

### **2.3 Deputy R.G. Le Hérissier of the Minister for Home Affairs regarding the model used for the Board of Visitors for HMP La Moye:**

Will the Minister be proposing that the Board of Visitors for H.M.P. (Her Majesty's Prison) La Moye be based upon the model used at Greenfields and if not, why?

#### **The Deputy of St. John (Assistant Minister for Home Affairs - rapporteur):**

The constitution and responsibilities of the Board of Visitors is governed by regulations approved by the States, the Prison Board of Visitors (Jersey) Regulations 1957. The Board of Visitors has consistently carried out its duties proficiently and fairly. The Minister and I meet with the Board on a quarterly basis to keep up to date with their work in the prison and to address concerns they raise from time to time about prisoner welfare. During my time with Home Affairs, I am not aware of any complaints about the current constitution and operation of the Board by any prisoner. Hitherto there has been no cause to propose any changes to either the constitution of the Board or the manner in which it operates. Members may wish to note that the Education and Home Affairs Scrutiny Panel's Forward Work Programme for 2008 includes a review of the Prison Board of Visitors. I would not, therefore, wish to pre-empt any findings or recommendations that the Panel might make. The Minister will consider these in due course.

#### **2.3.1 Deputy R.G. Le Hérissier:**

Can the rapporteur therefore confirm that he is totally satisfied with the composition of the Board and, in view of the current controversy swirling around, he believes it is totally fit for purpose and a model of how these matters should be handled?

#### **The Deputy of St. John:**

Yes, Sir, at this stage we have no reason to doubt it, Sir.

#### **2.3.2 Deputy J.A. Martin:**

From memory, could the rapporteur tell me exactly who sits on the Board and how it is made up, please?

#### **The Deputy of St. John:**

Yes, Sir. It consists of 7 Jurats. Jurat Tibbo is the Chairman, Jurat Le Brocq, Jurat Le Breton, Jurat Clapham and Jurat King, Sir.

#### **2.3.3 Deputy J.A. Martin:**

A supplementary, Sir? Would these not be the same people that would probably have sent the person already to La Moye? Does the rapporteur really think, in this day and age, this is a fitting Board of Visitors for our prison?

#### **The Deputy of St. John:**

This is an issue that has been raised before and I do understand why Members wish to raise it, but Board members who preside over a defendant's case in court do not adjudicate over prison disciplinary matters for the same person after that sentence. A prisoner also has the right to object to a hearing being heard by any member of the Board in favour of another.

#### **2.3.4 Deputy F.J. Hill of St. Martin:**

Would the Assistant Minister not agree that really the boards that operate at La Moye and Greenfields are not really those that are followed outside the Island and would he not agree really that those 2 boards, along with a lay visiting scheme for the police station, should be reviewed by the Home Affairs and not really rely upon Scrutiny to do their job?

#### **The Deputy of St. John:**

Such matters are always under review and if we have just cause to review it further then we will, Sir. But we do await, with interest, for Scrutiny's intended review, Sir.

**2.3.5 Deputy R.G. Le Hérisier:**

Would the Assistant Minister not accept that his limp answer is astounding in the light of current circumstances and it hardly shows the department is up to speed with reform?

**The Deputy of St. John:**

No, I do not agree, Sir. If we had had consistent complaints about this Board from prisoners in particular and their families, then I would most certainly, Sir, be reviewing this with the Minister. But at the moment we have no reason to do so. But if the Deputy feels very strongly about this, there is nothing to stop him bringing a proposition to this House to make that change, Sir, to that Regulation.

**2.3.6 Deputy J.A. Martin:**

Sorry, Sir, can we just press the rapporteur? He has talked about prisoners complaining; is it not a fact - and he may have a better memory than me - but the past 2 prison reports done from the U.K. (United Kingdom) have been highly critical of the Board of Visitors at La Moye Prison?

**The Deputy of St. John:**

Well, I do not believe they were critical in exactly as to how they operated, Sir, but there were criticisms as to how certain things were not acted upon after complaints or other observations have been made, Sir.