

Jersey Independent Prison Monitoring Board (IPMB)

Annual Report 2021

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R.42/2022

1. Executive Summary

- 1.1 This is the fifth Annual Report to the States of Jersey of the Independent Prison Monitoring Board (IPMB) since its establishment in 2017. Our enabling Regulations and previous Annual Reports provide context to the IPMB's function at La Moye prison and they are available at:

<https://www.jerseylaw.je/laws/current/Pages/23.775.15.aspx>

<https://statesassembly.gov.je/assemblyreports/2018/r.72-2018.pdf>

<https://statesassembly.gov.je/assemblyreports/2019/r.40-2019.pdf>

<https://statesassembly.gov.je/assemblyreports/2020/r.82-2020.pdf>

<https://statesassembly.gov.je/assemblyreports/2021/r.46-2021.pdf>

- 1.2 Since 2017, when we familiarised ourselves with the prison and developed our methods of operation, we have navigated a number of changes including many in 2021. In April we said goodbye to Nick Watkins, who we knew for four years as Deputy Governor then Acting Governor, and welcomed Susie Richardson as the new Governor. In June, we were saddened by the death of Constable Len Norman, Minister of Home Affairs, who was very supportive; Gregory Guida, who accompanied Len to meetings with us, is now our Minister. Julian Blazeby, the Director-General of Home Affairs, left in October and was replaced by Kate Briden in an acting capacity.
- 1.3 Our own board inevitably changed; one member resigned and four new recruits took up the reins in June resulting in 11 members. Only two of us are retired; we value highly the range of skills and experience that people in the active workplace contribute but they have all had additional work pressures, mainly due to COVID-19. Three people took "sabbaticals" of a few months in order to juggle their commitments and return as active members. On the last day of the year the chairmanship was updated, with Andrea John taking over, deputised by Norma O'Sullivan.
- 1.4 Restrictions caused by COVID-19 curtailed our activities, reducing our effectiveness, as it did in the previous year. In January and February, July and part of December, we were unable to go to La Moye as normal, although we saw a few prisoners in "closed" facilities, through a screen. Even so, we carried out 22 monitoring visits and dealt with 51 applications, some of which included multiple submissions from the applicant.
- 1.5 While physical conditions at La Moye remain clean, functional and well-maintained, we were concerned throughout the year, as in 2020, with the reduction in the daily regimes, so that prisoners had less meaningful out-of-cell activity. This situation worsened in the autumn when, due to staff shortages, every wing had a full day per week of total lockdown. Not only was the prison short-staffed but frequent absences were caused by staff off sick or having to self-isolate due to contacts or positive tests. We have also been concerned about changes in personnel in the field of Rehabilitation and Re-offending, which includes Education. The prison management and staff have risen to the challenge but it is unsettling for everyone to be dealing with such changes for more than a year. Vocational training has become seriously under-staffed so reducing time in meaningful activity. Staffing has also been in upheaval due to the prison's development of a New Operating Model, which is discussed in section 8 below.

- 1.6 The security situation at La Moye has again been strong with very few serious or dangerous incidents. However mental health is constantly at the fore, as in any prison, and in 2021 three people were moved to institutions in the United Kingdom.
- 1.7 Moving prisoners to or from other jurisdictions, under the overall term of “transfers”, is a management function on which we have not previously reported. Complex logistics were made more so in 2021 by both COVID-19 and Brexit. There were 28 transfers in 2021 and we commend the prison management for persevering in time-consuming, difficult cases, creating new systems and links with agencies elsewhere.
- 1.8 La Moye prison is generally well managed. Both uniformed and civilian staff are to be admired for their continuous efforts in trying circumstances. In addition to the pressures of any workplace, many of the people they are dealing with have mental health issues ranging from anxiety about legal cases, families and money to serious conditions requiring specialised treatment, while also adjusting to their loss of liberty.
- 1.9 Overall, the housing, welfare, medical attention, education, work opportunities and diet are of an acceptable standard, given all the circumstances.

