

INDEPENDENT MONITORING PANEL- ANNUAL REPORT 2015



AUGUST 2016

CHAIR'S FOREWORD

In starting my second foreword as Chair of the Independent Monitoring Panel, I wish first to acknowledge my fellow volunteers who sit on the Independent Monitoring Panel and who collectively and tirelessly strive to ensure the independent oversight of the prison facilities. Five new members joined the Panel during 2015 and have approached the role with enthusiasm, demonstrating an empathic understanding of challenges faced in a custodial setting. The role of a Panel member is not always easy, with Members exposed to the potentially upsetting and challenging material and I would like to recognise every member for the professional and committed manner in which they approach this and the support that they provide to myself as Chair. I firmly believe that the Panel's main strength is in the diverse experience and qualities that are offered by each Member, all of whom strive to achieve the same objective.

Three individuals resigned during the course of the year, Mr John Ashby, Mrs Annette Henry and Mr Stephen Hill who collectively had approximately 20 years of service on the Panel. I would like to take this opportunity to thank all three for the commitment and integrity that they displayed during their tenure on the Panel, the diverse expertise which they brought to the role and the common sense and fair mindedness which they demonstrated in their interactions.

It is often quoted that the degree of civilisation in a society can be judged by entering its prisons; the role of the Independent Monitoring Panel is to be the eyes and ears of the public, and in this regard the Panel considers the Guernsey Prison, its facilities and its staff to be a testament to this Island. The Guernsey Prison is continually improving and refining itself which can be evidenced through a number of developments that have taken place throughout the 2015 calendar year.

In May 2014, Her Majesty's Inspectorate of Prisons (HMCIP) completed a thorough inspection of the Guernsey Prison; and in the resulting report, the Guernsey Prison scored very highly. As part of the Inspectorate's report, a number of recommendations were made to improve particular areas within the Prison. Since the inspection, the Panel is pleased with the work that has been completed in order to achieve as many of the recommendations as possible within the Inspectorate's report.

One of the major observations made by HMCIP was the requirement for a separate facility in order to hold minors, who are accommodated, away from the main population of adult male and female prisoners. As a result, the Prison opened a dedicated unit for accommodating children in custody, "the Compass Unit", which was completed in 2015. The Compass Unit is a 3-6 bed unit which has purposely been designed in such a way as to distinguish it from adult accommodation in an attempt to be more "child friendly". The Compass Unit is but a single example of the ongoing improvement and development of the Guernsey Prison. The Panel applauds the continued good practices of the Prison Service in what is a difficult and challenging role to provide for the Island.

Wendy Meade

INTRODUCTION

The Guernsey Prison Service serves the public by keeping in custody those legally committed to its care. Its duty is to look after them with decency and to help them lead law-abiding lives in custody and after release. The Prison holds a diverse population, including those sentenced and on remand, men and women, young offenders and juvenile and vulnerable prisoners.

The Independent Monitoring Panel is constituted under the Prison (Guernsey) Ordinance 2013 (“the Ordinance”) as an independent body made up of members of the public to make unannounced visits to Guernsey Prison. Members provide independent oversight of the day-to-day operations of the Prison and prison conditions, monitor the administration of the prison, the treatment of prisoners and whether the statutory objectives of the prison system are being met, and serve to protect the well-being of prisoners.

The Ordinance requires the Panel to prepare an annual report at the end of each calendar year, which must include the following:-

(a) a summary of the Panel's activities, including the number of –

- I. Complaints or requests received from prisoners, and
- II. Inquiries conducted by Panel members,

broken down by the topics to which they relate (e.g. food, temporary release licence, privileges, use of force) and compared to statistics from previous years,

(b) Anonymous examples of prisoner's complaints and results of the Panel's inquiries into those, including recommendations made and responses received from the Governor or the Department,

(c) the Panel's observations in relation to:-

- I. the state of the prison premises,
- II. the administration of the prison,
- III. its observations on the treatment of prisoners

(d) any advice or recommendations the Panel sees fit to make.

SUMMARY OF THE PANEL'S OBSERVATIONS/COMMENTS

Over the course of 2015, the Panel has generally been satisfied with the state of prison premises during their visits. The Guernsey Prison is continually undergoing refurbishment and routine maintenance in order to improve the living conditions for prisoners.

In the 2014 IMP Annual Report, Members conveyed a concern regarding the number of complaints that had been received in relation to the general temperature of the Prison, which was reported as being either too hot or too cold depending on the time of the year. The Panel is pleased to note that in 2015, Guernsey Prison updated its boiler heating and expansion systems which has resulted in a reduction in the number of complaints regarding the ambient temperature and it is hoped that this continues throughout 2016.

