



Annual Report of the Independent Monitoring Board of the Isle of Man Prison, Custody Suites and Holding Cells

For reporting year

1 April 2022 – 31 March 2023

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 it 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 the Board considers expedient to report.
- Inform the Department immediately of any abuse which comes to its knowledge.
- Consult the Governor concerning 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 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 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 detainee 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 detainees are transported and make recommendations to the Department.

- Investigate and report to the Department any allegations made against Prison Custody Officers by detainees 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 Close Supervision Unit (CSU). 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 can house up to 16 adult and young female detainees and has its own Close Supervision Cell.
- E Wing, the male Close Supervision Unit (CSU), 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). However, during the COVID-19 pandemic, it was used mainly to accommodate and isolate new receptions.

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 their 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.

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

been modified recently to include a small kitchen servery unit to facilitate food service and a laundry facility.

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 Manx Care.

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

Education is delivered by a dedicated group of University College Isle of Man 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 also the Dog Unit, Works Department, Training Workshops, Sports Pitches and Horticultural Areas.

SECTION 3: EXECUTIVE SUMMARY

This has been a reporting year containing a significant number of positive points where work committed to following last year's report has been completed and progress made with others. However, staff changes have created a lack of continuity which has resulted in delays in some areas.

The year was rounded off with an invited inspection by HMIP which resulted in identifying several areas where improvement could be achieved. Many of these issues have been raised in previous IMB annual reports. In particular around Education, allocation of funding for meaningful activity, the use of the 'CSU' as a standard option for detainees with mental health issues, and the use of short prison sentences. The last item alone was highlighted in the previous five annual reports.

The Board has witnessed that short custodial sentences do not allow the enough time to intervene with meaningful education or rehabilitation activities.

The Board has witnessed throughout the year the care and consideration shown by Prison staff when interacting with detainees. The Professional manner in which they operate is a credit to both them and the Governor.

It continues to be disappointing that whilst it is expected that detainees are returned to society ready and prepared to make an active contribution, there is a reluctance by Government to allocate sufficient funding to provide the educational and training opportunities which can lead to this. The additional funding obtained over the last year has been down to the efforts of the Prison Governor and the Education Manager exploring all possible sources such as the Seized Asset Fund and has resulted in the use of the Construction Training workshops initially for Carpentry & Joinery City & Guilds Level 1. The Board sees this as a tremendous step forward and should be viewed alongside the particularly good examination results obtained in other subjects. The underfunding issue coupled with the ongoing decision by senior UCM staff to ban Education staff from going onto the residential Wings is detrimental to detainees' education and rehabilitation needs. This was made more unpalatable when the college used the excellent GCSE results achieved by Prison detainees in its 'advertising brochure'. The Education Department is operating with insufficient funds to enable the Prison to satisfy the requirements of the Custody Rules Part 2 paragraph 7.

The programme of Resettlement Day Release (RDR) and Resettlement Overnight Release (ROR) has now established itself as the target to achieve for detainees in preparation for their release. Establishing the work ethic together with maintaining family ties remains crucial to enabling detainees to re-enter the community successfully after their sentence. The ongoing support of this programme remains a credit to the vision of the Governor and his staff in securing both the opportunities for work and the determination of the detainees to demonstrate that the trust placed in them is well-founded, coupled with the willingness of companies to provide the work opportunities. The Board once again places on record its high regard for this initiative and looks forward to further developments during the coming year. The benefit of this to both the Community and Detainees cannot be emphasised strongly enough.

As in previous years, it remains noticeable and disappointing that no new opportunities have arisen for detainees to find gainful employment in any Government Departments or Training Schemes. All placements have been in the private sector.

The Board is pleased to report that the mode of operation within the Isle of Man Prison continues to provide a safe and clean environment for detainees, staff, and visitors.

Maintaining family ties remains a key part of the resettlement programme, however. The issue of the Prison's location and the poor transportation system to it remains a concern of the Board. The frequency of public transport has decreased over the years

that the prison has been in Jurby and families who rely on public transport have to leave the Prison before the end of planned visits to catch the bus.

The Board is saddened to report that the positive points were overshadowed by the deaths of two detainees at the prison. Little can be said about these events as they are the subject of an inquest. The Board wishes to put on record its sympathy for the families and friends of the deceased detainees.

Staff shortages remained an issue throughout the year and many activities were curtailed due to this. It was pleasing to see that the recruitment programme was increased through the year with new officers trained in house and post before the year end. This is now established as a rolling programme of recruitment.

Whilst regular clinics for detainees with mental health issues are now established; as in previous years, it remains disappointing that the only facility on the Island deemed suitable for those with significant mental health issues is the Prison. Whilst staff work tirelessly to monitor and care for this group, they are not qualified mental health professionals. The Board remains concerned that this is an accident waiting to happen and as in previous years has again witnessed the difficulties in arranging movement to a suitable UK facility for a detainee.

SECTION 4: ISSUES FOR THE MINISTER

- The Board acknowledges the progress that has been made with the Mental Health Pathway and would urge the Minister together with her colleagues in other departments to continue to support and fund this; any slippage would be of detriment to both detainees and the wider community.
- 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 and could in certain circumstances be seen as a breach of their Human Rights. All too often the Board has witnessed the Officers in the Close Supervision Unit performing the extremely challenging task of safely managing and supporting these detainees. This is not acceptable. The Board would ask the Minister to consult ministerial colleagues and reconsider the provision of an Island Secure Mental Health Facility.
- The Board would urge the Minister to highlight their support for Resettlement work in the community.