2. COVID-19

- 2.1 During 2021, La Moye Prison continued to practise mitigation measures to prevent the transmission of COVID-19 within the prison population including:
 - testing and isolation of new prisoners;
 - wearing of masks for prisoners, officers and visitors;
 - a reduction in the number of visitors and increased physical spacing between visitors and prisoners; and
 - shielding prisoners deemed more vulnerable to COVID-19 due to age and/or existing morbidities, by housing them in E Wing.
- 2.2 The mobile vaccination team visited the prison on several occasions in 2021 and vaccine coverage peaked at 80% of prisoners being double vaccinated. However, coverage declined to around 64% by December due to the changing population with vaccinated prisoners leaving and unvaccinated ones arriving. Due to this, as well as the advent of the Omicron wave and availability of the booster vaccine, the vaccination team visited again at the end of the year. It is hoped that the vaccination team will visit the prison periodically in 2022 to ensure high coverage levels among prisoners, officers and staff.
- 2.3 A cluster of COVID-19 cases affecting prisoners and officers occurred in December, but an outbreak was prevented through a combination of mass testing of the prison population, quarantine, and stricter distancing and social mixing measures.
- 2.4 In December, a policy of PCR testing was implemented, requiring all visitors to show evidence of a negative PCR test within 72 hours before a scheduled visit. The IPMB raised concerns about this given the negative effect it could have on prisoner welfare. Some prisoners’ families and friends already face difficulties coming to the prison and the PCR test was a further barrier. The timing of this policy meant visits over the Christmas period were impacted. In light of these concerns, a less restrictive approach, namely the use of lateral flow tests (LFTs), was proposed and subsequently adopted.

- 2.5 The activities of the IPMB were adversely affected by the continuation of the pandemic into 2021 as there were times when we were either unable to visit La Moye at all, or were restricted in doing so. We could not go into the main part of the prison at all in January and February, again for about six weeks from early July, and again for two weeks in mid-December. After that we were required to take PCR tests as set out in paragraph 2.4 above. When it was necessary to see a prisoner who had submitted an application during these periods, we did so using the closed visit facility, where the prisoner sits in a cubicle and the visitor on the other side of a glass screen.
- 2.6 Given the relatively high vaccination coverage levels among the prison population and the diminishing threat posed by the Omicron variant, it is suggested that La Moye Prison continue to review its approach to COVID-19. A shift of policy from zero-COVID-19 to controlling COVID-19 would be balanced and proportionate to the health risks the prison population faces from the virus. The IPMB considers magnifying the risk faced from COVID-19 is particularly concerning in a prison population where anxiety is commonplace and mental health issues are significant.

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 means of access are advertised on wing noticeboards; on the IX System - for prisoners to access on screen in their cells; and at Reception (on screen) with all relevant information and in several languages.
- 3.2 The collection and scanning of Application Forms have been the subject of much debate and change ever since the IPMB was established. They used to be scanned into the Egress secure system by our members but that wasted their time and created inconsistencies. We now have a reliable administrator who collects and scans the Forms weekly; this is much appreciated.
- 3.3 As in 2020, there were times when the COVID-19 situation meant that we could not see prisoners at all, which may explain the paucity of applications during January and February. At other times we had to meet prisoners in the visitor centre, in a "closed visit" facility. In other respects, the procedures we use to deal with applications have remained the same as in 2020 and are detailed in that year's Annual Report.
- 3.4 We received a total of 51 applications in 2021, compared to 39 in 2020 and 27 in 2019. The vast majority were from male prisoners which is not surprising as the female population in the prison is very small (typically 3-5% of the total population). There has been a steady increase in the number of applications since the IPMB was established in 2017, which may indicate that prisoners are more aware of us and have greater faith in our efficacy.

- 3.5 The table to the left shows the broad categories of reasons for applications in 2021 and the table on the right shows the spread through the year:

Nature of Application	No.
Unfair Treatment from Staff	14
IEP/Adjudication Process	8
Prison Facilities/Access to facilities	6
Conviction/Legal Issues	4
Mental Health Support	3
Transfers	3
Healthcare/Dental	3
Bullying from other prisoners	2
Transfer of IT work on release	2
Diet	2
Canteen/Purchasing Issues	2
Property/Confiscated items	1
Work	1
TOTAL	51

Month	No.
January	3
February	1
March	7
April	5
May	5
June	2
July	2
August	3
September	11
October	5
November	3
December	4
TOTAL	51

