
STATES OF JERSEY



JERSEY INDEPENDENT PRISON MONITORING BOARD (IPMB) ANNUAL REPORT 2019

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by the Minister for Home Affairs

STATES GREFFE

Jersey Independent Prison Monitoring Board (IPMB)

Annual Report 2019

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1. Executive Summary

- 1.1. This is the third annual report of the Independent Prison Monitoring Board (the IPMB) since its establishment in April 2017 by the Prison (Independent Prison Monitoring Board) Regulations 2017 (“the Regulations”).
- 1.2. The IPMB’s first report outlined the background to its formation and its terms of reference, the focus of which is the welfare of people who are imprisoned at La Moye Prison (La Moye), which is managed by the States of Jersey Prison Service (SoJPS). It gave a brief description of the buildings and the prison population upon which our second report enlarged. Modernisations excepted, these facts remain much the same.
- 1.3. In summary, our observations are that prisoners at La Moye are treated with respect and dignity by dedicated and competent staff within a safe, secure and sanitary environment. Most of the issues identified by the IPMB or raised by prisoners in 2019 were resolved or are being progressed positively with the co-operation of the prison Governor. Welfare of prisoners, which is the IPMB’s chief focus, is generally good.
- 1.4. In 2019 the volume and intensity of the IPMB’s work comfortably exceeded the standards laid out in the Regulations. This is testament to the commitment of all our voluntary members who give their time to provide a safeguard in relation to the treatment of vulnerable people.
- 1.5. The IPMB’s previous two reports referred to the paucity of administrative support since its inception in 2017. The provision of administration remained problematic during 2019, continuing to be an unwelcome distraction from our core functions. Despite reassurances from the Justice and Home Affairs Department, secretarial support over the year has been inconsistent or inadequate. Having raised the issue with the Minister for Home Affairs and senior officials from the Justice and Home Affairs Department, we are hopeful that promised stability in this area will come to fruition in 2020 and the matter will be satisfactorily and finally resolved.
- 1.6. We are pleased to report that we consolidated in 2019, which was welcome after the turbulence of 2018. A high level of turnover has limited the IPMB’s progress because institutional memory and experience are important to the effectiveness of an entity which deals with confidential issues in unusual circumstances, with people who are often under stress, in a place where security is uppermost and yet where empathy and common sense must be allowed to flourish.

- 1.7 Our minimum (set by the Regulations) of seven members was maintained throughout 2019. Jessica Mulholland resigned and we thank her for her important contribution. Laura Cardinal also resigned; she was invaluable as a member and as Deputy Chair so her departure is a great loss. We recruited two new people in June, Amanda Du Val and Roger Goodwin; both were very welcome and made significant contributions to the development of the IPMB's work. Members at the end of 2019 were:

Vivien Vibert – Chair
Andrea John – Acting Deputy Chair
Caroline Strachan
Jessica Doyle
Graham Root
Amanda Du Val
Roger Goodwin

- 1.8 The IPMB has continued to develop its relationship with the Prison Governor, Mr Nick Cameron, in this his first full year in post. The mutually respectful, professional relationship between the IPMB and the senior management team at La Moye is essential to the successful operation of both.
- 1.9 In 2019 the IPMB conducted its first survey of the prisoner population seeking feedback on their experience of its work. This proved an insightful and worthwhile exercise in improving our operation and strengthening our relationship with the people whose welfare is central to our role: those detained at La Moye.
- 1.10 Finally, reflecting the collaborative team effort without which the IPMB could not function, this report comprises contributions from all members.