- The Board urges the Minister to push through the policy and legislation to underpin and support the work of the Probation service.
- The Board would urge the Minister to encourage the courts to make better use of the video facilities as opposed to transporting detainees from prison to the courts for short hearings.
- The Board would urge the Minister to work with colleagues in the Department of Infrastructure to better maintain the Court custody suite.
- The Board would urge the Minister to work with colleagues in the Department of Infrastructure to ensure an adequate public transport system is available to enable regular and important family contact for detainees.
- The Board would again urge the Minister to make sufficient funding available to deal with any repairs, replacement, and structural issues which continue to arise now that the Prison is 15 years old.
- The Board would strongly urge the Minister to speak to colleagues in the Department of Education, Sports and Culture regarding the decision made by the Department in early 2022 to 'ban' education team from visiting the prison wings. Education is the key priority to aid rehabilitation and prevent re-offending. The decision is detrimental to the detainees, their families, and the wider community of the Isle of Man.
- It remains the case that the budget for Education is insufficient to enable the Prison to satisfy the requirements of the Custody Rules Part 2 paragraph 7. Once more, the Board would urge the Minister to secure additional funds for this vital aid to resettlement.
- The continuing high number of detainees serving short sentences remains of concern to the Board. These detainees' life opportunities are damaged by imprisonment with insufficient time to rehabilitate during a short period in custody. As highlighted in the previous five Annual Reports, the Board would ask the Minister to address delays in progressing vital legislation with increased effort to allocate the resources such important bills deserve. Alternatives to custody are an essential tool to encourage offenders to become productive members of society.

- The Board recommends that the Department's KPI's should be re-designed to establish true re-offending rates calculated over longer periods than twelve months.
- The Board would urge the Minister to continue to support innovative ideas and training for the Probation team.
- The Board would again ask the Department of Home Affairs to continue to ensure that funding is available to recruit, train and develop both new and existing members. The Board would also hope to see greater media coverage to publicise and promote its role and encourage greater public awareness. These measures 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 would also ask the Minister to vocally and pro-actively support IMB Members working in Government, ensuring parity with other voluntary essential occupations.
- The Board asks that the Minister encourages other Government departments to employ detainees on RDR & upon release, to expand detainee's skills and opportunities.

SECTION 5: ISSUES FOR THE GOVERNOR

- The Board would urge the Governor to secure funding to enable the ongoing and extended use of the Prison Vocational Workshops for training.
- The Board asks the Governor to work with other departments & organisations to identify suitable tutors and budgets for construction, e.g., plastering and tiling so that the vocational workshops can be used to their full potential.
- The Board hopes that the role of the Custody Support Officers will be further developed, with particular emphasis on increasing interaction with detainees held in the CSU. The Board would still like to see consideration being given to a protected time slot for Officers to achieve this.
- The Board would continue to urge 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.
- Whilst several specialised interventions have been introduced over the last couple of years the number of unaccredited courses has reduced. The Board would urge

the Governor to reinstate a number of these courses and ensure all detainees have access.

- As mentioned in previous Annual Reports, the Library is not being fully utilised and is closed for most of the week. If the Library could be developed as a research and study facility, this would be particularly useful to detainees undertaking Distance Learning courses.
- As previously, the Board remains of the opinion that the introduction of Voluntary Drug Testing would be beneficial.

SECTION 6: RESIDENTIAL SERVICES

How safe is the prison?

It is the Board's opinion that the prison provides an environment that protects the safety of the detainees. Levels of self-harm and violence are relatively low. The Board is impressed by the in-depth knowledge the officers have of the detainees.

Wings

The prison is now 15 years old and the commercial machines throughout the Prison are showing their age. The Works Department endeavours to ensure that the fabric of the building and essential equipment is kept as close to operational readiness as possible, however the requirement to update and replace is inevitable.

The introduction of e-cigarettes has stopped the smell of other smoking materials on the wings and continues to be widely welcomed by the detainees.

Communications (in-cell telephony)

Detainees can now communicate with approved phone numbers during the hours of 7am – 11pm from the privacy of their own cell, the Board believes this has had a vitally positive impact on the mental health of the detainees and maintains family contact.

Staffing

Shortages have continued for the entire reporting year. Succession Planning is still a priority within the Strategic Planning work and is ongoing. The Care Team continues its valuable work of supporting colleagues behind the scenes with integrity and compassion.

Morning Handover Briefings and Daily Operational Briefings continue to be held on weekdays.

Custody Support Officers

The Custody Support Officer Scheme was re-launched in June 2018 and has been a welcome means of encouraging positive engagement between Officers and detainees. Officers normally have 6 detainees to support, and these detainees can be spread throughout different Wings.

The Board remains concerned about the level of engagement with those detainees who are housed in the Close Supervision Unit (CSU) for lengthy periods. Whilst this was better in some cases during the reporting year, the Board feels there is room for further improvement. These detainees are particularly vulnerable and require ongoing support.

Stores/Canteen

This is a well-managed area of the Prison offering a high level of service to detainees and Officers.

Kitchen

The Board is pleased to note how the Kitchen workers pull together during shortages, offering to work extra shifts to maintain the standard of service.

Kitchen team have also worked hard during the reporting year providing meals for the Food Bank. (See also the section on Purposeful Work)

The Board is pleased that CCTV has been installed in the kitchens and it is a respected and sought after works position for the detainees.

Reception

How 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 Suite and 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 as well as assessments of health, safety, and vulnerability. Officially, Reception is open seven days a week from 07:30 hours to 19:00 hours, and until

14:30 hours at the weekend. However, at the beginning of the reporting period severe staff shortages meant detainees could not be processed over the lunch period or during visiting times. As a result, detainees were left sitting outside the Prison in the van on occasions; a completely unacceptable situation. Improved communication between the Courts and the Prison and changes to staffing throughout the year saw a significant improvement in this situation.

