
STATES OF JERSEY



PRISON BOARD OF VISITORS: CHAIRMAN'S REPORT 2016

Presented to the States on 10th February 2017
by the Minister for Home Affairs

STATES GREFFE

PRISON BOARD OF VISITORS

CHAIRMAN'S REPORT 2016

1 Paragraph 19 of the Prison Board of Visitors (Jersey) Regulations 1957 obliges the Prison Board of Visitors to make a report to the States at the end of each year. I have slightly delayed the presentation of this report beyond the 2016 year end for reasons that appear below, and venture to express the hope that this slight delay will be considered both venial and, in the unusual circumstances, excusable and appropriate.

2 By virtue of Article 6 of the Prison (Jersey) Law 1957, on 8 December 2015 the Superior Number of the Royal Court appointed the following Jurats to constitute the Board for the year 2016:

- Anthony John Olsen (Chairman);
- Suzanne Elizabeth Maret-Crosby (Vice Chairman);
- Michael Joseph Liston;
- Charles Richard Blampied;
- Sally Angela Sparrow;
- Rozanne Barbara Thomas and
- Jane Ronge.

3 Jurat Maret-Crosby retired from the bench during 2016 and thus from the Board. Jurat Pamela Jean Pitman took her place. Consequent upon this change, the Superior Number ordered on 12 December 2016 that the following Jurats should constitute the Board for the year 2017, namely:

- Anthony John Olsen (Chairman);
- Michael Joseph Liston;
- Charles Richard Blampied;
- Sally Angela Sparrow;
- Rozanne Barbara Thomas;
- Jane Ronge and
- Pamela Jean Pitman.

4 I would like to take this opportunity to thank Jurat Maret-Crosby for her hard work and service to the Board, and for her support to my predecessor and me in her capacity as Vice-Chairman. Her wisdom, charm and gentle humour are greatly missed. Jurat Michael Liston kindly agreed to serve as Vice Chairman upon her retirement and was duly appointed.

5 The duties of the Board are set out in the body of the 1957 Regulations. In essence, we deliver an independent perspective upon the conditions in and the work of the prison. Within this framework the Board endeavours to provide a caring, listening and sensitive approach to the problems and concerns of the inmates of HMP La Moye. By its monthly meetings and intervening single Jurat's 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.

6 During 2016, the Board met formally on ten occasions and there have been nine additional visits to HMP La Moye by single Jurats. Over the year, there were 51 requests to see the Board or the individual members thereof during their intervening visits. The requests to see us again covered a very wide range of matters during the year. They included difficulties over contact with children, queries in relation to mail deliveries, the quality of prison mattresses, grievances in relation to internal disciplinary procedures, access to personal jewellery and other items, expressed grievances in relation to the early release scheme and the prison's policy in relation to smoking, to name but a few. Some prisoners raised medical matters with us and we duly looked into those. We are satisfied that the standard of medical care at La Moye is high – and one of our number is a former G.P. Perhaps the most important point to note here is that complaints about the treatment of inmates at the hands of the prison staff are rare in the extreme, and that we have not received a single complaint about the quality or quantity of the food provided to the prisoners. As I observed last year, some of the matters that are raised with us are outwith the scope of our duties as set out in the Regulations, but we endeavour to provide a listening ear.

7 Other issues that engaged us during the year were:

7.1 A disconnect between the manner of reporting on remand times as between HMP La Moye and the Law Officers' Department – this has been resolved;

7.2 A highly unsatisfactory situation whereby an inmate was nearly detained over the weekend, despite the prosecution's having decided on the Friday not to proceed with charges against her. This was resolved, and procedures are now in place with a view to preventing such a state of affairs from recurring;

7.3 A complaint from the Bâtonnier about the fact that prisoners were being charged for the cost of their telephone calls to their Advocates. We established that the costs are only a few pence, and that this is the normal position in other prisons. In addition, we have received no complaint from any inmate about this, and we understand that the management of HMP La Moye has not either;