- 3.6 From a total of 51 applications, 10 prisoners submitted more than one; the total number of prisoners actually making applications to the IPMB in 2021 was 33. The highest number of applications made by one prisoner was six; two others put in four applications each.
- 3.7 Alleged unfair treatment from staff was the top reason for applications submitted in 2021. Broadly, such complaints made allegations against named personnel and related to specific incidents. Each complaint was followed up individually and we were satisfied that appropriate processes were followed. Complaints of this nature are to be expected in what can be a confrontational working environment, but staff shortages, with staff under pressure, might also have contributed to this.
- 3.8 The next highest category/reason for submitting applications involved disputes with the Incentive Earned Privileges (IEP) process which governs whether a prisoner has basic, standard or enhanced status, so affecting their privileges. This overlaps with the dissatisfaction with staff referred to above. Prisoners disagreed with decisions made in the adjudication process following incidents involving misbehaviour. Having investigated each complaint we have no general concerns that this process is not being followed fairly. IPMB members attended training in 2021 to understand more about the adjudication process.
- 3.9 Six applications related to prison facilities or the inability to access those facilities. Looking at individual cases there is no particular pattern or recurring theme but more than one application related to the implementation of the 'lock up' day on each wing. This was introduced as a temporary measure in response to staffing shortages. Other applications in this category related to prisoners who wanted certain items in their cells which were not permitted (e.g. gym equipment).

- 3.10 Complaints regarding healthcare and access to mental health support have stayed at the same level as in 2020 and remain relatively low (six in total including mental health and 11% of the total applications made) which may indicate that on the whole healthcare needs are being met.
- 3.11 A high proportion, 22%, of applications were made in September 2021. This coincided with the initiative implemented to address staff shortages which involved locking down each wing for one day per week. It is speculation but perhaps this had a bearing on the high volume of applications made at that time.
- 3.12 While only three applications are listed under Transfers, it caused much frustration to both prisoners and prison management in 2021 (see section 9).
- 3.13 Occasionally applications raise issues which could be relevant to other prisoners, such as the two regarding IT work being taken out in digital format on the prisoner's release. Currently prisoners can only take printed material out but some have done a lot of IT work at La Moye, for example designing a website which they may want to use after release, so a step in their long-term rehabilitation. In practice the material can be put on a USB stick but, unlike hard copy, there is a possibility that some files could be hidden, and could contain material causing a security problem or which is illegal in some way. Technical solutions are being considered but have not yet been implemented.
- 3.14 We are not always able to advance matters in the way the prisoner would like so not all will be satisfied with our efforts. Security, staffing, psychological and other factors can determine management decisions so what may seem reasonable to the prisoner and/or ourselves is often not possible and we can only draw attention to the problem, not necessarily identify a solution.

4. Monitoring Visits by the IPMB

- 4.1 The IPMB undertakes regular Monitoring Visits, which are made by at least two members.
- 4.2 Again this year the monitoring schedule was impacted by COVID-19 with visits having to be suspended at times in order to mitigate the risk that we, as external visitors, presented to the prisoners. Thus we did not visit in January and February, for six weeks starting in July and for three weeks in December. In late December we had to have a negative PCR test in the preceding 72 hours. While we normally check every area at least once a year, some places were missed due to the difficulty of visiting in 2021.
- 4.3 Nonetheless, we undertook 22 monitoring visits. The following areas were visited or topics explored, with the number of times indicated:
- K Wing (male prisoners) [3]
 - L Wing (enhanced male prisoners) [3]
 - J Wing (vulnerable male prisoners) [3]
 - H1 (overspill from J Wing) [1]
 - E Wing (J Wing shielding) [3]
 - E wing Workshops [1]
 - H Wing (female prisoners) [2]
 - Care and Control Unit (CCU) [2, one focusing on documentation]
 - Horticultural Compound [2]
 - Kitchens [2]
 - Library [1]

- Inspecting Wing comment books on food [1]
- Medical Centre [1]
- Workshop (woodwork) [1]
- Control Room [1]
- Gym [1]
- Art Room [1]
- Visitor Centre [1]
- Canteen system [1]
- Market Place (outside agencies visit to prepare prisoners for release) [1]
- Prisoner information systems, IX, TV, phone [1]