The reception process is the responsibility of the Operations Group which carries out an extensive 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 detainee. A full search is always undertaken by an officer of the same gender as the detainee. Electronic scanning procedures are also carried out which helps greatly with detecting concealed mobile telephones, drugs, and other prohibited items.

The Board has witnessed the reception team carrying out their responsibilities and dealing with detainees in a dignified and respectful manner.

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 possible, facilitate their integration into the Prison environment, identify any safety concerns, and establish any possible security issues. At this point, the first indicators are assessed as to whether the detainee should be a vulnerable person with concerns regarding their well-being or safety, which will determine which accommodation wing would be most appropriate. Healthcare team also see detainees on reception to assess their healthcare needs.

Induction

The Prison ensures that all detainees receive a series of induction sessions after completing the reception process on the induction wing (F Wing). The induction process entails a paperwork pack containing a series of compacts to be worked through with the Wing Officers. The detainee must 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 always keep good order and discipline. During the induction process, detainees should be introduced to their assigned Custody Support Officers as well as be allocated to a Residential Wing. Whilst much improved the Board has evidenced some occasions when the former has not happened, or detainees appear unaware of who their Custody Support Officers might be. 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 or in the case of vulnerable detainees.

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

SECTION 7: HEALTHCARE

Healthcare in the prison which is provided by Manx Care has seen a number of changes during 2022/23 reporting year, especially with the extensive personnel changes of the Team Leader and members of the general nursing and GP team. Together with ongoing and publicly documented issues with Lloyd's pharmacy chain which led to Pharmacist changes and recruitment issues with the Pharmacy assistant position. A support administration post was also created which has proved very helpful.

New Healthcare Lead was appointed in November 2022 and the new healthcare provision continues to develop.

Services provided consist of:

1. GP Clinics twice a week
2. Drug & Alcohol Clinics one a week
3. Motiv8 once a week
4. Dentist once a week
5. Wellbeing Counsellor once a week
6. Psychiatrist weekly (although this was fortnightly for the majority of the reporting year)
7. Access to Forensic Psychologist who visits monthly but is also available online.

Healthcare Team:

The team consists of 4 Registered Nurses (RNs). 3 new team members have been appointed in the reporting year and one is a paramedic.

Physical Healthcare:

Referrals to the GPs clinics continue to be triaged. However, despite these, detainees complain that they are not seen face to face by the visiting GP despite asking for this in their applications. Many interventions and decisions are taken without seeing the detainee.

Prescribing of Pregabalin which appeared to be an issue in the past has slowed down and GPs are no longer keen to prescribe this. However, one of the psychiatrists does prescribe it more frequently.

In possession medication has made little progress. The planned lockers that were to be fitted in each cell are still not in place.

Non - medical prescribing (NMP) is still not in place. The Healthcare Lead is partly qualified in this practice but needs to enhance the qualification by doing the V300 course. Another NMP is needed to do this as well. This way the prison healthcare can be nurse led, providing more efficient and effective service.

Mental Health:

The provision of mental health treatment and interventions has improved in the recent months due to the availability of Forensic Psychologist and training of the healthcare team.

The Board believes there remains a serious issue with lack of mental health input to detainees who suffer from mental illness and spend their time in prison for their own and others safety as there is no alternative secure service in the Isle of Man. Some of these detainees are finally sent to the UK's secure mental health unit but the length of time it takes is not acceptable.

Prison officers provide the best possible care they can, Prison officers are NOT trained or qualified to do this work.

Mental Health Service which is part of Manx Care appear keen to look at an alternative model by creating an inpatient facility staffed by Mental Health nurses but no progress of this has been made.

The Board understands the Custodial Pathway project has stalled.

Good Practice & Achievements:

During 2022 /23 the prison officers and in particular the healthcare team dealt with a pregnant woman who gave birth whilst in custody. The Board witnessed her care which was to a very high standard.

The Board monitored the situation closely and all agencies and officers worked well together and made the process as good as it could be for the detainee.

During incarceration one of the detainees developed life limiting illness. The healthcare team together with the prison team worked hard to create a safe and comfortable space for him to be looked after in his last weeks of life. He ended his final days in Hospice Isle of Man. His care and death were managed well by a clear, committed multiagency teamwork.

SECTION 8: PURPOSEFUL ACTIVITY

There are several works activities that are carried out daily within the Prison. These include wing cleaning, kitchen work, servery and laundry work, all of which are performed within the main Prison complex. Other work such as horticulture, recycling, log splitting and bee keeping is carried out within the inner environs of the Prison. Detainees also carry out maintenance within wings, such as painting.

In addition to this, trusted detainees who have met stringent security requirements are given the opportunity to work outside the Prison on community projects or in businesses. These individuals are granted Resettlement Day Release (RDR) which involves release on temporary licence (ROTL). Supervised work parties also undertake work at various sites such as painting or gardening type activities. These opportunities encourage trust and self-reliance as well as giving these individuals the ability to gain skills and experience a 'normal' work regime while contributing to their community.

This year 9 detainees undertook RDR and worked a total of 829 days.

A total of 12 detainees have participated in work party activities with an average of 4 detainees at any one time. The total number of days worked by the work parties during the year was 436. However, the figure given here is for the period April to December only. Work parties were suspended in December for security reasons. Since that time, up to the end of March, work parties have been on hold due to illness and officer shortages. It is hoped that moving into the next reporting year the work parties will start again in June.

