

OPCAT

EXECUTIVE SUMMARY 2019

OPCAT

ISLE OF MAN REPORT 2019

- **Executive Summary 2019**

- **Independent Monitoring Board Report 2018/19** Appendix 1

- **Cronk Sollysh Report 2018** Appendix 2

- **Mental Health Commission** Appendix 3
 - (a) Announced Visit Report March 2018

 - (b) Unannounced Visit Report October 2018

Isle of Man OPCAT Report 2019

IMB Prison Summary Report 2018/2019

The Board operates with limited numbers below that specified in the Custody Rules and undertakes a variety of visiting roles to multiple establishments. Within this period, the Cabinet Office and the Department of Home Affairs (DHA) informed the Board that in conjunction with the Mental Health Commission and the Independent Monitoring Board for the Secure Care Home (Cronk Sollysh), it would be required to submit a report under the provisions of the Optional Protocol to the UN Convention against Torture (OPCAT). This has further added to the workload of the Board and recruitment of new members is an urgent requirement in order that the Board can maintain its responsibilities as detailed in the Custody Rules.

The Board is disappointed to report that despite acknowledgement by the Department of Infrastructure (DOI) of the health and safety concerns in areas within the Court Custody Suite raised in the last four years' reports it took until close to the end of this reporting period before any serious input was made by Government Departments. A visit to the location was made in March 2019 by the Ministers responsible with Senior Executives from both DOI and DHA together with IMB members when all of the highlighted issues were witnessed and agreed as needing attention. The outcome from this meeting was the establishment of a very positive course of action to rectify the faults and improve communication between departments. At the close of this reporting period, a small amount of the remedial work had been undertaken and the Board looks forward to reporting the completion of this in the Annual Report for the period April 2019 to March 2020. At the end of the reporting period, staff and detainees within the Court Custody Suite still had to operate in an area with poor air circulation and inadequate temperature control. However, this item is high on the plan for rectification.

As reported last year, if it were not for the intervention of the Prison Governor and his staff nothing would have changed and the Board thanks him for his continued support and intervention in this key area.

The Board is pleased to report that throughout this reporting period the mode of operation within the Isle of Man Prison continues to develop and improve the manner in which detainees are held. The Isle of Man Prison Vision set out in 2017 to "enable offenders to reform their lives" has been challenged with ever greater targets and achievements.

The introduction of the new role of Custody Support Officer has given a more consistent interaction with detainees as part of their pathway through the justice system. When this is coupled with the revamped Resettlement Team, significant positive changes can be seen.

The establishment of a Forensic Pathway for the treatment of detainees identified as having mental health issues as reported in last year's report was seen as a major breakthrough and improvement to the options previously available. The Board has witnessed a slow start in the operation of this. Whilst the location of two Mental Health Nurses within the Police Custody Suite is clearly assisting with the early identification of vulnerable detainees, the follow up once in Prison is not as robust and requires further input.

The Board is disappointed to report that following the advances made two years ago there has been very little movement with the Sentencing Bill.

The ageing fabric and equipment within the prison continues to be an issue and the Government should prepare to allocate a budget to ensure that this can be repaired or replaced as required in order to maintain the high standards set within the establishment.

The Board is disappointed to report on the increase in the use of New Psychoactive Substances (NPS) in the Prison which increased significantly over this reporting period. The Board would hope that the Government will ensure that finance for all the equipment required to identify and prevent its introduction into the Prison will be made available to the Prison staff so that they can work towards its eradication and prevent the resulting possible loss of life.

The residential facility at "Tromode House" has been reported on by the Board since 2012 and it is disappointing that whilst this facility now exists, it is still not operational.

The success of the programme of Resettlement Day Release (RDR) and Resettlement Overnight Release (ROR) has grown still further this year and continues to be the target of detainees as part of their Resettlement Journey. Establishing a work ethic and maintaining family ties are crucial to allowing detainees to re-enter the community at the conclusion of their sentence. The success of this is a credit to the vision of the Governor and staff working with the detainees to secure the opportunities and to the determination of the detainees to demonstrate that the trust placed in them is well-founded. The Board places on record its high regard for this initiative and looks forward to its further progression in the future.

Cronk Sollysh Care Home Summary 2019

Throughout the current reporting period the Board has met on three occasions and members have visited the establishment as soon as is practicable following each new admission to the unit.

In general, the IMB has observed:

- the proper and lawful custody of young people detained;
- the commitment of staff to the adherence of the Custody Rules;
- the proper treatment and support offered to children detained by order of properly constituted Courts on the Isle of Man.

The IMB would, however, draw attention to a number of concerns, not at all, or not solely within the responsibility and control of the staff at Cronk Sollysh or the St Christopher's Fellowship.

These concerns are:

1. The case of a child presenting with very significant mental health issues, who is looked after by the Department of Social Care, being repeatedly detained in Cronk Sollysh, during the course of this year.
2. The absence of, and delay in, providing Chaplaincy arrangements for children as required by Para 29 of the Secure Care Home Custody Rules 2002.

3. A lack of clarity as to who Para 12(1) is the "Medical Officer of the home shall have the care of the health, mental and physical, of the detainees in the home".
4. That Para 12 (3) was not being complied with requiring "Each detainee shall be given the opportunity to see a Health Adviser within 7 days of his reception into the home".
5. That staff were not either not aware of, or disregarded the requirement of Para 51(2) "A member of the Board shall have access at any time to every part of the home and to every detainee, and he may interview any detainee out of the sight and hearing of care workers". As, on one occasion, only, and contrary to those rules a Board member was refused to interview a child. (This was immediately raised with the management of Cronk Sollysh and has now been entirely resolved.)
6. That repeated reports, (over this entire year) relating to defects in Closed Circuit security camera system have been reported weekly by the staff at Cronk Sollysh and were not resolved during the year.
7. That a workable and secure electronic communication system for members of the IMB and between the members of the Board and Cronk Sollysh was not established during the year.
8. That, during the year, several of the children of school age, appeared not to have been provided with a full time education for a considerable time prior to being detained by order of a Court at Cronk Sollysh.
9. Considerable concern was expressed by the members of the IMB as to the case of delay in a child progressing through the Court process. Although convicted of an offence as a child, by the time the matter was concluded and a sentence of detention imposed, was of an age that the majority of the sentence would be served at the Prison rather than Cronk Sollysh. Our understanding is that on attaining his 18th birthday he was, immediately, transferred to the Isle of Man Prison.
10. That regular meetings between the chairs of the Isle of Man Prison Independent Monitoring Board, the Chair of the Isle of Man Mental Health Tribunal, and the Chair of the Independent Monitoring for Cronk Sollysh as required by National Preventative Mechanism relating to the Optional Protocol to the Convention Against Torture (OPCAT) had not been established during the year.
11. That staff at Cronk Sollysh has concerns that there appears to be a greater use of detention of children by Courts, with staff at Cronk Sollysh reporting in general, occupancy was quite high especially over TT week 2018 requiring opening of all three living areas.

Mental Health Commission (MHC) 2019

The MHC examines the general ward environment on a regular basis, and checks that patients are lawfully detained and well cared for. It ensures that the Mental Health Act is being used properly and that patients are informed about their rights under the Act and their ability to challenge their detention through the Mental Health Review Tribunal. It arranges for an independent Doctor from the UK to provide a second opinion if the patient lacks the capacity or is not willing to consent to treatment in certain circumstances. The

MHC examines any use of seclusion and looks into complaints made by patients and makes sure they are taken seriously.

A major area of concern to the MHC is that there is no Advocate service available for mental health patients. In addition its remit does not extend to Residential and Nursing Homes where patients are not admitted under the Mental Health Act but where they may in fact be deprived of their liberty and may lack the capacity to consent to their care and treatment. These patients are "de facto" detained patients with no access to legal safeguards and as such fall outside the remit of the MHC.

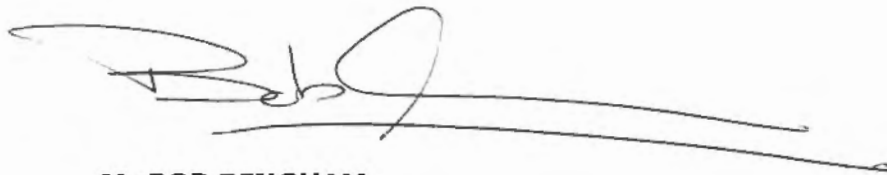
Summary:

The above summaries should be read in conjunction with appendices 1 - 3:

Appendix 1: IMB Annual Report 2018/2019.

Appendix 2: Cronk Sollysh Reports 2019.

Appendix 3: Mental Health Commission Reports 2019.

A handwritten signature in black ink, appearing to read 'Bob Ringham', with a long horizontal line extending to the right.

Mr BOB RINGHAM

Chairperson

Isle of Man OPCAT Committee

29 August 2019

OPCAT

APPENDIX 1

INDEPENDENT MONITORING BOARD REPORT 2018/19



INDEPENDENT MONITORING BOARD REPORT

1 April 2018 – 31 March 2019

**ISLE OF MAN PRISON,
CUSTODY SUITES & HOLDING CELLS**

The Independent Monitoring Board (IMB) is a statutory body established to monitor the welfare of detainees in the Isle of Man to ensure that they are properly cared for whilst in custody and detention.

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SECTION 1: STATUTORY ROLE OF THE BOARD

The Custody Rules 2015 require the Isle of Man Prison to be monitored by an Independent Monitoring Board appointed by the Minister of the Department of Home Affairs from members of the community.

The Board is specifically charged to:

- Satisfy itself as to the state of the premises of the institution, the administration of the institution, and the treatment of the detainees.
- Inquire into and report upon any matter into which the Department asks them to enquire.
- Direct the attention of the Governor to any matter which calls for the Governor's attention, and report to the Department any matter which they consider expedient to report.
- Inform the Department immediately of any abuse which comes to their knowledge.
- Consult the Governor in relation to any matter which may affect discipline before exercising any power under these rules.
- Report annually to the Minister of the Department of Home Affairs on the state of the institution and its administration, and also give advice and such recommendations as it considers appropriate.

To enable the Board to carry out these duties effectively its members have the right of access to every detainee and every part of the Prison, and also to the Prison's records.

The Criminal Justice, Police Courts Act 2007, requires the Independent Monitoring Board to:

- Inspect any cell or any part of a Custody Suite in any Police Station or institution and see every prisoner in Police detention.

The Prisoners Escort Act 2008 2(1) (a), (2) (a) (b), directs the Independent Monitoring Board to:

- Keep prisoner escort arrangements under review and report them to the Department.
- Monitor conditions in which prisoners are transported and make recommendations to the Department.
- Investigate and report to the Department any allegations made against Prison Custody Officers by prisoners under escort.
- Investigate any alleged breaches of discipline on the part of prisoners being escorted.

SECTION 2: DESCRIPTION OF THE PRISON

The Isle of Man Prison is a secure, enclosed building taking up some 11.5 acres within the perimeter walls. It was built to Category 'B' Specifications. The Prison was opened in April 2008 and the first detainee was received on 14th August 2008. It is a non-smoking establishment.

There are 5 Residential Wings and 1 Segregation Unit. Altogether, there is certified normal accommodation for up to 138 detainees. Each wing provides single cell accommodation with integral sanitation, wash basin, and cell power. There is no separate wing for detainees on remand or for young detainees.

- A and B Wings house adult and young male detainees; each wing can hold 42 detainees.
- C Wing houses vulnerable detainees; it has a capacity of 26.
- D Wing is able to house up to 16 adult and young female detainees and has its own Segregation Cell.
- E Wing, the Male Segregation Unit, can hold 9 detainees.
- F Wing can house 16 reception and pre-release detainees as well as those going out to work on Resettlement Day Release (RDR).

A, B, C, D, and F Wings each have a laundry for personal items, and a Servery. Detainees can eat either communally at tables or in cell. The wings have shower units and telephone facilities. In addition, there is a 'buddy' cell, which also provides suitable access for detainees who are disabled.

E Wing also contains a dedicated Mandatory Drug Testing Suite and Adjudication Room - this area does not form part of the certified normal accommodation.

Healthcare can be found adjacent to E Wing. The unit contains offices, treatment rooms, a drug store, dental surgery, consulting room, and other facilities including toilet and shower areas. There is no in-patient facility or 24 hours health cover. The unit is managed by Primary Healthcare through the Department of Health and Social Care Primary Care Directorate.

The Education area has 6 classrooms; each is able to accommodate up to 6 detainees per class. There are also 3 offices and a Library. One of these offices is allocated to the Resettlement Team.

