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# STATES OF JERSEY



## PRISON BOARD OF VISITORS: ANNUAL REPORT 2015

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

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STATES GREFFE

## REPORT

1. It is my pleasure to present this report to the States of Jersey in accordance with Regulation 19 of the [Prison Board of Visitors \(Jersey\) Regulations 1957](#) (“**the Regulations**”), which obliges the Prison Board of Visitors (“**the Board**”) to make a report to the States at the end of each year.
2. In accordance with Article 6 of the [Prison \(Jersey\) Law 1957](#), the following Jurats were appointed by the Superior Number of the Royal Court in December 2014 to constitute the Prison Board of Visitors for the year 2015.

Jurat R.J. Kerley (Chairman)  
 Jurat S.E. Marett-Crosby (Vice-Chairman)  
 Jurat J.M. Clapham (Lieutenant Bailiff)  
 Jurat S.M. Milner  
 Jurat A.J. Olsen  
 Jurat M.J. Liston  
 Jurat C.R. Blampied.

### Retirements during 2015

3. During the year, we saw no fewer than 3 retirements from the bench, hence from the Board. Jurat Clapham’s place was taken by Jurat S.A. Sparrow; Jurat R.B. Thomas replaced Jurat Milner; and Jurat J. Ronge was appointed following the retirement of Jurat Kerley. I was appointed Chairman of the Board at its meeting in October 2015. Jurat Marett-Crosby continues in office as Vice-Chairman.
4. Consequent upon these changes, the Superior Number ordered, on 8th December 2015, that the following Jurats shall constitute the Board for the year 2016, namely –

Jurat A.J. Olsen (Chairman)  
 Jurat S.E. Marett-Crosby (Vice-Chairman)  
 Jurat M.J. Liston  
 Jurat C.R. Blampied  
 Jurat S.A. Sparrow  
 Jurat R.B. Thomas  
 Jurat J. Ronge.

5. I would like to pay tribute to Jurats Clapham and Milner for their hard work and service to the Board, which in the case of Jurat Clapham was over the course of a 12-year period; and to Jurat Kerley for his thoughtful and excellent Chairmanship for 4½ years. These dedicated Board members will all be greatly missed.
6. The duties of the Board are set out in the body of the Regulations. Within this framework, the Board endeavours to provide a caring, listening and sensitive approach to the problems and concerns of the inmates of H.M.P. La Moye. We would like to think that we provide an independent perspective upon the conditions in and the work of the Prison. By its monthly meetings and intervening single Jurat visits, the Board is able to keep abreast of the day-to-

day workings of the Prison and in particular the welfare, health, treatment, diet and education of the prisoners.

7. During 2015 the Board has met on 9 occasions<sup>1</sup> and there have been 13 additional visits to H.M.P. La Moye by single Jurats. Over the year, there has been a total of some 48 requests to see the Board and the individual members thereof during their monthly visits between the Board's visits. The requests to see us, either as a Board or as individuals, have covered a very wide range of matters, such as locating personal possessions, family concerns, worries about the effect of deportation orders, health and dental issues, the quality of prison-issue mattresses and access to legal advice, to name but a few. It is fair to say that a significant number of the matters and concerns that are raised with us are outwith the scope of our duties as set out in the Regulations, but we always endeavour to provide a listening ear, and on occasion have taken up matters on behalf of inmates that are outside our statutory remit, for example a complaint by a prisoner as to the manner of his detention at Police Headquarters at the time of his arrest, a matter that eventually resulted in a useful meeting with the Police Complaints Authority with us in November. As another example, an inmate had a long conversation with me in October about an internal disciplinary matter, simply because he wanted the chance to talk to someone from the outside about it.
8. The Board has met with the Minister for Home Affairs (the "Minister") on 3 occasions during the year, during which the Chief Officer for Home Affairs, has accompanied her. Mr. B. Millar, the Prison Governor, has also attended these meetings. These meetings provide a useful forum for discussing concerns that the Board has, as well as for raising broader issues and some individual cases that the Board considers should be brought to the Minister's attention. Our next meeting with the Minister is scheduled for 7th January 2016.
9. One of the Board's duties, as set out in the now slightly archaic language of Regulation 15 of the Regulations, is to "... *inspect the dietary of prisoners and if it finds the quality of the food unsatisfactory, it shall report the matter to the Prison Board and note the same in its minutes...*". We make a point of inspecting the kitchens during every monthly visit, and more often than not, the single visiting Jurat also does so during his or her individual visit between the Board's monthly visits. We have invariably found the standard of cleanliness and hygiene in the kitchens to be second to none, and the menu choices available to inmates, as well as the quality of the proffered fare, to be more than satisfactory. In addition, it is pleasing to see so many inmates working in the kitchen, interacting well with the staff and generally seeming to be happy in their work. Currently, all 16 inmates who are working in the kitchens are undergoing training for the hospitality industry. (To qualify, they must complete at least 3 core units of the National Vocational Qualifications (NVQs) in Hospitality. Five of them have committed to completing all 7 units of the course.)

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<sup>1</sup> It may or may not be of interest that the Board has met on 663 occasions since it came into existence.