Taken together, the total amount of man days worked by RDR and Work Parties has been 1265. This is an impressive achievement given the suspension of the work parts in December. In comparison, during the year 2021-22 the total man days worked was 1050. However, this period was affected by Covid.

Once again, the Board is encouraged that the Senior Management Team (SMT) continues to support these schemes and has remained actively seeking work opportunities for RDR, Work Parties and for female detainees.

The Board is pleased to note that during the reporting year RDR has resulted in offers of employment after work experience and interviews with prospective employers. Six RDR detainees have been released from custody with none being suspended or dismissed from their work placements.

Additionally, the RDR system has enabled detainees to attend University College, Isle of Man (UCM) to study various apprenticeship courses and to work in their chosen area of study, thereby improving their prospects of rehabilitation after release. Courses can be continued after release from prison.

A successful application to the Seized Assets Fund had made for funds available to refurbish and bring into service the Vocational Workshops. The intention had been that the Workshops would be used for trade training including Construction, Joinery, Plastering and Tiling. These skills are particularly important now considering the local shortage of skilled workers in construction trades. However, difficulties recruiting tutors has meant that only Carpentry and latterly electronic courses have been possible. The workshops began a course on carpentry and joinery at the beginning of October 2022. The Board is pleased to see the enthusiastic uptake by the detainees. The Board is confident that skills gained will put detainees in an advantageous position to gain meaningful employment.

The Board notes that the Prison is employing three tutors, two of whom are for the vocational workshops. The Board sees this because of the prison education budget not having increased for several years. (See under Section 12: Education) Additionally, a partnership with companies willing to deliver training as part of a pathway to gain employment has been explored.

Over the years, the Board has pressed consistently for better use of the Workshops. It is encouraging to see the progress so far. However, the additional trades of Construction, Plastering and Tiling would push opportunities further, thereby giving detainees additional work opportunities within the Prison as well as the skills and confidence to enable them to secure meaningful work upon release and re-integrate more effectively with their communities. The Board trust that funding will be made available in following years for the ongoing and increased use of the Workshops.

Horticultural activities continue to produce a variety of quality vegetables, salad crops and herbs. Potatoes, leeks, onions, broccoli, cauliflower, marrows, cucumbers, lettuce and spring onions are some of the crops grown. These together with chilli peppers, parsley and thyme and other herbs are used to supplement stores in the Prison Kitchen. The kitchen has commented on the high quality of the produce intended for their use. The detainees engaged in horticulture are justifiably proud of their efforts and devote much time and energy to producing and improving their crops. The kitchen freezes vegetables during peaks for use during the winter.

As in previous years the detainees continue to make Bags for Life for Hospice.

During 2022-2023 reporting year, the Board is pleased to note that the kitchen team has continued to make meals for the Food Bank in Douglas. A total of 1205 meals were prepared during this reporting year compared to approximately 750 in the last reporting period. The number of meals achieved this reporting year is excellent and a return to a more usual number after the disruption caused by Covid.

SECTION 9: THE 'JURBY ADVOCATES'

The Prisoners' Council was established in March 2015. In May 2019 it was agreed to change the Council's name to the Jurby Advocates, a name chosen by the detainees. Meetings are normally held every other month with regular pre-meetings and interim meetings held between wing representatives and members of the Senior Management Team (SMT). These are to review items raised by detainees and agree the agenda for the next full meeting. Wing representatives are encouraged to research and suggest solutions to perceived problems and present a well-argued case for any proposed changes rather than simply producing a "wish list".

In the past, subjects covered in the Jurby Advocates' meetings have been many and various. As the prison is a smoke free building e-cigarettes are particularly important to detainees. Build quality and price are common topics. Arrangements for a visit by the manufacturer have been explored.

Representatives are advised of changes in prison processes. For example, the changes to the adjudication awards that were being updated and being brought into line with UK prisons were brought to the attention of wing representatives.

The Board was pleased to note the continued attendance of the Governors, Senior Officers at Jurby Advocates' meetings which emphasizes the importance the SMT attaches to these meetings. At one meeting the deputy governor took the opportunity to thank the detainees for the '...Exemplary behaviour that was displayed on all wings ...' during the death in custody incident.

Senior Officers from different departments have attended from time to time to give reasons for delays in answering queries or explain why certain ideas or suggestions must be rejected. This was particularly important toward the end of the reporting period when the IMB received several applications regarding chlorination. (Water tanks and pipes are flushed annually to prevent bacterial growth such as Legionnaire's disease.) A Senior Works Officer attended to explain the process and present data produced by the Government laboratories about water quality. All data was within recognised standards.

SECTION 10: SAFER CUSTODY

Meetings:

The safety of detainees is key and monitored on a daily basis by Prison staff with regular meetings held involving all interested parties to discuss and review concerns raised.

The daily morning meetings and the regular Safer Custody Group meetings are used to convey information about detainees who are a cause for concern and the communication between all disciplines is good. The morale of the detainees is regarded as a good indicator of well-being and Prison staff are to be congratulated on their efforts to keep the wing atmosphere open and positive. Innovations like the recent 5K run are excellent for physical and mental well-being. It must also be noted that the concept of Safer Custody should apply equally to staff as well as detainees, comments on an increase in assaults on staff "a rise attributed to trying to manage detainees with mental health, behavioural or developmental issues".

Attendance numbers have generally been lower than desired, and this may in part be due to continuing low staffing levels. The Prison staff have had to deal with new challenges but the good communication between various levels has been of great value. It continues to be a disappointment that a member of the Community Probation Team does not attend this important meeting.