Education is delivered by a dedicated group of University College Isle of Man staff under the leadership of an Education Manager. This level also has areas associated with staff training, legal visits, and the 'live link' to the Isle of Man Courts of Justice as well as a Visits Hall for domestic or family visits. The hall can seat 70 visitors and 24 detainees at any one time.

Standing apart from the main building is a Visits Centre where visitors are processed before being escorted to the main Visits Hall. In the Gatehouse, entrance security checks are undertaken.

Within the perimeter of the Prison there is the Dog Unit, Works Department, Training Workshops, Sport Pitches, and a Horticultural area.

SECTION 3: EXECUTIVE SUMMARY

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Within this period, the Cabinet Office and the Department of Home Affairs (DHA) informed the Board that in conjunction with the Mental Health Commission and the Independent Monitoring Board for the Secure Care Home (Cronk Sollysh), it would be required to submit a report under the provisions of the Optional Protocol to the UN Convention against Torture (OPCAT). This has further added to the workload of the Board and recruitment of new members is an urgent requirement in order that the Board can maintain its responsibilities as detailed in the Custody Rules.

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SECTION 4: ISSUES FOR THE MINISTER

- The Board would continue to urge the Minister to make sufficient funding available to deal with any repairs, replacement and structural issues which are bound to arise now that the Prison is 11 years old.
- With the advent of increased use of New Psychoactive Substances (NPS) and smuggling of unauthorised items into the Prison it is vital that the Senior Management Team is given the resources required to ensure the safety and security of staff and detainees. The Board would ask the Minister to request from

Treasury the additional funding required for the security equipment needed to detect NPS, other drugs and illicit articles.

- The Board acknowledges the significant progress that has been made with the Mental Health Pathway and would urge the Minister to continue to support and fund this.
- Whilst applauding the progress mentioned above, the Board remains concerned that there is no Secure Mental Health Facility on the Island. Vulnerable detainees with serious mental health issues are still being sent to the Prison which is not a safe or suitable place for them. The Board would ask the Minister to consult his ministerial colleagues and reconsider the provision of an on Island Secure Mental Health Facility.
- The increase in detainees serving short sentences is a concern to the Board. As highlighted in the 2017 – 2018 Annual Report, the Board would urge the Minister to push for the Sentencing Bill to be given priority in the Tynwald Legislative Programme. Alternatives to custody are an essential tool to encourage offenders to become productive members of society.
- The Board would encourage the Minister to promote the understanding that reducing re-offending is through a suite of interventions rather than a simple individual statistic.
- The Board would ask the Minister to ensure that the Department of Home Affairs reported Key Performance Indicators are communicated more widely within the Prison and Probation Service.
- The Board is pleased to report that the Intervention Hub has finally been launched and would urge the Minister to ensure that the necessary finance and technology is available to support this important part of the rehabilitation process. Inter-departmental co-operation is essential if this important tool is to be used to its full potential both in the Prison and with offenders in the community.
- The Board is concerned that “Tromode House” is still not available as a residential facility in spite of strenuous efforts by the Prison and Probation Service (PAPS) to make this happen. David Gray House has no young offender or female provision and the physical facilities remain far from ideal. Having reported since 2012 about the possibility of new facilities coming online, the Board would urge the Minister to support the efforts of PAPS to achieve this at an early date.
- There is still scope for the Judiciary to utilise the “live link” more frequently, particularly now the technology is much improved. The Board would urge the Minister to press for its use to reduce costly and time consuming escorts to the Courts.

- The Board is extremely concerned that it is proving increasingly difficult to recruit new members. The workload is increasing but the number of members available to do it is reducing. The Board would urge the Department of Home Affairs to devote more resources to publicising and promoting its role to encourage greater public awareness. More regular recruitment campaigns and media coverage are essential if the Board is to recruit, develop and maintain sufficient members as specified in the Custody Rules 2015 Section 82(1).
- The Board is concerned that it has not been notified about a significant number of detainees held in the Police Custody Suite for more than 48 hours before appearing before the Courts. The Board needs to know about these detainees so that they can be monitored properly.
- The Board is pleased to report that after years of highlighting major deficiencies in the facilities at the Court Custody Suite, some improvements were made towards the end of the reporting period. Dialogue with Officers at the Department of Infrastructure is also much improved. However, work remains to be done in a number of areas including the cleanliness and ventilation of the Suite, the Juvenile Room, Catering Facilities, the Interview Room Furniture and Fire Evacuation. The Board would ask the Minister to maintain pressure to ensure that recent progress continues.

SECTION 5: ISSUES FOR THE GOVERNOR

- As highlighted in several previous Annual Reports, the Board would still like to see consideration given to the introduction of CCTV cameras in the Kitchen.
- The Board appreciates the need to have comprehensive Induction Compacts but does feel that some detainees struggle to fully understand them. The Board would suggest that the language used in the compacts could be simpler to aid understanding.
- The Board was concerned that staffing issues led to the closure of the Induction Wing to new receptions for a period of over two months. Whilst appreciating the reasons why this happened and the fact that the situation was reviewed weekly, the Board hopes that it will not prove necessary to do this again.
- The Board hopes that the role of the Custody Support Officers will be further developed, with particular emphasis on increasing interaction with detainees held on the Segregation Wing. Whilst such interactions should be part of all discussions with detainees, perhaps consideration could be given for a protected time slot for Officers to achieve this?
- The Board would ask the Governor to review the situation relating to the funding of a 'Flu Vaccination Programme for detainees.

- The Board would urge the Governor to push for the recruitment of a Trades Officer and the full use of the Prison Vocational Workshops at an early date.
- The Board continues to encourage the Senior Management Team (SMT) to look at increasing options for work and possible Resettlement Day Release (RDR) opportunities for all detainees but for female detainees in particular.
- The Board continues to encourage the SMT to bring changes and concerns that impinge on the daily routine and safety of detainees, to the Prisoners' Council for early notification and discussion.
- The Board would encourage the SMT to assist Prisoners' Council members to ensure better dissemination of information following meetings and also to further develop the sub-committee system to facilitate the early resolution of concerns and issues.
- The Board would ask the Governor to encourage the attendance of a Community Probation Officer at the monthly Safer Custody Meeting to assist with continuity for detainees following their release.
- The Board is concerned about the large increase in the number of cases of bullying being reported.
- The Board is also concerned about the increase in the number of Folder 5 files being opened and what the reasons behind this might be.
- The Board would encourage the SMT to continue to improve communication and co-operation with University College Isle of Man and to ensure that any future changes to the education staffing structure do not impact on education provision or detainee attendance.
- The Board continues to urge the Governor to support the options available to increase the number of tutors available to conduct Vocational Training. It would be of great benefit if members of staff were qualified to teach and assess detainees in areas such as Catering, Horticulture, Cleaning, and Physical Education.
- The Board feels that education is an integral part of the resettlement process and would encourage even closer co-operation and integration between Education and Resettlement staff.
- As mentioned in previous reports, there remains scope for greater use of the Library, particularly as a possible research facility for detainees undertaking Distance Learning Courses.

- The Board is very concerned by the increased use of New Psychoactive Substances (NPS) by detainees during the reporting year. The increase in unauthorised articles has also been an issue. The Board supports the actions of the SMT to try to prevent this.
- Whilst supporting the policy to deal robustly and consistently with breaches of the Custody Rules, the Board is concerned by the increase in the number of detainees being held under Rule 40 conditions without adjudication or charge.
- The Board remains of the opinion that the introduction of Voluntary Drug Testing would be beneficial.
- There remains a need for a more suitable area for private discussions with detainees held on E Wing.
- The Board welcomes the appointment of the expanded Resettlement Team and would urge the Governor to continue to develop this, ensuring that the staff delivering interventions receive ongoing training to enable them to achieve high quality interactions with detainees.
- The Board continues to encourage the efforts to resolve the outstanding issues delaying the full use of "Tromode House" and hopes that this vital facility will be fully operational in the near future.
- The Board welcomes the improvements to the technology for the "live link" to the Courts and would urge the Governor to continue to press for the facility to be used regularly to reduce the need for detainee escorts to Court.
- The Board thanks the Governor and his staff for their support and hard work to bring about a change in the deplorable conditions in the Court Custody Suite. The Board is encouraged by the improved communication between all the parties involved and hopes that this will continue and develop in the coming months.

SECTION 6: RESIDENTIAL SERVICES

Wings: All the wings are kept in good order: regular maintenance and cleaning ensure they are fresh and clean at all times.

Due to staff shortages, F Wing had to be closed to new receptions from early October until late December 2018. The situation was reviewed weekly by the Senior Management Team. New receptions were taken straight to the residential wings for induction after reception. The Board feels that this may have had a detrimental effect on more vulnerable new receptions, because they would not necessarily receive the one-to-one time in a quieter environment during the induction process that they would have received with the Officers on F Wing.

In December 2018, the decision was taken to give detainees a photocopy of any incoming correspondence (with the exception of family photos), with the original letters being held in their property. Detainees on all wings have complained about this change in policy although it has been standard practice in other jurisdictions for some time. The matter was also raised at the Prisoners' Council. The Board has noted the detainees' complaints but understands why the Senior Management Team took the decision in the interests of safety and security for all.

During the reporting year, A and B Wings experienced prevalent problems with detainees being suspected of taking New Psychoactive Substances (NPS). A number of detainees were placed on Rule 40 and it proved necessary to locate them on F Wing under segregation conditions to free up space on E Wing (the main Segregation Wing). In February 2019, the bottom landing on A Wing was used for a segregation regime due to the large number of prisoners being subject to such restrictions.

Whilst supporting the decision to deal robustly with bad behaviour, the Board has been concerned about the increased use of Rule 40 during the reporting period with many detainees being held in cellular confinement for substantial periods with no charges being laid or adjudications being held.

Staffing: Despite staff shortages due to illness, the Board has evidenced that the remaining staff have filled the gaps, often cancelling time off to report for duty in order to ensure the smooth running of the Prison. Inevitably, there has been some disruption to Gym Sessions and Horticulture as a result. The Board commends staff for their co-operation and flexibility. It is hoped that there will be no further reductions in staffing levels which might lead to an adverse impact on regimes.

Succession Planning is still a priority within the Strategic Planning work and is ongoing.

Monthly Training Days continue with varied appropriate modules being offered. The Board is invited to join in where possible. This is much appreciated by those who have attended.

The Staff Care Team continues its valuable work of supporting colleagues behind the scenes with integrity and compassion.

The Board was pleased to see the continued roll out of 'Five Minute Intervention' training amongst staff and members of the IMB which should ensure more meaningful interactions between them and detainees. It provides detainees with a better approach to ways of thinking for themselves and forms a crucial part of improving Offender Management. The Board members who received this training found it very beneficial.

Morning Handover Briefings and Daily Operational Briefings together with entries on the Prison Database (PIMS) allow staff to be continually updated on the Prison and detainees. It does still appear that some staff take a little time to catch up with events after periods of absence which may have an impact on detainees.

Although some items have been replaced, it is inevitable that because the Prison is 11 years old this year there will be appliances/items which have come to the end of their useful life and provision must be made for replacement to ensure suitable use and safety. The Board is pleased to note an improved system for this.

Cell cleanliness is usually good given the constant usage and general environment. The introduction of e-cigarettes has more or less obliterated the smell of other smoking materials on the wings and has been widely welcomed by the detainees.

Custody Support Officers: The re-launch of the Personal Officer Scheme as the Custody Support Officer Scheme in June 2018 has been a welcome means of encouraging positive engagement between Officers and detainees.

The role does appear improved, with each Officer now having only 6 detainees to support rather the previous 13. However, there is still room for more interaction and improved skills when it comes to report writing.

The Board remains concerned about the level of engagement with those detainees who are housed on the Segregation Wing for lengthy periods. Whilst this was better in some cases towards the end of the reporting period, the Board feels there is room for further improvement. These detainees are particularly vulnerable and require ongoing support.

Stores/Canteen: This is a well-run and an excellently managed department offering a high level of service to detainees.

The Officer in charge of the Stores is due to retire during 2019. The Board is pleased to note that a recruitment exercise is underway in good time to replace this vital role.

Kitchen: The Catering Manager appointed during the 2017 - 2018 reporting period continues to introduce fresh ideas which are working well. Good use is made of produce grown in the Horticulture area and healthier options are on offer for those who want them.

Throughout the reporting year, the Kitchen has struggled with two Officers being on long term sick leave. In spite of this, it operates well and efficiently.

The Kitchen has also been left short-staffed on occasions due to detainees being released or moving to other roles to improve their security level and prepare for Resettlement Day Release (RDR). The Board is very pleased to note how the remaining Kitchen workers pull together and offer to work extra shifts to maintain the standard of service.

The Board is pleased to report there have been very few applications concerning the Kitchen during the reporting period.

