

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
BY DEPUTY M. TADIER OF ST. BRELADE
ANSWER TO BE TABLED ON TUESDAY 28th APRIL 2015**

Question

Will the Minister advise how many complaints, if any, have been made by prison inmates or staff with regard to breathing in second-hand smoke on the premises of H.M. Prison La Moye in the past 5 years, when the complaints were made, how they were dealt with and if there are any plans to make the prison a smoke-free environment, as is the case on all hospital premises?

Answer

There hasn't been a complaint from staff related to breathing in second-hand smoke in the past 5 years and one complaint was received from a prisoner on 10th April 2015.

Staff are not permitted to smoke within the confines of the prison but the 'Restriction on Smoking (Workplaces) (Jersey) Regulations 2006' permit smoking in a prison cell. Consequently, prisoners are allowed to make a personal choice and permitted to smoke in their cells.

Prior to raising his formal complaint, the prisoner chose to write to several external sources to express his concern. On being made aware of this, the Prison Governor took the following actions:

- Instructed the engineering staff to check that the ventilation and fresh air in-flow system was operating properly
- Issued instructions to ensure that the in-cell air vents are routinely checked by staff to ensure that they are not being blocked
- Issued instructions to ensure that cell doors are closed if a prisoner chooses to smoke
- Conducted analysis of data from the prisoner's in-cell smoke detector
- Created a non-smoking area in the accommodation unit and gave the non-smokers the opportunity to move to a part of the unit where all cells are smoke free.

While there was no evidence to support the prisoner's assertion that "smoke laden air" was leaking out of smokers' cells and finding its way into his cell, the Governor felt that it would be prudent to check the quality of the information gleaned from the in-cell smoke detector. He is therefore procuring an air sampling device that might provide more conclusive analysis of air in cells or communal areas. Once available, further research and analysis will be carried out.

Deputy Tadier's reference to hospital premises is noted, but this has little relevance to a prison environment where a high percentage of the occupants will be detained for several years. Due consideration will be given to further information on the air quality in parts of the Prison. In the absence of licensed alternatives, there are no immediate plans to enforce smoking prohibition on all prisoners.