
STATES OF JERSEY



PRISON BOARD OF VISITORS – ANNUAL REPORT 2008

Presented to the States on 23rd June 2009
by the Minister for Home Affairs

STATES GREFFE

REPORT

In accordance with Article 6 of the Prison (Jersey) Law 1957, seven Jurats were appointed by the Superior Number of the Royal Court on 17th December 2007 to constitute the Prison Board of Visitors for the year 2008. They were –

Jurat J.C. Tibbo (Chairman)
Jurat R.M. Bullen MBE (Vice-Chairman)
Jurat Mrs. S.C.A. Le Brocq
Jurat J.L. Le Breton
Jurat G.C. Allo
Jurat Mrs. J.M. Clapham
Jurat Mrs. L.J. King MBE

During the year an average of 5/6 members met as a Board on 12 occasions, the quorum being not less than 3. At these meetings a total of 51 applications from prisoners were heard and responded to, albeit that all prisoner requests and complaints cannot possibly be upheld. Many are associated with the result of breaches of Prison Rules and Regulations and therefore fall within the responsibility of the Governor and Senior Officers. Nevertheless, the Board members are able to assist with a plethora of other queries, ranging from the retrieval of personal effects to re-establishing contact with legal representatives. Undoubtedly the issue which caused the greatest concern, both to the Officers as well as to the prisoners, was the number of outworkers who, on returning to La Moye, were testing positive to contact with drugs. After considerable investigation, including a demonstration by the suppliers of the equipment to members of the Prisoners' Council, which was also attended by the Chairman and Vice-Chairman of the Board, the cause of the readings was discovered and steps have been taken to resolve the issue.

As well as meeting on a monthly basis, a member of the Board, by rota, visited the Prison each month and a total of 64 applications were dealt with on these occasions. It should be recorded that, whereas the dates of the full meetings of the Board are established at the beginning of the year for the following 12 months and posted on the notice boards in each wing, thus giving the prisoners adequate time to prepare their questions, etc., the individual visits are not pre-scheduled and often take place at a few hours' notice.

If the need arises, members of the Board will make additional visits, as well as attend special functions, such as prize-giving ceremonies and passing out parades for newly appointed Officers.

Apart from the primary function of assisting prisoners wherever possible with their queries, at the monthly meetings the Members of the Board reviewed with the Governor the principal matters which affected the running of the Prison during the preceding period. Copies of management reports were made available and visits made to various parts of the establishment.

The Prison Rules allow prisoners to appeal to the Board against any adjudication made by the Governor, but no such appeal hearings were requested in 2008.

Governor

We were very pleased when the new Governor, Mr. William Millar, commenced his duties in early March. Mr. Millar was previously employed in the Scottish Prison Service for over 30 years and held several senior positions, including Deputy Director of Operations at SPS HQ, Governor of Polmont Young Offenders' Institution and Governor of Perth Prison. In the short time he has been on the Island, Mr. Millar has earned the respect of both prisoners and staff for the way in which he is meeting the challenges at La Moye.

Meetings with Minister for Home Affairs

Three meetings were held with the Minister and Chief Officer of Home Affairs, but unfortunately the fourth was cancelled following the unexpected resignation of the then Minister. However, these meetings were recommenced early in the New Year with the new Minister and Assistant Minister, as both parties have found this initiative to be extremely worthwhile, providing an opportunity to discuss a wide range of topics affecting the Prison. A number of issues cannot be solved quickly, including two which are the main concerns of the Board and to which further reference will be made later.

One other matter which in our view needs to be remedied at the earliest opportunity is the lack of a Consul for Polish nationals on the Island, and this we have brought to the notice of the Minister.

Population

The number of prisoners locked up at La Moye has remained at a consistently high level, with a maximum total of 193 on 1st September and a daily average for the year of 181, only very slightly less than the daily average of 183 in 2007.

We also wish to point out that, on average, 5 prisoners required extra vigilance daily as they were assessed to be at risk of self-harm.

These levels continued to pose real accommodation difficulties, the extent of which is governed at any one time by the mix of male (remand, ordinary and VPUs), female and young offenders; a situation which no other prison in England and Wales has to face. However, the position will be relieved when the new block opens in September 2009, as this will increase the total capacity to 262 prisoners, as well as providing a much needed gymnasium/general purpose hall.

Educational and Training Facilities

The Learning Centre and Library, both opened in late 2007, continued to be well used during the year, and the new and refurbished Training Workshops were opened in September. In conjunction with Highlands College, courses are now being provided in painting, carpentry and brickwork.