In the 2014 Annual Report, the Panel had also raised concern with regards to the cleanliness of the various wings. The Panel has since been satisfied with the Prison's overall cleanliness, however the Panel has had reason to note:-

- Dissatisfaction with the condition of the prison showers on a number of instances. The Panel noted that the showers had been flooded on occasions during unannounced visits and Members frequently received complaints from prisoners in relation to this and connected matters such as shower pressure and temperature. It is understood that officers from the Guernsey Prison have looked into the matter by reviewing the drainage system and the matter has now been resolved;
- Numerous complaints regarding minor skin irritation experienced by a small proportion inmates. The Panel had received complaints from prisoners regarding skin irritation which they believed to be linked to the shower system. Following the instalment of the replacement boiler heating and expansion system, issues relating to the pressure and temperature of the showers had been resolved, however prisoners continued to report minor skin irritations. The Panel is aware of this matter, as are officers from the Guernsey Prison who are continuing to review the matter to ensure that it is resolved.

The Panel continues to be impressed with the administration of the Prison, and Members are grateful to all of the officers who take the time to update Panel on all initiatives and developments that are taking place. The Panel is also appreciative of the opportunities given to Members to attend various meetings within the Prison, including Diversity Meetings, Prisoner Consultation Committee Meetings (PCCM) and Adjudication Meetings. In particular, the Panel believes that the introduction of the PCCM meetings has provided a stronger prisoner complaints process and the meetings have proved to be extremely successful since their inception. By allowing prisoners to submit formal complaints to a panel of senior Prison staff as well as chosen prisoner representatives, prisoners are able to see their complaints and issues dealt with formally with recorded outcomes which the Panel considers to be a more robust process.

The Panel firmly believes that the progression towards a working prison has been an extremely positive direction in which to move, and Members are satisfied to see the continued diverse opportunities that are available through the Prison's learning and skills curriculum. The Panel is also pleased to acknowledge the positive publicity and public awareness that is raised by the Prison, specifically in relation to the educational and learning/skills opportunities, and the Panel recognises the desire of the Guernsey Prison to inform the public as to the reality of serving a custodial sentence on the Island.

During 2015, prisoners had the opportunity to enter submissions to the annual UK Koestler Arts and Crafts Awards. The Guernsey Prison entered 27 pieces of work and achieved 9 winners including two silvers and a gold medal for a sculpture entitled "Warrior". Panel members are also impressed with the development of the Prison Garden which was designed by staff, volunteers and prisoners alike. The garden offers fantastic horticultural learning opportunities for prisoners which can ultimately lead to the acquisition of skills which results in employment upon release from custody. In July 2015, the Guernsey Prison Open Gardens event was held for the very first time. The two day event provided the opportunity for visitors to enter the garden and it raised approximately £2,000 for the prison charity which was a great success.

The Guernsey Prison saw a significant reduction in the prison roll throughout 2015. The lowest roll throughout the calendar year was recorded in August at 76 prisoners which left approximately 54 available spaces. This reduction allowed members of prison staff to work more closely with the prison population to ensure their offending behaviour programmes were tailored to target their specific needs. The Panel is pleased to note that, in general, there were positive interactions between staff and prisoners alike and the overall attitude within the Guernsey Prison resulted in positive experiences during the Panel's visit.

UPDATE FROM 2014 RECOMMENDATIONS

Appointment of new IMP members

Within the 2014 Annual Report, the Panel expressed their concerns in relation to the restrictions on a legislative prohibition on States' employees serving on the Panel. The Panel were concerned that this unnecessarily disbarred a number of individuals who by virtue of their employment, for example within the healthcare or education arenas, would have skills readily transferable to the Panel and whose employment would not represent a conflict of interest. The Panel additionally expressed concerned in relation to the length of the appointment process, highlighting the potentially detrimental impact on the training programme.

The Panel was delighted and satisfied that the Home Department addressed both concerns in their policy letter of September 2015 which recommended that the Prison (Guernsey) Ordinance, 2013 be amended so to:-

- remove the restriction on States' employees serving on the Independent Monitoring Panel;
- enable the Home Department to make appointments to the Independent Monitoring Panel in the first instance with the requirement that such appointments would require reappointment by the States of Deliberation as soon as possible at the end of the calendar year.

The Panel was pleased that both recommendations were approved unanimously by the Assembly.

Awareness of the IMP

The Panel also recommended in its last report that increased efforts should be made to improve prisoners' knowledge and awareness of the IMP. The Panel acknowledges that newly inducted prisoners receive documentation which includes information regarding the IMP and the role that it fulfils for the Prison and prisoners alike.

However it is also understood that, due to the extent of information delivered to prisoners upon arrival into custody, the understanding of the role of the Independent Monitoring Panel can become diluted. The Panel continues to encourage members of staff to remind prisoners of the Panel's presence should they require the support of an independent body. However, the IMP remains of the opinion that there is room for additional awareness of the Panel and this has been reflected within the recommendations of this report.