2. 2019 Developments

- 2.1 2019 was the first full year in post for Prison Governor, Mr Nick Cameron. During this time IPMB members have continued to build a constructive and open relationship with the Governor and to liaise closely with Nick Watkins, Deputy Governor.
- 2.2 During 2019 La Moye further developed its public profile through a range of activities that have been widely reported in the local media. The focus on rehabilitation and reduction of re-offending has been clearly articulated, and this has been demonstrated through a range of activities that link prisoners to the community. This appears to have been well received by the prisoners that we have spoken to.
- 2.3 Community-focussed activities have built on the skills and expertise developed in La Moye and show-cased that to the public. For example, prisoners again entered prize-winning produce into the Royal Jersey Agricultural and Horticultural Society (RJA&HS) summer and autumn shows. Horticultural activities at La Moye also included growing 2,000 poinsettias for sale on the island. Prisoners have continued restoration work on the cast iron brackets for the lamp posts in St Brelade's Bay and produced over 60 pieces of artwork that were exhibited at a local gallery for public viewing.
- 2.4 Other locally linked projects included fitting out an old bus to be used by a school as its library, constructing wheelchair-accessible picnic tables for a local charity, and show-casing a range of skills (artwork, woodwork, and fresh produce) at the St Ouen's Manor Fête.
- 2.5 A range of activities has been introduced to improve the environment and to promote effective rehabilitation. Three initiatives are designed to enable prisoners to have better connections with their friends and families.
 - The new *Email-a-Prisoner* scheme allows two-way email communications.
 - Virtual visits via video link allow prisoners to have contact with family members who may not be able to visit La Moye in person.
 - Family visits have been introduced with the support of a local charity. These take place in a more family-orientated environment which not only aims to reduce re-offending, but also to tackle inter-generational offending cycles.

- 2.6 "Virtual" court rooms were introduced; they allow prisoners to appear in court on procedural hearings without the stress and inconvenience of having to attend in person; this system also saves SoJPS staff resources, time and costs. The same facilities can also be used by advocates to speak to their clients in a more convenient and efficient way.
- 2.7 2019 was the first full year that tobacco was prohibited throughout La Moye. The IPMB have been impressed with the management of this substantial, and hugely positive, change to the prison regime by prisoners and staff alike. On the whole it has been well received by inmates, with E-cigarettes and nicotine patches available.
- 2.8 In part influenced by prisoner applications to the IPMB, improvements were made for prisoners with mobility difficulties through the installation of several stair-lifts and three therapeutic beds.
- 2.9 We look forward to seeing how these initiatives are embedded during 2020.

3. Prisoner Applications to the IPMB

- 3.1 Responding to individual applications from prisoners is a core function of the IPMB. Information on our role and routes to access the IPMB are advertised:
 - On wing noticeboards.
 - On the IX System - for prisoners to access on screen in their cell.
 - At Reception - (on screen) - with all relevant information and in several languages.
- 3.2 Application Forms, asking the IPMB to investigate a complaint, are available to all prisoners; completed forms are posted into a dedicated locked box on each wing; these boxes are only opened by non-uniformed staff who deliver the applications to the IPMB. Members always prioritise meeting with prisoners before embarking on the Monitoring Visit, so that sometimes Monitoring Visits are postponed due to time constraints.
- 3.3 The Application Form is for use by prisoners after they have exhausted the standard Prison Complaints Procedure. This was not always the case in 2019, but the IPMB dealt with all applications received, even if this had not been done.

3.4 The standard procedure adopted in dealing with applications usually involves:-

- Two members meeting with the prisoner, normally in a room on the relevant wing, without a Prison Officer being present. The escorting officer is however stationed close-by for security purposes and members wear personal alarms.
- Discussing the application with the prisoner and advising what the IPMB's likely course of action will be.
- Producing an internal report on the application/meeting, including a record of any discussions with the Governor or Deputy Governor.
- Writing a confidential letter to the prisoner, advising on the IPMB's findings.
- Reporting briefly on the application at the next IPMB meeting, if appropriate.

3.5 On occasion, members deem it unnecessary to meet with the prisoner, however a report is still produced, and a response letter sent to the prisoner.

3.6 A total of 27 applications were received by the IPMB in 2019, compared to 31 in 2018. All applications were from male prisoners. This is not surprising as the female population is very small, typically averaging 3-5% of the total population.

3.7 Applications (categorised into 10 categories) - were as follows:

Nature of application		Number	%
1	Unfair treatment	7	26
2	Healthcare	6	22
3	Food and Diet	3	11
4	Safety and environment	3	11
5	Property Issues	2	7
6	Visitor arrangements	2	7
7	Accommodation	1	4
8	Banking	1	4
9	Disturbance by other prisoners	1	4
10	Transfer to UK	1	4
Totals		27	100

- 3.8 The number of applications received from the main male population wings (K&L) and the male vulnerable prisoners wing (J) break down as follows:

Wing	No. of Applications
K	13
J	8
L	5
Care and Control Unit	1

- 3.9 From a total 27 applications received, 4 were from prisoners who submitted more than one, thus the total number of prisoners actually making applications was 23.
- 3.10 Unfairness of treatment tops the list of reasons for applications, but this includes circumstances in which prisoners compare their lot to that of others; sometimes they do not appreciate that while SoJPS rules apply to all, every prisoner's situation is different. The SoJPS occasionally uses its discretion in favour of a prisoner, for example advancing a move to Enhanced Status by a day to enable a particular visit. At the other end of the scale, a request that may seem reasonable to a prisoner could, if allowed, have wide repercussions in terms of logistics and resources.
- 3.11 Health issues are a regular feature of applications received by the IPMB, even though the application form says that we cannot deal with them directly; the SoJPS itself cannot intervene in medical decisions either. We may, however, advise the applicant for example to ask for another appointment with a health professional, or we look into it as a general issue. Health overlaps with "safety and environment" and "accommodation"; it was in this context that we put a case to the Governor for therapeutic beds on the wings.
- 3.12 In 2018 24% of applications concerned access to work and education. Improvements in this area are discussed in section 7 below and their success is reflected here: there were no applications on these topics in 2019.

4. Monitoring Visits by the IPMB

- 4.1 In fulfilling its statutory function, the IPMB conducts regular Monitoring Visits (MVs) to La Moye. As has become standard practice, MVs were scheduled at a minimum of 2 per month. In 2019, 26 MVs were planned with 25 actually undertaken.
- 4.2 MVs are carried out by two IPMB members, escorted by one or more prison officers.
- 4.3 To facilitate efficient entry to the prison, the dates and times of MVs are provided to the SoJPS in advance. In the interests of independence and objectivity, the specific area to be visited is not disclosed until members arrive at La Moye.
- 4.4 On arrival, IPMB members enquire whether the Care and Control Unit (CCU) is occupied and if so, they arrange to speak to the prisoner being accommodated in this facility. Members receive a briefing from the prison staff and, if necessary, review the applicable documentation. In early 2019, a system was introduced whereby the Governor or his Deputy notify the IPMB when the CCU is occupied and the circumstances leading to its use.
- 4.5 As mentioned under section 3, prisoner applications are prioritised ahead of carrying out the MV, to ensure that the IPMB's objectives in terms of prisoner welfare are timeously addressed.
- 4.6 While fulfilling a central function of the IPMB's work, MVs also provide a 'platform' to talk informally to both prisoners and staff and useful information is gleaned about day-to-day issues, not always covered by prisoner applications.
- 4.7 In 2019 MVs were carried out at various times of the day, with some visits arranged at weekends and one late evening visit in February; an evening visit is quite different because all prisoners are locked in their cells for the night.
- 4.8 Following MV's, IPMB members often discuss issues arising with the Governor or Deputy Governor, prior to producing a Monitoring Visit Report. Matters arising from MVs are discussed as a standing agenda item at our monthly meetings.

4.9 During most MV's members go to more than one area of La Moye; the following were visited at least once and many of them several times:

- J Wing (vulnerable male prisoners)
- K & L Wings (male prisoners)
- H Wing (female prisoners)
- Care and Control Unit (CCU)
- Reception Suite
- Resettlement Management Unit
- Kitchens
- Workshops
- Horticultural Compounds
- Gym/Sports Hall
- Library
- Art Room
- Multi-faith room
- Visitor Centre
- Control Room
- Medical Centre

4.10 In addition to visiting the residential and operational areas of La Moye, the IPMB also observed the 'Market Place' multi-agency workshop. This is a bi-monthly event involving outside agencies (including Shelter Trust, Income Support, Citizens Advice, Back-to-Work, Sanctuary Trust, Community Savings and others) which provides an important forum for prisoners nearing release to gain information on the resources available to help them to integrate back into the community.

4.11 To summarise, the MVs undertaken in 2019 enabled IPMB members to observe the working environment of the prison, the physical condition of the buildings and compounds and the day-to-day interaction between prisoners and staff. Throughout the year, the facilities appeared to have been well maintained and efficiently and effectively managed by prison staff, who showed great dedication towards the prisoners in their care and a genuine interest in encouraging them not to re-offend following release. The planned building improvements and major extensions, for 2020 and beyond, should ensure that these high standards are maintained and enhanced, to provide a good environment for both prisoners and staff well into this new decade.