The Board would still like to see consideration given to the installation of cameras in the Kitchen area for safety reasons.

Reception: The manner in which detainees are received into the Prison forms a very important part of the Safer Custody Strategy. The process helps to recognise and identify any of the various risks to a detainee's well-being and to enhance, where possible, the safety and security of the detainee.

Detainees are brought to the Isle of Man Prison either directly by the Police, as in the case of fine defaulters, or by a civilianised service provided by a contractor who transports detainees to and from the Courts, Police Custody, the Hospital, or other medical visits. Detainees arriving at the Prison are already handcuffed and remain so until they are located within the security of the Reception Area.

Reception has a well-mapped procedure of security checks including searching and screening and assessments of health, safety, and vulnerability. Reception is open seven days a week from 07:30 hours to 19:00 hours, and until 14:30 hours at the weekend. It will remain open at other exceptional times e.g. the Courts sitting late or the potential recall of a person on Licence. The Prison is advised of any late sittings at the Courts by the contractor. In this event, Reception will stay open even if it means the night staff taking over the running of the area.

The Reception process is the responsibility of the Operations Group who carry out an extensive and thorough search of both the new detainee and any property brought in. Every new reception is subject to a full search. A strip search is conducted in such a manner as to endeavour to preserve the dignity of the prisoner. A full search is always undertaken by staff of the same gender as the detainee. Electronic scanning procedures are also carried out.

The Board has witnessed staff carrying out all their responsibilities and dealing with detainees in a dignified and respectful manner. All those monitored have been compliant with the procedures within the Reception Area. Detainees who give cause for concern may spend an initial period on the Segregation Wing before going to the Induction Wing and ultimately, a Residential Wing.

Alongside the Reception process there is a 1:1 Assessment Interview with the detainee which is carried out by a Reception Officer. The purpose of this is to gather a range of information to ensure the safety and well-being of the detainee as much as is possible, to facilitate their integration into the Prison environment, to identify any safety concerns, and to establish any possible security issues. At this point, first indicators are assessed as to whether the detainee should be considered to be a vulnerable person with concerns regarding their well-being or safety, which will determine which accommodation wing would be most appropriate.

Induction: The Prison ensures that all detainees receive a series of induction sessions after completing the reception process. Male detainees are housed on F Wing for induction and female detainees complete the induction process on D Wing.

The induction process entails a paperwork pack containing a series of compacts to be worked through with the Wing Officers.

The detainee has to sign to say they understand the Prison Rules. These are explained to them in a 1:1 session with the Wing Officer, including agreements to be well behaved and to keep good order and discipline at all times.

During the induction process, detainees are introduced to their assigned Custody Support Officers and allocated to a Residential Wing. Detainees normally remain on F Wing for about three days to complete their induction but this period can be extended if it is felt necessary.

Whilst the induction process is very comprehensive, the Board feels some vulnerable detainees may struggle to take in all the information given to them. There is a large number

of compacts to understand and many rules and regulations to assimilate during what can be a very stressful time for the detainee. The Board would also suggest that the language used in the compacts could be simpler to aid understanding.

SECTION 7: HEALTHCARE

Within this reporting period, the monthly dedicated Healthcare Meeting has been replaced by regular scheduled meetings involving Healthcare staff and Senior Prison Officials. This has led to much closer working relationships and a greater understanding of individual roles and responsibilities. In addition, there is a quarterly meeting chaired by the Director of Community Care attended by representatives from the Prison, Mental Health and Community Nursing.

A policy for monitoring detainees with head injuries has been developed over the year and is maintained in the "Keep Safe Folder" for overnight concerns.

Mental Health: There continues to be an increase in the number of detainees suffering with mental health issues being received into the Prison system. However, with the additional funding from the Treasury following the last budget the much promised Forensic Health Pathway has been established. The Pathway now "joins up" the mental and physical needs of detainees from their arrival in Police Custody, through the Courts, and into the Prison. It is planned to develop this still further in the coming year and the Board looks forward to monitoring the progress of this vital initiative.

Regular clinics staffed by the Consultant Psychiatrist are held. A link nurse for Mental Health has been put into place. With the establishment of this role, Mental Health reviews for those deemed as requiring them have increased in number from an average of 32% to 76% and the Board will continue to monitor progress through the next reporting year.

Detainees with mental health issues are now identified much earlier in the process by the two full time Mental Health Practitioners based at Police Headquarters.

Substance Abuse: Within this reporting year, there has been a significant increase in the smuggling of New Psychoactive Substances (NPS) into the Prison. As a result of this there has been an increase in the number of detainees being found in a serious and distressing condition who appeared to be under the influence of NPS. Detainees affected by this have been dealt with in line with Prison Policy. The dangers and risks involved in taking these potentially life-threatening substances have been communicated to all detainees. The warning given made it very clear that there is a real risk that someone could die as a result of taking NPS.

All Prison staff have been re-issued with the current guidance relating to such substances.

In order for this very real and serious threat to life to be reduced it is important that an additional up to date security system is purchased. This will involve new scanners, mobile phone detection and blocking equipment together with NPS testing equipment. The Board

understands that funding has been approved for some of this equipment and would urge the Minister to press for the remainder to be found to assist with the prevention of a serious incident or a death in custody.

'Flu Vaccinations: The need to vaccinate detainees against the 'flu virus has been identified. Detainees are particularly at risk due to living in such an enclosed environment where infection can spread easily and rapidly. Funding for this was not provided and detainees were expected to pay for their vaccinations. Most detainees would struggle to do this because the cost of a 'flu vaccination would be in excess of the weekly wage they earn for the work they are able to do in the Prison. In terms of equality with the general population this seems grossly unfair. A major 'flu outbreak in the Prison would put both staff and detainees at risk.

Prison Clinics: A number of clinics are held in the Prison on a regular basis. They include the GP, Dentist, Optician, Mental Health, Physiotherapy, Motiv8, Smoking Cessation, and Drug and Alcohol Clinics. The introduction of the Physiotherapy Clinic during the year has reduced the need for costly and resource intensive visits to outside healthcare facilities.

Complaints: There has been a total of eight complaints concerning healthcare over the last two years.

Staffing: The Healthcare Team has struggled with staff shortages for much of the reporting year. It is to their credit that they have continued to provide a high level of care to detainees. Detainee numbers have increased during the reporting year and a very large percentage of them have ongoing physical and mental health issues requiring constant medical care.

SECTION 8: PURPOSEFUL ACTIVITY

There are several works items that are carried out daily within the Prison. These include wing cleaning, kitchen work, servery work and laundry work, all of which are performed within the main Prison complex. Other work such as horticulture, recycling, log splitting, and bee-keeping are carried out within the inner environs of the Prison.

The Board was pleased to note last year that there had been proposals to refurbish the Vocational Workshops within the Prison and employ a Trades Officer with a view to making more use of this valuable resource. This initiative has, unfortunately, been delayed due to issues concerning the recruitment of a Trades Officer. The Board hopes that these issues can be resolved swiftly, and the Vocational Workshops used to their full potential. Work is underway to re-assess the Trades Officer role and Job Description. It is hoped that Vocational training and work opportunities will become available in the future.

These courses will be of a "handy man" level and may include plumbing, electrical, carpentry and bricklaying. Once in operation the increased use of the workshops could help train detainees in skills that would assist with their re-integration into society after release. The Board recognises that the recruitment of a Trades Officer is a balance of skills, qualifications,

remuneration and budgetary requirements. It is hoped that this balance can be found as soon as possible to advance this important initiative.

The Board is pleased to report that horticulture activities have continued during the reporting year. The good weather and the efforts of the detainees have produced excellent crops to be used in the Prison Kitchen.

During the year, female detainees on D Wing created their own garden and were successful in growing plants and vegetables, albeit on a limited scale. The Horticulture NVQ is continuing. The Board is pleased to note that a new dedicated Horticulture Officer has been appointed and commenced work in February 2019.

As in previous years the Prison continues to make Morse Bags.

Two bee hives were donated by the Manx Courts Mission. Detainees were trained in the use of the anti-allergy 'EpiPen' and the care of the hives and bees. The honey produced was sold and the proceeds fed back into the Prison Budget. Work to care for and protect the hives and bees was undertaken in the autumn of 2018 by staff and detainees.

The Board is pleased to note that the Senior Management Team (SMT) continues to actively pursue work projects external to the Prison. Detainees are given the opportunity for Resettlement Day Release (RDR) which involves release on Temporary Licence (ROTL) to carry out work opportunities external to the Prison environs. These opportunities encourage trust and self-reliance while improving skill levels and assisting, after release, the re-integration of detainees into the outside community. The opportunities for RDR are keenly sought by detainees and assist with maintaining good order and discipline.

Unfortunately, there was a breach of the trust placed in a detainee during RDR. The Board, while acknowledging this breach of trust and the difficulties constraining the opportunities for such work, is pleased to note that this has not affected the ongoing RDR initiative.

During 2018-19, in excess of 700 man days of work were undertaken by detainees working on RDR projects identified by the SMT. Work has included the painting of churches and building and catering work amongst others. Job interviews and permanent job offers have been made to detainees upon release as a result of work experience gained during the RDR initiative.

After completion of one RDR project, a sizeable donation was made to the Prison in recognition of the work done. This donation was used to purchase horticultural equipment and machinery for use at the Prison.

One detainee was given RDR during the year to attend University College, Isle of Man (UCM) to pursue a Trade Course. Additionally, the Board notes that discussions have taken place between the Governor and the Principal of UCM regarding potential apprenticeships.

The Board notes that detainees on RDR are housed on F Wing which is also the main Induction Wing for new detainees arriving at Prison. During the year, F Wing had to be closed to new receptions due to staff sickness and shortages. This left RDR detainees with minimal supervision. During this time there were no adverse incidents.

It should be noted that in order for detainees to be released on Temporary Licence, the Prison must carry out stringent security checks on the individuals being considered. Each detainee must sign an agreement to abide by certain rules and standards of conduct while on RDR. It has been encouraging to see the number of projects generated by the efforts of the Prison SMT.

Whilst not directly related to external work opportunities, the Board was pleased to note the extension of RDR over the Christmas and New Year holiday period in the form of Resettlement Overnight Release (ROR). This enabled two detainees who had demonstrated reliability and trust to be temporarily released over the Christmas period and a further detainee was granted release over the New Year period. This enabled them to enjoy time at the festive season with their families. The Board is encouraged that this will lead to the maintenance of family ties which may, in turn, assist with reducing re-offending.

The Board notes, however, that work opportunities still predominantly involve male detainees. There have been some opportunities available for female detainees and the Board encourages the Prison Management Team in their ongoing efforts to generate meaningful work for female detainees whilst recognising constraining factors in this area.

SECTION 9: PRISONERS' COUNCIL

The Prisoners' Council was established in March 2015. Since its creation, the Council has progressed well.

Subjects covered in the Prisoners' Council have been many and varied. For example, subjects such as e-cigarettes, education, re-cycling, healthier food options, gym times, gym sessions for female detainees, mental health and security levels.

Due to the high number of detainees being segregated as a result of suspected substance abuse, part of A Wing had to be used as a segregation area. This caused difficulties for existing detainees on A Wing and the issues were raised at the Prisoners' Council. Prison management was able to explain the rationale behind the move and pass back to the representatives of all wings its grave concerns regarding the use of what was believed to be New Psychoactive Substances (NPS). They also reiterated a Governor's Notice to Detainees that stated that "someone is going to die!"

The election of Wing Representatives took place in September and the joint Chairpersons have also changed during the reporting year.

Changes had been made to the scheduling of Prisoners' Council meetings from every other month to monthly for a trial period. Meetings reverted to every other month from May 2018.

Sub-Prisoners' Council meetings are held during the month between each scheduled meeting.

Detainees and Officers take part to assemble the agenda for the next meeting and discuss outstanding issues. This helps to make the agenda more efficient and removes items that have been dealt with at previous meetings.

A number of sub-committees have been set up to cover specific areas such as the Kitchen, Gym, and Canteen items. The main meetings are chaired by the joint detainee Chairpersons and a Deputy Governor assists. The minutes are now produced by the detainees assisted by a Senior Officer and a Deputy Governor.

There has been a definite change in emphasis during the reporting period. Whilst being encouraged to bring forward items for discussion at the Prisoners' Council, detainees are also expected to produce evidence of perceived problems and participate actively in finding and discussing solutions. This is a positive step towards active engagement of detainees who attend the Prisoners' Council meetings although there is still room for improvement in dissemination of information to fellow detainees on the wings.

