

# **INDEPENDENT MONITORING PANEL**

Guernsey Prison

**2021 ANNUAL REPORT**

*If further information is required in relation to any matter contained within this Report please write to the Chair of Independent Monitoring Panel via email to [HomeAffairs@gov.gg](mailto:HomeAffairs@gov.gg) or via letter to Sir Charles Frossard House, La Charroterie, St Peter Port, GY1 1FH*

## **EXECUTIVE SUMMARY BY THE CHAIRPERSON**

It is with pleasure that I present this Annual Report for the year 2021, being my first as the newly appointed Chairperson for the Independent Monitoring Panel (the Panel). I should begin by acknowledging the departure of the previous Chairman, Mr Tony Talmage, and also Ms Glen Ford, both longstanding members of the Panel who have provided much needed guidance to me and the five other new members who were appointed in 2021.

The Covid-19 pandemic continued to challenge the community in Guernsey in 2021 and the Guernsey Prison has not been immune to issues. Whilst visiting has not been limited, the relative ease with which we would normally move through the prison has changed. More recently, with the Omicron wave of the pandemic, we have notice first-hand the impact on resources and how the staff have again stepped up to face the challenges presented.

The Panel has dealt with few requests for visits this year, we feel that this reflects that the Governor and his team have been proactive in addressing issues as they arise, assessing and refining the prison regime to ensure it balances the needs of its population whilst protecting prisoners and staff and, continuing to operate and function as normally as possible. The prison has shown that it is flexible in its approach, and this is of benefit to those under its care and the wider community. Considering the challenges of the last year the prison made good progress delivering various initiatives, some of which have been outstanding for some time.

As a Panel we are indebted to the prison staff. Their professionalism, patience and curtesy ensures that our visits are informative and rewarding and we see the excellent rapport they have with the prisoners which is invaluable in the rehabilitation process.

I would like to recognise and thank my fellow Panel members for their time and efforts, their good humour and continued commitment to this Panel and those it serves. We look forward to another year of progress.

**Andie Fuller**

Chair of the Independent Monitoring Panel

## STATUTORY FUNCTION

The Guernsey Prison Service keeps 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 of men and women, young offenders, juveniles and vulnerable prisoners, including those sentenced and on remand.

The Independent Monitoring Panel (the Panel) is constituted under the Prison (Guernsey) Ordinance 2013 (“the Ordinance”) as a body made up of members of the public. It is charged with providing independent oversight of the day-to-day operations of the prison and prison conditions, monitoring the administration of the prison, the treatment of prisoners and whether the statutory objectives of the prison system are being met. The Panel also oversees the general well-being of staff who are employed by the Guernsey Prison.

To enable the Panel to carry out these duties effectively, its members have right of access to every prisoner and every part of the prison and to the prison’s records. Members:

- undertake a monthly unannounced visit of the prison premises;
- visit prisoners personally at their request;
- visit prisoners who have been admitted to the Segregation Care and Progress Unit (SCAPU);
- attend, as observers, routine prison meetings; and
- attend bi-monthly Panel meetings.

The Ordinance requires the Panel to prepare an annual report at the end of each calendar year, which must include its findings, observations, recommendations and statistical information.

## **THE PANEL'S OBSERVATIONS IN 2021**

The following arises from observations made on unannounced visits, visits requested by prisoners, contact with staff, attendance at prison meetings and discussions with prison management in 2021. It is noted that the year has been quiet with few requested visits and there have been few prisoners admitted to segregation, requiring Panel attendance. The general atmosphere at the prison has been positive and we have observed prisoners taking pride in their work and gaining confidence through education and learning new skills.

As noted in the Panel's previous report, the prison adapted remarkably well to the pandemic. Measures were put in place to protect both prisoners and staff with both groups actively adopting the new practices. The positive aspects arising from this shared experience, and sense of purpose, continued as the prison came out of lockdown and we believe this has resulted in fewer requests for the Panel. It is also noted that the frequency of prisoner consultation meetings also increased following the lockdown and we believe this also has had an impact on the number of requests for visits.

### The Prison Estate

Despite the problems associated with travel restrictions which have impacted on the availability of an external contractors, we were pleased to see prison management keen to progress various initiatives to ensure the prison facilities were maintained to a good standard. Improvements have been made to the shower facilities, hot water handling unit and air handling unit in the gym. Prison security systems have been upgraded and the installation of the cell-call system has been completed.

