
STATES OF JERSEY



PRISON BOARD OF VISITORS: ANNUAL REPORT 2013

Presented to the States on 20th May 2014
by the Minister for Home Affairs

STATES GREFFE

ANNUAL REPORT OF THE PRISON BOARD OF VISITORS

FOR THE YEAR 2013

The following Jurats constituted the Prison Board of Visitors for the year 2013.

Jurat R. J. Kerley (Chairman)

Jurat Mrs. S. Marett- Crosby (Vice-Chairman)

Jurat Mrs. J.M. Clapham (Lieutenant-Bailiff)

Jurat P. J. Morgan.

Jurat Mrs. M. Milner

Jurat A. J. Olsen.

Jurat M. J. Liston. OBE.

ROLE OF THE BOARD OF VISITORS.

The principal duty of the Board is to satisfy itself as to the operation of the prison and in particular the treatment of prisoners. The independence of the Board is central to its function. The Board carries out this function as an independent observer by making regular monthly visits to La Moye. During these visits the Board speaks informally to any prisoner who requests an interview. Most of the concerns raised by prisoners can be dealt with quickly, usually with the assistance of the Prison Governor. Some concerns take longer as they may need to be directed towards other channels.

During its visits to La Moye the Board may visit any part of the prison and may speak to any prisoner it wishes to. It is usual practice to ask prisoners if they would like a prison officer to be present during the interview. It is entirely up to the prisoner, but perhaps it is a testimony to the good relationship between staff and inmates that prisoners often choose to have an officer present to assist them. There are many instances when a prison officer can resolve the prisoner's concerns immediately. All Prisoners have personal officers and easy access to probation, health care, rehabilitation and chaplaincy staff. Through these channels many complaints and concerns have been quickly and successfully dealt with. The prison is in the process of introducing a new internal complaint process based on that used in prisons in Scotland.

LIAISON WITH HOME AFFAIRS.

During the year the Board held regular meetings with the Minister of Home Affairs. Three such meetings took place in 2013. These meetings were attended by the Minister, the Assistant Minister and the Chief Officer as well as the Prison Governor. These meetings continue to be a useful forum for an exchange of views on a variety of matters relating to the prison, including any problems raised by the prisoners or their welfare. Among the topics discussed were unrestricted transfers and deportations, smoking in the prison and remand times.

APPLICATIONS TO SEE THE BOARD.

During the year there were 38 requests to see the Board during its monthly meetings. There were 10 such meetings in 2013. A quorum for a full meeting of the Board is three members. On average four members attended each of these meetings. The main reason for members being unable to attend meetings was court commitments. There were a further 44 requests to see members of the Board who visited La Moye either individually or as a pair. There were thirteen such visits made during the year.

A confidential record is kept of all meetings that Board members have with prisoners and the action taken. Requests for assistance covered a wide variety of subjects from problems in locating personal possessions, legal concerns and family issues to health and medical problems. Although the Deputy Prison governor and Senior Unit Managers made a number of adjudications for breaches of prison rules during the year, none of these decisions were subject to appeal to the Board.

OPERATIONAL MATTERS.

The prison population has maintained the lower levels reached in 2012. During the year the number of inmates fluctuated from a low of 148 to a high of 169. Despite the lower number of inmates there remains a disturbing number of prisoners who require greater vigilance due to their mental state or to their being considered in danger of self-harm.

The Board continues to be encouraged by the advantage that most prisoners take of the Sentence Planning Programme as well as of the many excellent training and educational programmes available to them.

STAFF

In early May members of the Board attended a Passing Out Parade held for prison Officers who had successfully completed their Entry-Level Training. Of the ten successful recruits two came from the Guernsey Prison Service. It was an impressive parade that was well attended. It was particularly pleasing to welcome two senior members of the Guernsey Prison to see their officers pass out.

In November 30 officers completed their SVQ in Custodial Care and were presented with their certificates by the Assistant Minister. Three members of staff was awarded the Long Service and Good Conduct Medal two of which were presented to the officers by the Prison Governor and the third by His Excellency the Lieutenant Governor at Government House in January 2014.

INSPECTION VISIT

H.M. Inspectorate of Prisons visited La Moye in February. Members of the Board met with the leader of the inspection team on 14th February and held a useful and informative discussion covering a number of topics including the detention of young offenders at La Moye and the need for improving conditions in the CCU. The Board explained how it was constituted, its functions and responsibilities.

The Board was very impressed with the report produced by the Inspectorate, which showed a great improvement on the last such report. It recorded that conditions at La Moye had made great progress since the Inspectorate's last visit. The Board would like to record its appreciation of the excellent work done by the Prison Governor and his staff to bring La Moye to the high standards required by H.M. Inspectorate of Prisons.