The Board is pleased to note the continued attendance of Senior Officers, to explain the reasons for rejection or delayed resolution of items raised at the Council and share information about recent and future initiatives. Subjects such as the improved Custody Support Officer Scheme, Applications & Complaints, and Incentives & Earned Privileges have been covered in this way and explored further at sub-committee meetings.

Whilst at least one Deputy Governor attends each Prisoners' Council meeting, the Governor also attends regularly to explain strategic policy. His attendance at meetings is appreciated by the Board and detainees.

SECTION 10: SAFER CUSTODY

The further development and increased use of RDR (Resettlement Day Release) and ROR (Resettlement Overnight Release) together with the continual improvements to the IEP (Incentive & Earned Privileges) Scheme have contributed greatly to an improvement in the quality of life and safety of detained persons.

Throughout the year there has been an increase in the number of detainees rewarded for their behaviour who have participated in rehabilitation plans by access to RDR and in some cases ROR. These two hard-earned activities are major tools to prepare detainees for release and integration into society. Access to these plans requires significant input and exemplary behaviour from detainees and the desire to participate is contributing to a safer Prison environment.

The Board is pleased to report the proactive involvement of both staff and detainees in this important step.

The team of Custody Support Officers reported on last year has now settled into the role and the resulting continuity through a detainee's prison life is showing benefit by way of the improved and more approachable relationships established between Officers and detainees. The Board is pleased to report the establishment of a new process document within this reporting period for the night monitoring of detainees who require close scrutiny.

The proposed Mental Health Pathway reported on last year has now started to take shape and quicker more regular access to mental health professionals by detainees is beginning to materialise. The Board is looking forward to reporting further on this throughout the next reporting period.

Incentives & Earned Privileges Scheme (IEP):

The revised IEP Scheme continues to be developed and encourages detainees to fully engage in their rehabilitation path as opposed to just behaving well to gain progression through the stages; the ultimate goal being to participate in RDR or ROR.

Detainees must be able to demonstrate consistent and positive involvement in their Custody Plans in order to move through the levels from Standard to Enhanced and likewise from Basic to Standard. At the end of this reporting period, the percentage of detainees on each level in comparison to March 2018 and 2017 was as follows:

	March 2019	March 2018	March 2017
Basic	9%	4%	4%
Standard	49.5%	52%	42%
Enhanced	41.5%	44%	54%

These figures demonstrate that the system is now operating in a more robust manner and full commitment by detainees is a key element to enhancement and progress within the scheme.

Bullying Incident Reports (BIR's): The Prison takes reports of bullying very seriously and monitors the situation closely by raising BIR's where bullying is suspected or reported.

Throughout this reporting period a total of 18 BIR's were opened which, disappointingly, is a 100% increase from the previous reporting period.

Folder 5: A document opened to ensure detainees experiencing difficulties who are considered to be vulnerable and at risk are closely monitored.

Over the reporting period, it was reported that a Folder 5 was opened on 34 occasions with 31 being closed within the reporting period. This is an increase of 15% from the previous

reporting period. As reported last year, the major reason a Folder 5 was opened was due to either threats of self-harm or suspected self-harm. There were also three Food Refusal Logs opened and closed during the reporting period. These Logs are opened once a detainee has refused food for over 48 hours.

When looking at the statistics in relation to both BIR's and Folder 5's it should be noted that the Prison population has increased over the last year and in particular, there has been an increase in detainees serving short sentences.

Meetings: A total of eleven Safer Custody Meetings were held during the reporting period. The Board is pleased to report that these meetings are now well attended by both Prison staff and related agencies. There is a disappointment that, whilst the Prison based Probation Officer attends, community based Probation Officers do not despite numerous requests to do so by the Chairperson of the meeting.

The continued use of F Wing as an Induction Wing together with its use as the base wing for detainees working in the RDR and ROR programmes remains a positive factor. This enables staff to fully risk assess new detainees and give them time to adjust to the Prison regime as well as providing a stable environment for those detainees attending external employment opportunities.

Supported Living Plans (SLP's): There are specific guidelines in place for detainees with serious health or mental health issues and any detainees over the age of 60. They require the Healthcare Department to be responsible for co-ordinating the Care Plan and to liaise with the detainee's Custody Support Officer. The latter will then ensure that monthly reviews, which involve the detainee, are conducted and all the relevant information is recorded.

During this reporting period a total of four detainees have been placed on SLP's.

Late Arrivals at the Prison: During the 2017 - 2018 reporting period, there was a major concern about detainees arriving late at the Prison from Court meaning that initial assessments, including vital health assessments, could not always be completed. The Board is pleased to report that during this reporting period there has been a significant improvement in the transfer process. In addition, measures have been put in place to aid the initial assessment, in some cases whilst the detainee is in the process of being transported from the Court cells to the Prison.

SECTION 11: EQUALITY & DIVERSITY

The Isle of Man Equality Act 2017: 1st January 2019 saw the implementation of the first phase of the Isle of Man Equality Act 2017. The second phase will be implemented on 1st January 2020.

The Act is one of the most important pieces of social legislation to be enacted in recent times and will have a major impact on Manx society including all those who live and work at the Prison.

The Senior Management Team (SMT) at the Prison is fully committed to ensuring compliance with the Act which affects both detainees and staff alike. The Governor and a Senior Prison Officer are active members of a Government-wide Isle of Man Equality Act Implementation Group. All new policies and any policies under review within the Prison must now be checked against an equality matrix to ensure compliance with the Act and provide fair and equal treatment for all. The Board will continue to monitor this important aspect of detainee treatment as the various stages of the Act are implemented.

Equality and Diversity, Disability, Foreign Nationals, Veterans: Equality and diversity develop continually as the detainees change but it is fair to say there has been no evidence of serious discrimination on grounds of age, disability, gender, race, religious beliefs or sexual orientation.

The term disability can cover a wide section of the Prison population and is not necessarily deemed to be an individual confined to a wheelchair. Disabilities are often picked up during the reception process when a healthcare assessment will be undertaken; staff are made aware of any requirements and needs. In addition, it has been evidenced that other detainees are always very ready to assist someone who has difficulties, whatever they may be.

It is inevitable that as there is such a diverse group of foreign nationals now living on the Island, there will be detainees who do not speak English as their first language. Presently there is a tablet which will translate and this has been used on a number of occasions when necessary to help with the written/verbal barrier.

Veterans constitute anyone who has served in Her Majesty's Services or the Merchant Navy. There is an identified group of designated Officers who are active in their role to support Veterans. They offer valuable support in the Prison and help detainees to link up with support agencies on their release.

Women: D Wing is usually quiet mainly due to the small number of detainees in residence at any one time. There have been some detainees with challenging personalities and behaviour detained during the reporting period and staff must be praised for dealing with issues sensitively and quickly.

Chaplaincy: The Chaplaincy Team represents the Roman Catholic, Church of England and Free Church Faiths. The Board recognises that they offer a good range of services to detainees. They provide compassionate pastoral support to detainees and their families. They continue to provide support for all faith groups to practise their religions.

SECTION 12: EDUCATION

Measures were put in place last year to improve the attendance of detainees at Education Classes. The Board is happy to report that these measures have been successful and nearly 50% of detainees attended Education Classes during the year.

Unfortunately, the monthly meetings between Education, Wing and Reception staff ceased due to staff work commitments.

Communication between University College Isle of Man (UCM) and the Education Department in the Prison continues to develop. There have been some very positive moves this year to try to incorporate education and qualifications within the detainee's workplace in the Prison. Staff from UCM have visited the Prison to discuss possible course options for detainees with the Physical Education staff and it is hoped these will progress.

At times during the reporting year, Horticulture was unable to go ahead due to staff commitments elsewhere in the Prison. A dedicated staff member for Horticulture was appointed with effect from February 2019 which should ensure fewer problems allotting time to working outside in the Prison gardens.

The introduction of Trades training in the Prison continues to be a request from many students. Costings have been obtained for setting up and running Trades training in the workshop within the Prison; a Business Case is being prepared and is nearing completion.

After discussions with UCM staff and the Examinations Office, the Education Department is hoping to begin delivering PC Passport Qualifications in the IT Classes. Businesses are currently encouraging their staff to obtain this qualification therefore it would be a good addition to a detainee's CV.

Computer access for students to sit on-line examinations is a work in progress.

The Education Manager and the Cookery Tutor completed Food Hygiene training at UCM. It is hoped that Food Hygiene Courses will be delivered to students in the near future.

This year, some of the BTEC Courses were dropped and new short courses introduced. This decision was made to ensure students were kept interested and to allow enough time for them to complete their qualifications whilst taking on any work commitments they might be chosen for.

BTEC Level 1 and Level 2 Courses for Cookery have continued and discussions with Kitchen staff in the Prison are ongoing to see whether detainees might obtain qualifications through their kitchen work.

Drama Classes have been a huge success with the women's wing this year and it is hoped the Education Department can obtain additional funding to roll out these classes to other wings.

New courses this year have included:

- **A Children's Centre Parenting Course:** A Solihull Parenting Course open to all detainees.
- **Care in the Family:** A course called 'Daddy's Working Away'. This course is to help maintain parental relationships, whilst in Prison. As it is a pilot course it is only open to the two adult male wings. If the pilot is successful it is intended that the course will be open to all detainees.

- **Employability Course:** First Aid package, CV Writing, Preparation for Interview, Communication Skills, Customer Care, and a range of other qualifications leading to AQA Unit Accreditation.
- **Motor Project:** Some new motor project sessions are planned for the coming year.

In addition, cookery students enjoyed several sessions on cake decoration delivered by an MHK and Art students have enjoyed several sessions delivered by a celebrated Artist.

Examinations undertaken this year have included:

- **BTEC Cooking Skills:** 6 candidates entered at Level 1, and 4 at Level 2.
- **Functional Skills:** 1 candidate entered Level 1 Mathematics; 1 candidate entered Level 1 English; 2 candidates entered Level 2.
- **iGCSE Mathematics:** 6 students have entered this year and will be taking their examinations in May and June 2019.

The detainees enjoyed a series of Christmas events arranged by the Education Department including "A Great British Bake Off," a Christmas Quiz, making Christmas decorations, and a Christmas Carol Writing Competition.

Detainees also made mince pies for sale to raise money for the Shoe Box Charity.

Some large joints of meat kindly donated to the Island's Food Bank were given to the Prison's Cookery Classes. The students learned to cook various roast dinners which were put into plastic containers and frozen by the Island's Foodbank ready to be given out when needed.

Ten detainees entered the Hospice Paint a Wallaby Competition.

The detainees were again very successful in last year's Koestler Awards which saw 7,245 entries across 52 different categories with around 100 Artists, Writers and Musicians judging the entries. Detainees' work was exhibited firstly at the South Bank Centre, London, and will this year be at the Turner Contemporary in Margate. 15 Koestler Awards were received by the detainees and a sculpture by one of the detainees called 'The Faceless Woman' which was displayed at London's Supreme Court was sold.

The Careers Advisor continues to attend the Prison once a month and makes an invaluable contribution to sourcing work opportunities to aid the rehabilitation of detainees on their release.

The teaching staff were asked about their role in the Prison and they shared some of their experiences with their students, such as this from the Art tutor:

"The most rewarding aspect of teaching Art at the prison, for me, is being part of enabling students to develop new skills and create something that they are proud of. It's nice when a student wants to share their achievements with their friends and family, as I feel the Art becomes a means of communicating something positive about themselves with those they miss. The atmosphere in the class is friendly and the artwork produced is of a very high standard. I am very proud to exhibit it and hope that it may help some students access a future interest or career goal, through their creative expression."

This year's Student Perception of Course (SPOC) Questionnaire showed a greater level of satisfaction with the subjects offered, linked to the introduction of Employability Skills and the BTEC Level 1 Vocational Courses. The comments received from students included:

"I find education motivating. I am encouraged to do the best I can".

"I go back feeling happy. Information and advice are always available".

"Sometimes I don't want to go back, it's that good".

"I can use my brain; I look forward to classes".

Towards the end of the reporting period, the Board was informed of the Education Manager's decision to retire. It is to be hoped that a suitable replacement will be found quickly to enable the important work of this crucial part of the resettlement process to continue.

The Library:

The books in the Prison Library have been catalogued and a new policy is now in place to help to reduce losses of library books.

The Education Manager has held talks with the Island's Librarians Association about improving stock and provision in the Library.

A Library Questionnaire was issued to all detainees and the information provided will help the Education Manager when trying to obtain books from the Mobile Library that the detainees would like. The Mobile Library provides a change of books every three months.

The Board feels that the Library continues to be an under used resource. With more detainees trying to improve their qualifications through Distance Learning Courses, the Board hopes that the new Education Manager will be able to develop the use of the Library as a Research and Study facility.