- 4.4 Additional visits were made to familiarize our four new members with the prison and we stepped up our programme partly to give them experience but also to make up for visits lost due to COVID-19 in January and February.
- 4.5 We have a rota, which proposes areas of focus and allocates two members to a particular week; they decide when to go and notify the prison management in advance so that an escort can be organized. The locations we wish to see are not disclosed until we arrive and there are often reasons why another plan needs to be made, for example if the timing of the visit does not fit with the prison regime, or to accommodate dealing with prisoner applications. On arrival we enquire as to whether the CCU is in use and, if so, we offer to speak to the prisoner(s) there; issues are discussed with the staff.
- 4.6 Our monitoring visits give us the opportunity to see the premises, assess their condition and interact with prisoners, this last being perhaps the most important thing we do. An informal talk to someone from the outside can give a prisoner a sense of social normality and of course contributes to our understanding of life at La Moye.
- 4.7 During and after a visit we discuss with our escort or other staff any issues that we have noted and sometimes contact the Governor or Deputy Governor by Egress for explanations or clarifications.
- 4.8 The members who made the visit write up a short report recording the area that we have seen, prisoners spoken to and any issues arising as well as noting actions that need to be followed up. This report, as all our documents, is written and saved on the secure Egress system in a section where only our board members have access.
- 4.9 This year has seen a healthy variance in the monitoring visits as we have been able to cover most areas of the prison and see some normality again, albeit short lived at times. Through the visits we have seen many changes such as revamping of J Wing cells to an improved state which consists of more privacy in the toilets, longer and sturdier beds and better safes. This has mainly had a positive impact, although some design problems have been identified, such as the ladder to a top bunk bed being less easy to use.
- 4.10 Apart from COVID-19 there has been one topic that has come up frequently and that is the staff shortages issue. There have been numerous conversations, some of bitterness and exhaustion, some of hope and optimism. There has been a monumental effort to recruit and the Governor has reassured us that there are new people in the pipe-line, it just takes time. She has also stated that yes, they are short, but it is not as dire as staff make out and the new ways of working will show this.

- 4.11 One prisoner told us about his work on re-offending which he and others later presented to ministers and others, at an event which two members of the IPMB attended (see section 5).
- 4.12 We also learned from prisoners about the new nominations of listeners; these are people on every wing who have received some level of mental health support training and they provide peer to peer support.

5. Education, training, employment

- 5.1 The effects of COVID-19 continued to impact education, employment and purposeful activities at La Moye in 2021. This, together with vocational staff vacancies during the year, led to a reduced timetable/scaled back regime in terms of employment and activities. It included a reduction in subjects taught, shorter library sessions and reduced numbers in all activities for social distancing purposes. That said, there was educational provision in areas such as Functional Skills, Open Learning, English as a Second Language and Humanities. Other activities included art lessons, a peer reading initiative, library services, gym activities, woodwork and horticulture. The IPMB was pleased that an art teacher started in September 2021, following an absence since December 2020, as the art classes are very popular with prisoners. It is hoped that a qualified carpenter is secured soon for the workshop to allow prisoners to develop and enjoy woodwork skills.
- 5.2 Employment opportunities were also impacted by COVID-19 and staff shortages. This was particularly acute on K wing where there are not enough jobs for the number of prisoners. The IPMB observed various activities on monitoring visits such as prisoners working in the vegetable compound, carrying out cleaning and servery duties, in art classes, gardening and making Christmas decorations. Certain prisoners act as 'Listeners' to help prisoners who need to support or to talk. Prisoners have given positive feedback on this facility.
- 5.3 Of special note was the efforts of many prisoners in preparing for the Reducing Re-offending event held at the prison in October 2021. This included preparing and serving lunch (using many ingredients produced at the prison) for guests, preparing flower arrangements for the event tables, decorating the Gym with artwork, woodwork and flowers and participating in the event itself through a prisoner presentation and table discussions. It was pleasing for the IPMB to see prisoners having the opportunity to be actively involved in such an important event for the prison and for the Island. With COVID-19 restrictions lifting and the renewed focus on strategies to reduce re-offending, the IPMB hope to see increased and wider opportunities for education, employment and purposeful activity being available for prisoners in 2022.
- 5.4 In October two IPMB members attended the Reducing Re-offending event at La Moye which was a joint initiative by the Prison Service and Probation Service. The event was structured around the 'Seven Pathways' which is a recognised approach to improving re-offending rates by prisoners. The event included a presentation from prisoners who, as part of a study group, had investigated the effects of differing prison regimes on re-offending rates. Also attending were other stakeholders including many from the 3rd sector, educators, politicians and the Probation Service. The Seven Pathways cover the following:

- 1) Accommodation
- 2) Education, training and employment
- 3) Health
- 4) Drugs and alcohol
- 5) Finance, benefits and debt
- 6) Children and families
- 7) Attitudes, thinking and behaviour

- 5.5 The system that seems to produce the best outcome is the Norwegian Model, which is based on mirroring ordinary life as much as possible, emphasises normalisation and rehabilitation over punishment and endeavours to equip every prisoner with the tools needed to re-enter the community as a fully contributing member.
- 5.6 The general consensus at the event was that this approach could be best for both prisoners and Jersey. The prison management and the Probation Service are committed to achieving outcomes from this type of approach. The IPMB commend the Prison Service and the Probation Service for organising a collaborative, positive event and for their commitment to working together to create improved opportunities for prisoners that result in a reduction in re-offending rates. We will follow developments with interest.

6. Safety, Security and CCU

6.1 Incidents

- 6.1.1 La Moye has a mixed population with an operational capacity of 200. During 2021 the population averaged 147.5 with a range of 143 to 153 prisoners, similar to the previous year. Numbers in each prisoner category (male, female, vulnerable and young offenders) have not changed significantly since 2020. During 2021 the Acting-Governor, and then from April the Governor, provided the IPMB with monthly reports including various statistics such as incidents of self-harm, assaults on prisoners and/or officers, drug testing results and the use of the Care and Control Unit (CCU).
- 6.1.2 The total number of prisoner-on-prisoner assaults was ten, plus six fights; all were minor. In 2021, La Moye reported zero major incidents and there were no serious assaults. The level of serious incidents is extremely favourable when compared to the UK prison system. There were 33 prisoners on a total of 50 Risk and Concern Assessments over the year compared to a total of 48 in 2020.
- 6.1.3 In 2021 just 2.5% of drug tests returned a positive result compared to 3% in 2020.
- 6.1.4 There were 34 incidents of self-harm (24 in 2020) of which 21 were classified as serious (9 in 2020). Just one prisoner accounts for 16 of the serious self-harm incidents in 2021. There were no deaths, no attempted escapes, no riots and no significant infiltration of illicit 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 were that La Moye was generally calm and orderly. Prisoners engaged respectfully with officers, fellow prisoners and IPMB members, often initiating conversations with us during monitoring visits when they were mostly positive about La Moye.

6.2 Care and Control Unit

6.2.1 The purpose of the Care and Control Unit is to positively address the adverse behaviour of those prisoners who continually fail to adhere to the prison rules or by their actions necessitate being removed from the residential wings for a period of time. The CCU operates a restricted and carefully managed regime to address prisoners' adverse behaviours and prevent them from being a threat or risk to themselves or others.

6.2.2 Given their potential increased vulnerability, the IPMB takes a keen interest in prisoners in CCU and, where appropriate, visits such prisoners, talks to relevant staff, record conversations, and review documentation.

6.2.3 In 2021 CCU was used for 23 different prisoners. They were there for a total period of 433 days, hence the average time spent in CCU was 18.8 days per prisoner, compared to 5.7 days in 2020. Usage was dominated by three prisoners who spent 111 days, 91 days and 52 days respectively in CCU. Two had mental health problems and each spent a long period in CCU while arrangements were made for them to go to suitable institutions in the UK. Aside from these three, the average time spent in CCU was 8.9 days - more closely comparable to 2020, but still an increase.

6.2.4 In general prisoners held in CCU were satisfied with the living conditions, generally they understood why they were there, and were comfortable with the treatment they were receiving from prison officers. However, the three cases mentioned above were especially difficult, and in respect of one, we escalated our concerns to the Minister. The response acknowledged the need to make significant improvements in the management of prisoners with serious mental health issues, while noting that Jersey will likely always have some off-island dependencies for specialist care.