REMAND TIMES.

The Board continues to monitor the times that prisoners are held on remand. A Remand Time Report is presented to the Board at its monthly meeting, from which the Board is able to see the length of time that each prisoner has been held on remand. The Board is then able to enquire after the reasons for any delay in bringing the case to court. Remand times have been discussed regularly at the Board's meetings with the Minister of Home Affairs through whom the Board's concerns have been passed on to the Justice Board. The Board is now satisfied that every effort is being made to ensure that remand times are being kept as short as possible and if not that there valid reasons for holding prisoners on remand for periods in excess of 90 days.

OFFENDERS SUFFERING FROM MENTAL HEALTH ISSUES

In early January 2013 members of the Board met with the Minister of Health and some of her senior advisers to discuss the Board's concerns surrounding the detention in La Moye of persons who appeared to the Board to be suffering from mental health problems. It was a lengthy meeting involving a frank exchange of views. The Board now feels that its concerns have been made known to the relevant authorities, but it still has concerns where it appears to the Board that prisoners display signs of mental health problems. It is the occasional case where it is difficult to identify the cause of the illness. In many cases this is described as Borderline Personality Disorder which can be problematic to manage. Such cases are a drain on resources and can be a potential source of harm to both staff and inmates. The Board remains of the view that La Moye is not the appropriate place for these individuals to be held and that their anxieties and worries appear to be aggravated by their being in a prison environment.

VISIT TO THE GUERNSEY PRISON.

On 5th October the Chairman and two members of the Board paid a courtesy visit to the Guernsey Prison. The party received a warm and hospitable welcome from the Prison Governor and members of the Independent Monitoring Panel the Guernsey equivalent of the Board of Visitors. An interesting presentation was given on the Guernsey Prison and the role of the IMP. This was followed by a frank discussion and exchange of views. The IMP is differently constituted to and has a different role to that of the Board of Visitors.

Following a buffet lunch, provided by the prison kitchen, the group were taken on an extended tour of the prison. The group were particularly impressed by the football pitch, the horticultural compound and the educational facilities. Also of note was the fact that the prison population was only 105 all of whom worked, mainly in the recycling programme and that it is a non-smoking prison, only the second in Europe.

ART EXHIBITION.

In March members of the Board attended the opening of the Inside Out Exhibition of prisoner's art. The exhibition was opened by the Lieutenant Governor and Lady McColl and was again hosted by the Harbour Gallery, St Aubin. The Exhibition was well attended by members of the prisoners' families and the public. The quality of the art work was again of a high standard which continues to reflect the excellent work done by the Art Department at La Moye. The ongoing success of the annual Inside Out Art Exhibition has encouraged a number of prisoners to take advantage of the art room at La Moye, which provides a

popular and constructive way for prisoners to spend their time and to express their feelings and frustrations.

UNRESTRICTED TRANSFERS AND REPATRIATION OF PRISONERS.

The Board was pleased to note that after much delay the Unrestricted Transfer and Repatriation of Prisoners schemes finally came into force during 2013. Despite a few teething problems most of the administration procedures have been ironed out and two prisoners were repatriated during the year, one to the Netherlands and one to Poland.

The Board notes with regret that the response from the Portuguese Authorities has been disappointing, in that bureaucratic difficulties have delayed the repatriation of three prisoners to Portugal and Madeira. The Board has discussed the matter with the Minister, who together with the Prison Governor, is making every effort to resolve the difficulties.

The Board also notes that due to changes in their internal systems the U.K. Authorities have placed a temporary embargo on unrestricted transfers from Jersey to the U.K.

JUVENILE AND YOUNG OFFENDERS.

This long standing issue was the subject of comment in the report of H.M. Inspectorate of Prisons. Whilst accepting that the current situation is not satisfactory the Board is aware that the existing situation is the best available to meet the Island's needs. The Board is satisfied that relevant authorities are aware of the problem and every effort is made to ensure that juvenile and young offenders are held in the most appropriate accommodation available.

CONCLUDING REMARKS.

The Board has had another busy year and would like to thank the Prison Governor and his staff for their assistance and co-operation throughout the year. Their professionalism and dedication continues to ensure that there is an excellent working relationship between staff and prisoners. This has created a positive atmosphere within the prison to the advantage of all concerned. The Board would urge members of the States who have never visited La Moye to do so, not only in recognition of the excellent work carried out by the Prison Governor and his hard working staff, but also to see for themselves the facilities provided at La Moye.

R.J.Kerley.

Jurat of the Royal Court.

Chairman of the Prison Board of Visitors