RECOMMENDATIONS

Panel Awareness

As previously stated, the Panel remains of the view that there is room for increased awareness of the IMP and the role that it provides within the custodial setting. The Panel therefore aims to continue with the recommendation from the previous annual report with a view to further improving prisoners' knowledge and awareness of the Panel. However, the Panel also intends to improve the overall awareness of the IMP within the general public. The Panel intends to build upon the excellent initiatives currently provided by the Prison, to increase public awareness, so that the IMP can provide quality assurance with regards to the Island's custodial regime. The Panel will again seek to liaise with the Prison to identify potential initiatives to assist in fulfilling these objectives.

Communication between the IMP, the Prison and Prisoners

The Panel considers that there is positive communication between IMP Members and officers from the prison and prisoners alike. Part of the IMP's role is to undertake visits which are requested by prisoners originating from issues or concerns that they feel are not otherwise being resolved satisfactorily. In the majority of these visits, the concerns that are raised by prisoners, after discussion with prison staff, may be resolved and a tangible outcome can be seen by the prisoner. However, in some circumstances, an easy solution to a problem is not readily available, and Panel members are keen in these circumstances that appropriate mechanisms are in place to provide sufficient expedient feedback to prisoners, setting out, where appropriate ongoing discussions. As a result, the Panel will consider mechanisms which could be adopted so to best enable this feedback to occur so to maintain confidence within the Panel.

Please write to the Chairperson of Independent Monitoring Panel c/o Sir Charles Frossard House if further information is required in relation to any matter contained within the Report.

APPENDIX 1- STATISTICAL ANALYSIS

Monthly Visits- Number of complaints/ comments by theme

Theme	Number of complaints	Number of comments
Wing Cleanliness		2
Staffing Complaint	1	
Probation services	1	
Overdue IMP Visit	1	
Wages	4	
Ordering Online Goods System	3	1
Temperature	2	
Release Plan / Deportation	1	
Healthcare and Medication	4	
Prison shop	3	2
Food	1	
Laundry facilities	1	
Time Spent Outdoors	1	
Parole	2	1
Integration	1	1
Maintenance of shower facilities/ paper towel dispensers	6	
Toilet Facilities	1	
Employment opportunities	1	1
Education Opportunities	2	

Requested Visits by theme

Theme	Number
Staffing Complaint	3
Adjudication/Warning	5
Vulnerable Prisoner Visitation Regime	1
Prison Temperature	1
Employment	1
Lack of information following complaint	1

SCAPU Visits

Number of SCAPU visits	3
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Breakdown of Visits by day of week

Day	Number
Monday	4
Tuesday	4
Wednesday	6
Thursday	5
Friday	6
Saturday	2
Sunday	0

Breakdown by time of day at start of visit (where known)

Day	Number
8am – 12 noon	7
12 noon – 5pm	15
5pm – 9pm	2
Unknown	3

Length of visit (where known)

Day	Number
Less than an hour	4
Between 1 and 2 hours	6
Over 2 hours	12
Unknown	5

APPENDIX 2- ANONYMOUS

In providing anonymous examples of the queries received by the Panel, the Panel has mindful of the difficulties within a small prison population such as Guernsey in ensuring that confidentiality really is maintained. Conscious that it may be possible to identify individual prisoners by virtue of the circumstances even in the absence of names, the examples below have purposively been written in such a way so to preserve the confidentiality of those seeking the Panel's assistance, but providing an illustration of the themes addressed in prisoners' concerns.

Online Purchasing System

The Panel is aware that inmates receive wages for undertaking employment within the prison and, as part of their privileges they have the opportunity to spend their earnings by approved items from online retailers such as M&M and Amazon. In 2015, Panel Members received a number of complaints from prisoners in relation to the retention of VAT reductions on such purchases by the Prison. After raising the issue with Senior Management, the Panel was advised that the Guernsey Prison took requests for items from prisoners and would subsequently place a bulk order to avoid a more disjointed piecemeal approach. In so doing, the Prison receives the VAT deduction in one lump sum which is extremely difficult practically to return to the individual prisoners who have placed orders. So as to provide a fair solution, the Prison SMT has advised that the VAT deduction is subsequently donated to the prisoner fund which is used for the benefit of all prisoners. The Panel considers this to be a fair and reasonable solution to the issue.

Medical Provision

The Panel is conscious of the various medical requirements that can exist within a custodial environment. In 2015, there were a number of queries and concerns raised by prisoners with regards to the medical care that they were being provided; the queries ranged from the strength and type of medication to the frequency that it should be administered. The Panel was pleased to note the balance of professionalism and empathy that was offered by the Prison Healthcare staff, in what can be an extremely challenging environment, in order to ensure that all prisoners who required medical provision were offered the correct and appropriate level of healthcare to address their own specific needs.