Transgender Detainee:

This detainee was placed on F wing on reception and would have been re-allocated to a gender appropriate wing when a licence was received detailing their chosen sex. Wing staff were aware that their detainee was potentially very vulnerable, but the stay was very well managed and as such uneventful.

Low Staffing Levels:

This has been a problem throughout the year and directly affects the detainees' access to education, recreation etc. Optimum operational staff levels are rarely reached. Recruitment of new staff is seen as a priority and is ongoing.

Overnight Concerns Recording:

Reporting of Overnight Concerns has increased this year, perhaps because staff are more observant and aware of what to look for. Peer Support Arrangements, where a particular detainee will support a fellow detainee are also in place, with an average of about 5 ongoing at any one time. Staff have been using this as a quick and effective safety net to flag up individuals who may be at risk, and this recording is used as an early intervention prior to opening a Folder 5 document (see below).

Staff Training:

The Board has evidenced regular training of staff and does routinely attend the training session. Areas of training include Control and Restraint and Violence Reduction Strategy amongst other things.

Exit Surveys:

There has been a very low level of completion over the past year. Plans to utilise the F-wing Orderly to encourage detainees due for discharge to fill in these forms continue.

Pregnant Detainee:

Pregnant detainees received into the Prison receive regular healthcare and welfare check-ups in line with standard requirements in the community. Both Wing and Healthcare staff are made aware of such detainees to enable them to provide appropriate support.

Incentives and Earned Privileges (IEP):

The IEP scheme continues to be reviewed frequently and is a clear way for detainees to understand their own behaviour as they progress through their time in custody. The Board is delighted to report that the levels on the Standard and Enhanced regimes have remained high.

Folder 5:

This system identifies detainees who need close monitoring to ensure their safety. The detainees on this system are flagged up at the daily briefing meetings and discussed at more length at the Safer Custody Group.

Bullying Information Reports (BIR):

Reports of bullying are not always straightforward as unless the behaviour is witnessed by staff it is possible for it to go undetected, especially if the victim is reluctant to make a complaint. Staff do try to keep abreast of relationships between detainees on the wings and the presence of Senior Officers being more involved in daily wing life should make observation and recording of concerning behaviour easier.

The Samaritans:

Posters are in multiple places around the prison giving the telephone number for the Samaritans. The Samaritans also visit the prison at the weekends and detainees now have unlimited 24 hours access to the Samaritans helpline through their in cell phones systems. Calls to the Samaritans are not monitored or recorded.

Long Term Detainees:

These detainees are of particular concern due to the length of time they have spent and will spend in custody, the Board has witnessed the custody pathway & multi agency meetings to better facilitate these detainees' needs.

SECTION 11: EQUALITY & DIVERSITY

The Senior Management Team (SMT) at the Prison is fully committed to ensuring compliance with the Isle of Man Equality Act 2017 which affects both detainees and officers alike. The Equality and Diversity Liaison Officer attends the quarterly Department of Affairs (DHA) meetings and shares information with all staff. A new Equality and Diversity Liaison Officer was appointed towards the end of the reporting year and has taken part in appropriate training modules.

The Board is pleased to report that, after a pause during the pandemic, the policies relating to Equality and Diversity are under review currently. In addition, staff are trained in Equality and Diversity Awareness, undertake online courses through Isle of Man Government Learning and Development (LEaD) and participate in in-house training. The Board is confident that every effort is made to try to ensure equal treatment of detainees.

Recruitment and employment matters are dealt with by Government Human Resources centrally. The current leadership appears more understanding and tolerant to the issues faced directly or indirectly by staff in their personal lives. Reviews of detailing and re-profiling of staff have taken place and staff and unions have been consulted

Equality & 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.

A significant number of detainees have complex health needs and various disabilities. Currently, the Disability Liaison function comes under the Safer Custody Team and regular meetings are held to discuss all aspects of detainee and staff safety and security. At present, any person entering the Prison will be seen on induction by the Induction staff, a Safer Custody Team Member, Healthcare and Education. Healthcare will work with staff if they raise any concerns about a detainee and will put in place any appropriate adjustments required. A Veterans' Liaison Officer is available to assist any former service men or women who find themselves in custody.

Female Detainees:

The female prison population has decreased gradually during the reporting year and remains in single figures. Whilst there has been friction at times, overall, the female detainees support each other and interact well. The reduction in numbers has led to longer periods of stability and the Board has witnessed officers and detainees going out of their way to support and care for certain volatile individuals who might present a risk to both them and others.

The wing is always spotlessly clean and tidy, and the detainees take pride in their surroundings. Most female detainees participate enthusiastically in education classes for both academic subjects and art and crafts. They have also completed several charity projects to benefit the community. The Board is pleased to report that the trend towards more varied employment for female detainees has continued, with some female detainees employed off the wing, attending UCM on a part-time basis and working in outside employment on Resettlement Day Release (RDR).

Once again, the Board has evidenced the struggles of female detainees separated from their families and their children. The Board is pleased to report that the female detainees whose transfers to UK prisons had been delayed substantially by the pandemic were moved during the final months of the reporting year. Prison staff worked hard to expedite these transfers and explored and introduced alternatives to face-to-face visits such as "Video Meeting Rooms" to try to maintain that all important family contact.

Chaplaincy:

The Chaplaincy Team represents the Roman Catholic, Church of England, and Baptist Faiths. The Team offers compassionate pastoral support to detainees and their families as well as assisting all faith groups to practise their religions. Normally, a member of the team visits the Prison daily and inter-denominational services are held weekly for those detainees who wish to attend. A member of the Chaplaincy Team attends the 'Jurby Advocates' Meetings regularly and the team also provides input to other meetings whenever possible.