SECTION 13: ADJUDICATIONS

Governors' Adjudications: Adjudications are carried out by the Governor or a Deputy Governor when a detainee has allegedly committed a breach of the disciplinary code of the

Prison. If an offence is deemed serious the matter will be referred to an Independent Adjudicator. Where there is an alleged breach of Isle of Man Law it will also be referred to the Police.

When the charge in an adjudication is found proven, the detainee is given what is known as an award which will be determined by the nature of the offence and the detainee's previous behaviour. The award may also include being detained in the Segregation Wing for a specified period.

The outcome of adjudications is an important aspect of the management information within the Prison and is also important to the Board's role of monitoring the treatment of detainees.

Over the reporting year, there was an increase in the number of adjudications on all wings. The main reason for the increase in adjudications was the increased use of New Psychoactive Substances (NPS). The use of NPS has been a matter of great concern to both the Board and Prison Management.

Board members have attended several Governor adjudications this year by agreement with the detainee. We have been satisfied in all cases that the adjudications are being administered professionally and detainees treated fairly in both the process and the award. Adjudication paperwork is also reviewed on a regular basis to ensure correct procedures are being followed.

During the reporting year, 27.7% of adjudications listed were referred to the Independent Adjudicator due the serious nature of the breach of the Custody Rules.

Independent Adjudicator: In July 2017, the Prison introduced a new regime after a change in the Custody Rules allowing an Independent Adjudicator to preside over adjudications of a more serious nature. Previously, this role had been undertaken by a panel of Board members. The Board felt this role was wholly inappropriate and petitioned for many years for the rules to be changed.

The Independent Adjudicator is a legally qualified impartial person and the Prison currently has two such Adjudicators available to ensure that all detainees are adjudicated upon in a fair and proper manner. The Board welcomed the introduction of the role and believes it adds credibility to the adjudication process for serious breaches of Prison rules.

Between July 2017 and March 2018, the Independent Adjudicator conducted three adjudications. In this reporting year, the Independent Adjudicator has conducted 105 adjudications; a massive increase.

Awards made by the Independent Adjudicator are based on a tariff for each type of offence to ensure consistency. The sentences awarded often include additional days and the number of days awarded has increased significantly. The Board is satisfied that they were just and fair awards.

Detainees can apply directly to the Prison Governor for a reduction in awarded sentences of additional days of up to 50% after a sustained period of at least six months' good behaviour has been proven. The Board received one application from a detainee seeking advice on how to do this.

SECTION 14: DRUG TESTING

Dealing with detainees who have taken controlled drugs is important within the Prison. Testing for these substances is a demanding role. In the reporting year, there was an overall increase in the number of detainees in the Prison, and also an increase in those who had been convicted of drug offences.

Testing for drugs is through a Mandatory Drug Test (MDT) and more predominantly Suspicion Testing. It determines those who have or have not taken controlled drugs. Additionally, New Psychoactive Substances (NPS) now have to be taken into account.

The use of intelligence led drug testing has increased with a reduction in the number of MDT's for the general population.

The Board has witnessed intelligence led testing being used effectively to maintain good order and discipline and to stem the use of drugs in the Prison.

Historically, Random Testing also had the role of monitoring the monthly percentage of the numbers who had passed or failed controlled drugs tests. However, changes in policy by the Prison have led to Suspicion Testing becoming the central focus. This is based on most testing being directed to those more likely to fail the MDT. This is a demanding role and is reflective of the current climate.

The Board understands the reasons for the changes but would wish to stress the importance of receiving a regular update on the number of detainees who have failed and passed the drug test.

Previous IMB Annual Reports have included discussion about the possibility of introducing Voluntary Testing. This would be for detainees who wish to have regular testing to confirm they are not involved in drug offences and would increase the incentive to stay away from illegal substances. It would also have a positive impact on applications for parole and would help to establish suitability for other activities such as Resettlement Day Release (RDR). Previously, there has not been enough staff or equipment for regular Voluntary Testing to occur. However, the Board remains of the opinion that an option for Voluntary Testing could lead to improved relationships within the Prison as well as reducing the use of controlled drugs.

The Board commends the staff involved in the demanding role of drug testing and dealing with the results. This includes Prison Officers, the Healthcare Team, and the medical and support systems outside the Prison.

As reported elsewhere in this document, this reporting year has seen an extremely worrying increase in the use of NPS by detainees. Prison Management has responded rapidly to try to prevent this, but it remains a real possibility that a detainee will suffer serious injury or die as a result of taking these substances. Dealing with incidents of NPS use is distressing and dangerous for all concerned and the Board would urge the Minister to support the Senior Management Team by providing the financial and operational resources needed to manage this extremely grave situation.

SECTION 15: SEGREGATION

Segregation occurs when detainees are removed from their normal Residential Wing and placed in the Segregation Wing (E Wing) separate from other detainees. The majority are sent there having broken Prison Custody Rules. There is a similar single cell, within the Female Wing for female detainees who require Segregation. However, there has been minimal use of this.

The Segregation Wing is also used for a variety of other reasons including security, medical reasons, and periods of observation. The Board has noted that the use of the wing has increased during the reporting year.

Occasionally, detainees who have just arrived at the Prison are placed in this wing on reception due to concerns they may have hidden items that are unacceptable or illegal.

As stated elsewhere, the Board believes there is room for improvement in the frequency with which Custody Support Officers visit detainees in Segregation. Although they have a responsibility to maintain contact with the detainee, this role sometimes loses momentum with limited support for the detainee whilst in Segregation.

Another problem is finding a suitable location in the Segregation Wing to hold the meeting with the Custody Support Officer or indeed any visitor to the wing. The current layout of the wing does not necessarily allow discussion in private and the Board has experienced this on a number of occasions. Further thought could be given as to where private discussions might take place.

During the reporting year, the Segregation Wing dealt with a long running 'dirty protest' the majority of which took place in the monitored cell. The detainee in question did not voice why he was making a 'dirty protest' and continued for many weeks to defecate and spread the faecal matter over himself and the cell. He also made a number of attempts to self-harm.

During this time the regime in the Segregation Wing was disrupted not only by the smell but also the need for extra resources to fully monitor and care for this detainee. The Board witnessed the hard work and unflinching commitment the Officers on the Segregation Wing put into this particular detainee to try to re-integrate him into the normal regime and reduce disruption as much as possible. Under very difficult circumstances they did re-integrate the detainee and he completed his time in the Prison on a main Residential Wing.

During this reporting year, the Board has been very concerned about detainees who have been segregated for long periods. In the current reporting year, there have been two detainees in particular who have spent lengthy periods in the Segregation Wing. The staff have worked hard and tried various ways to facilitate their return to a Residential Wing. One was successfully re-integrated into a normal regime on the wing but the other was released from Prison directly from the Segregation Wing. Finding a solution to deal with this problem is difficult and the Board supports and encourages the efforts of the staff to achieve this.

The Board feels that on occasions E Wing has had to be used to house detainees who should be detained in and would benefit from a Secure Mental Health Facility. With no such facility available on the Island, the Board feels the Prison is being used as "the safest place we have" to house those suffering from serious mental health issues and believes these detainees would be better treated if the appropriate facilities were available. It goes without saying that caring for such vulnerable detainees to ensure their safety and security places considerable strain on the staff involved.

The Board is exceptionally impressed by the work of the Officers on the Segregation Wing. They are exposed to many risks as well as very challenging behaviour and their work is highly demanding. The support they give to Board members when on the wing is much appreciated.

SECTION 16: CRIMINAL JUSTICE SYSTEM (CJS)

Following a disappointing year where no further legislative progress has been made to support the Criminal Justice Strategy (CJS), a report was prepared by the Justice Committee - a Standing Committee of Tynwald, following oral evidence from the Minister and Interim Chief Executive of the Department of Home Affairs in January 2019.

This highlighted the lack of progress in the implementation of the CJS which was approved in December 2012.

Criminal Justice System legislation went out to consultation in July 2016 and the Board responded on the terms of custody, probation, sentencing flexibility, intermittent and/or alternatives to custody. The full results of the consultation were made public in April 2017. A further consultation in respect of offender management, sentencing, and domestic abuse concluded in August 2018.

The Interim Chief Executive did state that various operational elements of the service have progressed in spite of the lack of strategic oversight and the Board would agree with that. Nevertheless, only the early intervention elements (fixed penalty and cautions with conditions attached - alternatives to custody) are hopeful for progression before July 2019. Given the rising Prison numbers throughout the past year, this is a concern. The Board would suggest that detainees with short sentences would have benefitted far more from a non-custodial alternative had it been an option.

Meanwhile, as reported in the Resettlement and Probation Sections of the report, the Prison and Probation Service has made good progress in the area of addressing offender behaviour with more Resettlement Day Release (RDR) and Resettlement Overnight

Release (ROR) Licences to include overnight and holiday period release as permitted within the limitations of the current legislation with over 700 RDR days achieved.

The Intervention Hub was finally launched in November 2018. Modules are being completed both within and outside the Prison with detainees being assessed as a part of normal Custody Planning. Both the hand held devices on F Wing and the Education Department computers have been upgraded to facilitate this.

Another positive development during the reporting period is the fact that Probation Officers now have the option to hold meetings with discharged detainees in local Police Stations. The Board hopes that this will improve both levels of attendance and engagement.

There remains concern about the paucity of data to evidence the progress that has been made but expanded Key Performance Indicator (KPI) data has been incorporated into regular reporting to the Department of Home Affairs.

Additional KPI's have been introduced in the areas of Safety (absconds or breaches and Control and Restraint (C&R) training), Respect (clean and decent conditions), Resettlement (help and support to maintain links with families), and Purposeful Activity but again, these figures are not communicated widely. The Board is pleased to note that there has been an attempt to address the issue of a defined re-offending rate with three years of retrospective data having been analysed.

SECTION 17: OFFENDER MANAGEMENT/RESETTLEMENT

IMB members have attended the weekly Resettlement Meetings from time to time during the reporting year. In August 2018, several members attended a presentation on Intervention Hub Modules at "Tromode House" prior to the long-awaited approval of the financing of ten modules for a period of one year in September 2018. It is vital that this funding continues for the foreseeable future.

Information about the Modules being taught is now included in the monthly Prison and Probation Service Report to the Department of Home Affairs and detainees are given clear targets for the Intervention Hub Modules they are expected to complete.

January 2019 saw the expansion of the Resettlement Team to include a Horticulture Officer and two Intervention Hub Officers. It is also intended that the expanded team will include a Trades Officer, but as has been reported elsewhere in this document, this vital role has yet to be fully approved and a suitable candidate appointed. The Board hopes that this long-awaited appointment will happen during the 2019 - 2020 reporting year.

A Resettlement Team "Away Day" in February 2019 helped to promote team working with Probation and Education. There was particular focus on the practicalities of teaching Intervention Hub Modules with the use of keyboards being highlighted as essential to effective learning.

The Board is pleased to report that overall, most detainees are being seen in a more appropriate and timely manner. Generally, detainees are better prepared for their Resettlement Meeting. A Wing Officer accompanies the detainee to the meeting and should bring a copy of the monthly Custody Support Officer Report. The Resettlement Team members have been very pro-active on the wings which has greatly assisted the process.

The contribution from both internal and external Probation has also improved. Clear arrangements are made for the first external Probation appointment with an appointment letter being given to the detainee. Future expectations are also outlined and licence conditions (if any) are explained.

Detainees have access to information about support services and benefits available to them (DHSS, Drug & Alcohol Team, Job Centre, accommodation agencies etc.) and there has been an increase in pre-release visits to various agencies to assist long term detainees with discharge arrangements. Healthcare staff have attended some meetings and detainees are encouraged to maintain a healthy lifestyle through the NSC Scheme.

Overall, engagement between staff and detainees is open and transparent with problems being patiently handled and great compassion being shown in sensitive situations. Some detainees tend to take the line of least resistance and are reluctant to engage fully with the process preferring to have things "done to them" rather than accepting responsibility for their future path.

It is hoped that the change of venue for the meetings to the Multi-Faith Room may help to improve engagement, but detainees should be encouraged to speak through the use of open questions and more daily interactions on the wings through methods such as "Five Minute Interventions".

Whilst the Board is pleased to report positively on the great progress in Resettlement during the reporting year, there are still areas of concern. As reported elsewhere in this document, there is still no Voluntary Drug Testing available for those detainees building evidence for their Parole Dossier. Custody Support Officer Reports still vary considerably in content and availability and there is certainly room for greater participation by Officers in the Resettlement Meetings. A copy of the Custody Support Officer Report for the detainee might be of benefit to aid reflection.

