor. It has proved necessary to lift and re-lay the initial flooring as it was not totally flat. Although the remedial costs will be met by the contractors, at the time of writing this report the prisoners are still not able to use what will be a superb facility.

The new gymnasium, in which new fitness equipment has been installed, has proved very popular and specially trained staff supervise the training routines.

The Library and Learning Centre continue to provide well used services and the training courses are well attended. It is also gratifying for the staff that most convicted prisoners are taking advantage of the Sentence Planning programmes which are made available.

The “tagging” contract, which accompanied the Temporary Release Scheme, has been discontinued and replaced by a scheme known as “Home Curfew”. This scheme is administered with the help of the Honorary Police who carry out regular checks to ensure compliance and although still in its infancy, there have been no adverse issues to date. It is anticipated the scheme will continue to operate satisfactorily, thus releasing a small amount of the pressure on the operating budget.

### **Staff**

The recruitment programme for Officers and Support Staff continued, albeit on a phased basis in order to keep within budget, and the establishment is now virtually at full complement. Members of the Board attended the passing-out parades which were impressive and gave the families of the new recruits the opportunity of being involved.

The focus on training also continued, with 4914 hours delivered to existing staff (4048 in 2008 and 3098 in 1997) and 6569 hours to new recruits (5996 in 2008).

As previously agreed with the Prison Staff Association, the reduced working week of 37 hours commenced on 1st June.

### **Chaplaincy**

The Reverend Sally White only became available from 1st November to assume the responsibility of Chaplain and all at La Moye were grateful to her predecessor, the Reverend Pauline Wilcox for staying until 31st October, hence ensuring there was no break in the service provided.

### **Capital Budget**

The only monies available to the prison for capital expenditure during the forthcoming year should be just sufficient to provide for the staff dining facility which was part of a former remuneration agreement, and carry out much needed improvements to the visitors' area. However, additional funding will be necessary to allow for the further segregation of prisoners as well as the extension of the car parking facilities.

### **Art Exhibition**

During a visit to La Moye the previous year by His Excellency the Lieutenant Governor, Lieutenant General Andrew Ridgway and Mrs. Ridgway, they suggested that the artistic endeavours of some of the talented prisoners should be exhibited. With Mrs. Ridgway's support, a successful exhibition was arranged in the Spring at the Harbour Gallery, St. Aubin, with a number of pictures sold on the opening evening.

### **Remand Times**

The time spent on remand by some prisoners has been of concern to the Board. It is accepted that in certain cases, delays are unavoidable and often caused by the defendants themselves, or by co-defendants electing to go to trial. However, we are not convinced this is always the position and we have asked the Solicitor General to ensure the processes are such as to enable all other cases to be presented promptly before the Courts.

### **Juvenile Offenders**

In previous reports we have referred to the unsatisfactory position whereby juvenile offenders of school age are held in the prison. No progress appears to have been made in this regard despite our reservations being endorsed by the Williamson Report and the more recent visit of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

We remain of the view that with Greenfields more often than not under utilised, it should only require the goodwill of all those involved to ensure that in future convicted young offenders can be accommodated at that establishment.

We shall continue to bring this matter to the table and hope that a practical resolution can be reached before too long.

### **Offenders Suffering from Mental Health Issues**

The position remains unsatisfactory whereby prisoners who fall under this category continue to have to be accommodated at La Moye. Although the staff try very hard to provide for their special needs, they are not trained to do so and this situation is really

unacceptable. We have already mentioned the female prisoner who was held in isolation for almost a year as she fell into this category and was a disruptive influence on the unit, as well as being a significant risk to others. This was most unsatisfactory for all concerned and undoubtedly placed additional strain on the officers who looked after her.

We have made reference to this issue in previous reports and will continue to bring the matter for discussion until a solution is found, as it is not fair on the individuals nor to the staff.

### **Summary**

The new buildings and facilities at La Moye undoubtedly contribute to a much improved environment. It is also most gratifying for the staff that this is recognised by others, as following their recent visit, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment made a number of complimentary remarks about HMP La Moye, particularly with regard to the relaxed and friendly atmosphere between the staff and the prisoners. However, there are still areas which require attention in order to meet the standards expected in this day and age and we hope that the anticipated budget cuts will not prevent further improvements being implemented.

We would recommend that States Members who have not visited the prison since the last inspection should take the opportunity of doing so, as quite apart from seeing for themselves the considerable improvements undertaken and the work being carried out, they will provide support to the Governor and his hard working staff by showing an interest in what has been achieved. This should also help them to put matters in perspective when any matters relating to the prison become the subject of debate.