Members of the Chaplaincy Team visit detainees in the CSU regularly to provide pastoral support to those who may be at their most vulnerable, but participation in a service of worship is an important part of practising one's faith.

| SECTION 12: EDUCATION

The Education department is currently run with five sessional members including the Education Manager and one full time maths tutor who are all employed by the

University College Isle of Man (UCM) along with two volunteers and three sessional members employed by the Prison.

This year the Education Manager was successful in securing enough finance from the Seized Assets Fund to purchase 14 new computers. This means that the detainees will soon have access to online resources for Maths & English.

The Construction Workshop area is now up and running within the Prison and the Education Department and is now able to offer a Level 1 City & Guilds Certificate in Construction Skills – Carpentry & Joinery qualification. Successful applicants will take a 15 week course and after instruction will be able to demonstrate their knowledge and skillset in that area.

Detainees have received encouraging exam results in many areas including:

I-GCSE Maths results:

- Grade B x 1. Grade C x 3. Grade D x 2. Grade E x 2. Grade F x 1.

Other Examinations:

- Five detainees passed their Level 1 Joinery course.
- Seven detainees sat their Functional Skills English Level 1 & 2 exam.
- Two detainees sat Functional Skills Level 1 English - Reading and Writing, and both passed. (For one of the young detainees this was the first exam they had ever sat).
- Five detainees sat Functional Skills Level 2 English - Reading and Writing (four out of five of the detainees passed).
- One detainee took a Horticulture Level 2 course with an 89% pass.
- One detainee sat their next Level 3 AAT Bookkeeping exam (via distance learning) and gained a pass mark of 85%.
- Two detainees were accepted onto the Bricklaying Level 1 course at the University College Isle of Man (UCM) in September 2022.
- Two detainees successfully applied to the Prison Education Trust to study (via distance learning). One on the Small Business course Level 2 and the other detainee began studying Spanish.

The Education Manager has been discussing with UCM the possibilities of starting a Level 2 Gym qualification in 2023. This would enable detainees to become qualified personal fitness trainers.

This year Poetry Workshops offered by the newly elected Manx Bard have been enjoyed by the detainees. Detainees have enjoyed various craft activities this year.

Art work created by the detainees is currently being displayed in the Visitors Centre at the Prison. Detainees entered their crochet, knitting and artwork into the Peel & District Country Show and both the North and Southern Agricultural Shows. A female detainee achieved a 1st and 2nd in the Craft Classes at the Southern Show. At the Royal Show the detainees achieved placings in the Arts & Crafts section:

- 5 x first place
- 2 x second place
- 1 x third place

A Community Project was launched in Ramsey entitled 'Celebrating Creativity Together'. This was a community initiative which highlighted Island work, creating a platform and promoting special inclusion and community engagement by generating social value. Community spaces have evolved into fabulous reflections of the quality and diversity of creativity thriving in the Isle of Man. They explored important themes, such as social inclusion, wellbeing, affordability, sustainability, vibrancy and nature. Prison Artwork was exhibited at the Town Hall, Ramsey.

This year eight detainees received awards from the Koestler Award Scheme:

- 2 x Highly Commended
- 3 x Commended
- 1 x Bronze
- 1 x Silver
- 1 x Under25's Special Award

The detainees received £20.00 for a bronze award, £40.00 for silver and the Under 25's Special Award received £25.00.

From October to December 2022 three of the detainee's artwork was selected and exhibited at the 'Freedom' exhibition in London, the largest arts centre in the United Kingdom.

The Education Manager and her team have produced some amazing results again this year both in exams and through the exhibiting of the detainees Artwork and Crafts. Whenever an opportunity has presented itself, the team make the most of the chance to display and provide the opportunity to show the Isle of Man community the impressive, creative work produced by the detainees. Providing the detainees with constant challenges to improve, whilst keeping the structure within the classroom interesting and varied.

The Board is very concerned that the ongoing problem with UCM Senior Management not allowing the Education staff to attend the Wings has still not been resolved.

Reviewed policies and procedures were forwarded to the UCM Principal and her team who returned them with a few changes on several occasions. The amendments were quickly worked through at the Prison and the paperwork was returned to UCM for approval of which the Prison has to date, received no reply. The Board has witnessed that stopping the Education staff going onto the Wings to speak to the detainees' face to face has undoubtedly had a significant impact on the welfare and educational advancement of the detainees. Education is fundamental to the rehabilitation and wellbeing of the detainees.

SECTION 13: 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 Close Supervision Unit (CSU) 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.

Board Members attended several Governors' Adjudications this year with the consent of the detainee. In all cases Board Members were satisfied that the adjudications were administered professionally, and the detainees treated fairly in both the process and the award. Adjudication paperwork was also reviewed on a regular basis to ensure correct procedures were being followed.

SECTION 14: DRUG TESTING

Dealing with detainees who have taken controlled drugs or other substances is important within the Prison. Testing for this is a demanding role.

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 must be considered.

The use of intelligence-led drug testing has increased with a reduction in the number of MDTs 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 of policy by the Prison led to Suspicion Testing becoming the central focus. This was based on most testing being directed to those more likely to fail the MDT. This is a demanding role and reflects 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 drugs tests. Several 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 RDR. To date, Voluntary Testing has not been introduced due to insufficient staff and equipment. 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 use of controlled drugs. The board understands that all drug testing, voluntary and mandatory does come with cost implications.

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.

SECTION 15: THE CLOSE SUPERVISION UNIT (CSU)

The Close Supervision Unit is used to closely monitor and support detainees for their safety and for the safety of others. Staff on the CSU have worked hard to introduce and develop a more structured regime on the wing to give detainees goals to work towards and better prepare them for a return to the main residential wings.