The introduction of a checklist for the Resettlement Meeting might also help to ensure that nothing important is missed. Whilst Parole Committee decisions have been notified in a timelier manner for most of the reporting year, there was some evidence of a deterioration in this towards the end of the period.

SECTION 18: PROBATION

A further major overhaul of the Resettlement Team has had knock on effects upon an already pressed Probation Team that has experienced considerable change itself during the past five years. This situation was compounded by a further increase in demand for Social

Enquiry Reports (SER's) and the high level of receptions this year. Probation and Resettlement in spite of this continue to work together to support detainees throughout their sentence and beyond the gate.

Clear provision at the Resettlement Pre-release meeting of a paper invitation to an initial external Probation appointment has reduced the potential for missed appointments.

With regard to "joined up working", the Incentives & Earned Privileges Scheme (IEP), then Work Allocation Board (WAB) followed by a Resettlement Meeting is providing a more rounded picture of individual detainees and is improving connectivity with suitable Intervention Hub Modules being pre-selected at the latter.

The Prison has further expanded its Resettlement Day Release (RDR) and Resettlement Overnight Release (ROR) to include overnight and Bank Holiday period release. Any RDR and ROR Licence conditions including any subsequent amendments are well communicated to all. The expansion has gone ahead with only one or two minor breaches which were strictly and promptly managed.

This reporting period has seen detainees spending over 700 days working in the community with only the occasional lapse in behaviour, and much praise for completed projects.

Detainees serving long sentences have been managed on trips to secure accommodation, attend interviews and secure benefit arrangements. Detainees are risk-assessed by Probation and finally assessed by Security before any Licence is granted.

The combined Parole Report is now completed in part by the Custody Support Officers. This covers IEP, adjudications, security levels, ROR, behaviour on the wing etc. and avoids duplication of information by various contributors.

PEPS (Problem Solving, Effective Thinking, Perspective Taking, Social Skills) courses for detainees have continued with some Modules being delivered by Officers under close supervision by Probation and overseen by the Forensic Psychologist.

Running Intervention Sessions within F Wing on a regular basis has proved difficult on occasions with the demands of Induction and running two regimes due to RDR detainees on the wing (and on occasion three regimes when the wing was used temporarily for Segregation).

Whilst new detainees are assessed promptly and some excellent examples of "joined-up working" have been evidenced, the Board is concerned that the increasing workload and the number of vacancies within the Probation Service may impact on the timely allocation of Probation Officers to detainees prior to discharge.

SECTION 19: LEGAL VISITS & 'LIVE LINK'

Legal Visits: During the period 1 April 2018 to 31 March 2019, visits to detainees and prisoners including Advocates, Children Services, Coroner's Office, David Gray House, Education, Housing, Police Interviews, and Probation Services, totalled 200 visiting 360 detainees.

'Live Link': During the period 1 April 2018 to 31 March 2019, the facility was utilised 356 times, a reduction of 124 from the previous reporting period.

The breakdown shows that the Courts utilised the system a total of 33 times during the reporting period as opposed to 57 times in the last reporting period, whilst others (Advocates/ Administration/David Gray House/Police and Probation) totalled 323 times, a reduction of 100.

The Board understands that the 'live link' system was updated during the latter part of 2018. Whilst this would account for a temporary reduction in its use whilst work was ongoing, it is surprising and disappointing that it is not used more. A valuable resource such as this needs to be fully utilised.

It is noted that under the Summary Jurisdiction (Live Television Link) Rules 2014 the legislation was modified to make the 'live link' the default position rather than appearance in Court in person as had previously been the case. In the circumstances, the Board would expect to see much greater use of this facility.

SECTION 20: DISCHARGES

Female detainees are discharged directly from the Female Wing. Male detainees from the main wings are usually moved to F Wing the day before their discharge but are kept separate from new receptions and Resettlement Day Release (RDR) detainees. This is done to enable them to complete any necessary discharge paperwork and prevent any temptation to celebrate or disrupt the routine on the wing prior to discharge.

The Board attempts to speak to all detainees who are about to be discharged and has found regularly that many are understandably apprehensive about their release. The Board has witnessed the release of RDR and ROR detainees and has observed that they tend to be much more settled and better prepared for re-integration into society.

SECTION 21: THE WORK OF THE BOARD

Minimum complement of members (as per Custody Rules)	10
Number at start of reporting period	12
Number at end of reporting period	9
Number of new members during period	0
Number of members leaving during period	3
Number of visits to establishments	143
Number of hours on average per visit	4.9
Number of Board Meetings	12
Number of meetings with the Minister	2
Number of meeting with the Police Custody Inspector	4
OPCAT meetings	3
Number of Significant Incidents - advisory	26
Number of Significant Incidents – attendance	0

It has been a challenging year for the Board. Member numbers are depleted and it has proved very difficult to encourage new members to join despite advertisements in the local press and interviews on Manx Radio.

Some members attended the annual Volunteers' Fair in Douglas in March 2019 during which it was possible to talk to local people looking for voluntary opportunities. We still await any prospective applicants as a result of this. It was clear when talking to people at this event that members of the public did not realise that the Board existed and they certainly had no appreciation of the scope of the role.

The Board feels that the Department of Home Affairs should be more pro-active in publicising the work of the Board and organising the recruitment of new members. This is particularly important when additional responsibilities such as OPCAT are being added to our role (see Section 22 below). It should also be noted that the growth of the Prison population has necessitated longer and more complex monitoring visits and the number of notifiable incidents has increased dramatically. Members give of their time on a voluntary basis and the level of commitment required is significant.

Applications to the Board:

Accommodation	1
Adjudications	9
Equality/Diversity including Religion, Finance & Pay	2
Education, IEP	8
Food/Kitchen related	3
Visits, Telephone	5
Health related	13
Property	0
Prison	5
Police	5
Canteen, Facilities, Catalogues	12
Sentence Related RDR (Day Release)	5
ROCG's (Release on compassionate grounds), Parole release dates	0
Staff/Detainee concerns re Bullying	11
Request/Complaints to Transport Contractor	1
Confidential access to the Chairperson	0
Miscellaneous	6
Total No of Applications:	86

There has been a significant rise in the number of applications to the Board, with an increase of almost 50% from the previous reporting period. This can be attributed partly to multiple applications from individual detainees or to more than one detainee writing about the same subject. The increase in the number of detainees is also a factor as is a more robust and consistent approach to applying the Custody Rules by the Senior Management Team. The increase should not be seen as a reflection on the willingness and ability of staff to resolve issues.

We thank our Clerk for her continued unfailing support and efficiency.

SECTION 22: OPCAT

The UK's ratification of the Optional Protocol to the UN Convention against Torture (OPCAT) was extended to the Isle of Man in 2014. The Council of Ministers had agreed to the

extension of OPCAT to the Island as early as 2003 but it remained in abeyance for some years. Whilst it is laudable that the Isle of Man Government wished to implement such an important protocol and there was discussion between various Government Departments as to how this might be achieved, there was no consultation with the members of the independent bodies who were to form the Isle of Man's National Preventative Mechanism (NPM), the Independent Monitoring Board for the Isle of Man Prison, the Independent Monitoring Board for the Isle of Man Secure Care Home (Cronk Sollysh), and the Mental Health Commission.

The Board was first made fully aware of their proposed role in OPCAT during the 2016-2017 reporting year. A detailed response to the proposed role which raised many concerns was sent to the Department of Home Affairs (DHA) in 2017. The Board has continued to raise concerns and questions at every meeting with the Department of Home Affairs and the Minister since then. The Department consistently sought to allay any concerns by saying that OPCAT would simply require submission of the Board's latest Annual Report together with those of the other two monitoring bodies. The submission would also have a summary and preface which would be written by the DHA and Department of Health.

In December 2018, the Chairperson and Vice-Chairperson of the Board were asked to attend a meeting at the Department of Home Affairs. Members of the Mental Health Commission were also present but nobody from the Cronk Sollysh Board was available to attend. A number of representatives from the Cabinet Office were present and the Boards were informed that it would be necessary to submit a report under the provisions of OPCAT in early 2019. It was also made clear that contrary to the assurances given by the DHA previously, the three Boards would have to draft the preface in order for the submission to be truly independent.

The three Boards have met three times since the December 2018 meeting (twice within this reporting period). Terms of reference have been agreed and an Executive Summary has been produced. Only time will tell whether the Isle of Man Government approach to meeting the requirements of OPCAT is sufficient, but the Board remains troubled by both the lack of consultation and yet another addition to an increasingly heavy workload.

SECTION 23: POLICE CUSTODY SUITE

Members of the Independent Monitoring Board (IMB) act to safeguard the interests of detainees prior to any custodial sentence.

The premises monitored are Isle of Man Constabulary Custody Suite at Police Headquarters and any other institution so delegated. When visiting these premises, Board Members are referred to as Independent Custody Visitors.

Board members visit, unannounced and in pairs, throughout the year with a minimum visit frequency of once a month. All matters affecting the care and treatment of detainees are monitored, offering a level of protection both to those detained and to the staff entrusted with that responsibility.

A report is written after each visit which is circulated within the Board, and to the Inspector in Charge of the Police Custody Suite.

A member of the Board attends the Custody Tactical Group meetings at Police Headquarters, together with representatives from other agencies including Mental Health, Immigration and the Prison. The Board has been represented at all the meetings held during the reporting period, but unfortunately, they are consistently very poorly attended in spite of their frequency being reduced recently to twice a year.

There are regular reporting meetings between the Board and a Senior Officer appointed by the Police Authority. These take place at the Isle of Man Prison three times a year or more frequently if thought to be necessary.

During this reporting period the Board underwent refresher training to help members to further understand the requirements and necessities of Independent Custody Visiting. Members of the Board also gave a presentation on the work of the Board to the Custody Sergeants' Course.

Statistics: For the period of this report there were 1,617 arrests broken down as follows:

Month	24<48 Hrs	>48 hrs	All Arrests
April 2018	6	2	110
May	8	1	129
June	9	3	188
July	5	3	137
Aug	10	1	155
Sep	3	1	121
Oct	8	4	100
Nov	10	3	121
Dec	12	3	171
Jan 2019	16	1	130
Feb	16	2	97
Mar	23	2	158
Total:	126	26	1617

For reference, these figures are always calculated (by the Police) based on cumulative time in custody, and it is possible that a number of the arrests calculated as exceeding 24 hours did not achieve this in one continuous period.

Under an agreement with the Police, members of the Board are available by rota to be called by the Custody Sergeant, when it is thought that a detainee is likely to be held for up to or beyond 48 hours before appearing before the Courts. Where practical, a Board member will endeavour to attend the Suite to ascertain and confirm that the detainee in question is being cared for and treated justly, fairly and with humanity whilst in custody.

During this reporting period, Board members were called 14 times and attended on 12 occasions. It should be noted that 26 detainees were held for 48 hours or more during this reporting period and at least 14 were not advised to the Board. This situation has been drawn to the attention of the Custody Inspector on a number of occasions and needs to be addressed urgently.

During this reporting period there were 13 unscheduled rota visits one of which was an induction visit for newly appointed members. The average visit duration was approximately 45 minutes (ranging from 20 to 85 minutes). Visits were undertaken at a variety of times during the day.

Staffing was always appropriate and staff members invariably co-operative and helpful despite their sometimes heavy workload.

Treatment of Detainees: In general, detainees were well treated in a considerate and fair manner, and most commented positively on their treatment.

During visits, unless specifically advised to the contrary, a Police Officer will introduce the Board members and offer a chance for detainees to speak in private out of the Officer's hearing.

The Board observed that the provision of drinks, food, blankets, and reading materials were adequate.

First Aid Kits, anti-ligature knives, anti-suicide blankets and clothes, were in positions known to staff. Food stocks were satisfactory, and it was noted that there were supplies to cater for vegetarians and those of different religious faiths.

Space Cleanliness & Function: The Suite is bright, fresh and appears to be easy to clean and maintain to a high standard. Its freshness and cleanliness are often commented upon in visit reports.

The Suite works on an open plan system for "booking" detainees.

It is noted that the temperature problems commented on in the last report have been rectified and maintenance contracts and fault reporting systems have been introduced.

The cells are generally in good condition and are fit for purpose. Occasionally, a cell is reported as being "out of service". When this has happened it has been rectified on a prompt basis.

It has been noted that the Suite is endeavouring to go "paperless" and a computer system known as CONNECT is due to be implemented during 2019.

Some Board members have received a demonstration of the system and a number of "teething problems" have been identified. It is a credit to the Police Authority that it is trying to implement new systems that should make better use of resources.

Mental Health & Other Services: The Custody Suite is regularly a temporary home to many detainees with mental health issues, which is a concern to both the Board and the Police Authority.