### The Prison Regime (Work and Education)

The Guernsey Prison offers a regime which includes allocated time for work and other purposeful activities such as attending education. Education provision at Guernsey Prison has been transformed, with more courses on offer and a wealth of expert teachers on hand. The Panel has observed prisoners working together with focus and determination to succeed.

The Panel is pleased to acknowledge that local charity Creative Learning in Prison (CLIP) were recognised in 2021 with the Queen's Award for Voluntary Service in 2021. CLIP continues to provide funding to enable prisoners to gain experience in a range of practical skills which may be useful in their lives on release. Further to this, volunteers assist prisoners to secure appropriate accommodation and employment for their release, which we know is one of the most challenging areas in terms of rehabilitation.

## **MEMBERSHIP & ADMINISTRATION OF THE PANEL**

As noted in the summary to this report, 2021 saw the departure of the Panel's previous Chairman, Tony Talmage. Mr Talmage served the Panel well throughout his tenure and his absence from the meeting room table is felt by all. Prior to his retirement Mr Talmage

successfully recruited six new members who all took up their roles in 2021. We must of course also acknowledge the departure of Ms Glen Ford, who took on the role of acting Chairman prior to my appointment at the end of the year. Ms Ford has, along with the other remaining members, guided and educated us to the workings of the prison environment and our role.

Members met with the President and Members of the Committee *for* Home Affairs in August 2021 and had a productive meeting. The Panel had no specific issues to raise other than that in relation to the recruitment and appointment of its members. The Panel noted that it has continued to experienced challenges connecting digitally and hopes that it shall benefit from the States of Guernsey digital transformation process.

To conclude, the Panel has been pleased to note the positive atmosphere in the prison though prison staff have at times been under pressure due to the ongoing covid-19 situation. The Panel considers that the way the prison is administered continues to be effective and our attendance at the prison's internal meetings provides us with those reassurances and useful background information for our visits. It is our view that these meetings demonstrate that the prison engages and listens to the concerns raised by prisoners and staff.

Members of the Independent Monitoring Panel are:

Andie Fuller  
Heather Mauger  
Denis Le Marchant-White  
Jane Rowlinson  
Alfia Dance  
Sue Henney  
Nigel Bartlett  
Kelly Prevel  
Marc Cohen

## APPENDIX 1 - STATISTICAL ANALYSIS

### 1. Total number of visits

Type of visit	2021	2020	2019	2018	2017	2016	2015	2014
Unannounced	7***	10**	12	12	12	12	12	12
Requested Visits	7	22	35	18	20	38	15	9
SCAPU*	4	7	33	15	12	6	3	2

\*\*\* due to increasing concerns in relation to the Omicron wave of the Covid-19 pandemic, The Panel did not conduct an unannounced visit in January, February, March, November and December 2021.

\*\* there is a legal requirement for the Panel to undertake monthly unannounced visits to the prison. However, due to the unprecedented circumstances of the Covid-19 pandemic, resulting in the prison lockdown, the IMP were unable to conduct visits in April, May and most of June of 2020.

\* the Segregation, Care and Progress Unit (SCAPU) is used to hold prisoners separately from the main population. There are a number of reasons for a prisoner to be segregated. Generally, the reason for separation is that they present an increased risk to themselves, to staff, or to the rest of the population and cannot be managed effectively on a normal wing. SCAPU in Guernsey Prison is not used as a punishment, although may be used for a period of cooling off should a prisoner be presenting aggressive behaviour. The ethos of the SCAPU within Guernsey Prison is that of individually focused care. The intention is to support individuals so that they can safely be returned to mainstream accommodation.

The Panel's role is to ensure that the decision to separate a prisoner, and the experience of separation for that prisoner, is governed by principles of fairness and decency. Separation should never be prolonged, or indefinite, and care should be taken to ensure that an individual's mental health is not adversely affected by the separation. To this end the Panel are immediately requested to visit when an individual has been placed in SCAPU.