7. Mental Health

7.1. The IPMB considers not just conditions that affect prisoners physically in La Moye, but also the overall environment and the extent to which it may give rise to, or aggravate already existing, mental health conditions.

7.2. A thematic review of the impact on UK prisoners in a pandemic, undertaken by the HM Inspectorate of Prisons¹ found restrictions owing to the ongoing COVID-19 pandemic led to a decline in prisoners emotional, psychological and physical well-being. They found that a lack of opportunity, be it educational or otherwise, and support in addressing offending behaviour could potentially lead to further offending. The report went so far as to explain that prisoners were leaving the prison system with undiagnosed mental health conditions developed in part due to heavy restrictions as a result of COVID-19.

¹ <https://www.gov.uk/government/publications/covid-19-mental-health-and-wellbeing-surveillance-repo>

- 7.3. Whilst Jersey has not endured restrictions as severe as the UK, the pandemic has caused fewer visits, increased time in cells, reduced educational opportunities such as carpentry and in-prison employment, for much of 2020 and repeated sporadically throughout 2021; this was not conducive to mental and physical well-being.
- 7.4. There are a handful of prisoners with serious mental health issues that require careful management. There was one case requiring movement of a prisoner to an institution in England; after the person was moved, the IPMB suggested an internal review. This identified things done well, and areas for improvement.
- 7.5. The IPMB would welcome action on the recommendations as found in the report and will continue to monitor areas such as mental health training for staff given its direct impact on prisoner welfare. The IPMB notes the introduction of the 7 Pathways to reduce re-offending (see section 5) and in particular Pathway 3 "Health" can be seen in part as a commitment to address prisoner welfare from a physical and mental health perspective.
- 7.6. The IPMB further notes the introduction at La Moye of the Samaritans' Listener Scheme. The scheme provides intensive prison specific Samaritans' training to prisoners in order to provide emotional support to their peers aiming to reduce instances of self-harm and attempted suicide. Whilst the IPMB welcomes such an introduction, it is wary that a voluntary peer-to-peer support system alone does not provide sufficient coverage to deal with new and ongoing mental health conditions.

8. Staffing and budgetary resources

8.1. New Operating Model

- 8.1.1. La Moye's New Operating Model (NOM) is a restructuring and reorganisation exercise whose aim is to develop staff and deploy them efficiently in order to achieve the best possible outcomes in terms of prison culture and work on rehabilitation.
- 8.1.2. The IPMB makes no comment on this exercise in itself but notes that its introduction has created or exacerbated staffing pressures. While the long-term outcome maybe be beneficial, the management of this exercise has caused difficulties in the past year, including:
 - Uncertainty about the future structure and personal situations has had a negative effect on staff morale.
 - Whether for this or other reasons, several senior officers resigned during 2021.
 - Temporary promotions and secondments were used to cover management functions, but these take time to put in place and contribute to uncertainty.
 - The new Prison Governor has been heavily involved in the process since she arrived in April and has needed to give this project a large amount of time.
 - Implementing the NOM has slowed the recruitment process of new officers as much work was needed to ensure that new roles, job descriptions and conditions of employment fitted into the new hierarchy.

- The unions active at La Moye needed to be involved because of changes to employment conditions.
- The situation led, at least partially, to the need for officers to work additional overtime. This was welcomed early in the year but became a strain when it started to affect officers' work/life balance and they became tired.

8.1.3. We were concerned at times that the staff shortages and the delay in advertising new positions together with the emergency quick fix of additional officer overtime may have had a detrimental effect on staff morale. This is important to us as it could affect prisoner welfare.

8.1.4. We were also concerned about the shortage of non-uniformed staff; there seems to be a chronic shortage of vocational trainers, who seem to be difficult to recruit and there was no art teacher for the first eight months of 2021. The medical centre is also short-staffed.

8.1.5. The management of COVID-19 during the year also put unusual pressures on staff, with restrictive regimes requiring more supervision over fewer people in any one place, while at the same time staff were often unable to work as they had to self-isolate.