Predominantly, detainees are removed from their normal Residential Wing and placed in the CSU to separate them from other detainees. Most detainees are sent to the CSU having breached Prison Custody Rules. Occasionally, detainees who

have been received at the Prison are placed in this wing due to concerns they may have hidden items that are unacceptable or illegal.

There is a similar single cell within the Female Wing for female detainees who require close support. However, there has been minimal use of this cell for behavioural issues throughout the reporting year but an increase in its use as a support tool, for example, to monitor Folder 5 detainees or isolate detainees prior to medical procedures.

The CSU is also used for a variety of other reasons including security, medical reasons, and periods of observation or detainee support.

The Board believes there is room for improvement in the frequency with which Custody Support Officers visit detainees in the CSU. Although they have a responsibility to maintain contact with the detainee, the Board has evidenced that, on occasions, there is limited written evidence from a Custody Support Officer of the support given to a detainee once they are moved to the CSU. This is not helped by the absence of a suitable venue in the CSU where the meeting with the Custody Support Officer can be held. The current layout of the wing does not necessarily allow discussion in private.

During the reporting year the Board has been concerned about detainees who have been segregated for long periods. In the current reporting year, several detainees have spent lengthy periods in the CSU for diverse reasons and officers have worked to return them to the normal prison regime. Finding a solution to deal with this problem is difficult and the many challenges faced by the officers have been witnessed by the Board.

The Board feels that, on occasions, the CSU is being used to house detainees who would benefit from access to a Secure Mental Health Facility. In the absence of such a facility on the Island the Board feels that the Prison is still, on occasions, being used as 'the safest place we have' to house those suffering from serious mental health issues. The Board believes these detainees would be treated differently if they were in a Secure Mental Health facility.

The Board is concerned that officers on this wing are not trained or indeed medically qualified to meet the complex needs of detainees with serious mental health issues, however the Board has on many occasions witnessed the care and concern shown by these officers for the detainees in the CSU who in another country simply would not be in a prison environment.

The support they give to Board Members when on the wing is very much appreciated.

SECTION 16: OFFENDER MANAGEMENT/RESETTLEMENT

Four years on from the expansion of the Resettlement Team to include a Horticulture Officer and two Intervention Hub Officers, there have been no long periods of stability to benefit detainees although the outdoor horticulture spaces have been largely maintained. This is a credit to those involved, particularly in C Wing where the quantity of fruit and vegetables supplied to the Kitchen has continued to be impressive. The remaining Interventions Officer has shown determination and resilience in a time of change, as has the whole team.

The Resettlement Team has continued to build upon team working with both Probation and Education. Probation now takes the lead at Custody Planning meetings, which have a genuine multi-agency approach with wider and more regular representation.

A wider range of overnight and extended home visits with thorough and well communicated risk assessments continues, with a focus on detainees retaining.

As reported elsewhere in this document, there is still no voluntary drugs testing available for those detainees building evidence for their Parole hearing. Custody Support Officer Entries have been more consistent, although there is still room for greater participation by officers in the Resettlement Meetings. Timely Parole Committee decisions continue to be problematical. Short-notice and immediate release place strain on the Resettlement Team and in some cases, create added stress for the detainee. This has a knock-on impact upon an already overstretched Resettlement Team who have shown great determination and flexibility to support detainees within the Prison and improve their chances for a successful release into the community.

SECTION 17: PROBATION

Tromode House has 12 bedrooms and includes accommodation for up to three females and one disabled room. Occupancy has been variable throughout the reporting period and some minor issues with security and absconds remain, the procedures have been continually refined.

Having reported since 2012 about new "bail hostel" facilities being imminent, the Board was pleased to see that this important section of the offender journey has further matured, and notes the hard work is starting to benefit those that reside in this accommodation, preparing them for a safe release into the community. Thorough

planning and ongoing review of procedures is evident. The delivery of some face-to-face and hub-based interventions, as well as classes in cookery were in place, but the recent deterioration in offerings is a concern. Partnership visits such as Housing Matters and the Job Centre all add to the improvement in opportunities for rehabilitation. The use of CRCA as a bailee base can leave detainees from the UK very isolated if it extends into many months' duration, due to the lack of local support from family and friends.

The benefits of training up on Island probation staff is starting to bear fruit. However, the policy and legislation to underpin stability in the service after a long period of churn is not yet evident. Detainees deserve a well understood and seamless journey through the Criminal Justice system with appropriate support and timely interventions. We are still observing a high level of reoffending detainees as well as short sentences that cause wider family disruption with little deterrent effect.

Probation meetings at local Police Stations have also continued; these promote offender attendance and encourage positive behaviours.

In conclusion, overall staffing pressures as well as specific Probation recruitment and retention issues have impacted upon day-to-day activity to the detriment of detainees at all stages of the offender journey. The timely notification of Parole decisions and conditions is a particular ongoing concern, although some increased communication and engagement to resolve issues is evident.

Detainees and those bailed from Court need to be included in the development of the more targeted approach to custody planning and planned return to the community.

Many detainees are re-offenders and therefore the system changes and the reasoning behind them, need to be inclusive, if expected outcomes are to be achieved.

SECTION 18: DISCHARGES

Female detainees are discharged from the female wing and male detainees are moved to F Wing the day before release but are kept separate from new receptions and RDR detainees. This is done to enable them to complete any necessary discharge paperwork and remove the temptation for general "ribbing" or celebration on the wing prior to discharge.