7.4 Complaints from several non-Jersey-resident prisoners about perceived injustice and discrimination in that Jersey-resident inmates are entitled to be considered for early release, whereas they are not. We gave this matter careful consideration, concluding that the policy of enabling Jersey-resident prisoners to be reintegrated into the local community prior to the expiration of their sentence was not discriminatory against prisoners who were not members of the local community, and therefore not entitled to be considered for early release into it by virtue of the policy. At any rate, this is a matter for the Minister's decision and not strictly a welfare issue;

7.5 The continued and unacceptable delays in the repatriation of UK-resident prisoners to serve their sentences, or the balance of their sentences, in their home country. This was a general theme throughout the year, but we encountered a case in November that we considered exceptional. An 18-year-old prisoner, who has no connections with Jersey whatever and is serving a five year sentence, had not had any visitors since his arrival in La Moye some 14 months previously. We took this up urgently with the Minister, who in turn very swiftly referred the matter to her counterpart in the UK. We await news of developments on this particular case, but take this

opportunity to express the more general hope that the UK will begin complying with its convention obligations in early course.

8 We were saddened to have reported to us the death of a 41-year-old remand prisoner while undergoing tests at the General Hospital in early December. The circumstances were not suspicious and the prisoner in question was in the care of the hospital staff, not prison officers, at the time of his death.

9 In addition to the meetings mentioned in paragraph 6 above, the Board met with the Minister for Home Affairs on three occasions during the year, during which her Chief Officer, Mr. Tom Walker, accompanied her. Mr. Bill Millar, the Prison Governor, also attended. These meetings provide a useful forum for discussing concerns that the Board has; for example, we raised a serious concern at our meeting with the Minister in February that there was a significant number of mentally disordered offenders at HMP La Moye who should not, in our view, be there at all. (Two prisoners are now in secure mental health facilities in the UK). The meetings have also provided us with an opportunity to raise broader issues and some individual cases that the Board considers should be brought to the Minister's attention. Our interaction with the Minister and her staff over the year has been collegiate and uniformly positive, and we would like to take this opportunity of expressing our appreciation of that.

10 During 2016 we continued to make a point of inspecting the kitchens during our monthly visits, and normally the single visiting Jurat did so as well. Whilst in last year's report I commented, "*We have invariably found the standard of cleanliness and hygiene in the kitchens to be second to none...*" we have to report that, during the latter part of 2016, we were not quite so impressed. Whilst the kitchen was never actually dirty, nonetheless we felt that standards had slipped a little, and made our feelings known on a couple of occasions. The response has been that the timing of our visits (normally mid afternoon) is not propitious, and that if we visited later, after the kitchens had been subjected to the daily major clean, we would likely revert to our previous opinion. One of the reasons for my slightly delaying the presentation of this report is that Jurat Ronge was due to carry out the single Jurat's visit on 9 January 2017 during the late afternoon, and would report to the Board as to her opinion as to kitchen cleanliness following that visit. This she has duly done. In summary, Jurat Ronge was well satisfied with the standard of cleanliness within the kitchens, and was pleased by the Governor's assurance that the inmates who work therein maintain catering hygiene standards, with some trained to operate to British Institute of Cleaning Science standards of cleaning. We shall, nonetheless, continue to monitor this area carefully during the time that remains to us in office.

11 We have found the menu choices available to inmates as well as the quality of the proffered fare to be satisfactory. The new officer in charge, Samantha Wright, is focusing on healthy eating options and a degree of flexibility is being offered in relation to the evening meal provision. 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 18 kitchen-worker inmates are undergoing training for the hospitality industry¹.

¹ All kitchen workers are entered on the SVQ Level 1 and must complete the mandatory modules in a three-month period if they are to remain working in the kitchen. This includes the food hygiene qualification. 12 of the kitchen workers had already achieved the minimum of Level 1 and the other six are engaged in working through the mandatory modules.

12 In my report of last year, I indicated that the Board was a little concerned that the recent reduction in staffing had led to the necessity for the prisoners to be locked in their cells an hour earlier in the evening, as from 3 January 2016. We are very pleased that this new regime was excellently managed and has not had any adverse consequences.