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10. A point of concern that has been raised by my predecessors is worth raising again. It is this: the compound, where plants, shrubs, tomatoes and vegetables are grown, and which provides winter poinsettias for the florists' trades, has substantially diminished in size over the years, in order to provide space for other facilities. We would like to stress the importance of the compound. It is excellent for the inmates who work in it – some 20 of them at present – to be out in the fresh air, getting some exercise and learning about the cultivation of plants and flowers. The compound also provides produce for the kitchens. We venture to express the hope that that which remains of it will be safe from the incursion of other buildings, or a reduction in size for any other reason, in the future.
11. 2015 has been a year of budget cuts in the public sector, and it would be surprising to a degree if H.M.P. La Moye had somehow been exempted from the imperative to save costs. That said, we are a little concerned that the consequential reduction in staffing at the Prison has led to the necessity for the prisoners to be locked in their cells an hour earlier in the evening, as from 3rd January next. On any view this is a retrograde step. As partial compensation for this, the Governor tells us, telephones will be installed in each cell, from which inmates will be able to call up to 20 approved numbers, paying normal rates. The telephones will not be capable of receiving incoming calls and all outgoing calls will be recorded for security purposes. In addition, every inmate has his or her own basic computer, which acts as a television that can access all free terrestrial channels, as well as training and education materials as loaded by the relevant staff on to the prison's intranet. Once the programme has been rolled out in its entirety, prisoners will also be able to pre-order their meals online using these devices, which will save time, and thus staff costs, in the kitchens.
12. We are very proud of the training and education afforded to the inmates of H.M.P. La Moye and indeed of the culture of "Learning and Skills" that exists there. Currently, 143 inmates<sup>2</sup> are receiving education or training of one sort or another. The total hours taught by subject in the month of November (the latest figures available at the time of the presentation of this report) may be of interest. For example –

Art	342
Functional Skills	110
Brickwork	344
Physical Education	143 (certificated courses excluding recreational sports)
Carpentry	445
Industrial Cleaning	138
Horticulture	331.

With reference to skills development, H.M.P. La Moye provides City and Guilds or Scottish Vocational Qualification courses at levels 1 and 2 in horticulture and construction (which includes carpentry, block work and painting and decorating). It also delivers the British Institute of Science of Cleaning (BICS) certificates and levels 1 and 2, and the YMCA level 2

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<sup>2</sup> Out of a total population at the time of this report of 164. It should be noted, however, that a number of inmates are on remand, rather than convicted.

Certificate in Fitness Instructing in the Gym, plus the European Driving Licence in I.T.

13. The Prison also provides that which I might describe as “anti-criminality training”. The psychology and interventions team deliver the following –
- Jersey Alcohol-Related Violence Strategy (JARVIS) – a 30-session medium-intensity programme that aims to reduce re-offending in young men who have been imprisoned for alcohol-related crimes of violence and who are hazardous drinkers;
  - Addressing Substance-Related Offending – Secure (ASRO-S) – a 20-session programme for prisoners based upon a developmental risk factor model of the relationship between substance misuse and crime.
  - Thinking Skills Programme – a 19-session programme that aims to build on the lessons learned from the first generation of cognitive skills programmes. It is designed to cause individuals to think before they act and provides them with tools to amend their behaviour.

The team also offers the Alcohol Study Group and a Brief Dynamic Drug Awareness Programme, both of which are short, non-accredited educational programmes, in addition to one-to-one work on sex offending and domestic violence.

14. We express the fervent hope that budget cuts will not impinge upon the level or quality of training and education that the prisoners receive. It is our firmly-held view that not only is it right on a moral and social basis to receive criminals and endeavour to discharge them as citizens, citizens with skills and the hope of a future, but also that it would be morally wrong, and indeed far more expensive in the long term, to receive criminals into custody and, at the end of their sentences, to discharge them back into society as criminals. We have urged the Minister to endeavour to ensure that, no matter what may befall in regard to Home Affairs budget cuts, they should on no account prejudice the training and education of the inmates of H.M.P. La Moye.
15. Throughout the year the Board has continued to monitor the periods of time during which persons are detained in custody prior to trial. We have been satisfied that where remand times have exceeded 90 days, there have been acceptable reasons for the delay in bringing the matter to court. We are also satisfied that the prosecution authorities are well aware of the necessity to bring cases to court at the earliest practicable juncture. We shall continue to exercise vigilance in this important area.
16. Within the last weeks, we have received and considered a report from the Education and Home Affairs Scrutiny Panel to the effect that the Board should not remain as presently constituted. We are grateful to the Minister for having kindly attended our November meeting in order to explain the matter to us. The Scrutiny Panel had not sought to consult us prior to recommending these proposed changes. Be that as it may, the position of the Board is that this is essentially a political matter. It would seem to be the case that Jersey has elected to sign up to the Optional Protocol to the UN Convention Against Torture and

other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). If, as the Scrutiny Panel's report sets out, the Protocol provides that no members of the judiciary may form part of the Prison Board of Visitors, or whatever body in due course replaces it, then it is quite clear that the Jurats, being members of the judiciary, can and will no longer participate.

17. The Jurats are servants of the law, and it is our legal obligation to serve on the Prison Board of Visitors. We shall therefore continue to monitor the welfare of the inmates of H.M.P. La Moye, to the best of our ability, until the requisite statutory changes shall have come into effect. We have made it clear to the Minister that, when the changes come into effect, which we understand might be something in the order of a year or so away, we shall work with her and her staff to ensure that the transition to the new regime is as seamless and efficient as possible.
18. The Board would like to record its sincere thanks to the Governor and staff at H.M.P. La Moye for their assistance and co-operation throughout the year. My predecessor has said, but it bears repetition, that the excellent working relationship that the Prison staff has with the inmates goes a long way towards ensuring the continuing success and the smooth working of the regime at the Prison. We would like to commend the Prison Governor and all his staff for their professionalism and dedication to duty.
19. Finally, we would like to recommend to those States Members who have not yet visited the Prison that they should please make the effort to do so. Apart from seeing for themselves the excellent results that the Governor and his staff have achieved at H.M.P. La Moye, it would help them to put matters into an appropriate perspective when they consider the future budget for the Prison.

**A.J. Olsen,**  
Jurat of the Royal Court,  
*Chairman of the Prison Board of Visitors.*

St. Helier, Jersey  
31st December 2015