5. Additional Activities

5.1 In addition to the core functions of responding to prisoner applications and conducting monitoring visits, in 2019 IPMB members were involved in range of additional activities aimed at developing the knowledge and operation of the IPMB or supporting positive initiatives by the SoJPS. These included:

- Passing Out Parades: newly appointed SoJPS recruits are officially initiated at these events of which there were two in 2019, in January and September. Three IPMB members attended each.
- Well-being Fair: some of us attended La Moye to observe the promotion of a range of supports available to prisoners on their release from custody. These included providers of healthcare, sport and exercise, dieticians and mental health services.
- Joint Wing Council meeting: two members attended one of these meetings, held quarterly, where representatives of all 4 wings, including the female wing, discuss matters of general concern with prison staff.
- *Inside Out Exhibition* at The Harbour Gallery: five members went to the exhibition which showcased art, ceramics & woodwork projects the prisoners had produced over the course of the year. One member bought a painting.
- St Ouen Fête: four members went to support the stall promoting and selling products produced by prisoners at La Moye.
- Royal Jersey Agricultural and Horticultural Society (RJA&HS) Country Fairs: several members visited the summer and autumn shows, to support the prizewinning efforts of La Moye's horticultural compound.
- Association of Members of Independent Monitoring Boards (AMIMB) workshop on *Drugs, Autism & Sex Offenders in U.K. Prisons* in London: one member attended which provided insight on the prevalence of substance misuse and associated difficulties in the UK prison system. There was also valuable knowledge gained on the levels of autism in the prison population and international comparisons of the profile of individuals convicted of sexual offences.
- Social Security Department: two members were provided with an outline of the support provided by Social Security for prisoners upon their release. A team from Social Security attend the Market Place (see 4.10 above) to interview prisoners in the build up to their release.

- Recruitment Information Sessions: all of us represented the IPMB at several 'drop-in' sessions providing information to prospective new IPMB members.
 - HMP Exeter: one member independently visited HMP Exeter where she undertook a tour with the local Independent Monitoring Board chair gaining useful insight into UK practice.
 - Isle of Man IMB Visit: two members welcomed the Chair of the Isle of Man Monitoring Board to share knowledge and build positive collaborative links.
 - *Suicide Awareness Course* to mark World Suicide Prevention Day: one member attended a thought-provoking course on the issues of self-harm and suicide in custody.
 - Strathmore House: one of us visited the Shelter Trust property at Strathmore House, which provides a step-down accommodation option for prisoners on their release from custody.
 - Sanctuary House: two members visited Sanctuary House at St Aubin, which has a function similar to that of the Shelter Trust, but is supported solely by charitable donations.
- 5.2 The frequency and number of additional activities places an extra demand on the voluntary time of IPMB members, but we consider it a vital investment in the development of our knowledge and practice. In 2020, the IPMB anticipates an equally busy schedule of additional activities including a visit to La Moye by members of the Guernsey IPMB in April.

6. Safety and Security

6.1 Incidents

- 6.1.1 La Moye has a mixed population with an operational capacity of 200. During 2019, the population averaged 133 with a range of 121 to 147. Prisoner numbers and categories of prisoners (male, female, vulnerable, and young offenders) have not changed significantly since 2017.
- 6.1.2 The Governor provides the IPMB with monthly safe custody statistics which include incidents of self-harm, assaults on prisoners and/or officers, drug testing results and the use of the Care and Control Unit (CCU).

- 6.1.3 In 2019, La Moye reported zero major incidents. The prison had one serious prisoner-on-staff assault and one serious prisoner-on-prisoner assault, and 6 serious self-harm incidents. This level of serious incidents is extremely low when bench-marked against the UK prison system. There were 51 prisoners on Risk and Concern Assessments (RCAs) over the year compared to 66 in 2018. Less than 6% of prisoners tested for drugs during 2019 were found to be positive.
- 6.1.4 There were 24 incidents of self-harm, but no deaths, no attempted escapes, riots or significant infiltration of illegal substances. La Moye is a safe, secure and stable environment when compared to prisons in England and Wales.
- 6.1.5 In terms of prisoner safety and security, the IPMB's observations are that La Moye is generally calm and orderly. Prisoners engage respectfully with officers, fellow prisoners and IPMB members. Moreover, prisoners are positive about La Moye prison when speaking with IPMB members during monitoring visits. This even extends to those prisoners with a particular issue or grievance who have made applications to the IPMB.