We are very pleased that the great majority of prisoners took advantage of the Sentence Planning facility, whilst over 100 attended the "Market Place". The latter provides, to prisoners nearing the end of their sentences, access to resettlement agencies such as Housing, Workwise and Careers, Grace Trust, Community Banking, etc.

Staff

A number of new Officers and Support Staff were recruited during the year, which should result in a considerable reduction in overtime worked, as well as reducing the amount of sick leave taken. However, in accordance with previous discussions, negotiations were concluded with the Prison Staff Association to reduce the working week to 37 hours. These terms will challenge the manpower budget when they come into operation this year, but the Governor anticipates that changes to the working rotas will account for some of the additional capacity needed, although further recruitment will be required. The agreement also provides for a purpose-built staff dining facility to be included in the estate development plan for 2010.

Considerable focus has been placed on staff training, and during the year a total of 4,048 hours were allocated, as against 3,098 in 2007. Additionally, 5,996 hours of training were delivered to new recruits. Internal promotions have taken place and it is hoped that a succession plan can be put in place for the longer term. However, this may involve additional cost, as those willing to take further responsibility will need to broaden their experience, perhaps by way of secondments to other custodial institutions.

Chaplaincy

The Governor granted permission for a prisoner to marry in the Prison Chapel on 28th September 2008. The ceremony was conducted by the Chaplain, Reverend Pauline Wilcox, and a small number of guests attended.

Having reported last year that, after some considerable time without a full complement the Chaplaincy team was complete, there have been certain difficulties in meeting the requirements of prisoners of all faiths. In our view, it is important that prisoners should have regular access to their respective Church representative, and we hope there will be a minimum of delay in replacing Reverend Wilcox when she retires later this year.

Capital Funding

The scheduled Capital programme will virtually come to a stand-still with the opening of the new block later this year, as there is only provision for a relatively small sum in the 2010 Budget. This amounts to less than £2 million for building temporary staff facilities as required under the agreement with the Prison Staff Association. There is then no further Capital provision until 2014.

We consider that this position should be reviewed as a matter of urgency as there remain parts of the Prison in need of modernisation. In our view it would be preferable to build staff facilities for the longer term rather than for temporary use, and the Visitor Centre is also desperately in need of attention. We would hope that further funds can be found more quickly than 2014 so that the impetus which has been built

up over recent years can continue, even if the monies can only be found by way of allocating the work to local contractors to be paid from the Stabilisation Fund.

Juvenile Offenders

In last year's Report we mentioned that the unanimous view of the Members of the Board was that convicted juvenile offenders of school age should not be held in Prison. This view was endorsed with the publication of the Williamson Report which recommended that, whilst having no criticism of La Moye YOI, offenders under the age of 16 should not be held there.

Certain difficulties which exist in the use of Greenfield for holding convicted young offenders have been explained to us but nevertheless, with goodwill on all sides as well as firm direction from the Corporate Parent, we believe the facilities at Greenfields could be put to better use and in particular, house the young offenders referred to above.

This matter remains on the agenda for discussion with the Minister.

Offenders Suffering From Mental Health Issues

During this last year a number of situations have arisen with prisoners suffering from mental health issues. These prisoners have been deemed fit to plead, and as the result of the seriousness of the offences they committed, they have attracted Prison sentences. Regrettably there is nowhere else for them to go; but Prison Officers, whilst doing their best to cater for their particular conditions, are not trained to look after such cases. Often the offenders cause considerable disruption in the area they occupy, which in turn causes considerable stress to other prisoners, and there is no way they can receive appropriate attention whilst in prison.

This matter was first discussed some years ago, but has resurfaced as the result of 4 prisoners suffering from such conditions being at La Moye at the same time. In addition to the disruption caused, it provides for a dangerous environment, exemplified by the attack on a female officer by one of this category of prisoner which has resulted in a charge of attempted murder.

We believe that prisoners suffering from mental health issues should not be held at La Moye, but in a secure unit where appropriate treatment facilities can be provided. We are told that no such facilities exist, and if this is the case, we recommend that funds be made available to create and staff a suitable unit. This is not a problem which will go away without positive action being taken.

Conclusion

The hard work undertaken since the last Inspection continued in the year under review, and the overall facilities at La Moye have been significantly improved. We trust this will be reflected in the report which will follow the next inspection in 2010 but there is still room for further improvement. This will undoubtedly require the continued co-operation of all those involved with the Prison, either directly or indirectly, including recognition that there has been considerable under-investment over a long period in the past, the effects of which remain readily evident in certain areas.

Both His Excellency the Lieutenant Governor and Mrs. Ridgway have taken a real interest in what is taking place at H.M. Prison La Moye, and this has been much appreciated by both staff and prisoners alike. It is also a boost to morale when Members of the States take the time to visit, as a number have done in 2008.