Monthly unannounced visits	2021		2020	
	Number of concerns raised by prisoners	Number of enquiries made by IMP	Number of concerns raised by prisoners	Number of enquiries made by IMP
A. Accommodation & Cells	1	1	7	4
B. Adjudications & Warnings / discipline			1	
C. Canteen	6	5	5	5
D. Association Time / Gym	3	3	6	5
E. Equality, Diversity & Discrimination				
F. Fabric or maintenance of the prison building	3	3	5	4
G. Smoking / Detoxification			5	3
H. Healthcare			2	2
I. Incentives & Earned Privileges (IEP) Status & Rules	1			
J. Release on Temporary Licence (ROTL)			2	2
K. Food / Kitchen			3	2
L. Cleanliness			2	2
M. Money / Pay			1	1
N. Bullying / Unfair treatment	2	2		
O. Personal belongings or issues			3	2
P. Prison Information System (PIMS)				
Q. Parole				
R. Regime – Education / Employment	4	4	7	5
S. Sentence Planning – Access to courses				
T. Transfers				
U. Use of force				
V. Visits/Calls			5	5
W. Reception into custody / Info			1	1
X. Support post-release & resettlement				
Y. Misc. complaints			3	3
Z. No concerns raised				1*

\*The Panel made a visit to a prisoner but no concern was raised.

Requested visits by theme	2021		2020	
	Number of concerns raised by prisoners	Number of enquiries made by IMP	Number of concerns raised by prisoners	Number of enquiries made by IMP
A. Accommodation & Cells	1	1	1	1
B. Adjudications & Warnings / discipline			2	2
C. Canteen	2	2		
D. Association Time / Gym	1	1		
E. Equality, Diversity & Discrimination				
F. Fabric or maintenance of the prison building	1	1	1	1
G. Smoking / Detoxification			3	3
H. Healthcare			9	7
I. Incentives & Earned Privileges (IEP) Status & Rules			4	3
J. Release on Temporary Licence (ROTL)				
K. Food / Kitchen				
L. Cleanliness				
M. Money / Pay				
N. Bullying / Unfair treatment			3	3
O. Personal belongings or issues			2	2
P. Prison Information System (PIMS)				
Q. Parole			2	2
R. Regime	3	3		
S. Sentence Planning – Access to courses				
T. Transfer			2	2
U. Use of force			1	1
V. Visits/Calls	2	2		
W. Reception into custody / Info			1	
X. Support post-release & resettlement				
Y. Misc. complaints	1		1	1
Z. No concerns raised	1*			

\*Welfare check

## **APPENDIX 2 - ANONYMOUS EXAMPLES OF PRISONERS' CONCERNS**

Confidentiality prevents the Panel from providing specific details of individual concerns raised. Even brief summaries could potentially risk identifying the prisoner; therefore, we have outlined some of the more general concerns that have been raised by more than one prisoner.

### **1. Reports of skin irritation**

The Panel followed up a couple of concerns raised by prisoners on more than one occasion. The Panel were told by prisoners that they were experiencing rashes on their skin and it had not been possible to establish the cause. Prison management suggested that there could be various reasons for the conditions, including that it was result of detoxification processes, or that it could be due to new laundry products used.

The Panel made various enquiries and received a thorough report from the Prison's Head of Health & Safety which set out the rigorous testing programme of the water systems at the prison. The Panel will continue to monitor the situation in 2022.

### **2. Prisoner commissary**

The Panel dealt with a couple of issues raised by prisoners in relation to the canteen 'stores', a place where prisoners can order specific items such as books, CDs, and other items similarly to purchasing from Amazon. Prisoners raised several issues about waiting times for products and delays in receiving items. It was noted that these issues had been raised at the monthly 'Prison Consultation' meeting and were being dealt with by staff. Generally, the reasons given for the delays were that items were out of stock or were not available at the time of order. It was noted that the pandemic had caused some issues. Other issues raised related to the availability of healthy food choices for purchase.

### **3. Regime**

A few prisoners raised concerns with the Panel regarding the regime and the amount of time they have allocated for gym and there were complaints of a lack of appropriate work activities for some categories of prisoners. The Panel acknowledges that the prison has to accommodate, and occupy various categories of prisoners including vulnerable adults, males, females and young people and we would tend to agree that each category of prisoner is afforded parity across the regime and acknowledged that the prison regime is reviewed on a regular basis.