Unfortunately, there is no suitably secure Mental Health Facility on the Island where vulnerable and potentially violent detainees can be held in a place of safety. The number of Police attendances to people with mental health issues is increasing and a great deal of their time is taken up dealing with these issues to the detriment of other policing work.

During this reporting year the introduction of two Mental Health Nurses attached to the Suite who are also able to attend incidents with Police Officers has been a great step forward. The nurses are able to "signpost" very vulnerable people to appropriate Mental Health Services, keeping them safe and out of custody unless this is absolutely necessary. It is hoped that this service will be developed further during the coming months and the Board fully supports this.

There are "Appropriate Adults" trained and available to help both the very vulnerable and younger detainees and the Crisis Referral Team is also on hand to visit the Suite.

SECTION 24: COURT CUSTODY SUITES & HOLDING CELLS

Introduction: Members of the Independent Monitoring Board (IMB) visit in pairs. The visits to the Custody Suite at the Isle of Man Courts of Justice take place at least once each month and without prior notice. At least one member of the Board also attends the regular meetings held between the Senior Management of the Isle of Man Prison and the company holding the Escort Contract.

Visits: During the reporting period, there were 14 visits made, during various times of the working day. The average visit was approximately an hour. One visit was an induction visit for a new Board member and another visit was made to collate evidence on the lack of progress on promised improvements to the condition of the Suite.

During visits, members are introduced to detainees who have the opportunity to talk to them in private. The majority are happy to discuss their treatment which has generally reflected well on the staff; occasionally detainees have declined.

Juveniles: On a few occasions, juveniles have been held in the Suite. There is a dedicated room close to the main Suite but this is not always used due to staff limitations and the fact that it is not suitably fitted out as yet. It has been repeatedly reported that although the room is of a reasonable size there is a lengthy piece of telephone cable hanging down the wall approximately six feet long which has raised concerns as it could be used as a ligature. The furniture in the room is also unsuitable.

The Board understands that there are three Officers whose primary function is to look after detained juveniles.

Maintenance of the Suite & Fittings: The Department of Infrastructure (DOI) is the Landlord of the Custody Suite. It is disappointing that the Board has to report that, until very close to the end of the reporting period, the Landlord appears to have taken little notice of the last eight years or more of reports and recommendations. This is despite assurances that action would be taken. It should be noted that detainees and staff have been placed at risk throughout this and the last reporting period and any progress that has been made is due solely to the efforts of the Prison Governor, the Prison Works Department, and by the intervention of Senior Officers of the Department of Home Affairs. The Board has constantly advised of its serious concern that the risk of a death in custody or serious injury to staff or detainees was all too real, but this appears to have been totally ignored.

The standard of cleanliness of the Suite has again been a concern to the Board and it is repeatedly reported on. Consistently, the Custody staff have had to maintain safe and sanitary conditions which is completely outside their remit. This is a disgraceful situation and needs to be urgently reviewed and rectified.

The Suite has an air-cooling system that does not function properly. It is currently controlled from a location outside the Suite (in another Government building) and as such does not operate outside normal working hours (for example, at weekends). The Board has repeatedly reported that even during the winter months the Suite is stuffy and overheated. During the summer months the Suite is almost unbearable, and could be likened to a "sweat box". Again, this is a disappointing and unacceptable situation (for both detainees and staff) which needs to be urgently addressed.

With regard to catering and kitchens, bearing in mind that detainees can be held for many hours from early morning through to late afternoon, kitchen facilities are woefully inadequate allowing only for the preparation of hot and cold drinks, toast and basics such as "Pot Noodles" or beans on toast. There is no facility to offer a proper lunch although the Board understands that the Government "Staff Canteen" is located nearby. However, this facility is not to be offered to detainees.

Critical materials (First Aid Kits, anti-ligature knives, anti-suicide blankets, cuffs, C&R equipment etc) were in positions known to staff and were easily accessible.

Detainees: Most detainees volunteered that they were satisfied with the way they had been treated by the staff. No detainees reported adverse treatment. The Board's Visit Reports consistently comment on the helpfulness and courtesy of staff in the Suite and on Reception, both towards the detainees, and Board members.

The Board has noted that there is an adequate supply of First Aid equipment, spare clothing, toiletries, blankets and reading materials.

Detainee Transport: Generally, the vehicles used have been specialised vans and cars. The vans contain a pod/box facility for specific detainees who require more secure or separate transport. All vehicles have been fitted with updated CCTV and defibrillators, and staff have been trained in the use of such equipment. A new vehicle has been acquired and is used primarily for juveniles, medical escorts and is again equipped with CCTV.

Staff: Routine cleaning of the Suite is conducted by an outside cleaning contractor, apparently under some kind of courtesy agreement with the Department of Infrastructure, as they also appear to cover the public areas of the Court House. In view of the poor standard of cleaning over the reporting period, Custody Suite staff have been obliged to provide a backup service to ensure that the cells are fit for purpose. Latterly, they have also been providing the equipment (mops, cleaning materials etc.) needed to keep the Suite clean.

The management of detainees in the Custody Suite and their transport to and from Prison and hospital, including some bed watch duties, was the responsibility of the contractor throughout this reporting period.

Board visit reports consistently comment on the sensitivity and professionalism of the Contractor's Staff and Managers.

Prisoner Escort Bill: Under the Prisoner Escort Bill dated 2007 the IMB is tasked with reviewing escort arrangements, and the handling of detainees whilst being escorted to and from appointments.

Fire Alarm / Evacuation: The Board is aware that a fire alarm is sounded at 09:00 hours every Thursday. However, a practice building evacuation in the event of a fire does not appear to be conducted on a regular basis, if at all.

Department of Infrastructure (DOI): The Board can report that during the final weeks of this reporting period the DOI Minister, senior officials of the DOI and DHA, and the Chairperson and Vice-Chairperson of the IMB toured the Suite with a view to addressing the many concerns raised. At the time of the visit, some improvements had been made and the Board looks forward to evidencing further improvements over the next reporting period.

for & on behalf of the Independent Monitoring Board



Mr BOB RINGHAM

Chairperson

9 July 2019

OPCAT

APPENDIX 2

CRONK SOLLYSH REPORT 2018

Annual Report of the Cronk Sollysh Independent Monitoring Board for the Year ending 31/12/18

Membership

The membership of the Cronk Sollysh Independent Monitoring Board (IMB) for the year ending 31st December 2018 was:

John Kermode (Chair)
Adrian Christian
Clare Faulds

The Secure Care Home Custody Rules 2002 provide the legislative basis for the Independent Monitoring Board and lists the duties mandated upon the IMB

In short:

The board of visitors “shall satisfy itself as to the state of the premises of the home, the administration of the home and the treatment of the detainees.

Section 51 (3) notes that a member of the board shall have access to records of the home (including the visitors book referred to in section 18 (4) (5) of the Act)

The members of the board of visitors shall visit the home frequently, and the board shall arrange a rota whereby at least one of its members visits home between meetings of the board.

A member of the board shall have access at any time to every part of the home and to every detainee, and he may interview any detainee out of the sight and hearing of care workers.

The IMB has set out its own aspirational targets for visits. These are:

- A member of the IMB will visit each young person within 48 hours of each admission
- At least monthly for each young person during a continuing period of detention
- and The IMB intends to meet quarterly

The board is required, in every year, to make a report in writing to the DHSS and the Department of Home Affairs:

(a) concerning the state of the home and its administration during the year ending on the previous 31st December,

and;

(b) giving such advice and making such recommendations (if any) as it considers appropriate with regards to the administration, state of repair, facilities and operation of the home.

The IMB has met three times during the year and in addition has arranged for a member to visit the Secure Home shortly after every new admission made on a custodial basis.

In general, the IMB has observed:

- the proper and lawful custody of young people detained
- the commitment of staff to the adherence of the Custody Rules
- the proper treatment and support offered to children detained by order of properly constituted Courts on the Isle of Man.

The IMB would, however, draw attention to a number of concerns, not at all, or not solely within the responsibility and control of the Staff at Cronk Sollysh or the St Christopher’s Fellowship.

These concerns are:

1. The case of a child presenting with very significant mental health issues, who is looked after by the Department of Social Care, being repeatedly detained in Cronk Sollysh, in the course of this year.
2. The absence of, and delay in, providing Chaplaincy arrangements for children as required by Para 29 of the Secure Care Home Custody Rules 2002
3. A lack of clarity as to who (Para 12(1) is the “medical officer of the home shall have the care of the health, mental and physical, of the detainees in the home”
4. That Para 12 (3) was not being complied with requiring “Each detainee shall be given the opportunity to see a health adviser within 7 days of his reception into the home.”
5. That staff were not either not aware of, or disregarded the requirement of Para 51(2) “A member of the board shall have access at any time to every part of the home and to every detainee, and he may interview any detainee out of the sight and hearing of care workers”. As, on one occasion, only, and contrary to those rules a Board member was refused to so interview a child. (This was immediately raised with the management of Cronk Sollysh and has now been entirely resolved.)
6. That repeated reports, (over this entire year) relating to defects in Closed Circuit security camera system have been reported weekly by the staff at Cronk Sollysh and were not resolved during the year.
7. That a workable and secure electronic communication system for members of the IMB and between the members of the Board and Cronk Sollysh was not established during the year.
8. That, during the year, several of the children of school age, appeared not to have been provided with a full time education for a considerable time prior to being detained by order of a Court at Cronk Sollysh.
9. Considerable concern was expressed by the members of the IMB as to the case of delay in a child progressing through the Court process. Although convicted of an offence as a child, by the time the matter was concluded and a sentence of detention imposed, was of an age that the majority of the sentence would be served at the prison rather than Cronk Sollysh. Our understanding that on attaining his 18th Birthday he was, immediately, transferred to the Isle of Man Prison.
10. That regular meetings between the chairs of the IoM Prison Independent Monitoring Board, the Chair of the Isle of Man Mental Health Tribunal and the Chair of the Independent Monitoring for Cronk Sollysh as required by National Preventative Mechanism relating to the Optional Protocol to the Convention Against Torture (OPCAT) had not been established during the year.
11. That staff at Cronk Sollysh has concerns that there appears to be a greater use of detention of children by Courts, with Staff at Cronk Sollysh reporting in general, occupancy was quite high especially over TT week 2018 requiring opening of all three living areas.

Also (i) The impression is that Courts were making greater use of detention than previously

and

(ii) The work of Cronk Sollysh was changing from mainly welfare cases to the management of custodial sentences.

12. That the Youth Justice Team had been disbanded and had not been replaced. The IMB noted that the Isle of Man Child Care procedures¹ state:

¹ Isle of Man Child Care procedures (retrieved at 19/12/28)
http://isleofmanchildcare.proceduresonline.com/chapters/p_yj_team.html

The Youth Justice Team (YJT) is a Multi-Disciplinary Partnership including Social Services, Health Services, the Probation Service, the Education Department, the Department of Economic Development and Isle of Man Police. For the Values and Principles, see **Values and Principles**. The team consists of YJT officers, probation officers, police and non-youth justice specialist staff such as police officers, and health and careers specialists.

and it has been reported, in a debate on Tynwald, on the report of the Chief Constable in November 2018

“Comments during debate on chief constable's report:

“A number of Tynwald members are clear in their minds about the reasons for a 22% jump in the number of young people being arrested in the Isle of Man.

The comments came as they debated the chief constable's annual report during yesterday evening's session of the court.

They spoke about how a youth justice team the Island was once proud of had been vastly reduced in its effectiveness, thanks to budget cuts reducing the number of staff from five to two.”

John Kermodé

Chair Independent Monitoring Board Cronk Sollysh

OPCAT

APPENDIX 3 (a)

MENTAL HEALTH COMMISSION

ANNOUNCED VIST REPORT

MARCH 2018

Announced Visit Report.

Date of visit : Friday 24th March 2018.

Attendance:

All members of the Commission were present (Dr Richard Crellin, Dr Pablo Vandenameele, Ian Buxton, Helen Kneale, Francis Masserick, Frank Pattison, Colin Ring)

Focus of Visit:

In addition to checking the usual documentation and paperwork surrounding legalities of detention, consent to treatment etc, we were guided by the "ongoing action plan" produced by the MHS in response to our last visit. In particular, we were anxious to review:

*The activities for the patients, which in the past has been non-existent and which the MHS had identified as now being "green"

*Issues relating to recording of patient's understanding of their detention and capacity (RIO functionality)

*Issues relating to recording patients' capacity to be involved in their treatment planning at ward rounds and how their " Best Interests" are decided and recorded, in the absence of capacity.

*Examining the Seclusion Protocol and it's audit tool and completion.