8.2. Budget

8.2.1. Prison Management was targeted with reducing its budget by £440k during 2021 and £315k during 2022 on an overall budget of circa £10m. This total of £755k was deemed unreasonable and has been reduced to £590k over the two years. Most of these savings are expected to be the result of staff wage savings as the NOM is implemented. We have an effective, unique prison in Jersey, attuned to the Island's needs. La Moye is not able to call upon other prison establishments to assist it in the way the mainland prisons might and has therefore developed Jersey specific solutions to problems which may not always be the cheapest. The management at La Moye plans to increase its effectiveness, especially in regards to reducing re-offending, which itself is a method of cost reduction to the Island as a whole. Unrealistic budget reductions would impact the ability to deliver a suitable prison regime.

8.3. Practical impacts of staff shortages

8.3.1. The shortages of staff, driven by COVID-19, resignations and the slowing down of recruitment so that the NOM can be implemented, have adversely affected prisoners.

8.3.2. Several education and training programs have been impacted and the number or length of work sessions have been shortened. On the wings where staff numbers fall below the number viewed safe for normal operations 'lock downs' have been implemented, with prisoners spending more time in their cells.

8.3.3. The shape of any prison regime, and the management of the prison is beyond the scope of the IPMB and is one decided upon by management, Government and ultimately the electorate, but the IPMB has a role in ensuring the welfare of prisoners under whatever regime is adopted.

8.3.4. We will therefore keep a watching brief on the impacts of staff levels on prisoners in order to ensure that their welfare is maintained and that opportunities for education and training especially are not lost in the long term. These elements have a significant role in preparing prisoners for their return to society as contributing individuals.

9. Transfers

- 9.1. "Transfers" is an umbrella term used for movements of prisoners from or to Jersey. Many people with a prison sentence would like to serve it near home; while this can be done it is not always straightforward as both the prison and the judicial systems in the receiving jurisdiction must agree and undertake to keep the person in prison to complete the sentence. Sometimes prisoners must be returned to Jersey, e.g for court appearances and in other cases prisoners must be deported or taken to the UK for medical reasons. Altogether 28 such prisoner movements took place in 2021. A basic practical problem is that prison (or police) officers have no legal authority to hold in their custody or restrain people in a jurisdiction other than their own so can only be responsible for a prisoner to the port or airport of destination.
- 9.2. From Jersey the most frequent destination is the United Kingdom and historically the simple method, once the paperwork was complete, was for La Moye officers to provide the escort on a flight to Southampton where UK personnel would take charge and deliver the person to HMP Winchester, the Jersey officers returning on next plane. HMP Winchester assessed the prisoner, later moving him (Winchester is a male prison) to a suitable prison elsewhere.
- 9.3. Due to the COVID-19 pandemic, the UK Ministry of Justice blocked all transfers (other than those on medical grounds) for a large part of 2020 and early 2021. While a backlog of applicants built up the Winchester arrangement was reviewed to obviate the double movement and a Manchester route was developed. By the end of 2021 six people had been transferred via Southampton, seven via Manchester and one to London. This planning was helped by the new Governor's knowledge of Her Majesty's Prison and Probation Service (HMPPS) and HMP Winchester in particular.
- 9.4. Given the security, COVID-19 and jurisdictional considerations, the logistics of transferring people, even to the United Kingdom, need attention to detail with multiple agencies involved, such as airports, customs, security contractors, and airlines, some of which allow two prisoners to be taken on a flight and some only one.
- 9.5. These problems are more complex when the prisoner is going to another country, especially the first time it is a destination. During 2021 the management at La Moye successfully organised four "repatriations" to Romania. A fifth Romanian was unable to go because his correct paperwork was only started after 31 December 2020 and therefore involved different, post-Brexit, problems.
- 9.6. Deportations (court orders after completion of sentence) are arranged by Customs and Immigration but the prison is inevitably involved. Six deportations were completed in 2021: two to Madeira, one each to Portugal, Spain, Tunisia, and Germany. One was of a disabled person, causing another layer of difficulty, and one was of a person who had sought repatriation but the destination country was unwilling to accept the pris

- 9.7. Three people were moved to institutions in the UK for mental health treatment and this causes another range of difficulties, including the identification of an appropriate facility and a temporary stay in Orchard House if sedation is called for ahead of the journey.
- 9.8. Two other people were collected from England, via Heathrow and Southampton, one to attend a court case and one after completion of mental health assessment.
- 9.9. Only three applications to the IPMB are listed as “transfers” (see section 3) but they cause us a great deal of concern, as the delays caused by the problems outlined here are very frustrating for prisoners who do not understand the bureaucratic tangle through which the prison staff and other agencies have to find their way. It is an intransigent situation with the IPMB concerned about the welfare of, sometimes angry and distressed, prisoners while the prison management is doing its level best to handle external factors and internal ones such as allocating staff for escorts and, in the COVID-19 era, losing them to self-isolation when they return.