6.2 Care and Control Unit - CCU

- 6.2.1 During 2019, CCU was used a total of 26 times; 17 prisoners were placed in CCU for a total period of 57 days. The duration a prisoner was in CCU ranged from 1 to 4 days.
- 6.2.2 In addition, 1 prisoner was housed in the CCU for a period of 24 days due to a high risk of self-harm and suicide. An officer was assigned to observe the prisoner on a 24 hour, 7 days per week basis.
- 6.2.3 At each monitoring visit, the IPMB enquires specifically whether any prisoners are being held in CCU. Given their potential additional vulnerability, it is the IPMB's policy to see, where possible and appropriate, prisoners detained in CCU, and talk to relevant staff, recording our conversations.
- 6.2.4 In 2019 the IPMB made 6 visits to prisoners held in CCU. In summary, we found that the prisoners were satisfied with living conditions in the cell and the treatment they were receiving from prison officers. There was an attempted self-harm incident which took place when prison officers were trying to move a prisoner to the CCU in order to keep him under close supervision. It became necessary to use restraint techniques, which were captured on CCTV. The officer involved later showed the IPMB the footage, which demonstrated the skill and training of prison officers who prevented the prisoner from carrying out serious self-harm and transferred him to a CCU cell.

6.3 Infrastructure

6.3.1 The prison buildings and outside areas are excellently maintained. However, essential re-building has had a protracted history, having started in 2003. La Moye is now embarking on a final four-year redevelopment. An indicative plan is follows:

2020- 21	–	Phase 6 Vehicle Gate
2020	–	Demolition of disused A, B and C units
2021-22	–	Build new pre-release unit
2022-23	–	Build new Care and Separation Unit and Healthcare Units
2024-27	–	Build new workshops, classrooms and group rooms building

6.3.2 A new area – the H1 Self-Care Unit – on the ground floor of H Wing has been developed to provide prisoners who are soon to be released with additional independence to help build skills that will serve them when they are back in the community. H1 received the first set of eligible prisoners in February 2020. The establishment of the self-care unit is a positive development.

6.3.3 In 2019, J Wing was practically full. This may present a problem in the short-term for housing vulnerable prisoners safely if numbers continue to rise. However, in the medium-term the prison redevelopment plan addresses this issue.

6.3.4 The prison has an ageing population with some prisoners having mobility issues due to illness or infirmity, particularly in J Wing. As mentioned in 2.8 above, the IPMB's attention to this matter has supported the SoJPS in their efforts to install stair lifts; some have already been installed to provide access to H Wing, the library, chapel, and upper floor of the reintegration unit and gym areas.

6.3.5 Monitoring visits by the IPMB in 2019 included all residential wings and all key facilities (see section 4). There have been no concerns related to the safety, security or general cleanliness nor any significant repair or maintenance issues.

6.4 Staffing and training

6.4.1 Staffing levels are reported by the Governor as adequate. 10 new prison officers successfully passed their training in 2019 and some IPMB members were present at the passing out parades. By the start of 2020, we understand that all uniformed positions will be filled.

6.4.2 Prison staff benefited from a continuous training programme throughout the year. Uniformed officers received Control and Restraint basic/refresher and advanced training. Civilian staff received personal protection training. Other in-service training included suicide awareness, violence reduction, first aid, equality and diversity, and adult and child safeguarding.

7. Education, employment and purposeful activity

7.1 Reflecting its island location, La Moye is a small prison with a diverse population catering for all types of inmate: women as well as men, young offenders (18 to 21 years old) and people who are over 70, and all levels of security need. Different groups must be kept apart so the organisation of the prison, and in particular out-of-cell activities, is logistically complex. While the IPMB has always understood this, in our two previous annual reports we noted our concern that the general male population had more opportunities than women and the men who are retired or classed as “vulnerable”. This was highlighted in *The HM Inspectorate of Prisons Report on an announced inspection of La Moye Prison, Jersey 11 – 22 September 2017*, published in 2018.