13 We continue to be proud of the training and education afforded to the inmates of HMP La Moye and indeed of the culture of “Learning and Skills” that exists there. Currently, 83 inmates 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 lodging this report) may be of interest. For example:

- Functional skills 144
- Painting and decorating 435
- Performing arts 204
- Carpentry 293
- Industrial cleaning 277
- Horticulture 244

As far as the performing arts are concerned, we were very pleased to learn that the J Wing drama group had received a Gold (Honours) award in the Jersey Eisteddfod for their entry in November 2016.

14 The prison also continues to provide “anti-criminality” training, which I described in some detail in my report of 31 December 2015. No purpose would be served by setting out all the detail again here, though that is not in any way to detract from the huge importance and value of the training, which continues in our view to be a vital part of the prison’s education programme. It is worth adding, however, that during the year, the “Building Better Relationships” programme was introduced. This was a significant development, not only for the prison, but also for Jersey, as it is the only programme run to accredited standards in the Island designed to address the perpetrators of domestic violence.

15 In our last report we expressed the “fervent hope” that budget cuts would not impinge upon the level or quality of training and education that the prisoners receive. It was, and remains, 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 were exceedingly relieved that the States spared HMP La Moye any spending cuts that would have had for effect to prejudice the training and education of the inmates. We are grateful for and keenly appreciative of this wise and percipient decision.

16 Throughout the year the Board continued to monitor the periods of time during which persons are detained in custody prior to trial. With one exception in the early part of the year, 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 exercised of the necessity to bring cases to court at the earliest practicable juncture, and indeed have set themselves targets in this regard. We shall continue to monitor this important area over the coming weeks.

17 In view of the imminent coming into force of the Prison (Amendment No.7) (Jersey) Law 2017, and Regulations to be made thereunder, the Board will shortly be replaced by an Independent Monitoring Panel. Another reason for my having slightly delayed the presentation of this report beyond the 2016 year end is that this will be the last ever report of the Prison Board of Visitors to the States of Jersey, and we wished to ensure that the information contained herein is as up-to-date as reasonably possible.

18 Pending the coming into force of the new Law, we shall work with the Minister and her staff to ensure that the transition to the new regime is as seamless and efficient as possible. We wish our successors very well indeed in their new role.

19 A general observation seems apt at this juncture. Our prison runs smoothly and generally quietly, with truly excellent relations for the most part between inmates and staff - we witness this at first hand. The fact of the matter, simply stated, is that HMP La Moye is run extremely well. One reads with a mixture of outrage, disbelief and relief such headlines in UK newspapers as, "Prisons in Crisis", that UK prisons have become "unacceptably violent and dangerous places" (according to Peter Clarke, the Chief Inspector of Prisons) and of serious riots and violence late last year at Her Majesty's Prisons in Bedford, Exeter, Pentonville and the Isle of Wight. It is, we think, no coincidence that we have not experienced such horrendous issues here in Jersey. We note that the Governor, Mr. Millar, was awarded the MBE in the recent New Year's Honours List, and, if we may be permitted to say so, we consider this honour to have been eminently well earned.

20 The Board would like to record its sincere thanks to the Governor and staff at HMP La Moye for their assistance and cooperation with us throughout last year, and indeed all previous years.

21 Finally, I would like to pay tribute to all those men and women who have served on the Prison Board of Visitors for the last 60 years. By the end of the current month, the Board will have met on no fewer than 675 occasions during the period of its existence, and this does not include the number of single Jurat's visits, which is probably of a similar order of magnitude. One can only guess at the countless hours and the amount of sheer effort and dedication that have cumulatively gone into these people's service on the Board during these past six decades. This is, on any view, a fine record of honorary service and dedication to duty, of which the whole of our Island community should be justly proud and deeply appreciative.

Jurat Anthony Olsen
Chairman of the Prison Board of Visitors

St. Helier, Jersey
19 January 2017