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In addition we were available to talk to patients to hear their views and to talk to any staff who wished to discuss issues with us. We were also, as usual, interested in the environment and therapeutic atmosphere.

Occupancy:

Harbour Unit: 15 out of 16 beds occupied; 10 patients detained - 3 x section 2

6 x section 3

1 x section 4

Glen Unit: 9 out of 12 beds occupied; 6 patients detained all on section 3

Interviews with Patients

Only 2 detained patients requested to meet with us. One patient was quite unwell at the time and wanted to complain that they had requested to live on the streets when discharged but that this was being prevented. The second patient was an adolescent woman who expressed disquiet about the fact that she was being treated on the same ward as older men which was "triggering" her symptoms (presumably PTSD type symptoms). This is something we have commented about elsewhere.

Interview with staff.

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Three staff members wanted to talk with us but one was unable to do so because of time constraints.

One staff member expressed concerns about the lack of activities for patients to do and felt this was a significant issue. We had noted this ourselves and it is referred to elsewhere in the visit report. This staff member also expressed concern at the patient mix, referring to the presence of CAMHS patients and DAT patients being treated in close proximity. Concerns were expressed about the lack of support and supervision available to Health Care Assistants to deal with issues arising from their roles on the ward

We are keen to re-inforce that we are happy to meet with staff members at any time should they wish to see us.

Legal Paperwork

Detention papers, medical recommendations

and social work applications, were examined and all found to be in good order.

Forms 46 and 47 were examined and found to be present, where required, and matched the Prescription Cards

RIO

We found that RIO functionality was still not being fully used to record whether patients had been read their rights and whether they had capacity to understand

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them. It needs to be clarified whether this is the task of the ward staff or the Mental Health Act Administrator.

Capacity is now being well recorded in each ward round both in the Adult ward rounds and in the Older Adult ward rounds.

"Best Interest" is inconsistently recorded and, where it is mentioned, it appears to be somewhat meaningless (e.g. "patient needs to stay on the ward until suitable placement is found"). There is evidence of good practice to be found if the notes are combed, for example regarding relatives being consulted about their patient's placement. It would be good practice and good preparation for the impending Mental Capacity Act, to move towards having special designated "Best Interest Meetings" for patients who lack capacity, which are identified as such on RIO, to which all stakeholders are invited and must attend, and where future plans are made and recorded. These may only have to take place once, or occasionally more frequently, if plans need to be changed.

Generally, RIO notes were of good quality, relevant and non-pejorative.

Medication

Our Professional Members found medication and prescribing to be within BNF limits and there was no evidence of polypharmacy or excessive doses. We were particularly pleased with the use of "Covert Medication" documentation and the fact that there was evidence of the need for this being regularly reviewed.

Although the form highlights the need for a pharmacist to be consulted before starting covert medication, none of the 3 forms had any evidence that there had been involvement of the pharmacist, although they probably had and it was clear

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from the forms that other professionals from the team had been involved in the decision.

Activities

We were pleased to see the use of the " My Recovery" document and the presence of an activities timetable. We were also pleased to hear that the T.V. was no longer limited to the evenings. We also are pleased to hear there is a games console on the ward for adolescent patients (these are a particularly good distraction tool for managing acute distress - DBT). We felt, however that these in themselves were not really enough to provide meaningful activity for a large number of the patients, particularly on the general Adult ward. The atmosphere on the Older Adult ward was good and patients and staff appeared to be meaningfully engaged in, for example, games of Dominoes etc.

We feel that the appointment of a ward O.T. needs to be a priority and attempts made to investigate the use of volunteers to engage the less unwell patients, and those of lower risk, in activities off the ward such as sport. We would encourage the idea of "meaningful hours of activity per week" , which could also include attendance at ward rounds, one to one sessions, other therapy sessions, section17 leave as well as activities.

Staffing levels and rotas

The staffing levels are now at 7/7/7 on the Adult Ward and rotas are being filled at those levels and at 5/4/3 on the OlderAdult ward. We are heartened by these levels and that they can currently be maintained. Staff morale appeared good,

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despite some recent losses of significant individuals. We met with 3 staff members who were generally positive. 1 reinforced our concerns about the lack of activities and another said that it was not always possible for staff to take their breaks.

Safeguarding

Given the fact that there were 4 inpatients on the unit who were between 16 and 18 years of age (2 detained), it was reassuring to see that the Responsible Officer for Safeguarding attended their wardrounds and that safeguarding was to the fore of people's minds. We did ask nursing staff for a copy of the Policy for Young Persons but were told it was on-line. We would welcome a copy or link to the most recent policy as it is clearly not an exceptional situation for patients in this age bracket to be admitted and under section as well.

Incidents

Incident forms were reviewed. We were concerned to see a ligature incident using headphone cables as we had expressed anxiety following our last visit that this was an "incident waiting to happen" in our report. Whilst we don't wish to prevent patients using music as a distraction, this does concern us and it is clearly a risk that is difficult to police. Could a patient's charity assist in the purchase of cordless/Bluetooth headphones?

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We welcome the "reporting and analysis" document. It would probably be helpful in making the data more meaningful, if this could be broken down into clinical areas such as Older Adults' ward, General Adults' ward, Community Services etc., providing it is not too time intensive. This might also help the management in deciding if any particular actions needed to be taken.

Seclusion

We welcome the new Seclusion Policy and, in particular, the audit tool attached to it. Our only comment on this is that patients going into seclusion, rather than being "placed on a section as soon as possible", should be placed on a 5:2 immediately. The paperwork relating to the one seclusion which had taken place since our last visit was reviewed and the policy relating to observations whilst in seclusion and the medical reviews etc were all satisfactory and the audit tool had been completed.

Advocacy

This remains a significant problem, in particular for non-capacitous patients, but also for patients who may be unconfident in dealing with the medical and nursing hierarchy. We recognize that attempts have been made in this area in the recent past, which have been unsatisfactory through no fault of the management, but solutions have to be found. It may need to be addressed by the wider system, e.g social services, as the Mental Capacity Act will undoubtedly require the presence of patient advocates etc when it comes in. I suspect that this Act will apply to care homes as well as hospital patients.

SUMMARY

Tuesday, 27 March 2018

This was a positive visit. Morale and staffing levels were good. Notes were good and there was a lot of evidence of good practice and care. The biggest problem remains in our opinion the lack of meaningful activity and structured day, on the Adult ward in particular. Documentation on RIO relating to Capacity and Best Interest could be improved to showcase the good practice that can be identified if one hunts for it in the notes. Advocacy remains a thorny problem that needs addressing.

OPCAT

APPENDIX 3 (b)

MENTAL HEALTH COMMISSION

UNANNOUNCED VIST REPORT

OCTOBER 2018

ISLE OF MAN MENTAL HEALTH COMMISSION

UNANNOUNCED VISIT REPORT

Report of the Isle of Man Mental Health Commission (MHC) unannounced visit to Manannan Court held on Tuesday 16th October 2018.

Present: Dr. R. Crellin (Chairman), Mr .F. Pattison, Mr .C. Ring, Mrs .A. Templer,

Absent: Dr .P. Vandenabeele, Mr .I. Buxton & Mr .L. O'Mahoney

The Commission made an unannounced visit to the in-patient wards at Manannan Court on Tuesday 16th October 2018. The visit was made by Dr. Richard Crellin (Chair), Mr Frank Pattison (vice-Chair), Colin Ring (Lay Member) and Mrs Anna Templer (Lay Member). Informal feedback was given at the end of the visit to Jane Taylor (Acting Operational Acute Service Manager) and Dr. Marina Hudson (In-patient Consultant for Adults).

We noted that the Harbour Unit (adults of working age) was fully occupied with 9 of the patients being detained under the Mental Health Act (8 patients were present on the ward and 1 on extended Section 17 leave). Glen Unit (older adults) had nine of its fourteen beds occupied, with only three detained patients and three of the nine patients were on trial leave, meaning that there were only six patients actually present on the ward.

The presence of available beds on Glen Unit was in marked contrast to the last visit when the ward was full and moreover almost all of the patients had been detained. At the last visit concern had been expressed by Hospital Managers to the Commission about the number of detained older adult patients whose detention had been extended due to a lack of suitable discharge arrangements and the degree of 'bed-blocking.' It was heartening to see only three patients on Glen Unit whose length of stay was 6 months or more (two patients with a length of stay of 6 months and one with a length of stay of 18 months). The Commission will monitor this at subsequent visits as it is an indicator of suitable community provision for this group of patients.

The Commission met with three of the eight detained patients on Harbour Ward (and also with some of the informal patients). We were particularly interested to explore the issues relating to the previous 'blanket policy' of closing bedrooms off during the day so patients were obliged to be in the day areas and likewise preventing access to living areas at night. Whilst the Commission understood the rationale behind this, it had been a cause for concern for reasons outlined in previous reports. We were very pleased to hear that access to bedrooms was now flexible and decided on a 'needs' basis and similarly access at night to the lounges. No patients interviewed expressed any problem with these arrangements. One patient did express the concern that staff were not always on hand at night in the bedroom corridor if they were distressed and this had also been expressed at a previous visit by a patient who subsequently died on the unit (investigation pending).

We were particularly interested to find out how the activities programme has developed and how it is perceived by the patients. Staff informed us that there is now a dedicated Activities Co-

ordinator appointed and who is not included in the staffing shift numbers (since July 2018). This is greatly welcomed but we appreciate that this is fragile and arrangements will be easily disrupted by annual leave, sickness leave etc. We understand from staff that there is an increasing liaison with community main stream facilities such as football, gym and personal trainers, which can form a bridge to these activities post-discharge and which allow the patients time off the unit during their stay. Staff also reported that there is an effort made to try and introduce ad-hoc activities at the weekends and evenings such as 'pub quizzes.' Patients were slightly less positive, feeling that some of the relaxation was repetitive and some finding the relevance of the DBT skills group difficult to appreciate (these DBT skills groups are open to patients not on the full DBT programme). A number of patients recognised that various activities were available whilst acknowledging they did not participate in them!

A significant number of staff members were interviewed and were, on the whole, very positive about the morale at the unit. A number were very positive about the Unit Manager, Jane Taylor. Staffing levels were felt by staff to be safe. Some problems exist about the new shift patterns and how these impacted on staff personally. We understand that these concerns are acknowledged by the Unit Manager and she hopes to address these. We understand that there was a particularly difficult period on the ward in August with high levels of substances and verbal and physical aggression to staff (this had been noted by the Commission in the Incident Report for August) and staff interviewed at our visit expressed concern that they were not always listened to by medical staff concerning these patients. This was discussed at the informal feedback and we were reassured that these concerns were heard but could not always be addressed in the way some staff members wanted, for clinical reasons (e.g co-morbid psychosis).

All the MHA paperwork for the detained patients on both wards was examined. One set of admission papers was not on RiO despite the paperwork being more than two weeks old. Another set from three days prior to the visit was (understandably) awaiting uploading. Only one patient required a Form 46/47 and this was in order. Section 17 leave paperwork was not examined on this visit, but ward-rounds relating to planning and then reviewing Section 17 leave were reviewed and showed evidence of good practice.

There was good documentation on RiO of patients having been given their 'rights' under the Mental Health Act and good evidence of the patients' capacity as to whether they understood their detention and their rights of appeal. There was only one patient record where this was not documented and this was the same patient whose papers had not been uploaded for over two weeks. Generally 'capacity' was well and meaningfully recorded in the notes at ward rounds.

It would be helpful if any particularly significant ward rounds or meetings where 'best interests' were addressed could be identified by some means, particularly for older patients where length of stay is longer and where these meetings are more important for future care.

Only one period of seclusion had taken place since our last visit but this had been lengthy (72 hours). It was well documented and met all the requirements of your seclusion policy (except for missing signatures on some entries). The Seclusion Audit Tool attached to the Policy had been fully completed. The incident records were examined and found to be well documented. A small number of the incident reports viewed had not been fully signed off.

One concern we have relates to the repatriation of patients from OATs placements. We note that the last two returns to the Island resulted in almost immediate readmissions and could really only be classed as 'failed integrations.' We feel that this process needs examination and changes made at both ends to enhance the transfer arrangements. We understand the managers in this area are Ashley Bates and Ross Bailey.

Overall, this was a very positive visit. Staff morale appears good and patients were on the whole positive. Note keeping was good and RiO was being well used. We feel the activities programme remains vulnerable and it remains a perennial problem as to how to engage patients in activities that they don't perceive as relevant. We were heartened by the decrease in length of stay for older patients and the availability of older adult beds. We would like to monitor the outcome for detained patients returning to the Island from Out of Area placements.

Dr. Richard Crellin, Chair, Mental Health Commission