7.2 We are pleased that the SoJPS has taken these concerns to heart and the situation has improved. There are three main reasons for this:

7.2.1 The horticultural compound used to be manned only by the general male population in K and L wings, who also had work in the kitchen and workshops. From January 2019 the compound work was taken over by J Wing (vulnerable prisoners) where there are several older people and a workshop was also established there for that group. The two existing workshops (one for training and one for production) continue to be used by K and L Wings and other work, such as landscaping and building planters, means that there is more work generally.

7.2.2 The area outside the women’s H Wing has been improved so that there is a garden to be looked after and a workshop.

7.2.3 SoJPS has introduced new activities, many of them occasional, but in combination they mean that more purposeful activity outside the cells is available. Some of this is supplied by volunteers as part of a drive to make La Moye less isolated from the island community. Examples are:

- Yoga
- Courses by 4Hire Group for accredited construction training
- Courses by Liberty Bus on customer service and disability awareness
- Refurbishment of a bus as a library for Haute Vallée School
- Volunteers helping people with special needs in English and maths
- Creative writing
- Book clubs
- Recovery golf
- Health Promotion events (Well-being Fair), when supportive organisations come to La Moye so that inmates can find out about them informally

7.2.4 In 2019 the IPMB received fewer complaints about lack of work than in the past which is encouraging. No statistics are available showing the average time a person in a given group (men, women, vulnerable men) spent in meaningful activity in 2017 and 2018 compared to 2019. The lack of applications on this point (see para 3.12) suggest that the inequalities referred to in earlier reports are being ironed out.

8. IPMB Prisoner Survey

8.1 In September 2019 the IPMB conducted a prisoner survey examining prisoners' experience of the IPMB. It consisted of 9 questions and was distributed to everyone detained at La Moye on the survey date.

8.2 The aim was to measure the levels of prisoner awareness and confidence in the IPMB's work and to identify areas for improvement in our operation.

8.3 Of the 154 questionnaires distributed, 66 substantive responses were received – a 43% response rate.

8.4 To summarise the survey results:

- 54% of respondents indicated they had been aware of the IPMB before the survey; understandably, the level of awareness was greater for prisoners who had been in custody for longer.
- 64% of respondents said they would contact the IPMB if they had a problem in prison.
- 20% (13 individuals) of respondents had contacted the IPMB in the past. Of these, 39% stated they were happy or very happy with the outcome. 39% stated they were unhappy or very unhappy with the outcome.

8.5 A number of additional comments were received covering a range of topics. The most frequently expressed views can be condensed into the following themes:

- A request for more information on the IPMB's role and remit
- Expressions of gratitude for our work
- Emphasis and appreciation of the need for independent oversight of prisoner welfare
- Questioning of the IPMB's independence from the prison establishment
- Questioning of the IPMB's effectiveness in supporting prisoner complaints

8.6 We are grateful for the feedback provided by every respondent and feel it is noteworthy that all responses, including those critical of our work, were completed in a constructive and appropriate manner.

- 8.7 Of the issues raised, the IPMB has identified improved prisoner awareness as a key focus and will work to develop this in 2020, particularly through an emphasis on information provided to newly arrived prisoners. It is intended for the IPMB survey to be conducted on an annual basis, which in itself will go some way to improve awareness levels while also providing a benchmark for improvement.
- 8.8 Results and feedback from the 2019 survey have been shared with the prison population.

9. Acknowledgements

- 9.1 The Annual Report is a welcome opportunity to record, on behalf of all the members of the IPMB, our appreciation of Nick Cameron, the Governor at La Moye and Nick Watkins, the Deputy Governor, as well as the staff with whom we have contact. They are patient with our requests for clarification, prompt in response and very informative; it is important to note that our independence requires a professional relationship with the SoJPS so we also thank them for their part in maintaining this balance.
- 9.2 As in 2018 we are indebted to James Lynch, our policy officer-cum-secretary, who has been a key participant in the IPMB's development; thank you for your diplomacy, enthusiasm and imagination, which have happily seasoned some of our more mundane activities.
- 9.3 Finally, as Chair of the IPMB, it is a pleasure for me to be able to attribute the consolidation and progress of the IPMB to all those who were members in 2019, learning the ropes, producing valuable ideas and supporting this community effort in various personal ways. Sincere thanks to all.

10 March 2019

Vivien Vibert
Chair of the Independent Prison Monitoring Board