10. Additional Activities

- 10.1. As in previous years, when recruiting new members we held “drop-in” sessions so that people who are interested in the role can have an informal chat before deciding to apply, with IPMB members attending in shifts to talk to potential candidates. We held these at the Library, and thank their management for allowing this. We did this in March/April, before proceeding to the application and interview stages.
- 10.2. In our 2020 report we described the primary ground for prisoners’ applications as “IEP” which stands for Incentive Enhanced Privileges. A prisoner’s alleged misbehaviour leads to an adjudication process whereby his or her privileges can be reduced for a specified time. While TV and other extras can be annoying, the major reason for complaint is the loss of work, which also means less time out of cell and less money. We realised that we needed better understanding of these systems in order to handle such applications and to this end Senior Officer Peter Gould gave us a talk in March explaining the terms and steps taken in the process. We are very grateful to Pete for giving us his time and expertise in this way.
- 10.3. Once the new members had some experience of La Moye we asked S/O Peter Gould to give us another instructive session in the autumn, explaining the general management of the prison. Unfortunately, we could not find a suitable date as the year closed and hope to do this in 2022. Such talks from prison officers are always useful to experienced members as well as new.
- 10.4. Due to COVID-19 all activities were reduced and we were particularly sorry that no “Inside Out” exhibition was held in 2021. This was due to both COVID-19 and the absence of an art teacher for the first eight months of the year.
- 10.5. In our 2020 Report we referred (paragraph 5.6) to our Chair’s aborted attempt to visit HMP Winchester. We are pleased to report that Vivien Vibert succeeded in 2021, visiting that prison in early July. It was interesting in many ways, such as seeing a classic Victorian 5-winged prison. Vivien took the opportunity to visit someone who had been in La Moye and was completing his sentence in Winchester.

11. Acknowledgements

11.1. We are grateful to all members of the IPMB for their multifarious contributions, their enthusiasm and sympathetic but realistic dealings with people sentenced to prison in La Moye. Members of the Board at the end of 2021 were, in order of original appointment:

Vivien Vibert, Chair	<u>2021 intake</u>
Andrea John, Deputy Chair	Edgar Dingle
Graham Root	Norma O'Sullivan
Mandy du Val	Elliot Perry
Amanda Berry	David Wilton
Peter Bisson	
Pippa Procter	

11.2. The 2021 recruits became active in June, as far as COVID-19 conditions allowed. We were glad of their arrival and appreciate their willingness to take on this role. It has continued to be our practice to ask all members to help with this Annual Report; most have written a section and all have agreed to the final version.

11.3. We, Vivien and Andrea, worked as a team for the year while preparing for a change of leadership. Norma O'Sullivan was one of the 2021 recruits but started taking extra responsibilities from an early stage and we were delighted that she agreed to become deputy chair, teaming with Andrea as chair, from 1 January 2021, with Vivien stepping down but remaining as a normal member. Thank you, Norma.

11.4. Graham Root continued to host events, when allowed, and was also a great help in advising us on the ever-changing COVID-19 regulations and how they affected La Moye, efforts which we sincerely appreciate.

11.5. Our administrative support was maintained and we are pleased to have Sarah Elvidge as a consistent and reliable administrator.

11.6. Last, but far from least, Nick Watkins, the Acting Governor until April, Susie Richardson, Governor since April and Acting Deputy Governor Artur Solidwa have all been helpful and supportive. We are working on different ways of interacting with the prison so as to smooth the flow of information and look forward to building on this as the NOM is implemented. We are grateful to all the staff, especially the uniformed officers who escort us and have also given us training.

16 March 2022

Andrea John
Deputy Chair in 2021
Chair from 1 January 2022

Vivien Vibert
Chair until 31 December 2021