The Board witnessed the Resettlement Team going above and beyond what was expected of them to make sure all detainees had as safe a transition as possible when being released, no matter what the circumstances. The Board attempts to

speak to all detainees who are about to be discharged and has found that many can be apprehensive about release. The Resettlement Team works hard to counteract this, but lengthy periods in custody in a controlled environment with limited or no contact with the outside world are bound to take their toll.

The Board has witnessed the release of detainees who have had the opportunity for RDR and ROR and has found that they are much more settled and better prepared for integration back into society.

SECTION 19: 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	10
Number of new members during period	3
Number of members leaving during period	3
Number of 'in person' rota visits to the Prison	45
Average hours per visit	4.5
Number of visits to attend additional meetings (Safer Custody, 'Jurby Advocates', Escort Contractor, Healthcare).	75
Average hours per visit	1.5
Number of Board Meetings	12
Number of meetings with the Minister	2
Number of meetings with the Police Custody Inspector	4
OPCAT meetings	3
Number of Significant Incidents – advisory	29
Number of Significant Incidents – attendance	3

Applications to the Board:

Accommodation	2
Adjudications/Prison Rules	7
Equality/Diversity including Religion	2
Education, Employment, Training & Incentive Earned Privileges'	0
Finance, Pay & Funds Received	1
Food/Kitchen related	0
Family, Visits, Mail & Telephone	1
Health related	12
Property - Prison	2
Property - Police	4
Canteen, Facilities, Catalogues	2
Sentence Related, RDR (Day Release), Parole, ROCG (Release on Compassionate Grounds)	6
Transfers to Other Establishments	1
Staff/Detainee concerns re Bullying	1
Prison Regime	2
Confidential access to the Chairperson	0
Miscellaneous	4
Total No of Applications:	47

SECTION 20: OPCAT

The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is an international human rights treaty designed to strengthen protection for people deprived of their liberty. The protocol recognises that such people are particularly vulnerable and aims to prevent their ill-treatment through establishing a system of visits or inspections to all places of detention. OPCAT requires that states designate a National Preventive Mechanism to carry out visits to places of detention, to monitor the treatment of and conditions for detainees and to make recommendations for the prevention of ill-treatment.

Involvement in the National Preventative Mechanism (NPM)/OPCAT has created a greatly increased workload for both the Chairperson and Vice-Chairperson of the Prison Independent Monitoring Board (IMB).

Whilst currently the NPM comprises representatives from three Monitoring Boards, it is felt by the Members that a more practical solution would be to appoint a committee independent of these boards comprising suitably qualified individuals.

SECTION 21: POLICE CUSTODY SUITE

Members of the Board 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.

The Board visits, 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.

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.

As the IMB is not represented on the various policy making committees the Board relies on the Custody Inspector to disseminate relevant information.

Statistics: During the 1st of April 2022 – 31st March 2023 the breakdown is as follows:

Month	<24	>24 Hrs	>48 hrs	All
Arrests				
April 2022	130	2		132
May	158			158
June	212	3	1	216
July	163	6		169
Aug	164	4		168
Sep	154	2		156
Oct	170	7		177
Nov	145	4		149
Dec	161	5		166
Jan 2023	128	2		130
Feb	127	3		130
Mar	124	2		126
Total	1836	40	1	1877

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. It should be noted that the detainee detained over 48 hours spent a period between arrest and release in hospital. This also applies to some other detentions. Voluntary attenders are not included in these figures.

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 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 the Board was called 18 times and attended on all occasions, with two sessions being by telephone

It is disappointing that the new CONNECT computer system only highlights that a detainee is approaching 48 hours in custody one hour before 48 hours detention is reached, however measures are now in place which mean that duty members are generally called giving enough time to arrange a suitable visit.

During this reporting period there were thirteen unscheduled rota visits, with three being Induction for new members.

The average visit duration was approximately 47 minutes. Visits were undertaken at a variety of times during the day.

Staffing was always appropriate: staff members were invariably accommodating and helpful, despite their sometimes heavy workload.

Treatment of Detainees: Detainees in the Police Custody Suite can be volatile, unpredictable and demanding. 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, an Officer will introduce the IMB Members and offer the opportunity 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 was 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 and Function: The suite is bright, fresh and appears to be easy to clean and maintain to a high standard. On two occasions the Suite was not up to its normal high standards of freshness and cleanliness but generally it meets a good standard. As is often commented on in IMB visit reports.

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

It is noted that generally, the temperature problems commented on previously have been rectified. There have been a few problems during the reporting period, but these appear to have been handled by staff moving detainees to different cells when necessary.

Generally, the cells are 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 promptly.

It should be noted that there is a Faith Room that has been designated for people of different religions to use for prayers. There is a plastic box containing prayer books – Bible, Koran, Prayer Mats all enclosed in separate plastic bags to prevent the handling by non-believers. There was also a container that could contain water for cleansing purposes.

The Suite has endeavoured to go “paperless”, and a computer system known as CONNECT was introduced in June 2019. The system continues to appear problematical on occasions. During this reporting period the Board has been made aware of its failings on a number of occasions. The Board understands that when the system “goes down” officers revert to a paper system, which is later scanned into the CONNECT system once it is running again. However, the Board has concerns regarding the accurate recording of medication for detainees when switching from computerised to paper records. This has been drawn to the attention of our liaison Inspector and safeguards put in place.

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. The lack of a suitable Secure Mental Health Facility on the Island where vulnerable and potentially violent detainees can be held in a place of safety remains a major concern. The number of police attendances to people with Mental Health issues remains at a high level, and a great deal of Police time is taken up dealing with these issues to the detriment of other policing work. The fact that there are now Rapid Assessment Service (RAS) personnel (previously called the CRISIS Referral Team), with responsibility to visit the Custody Suite and provide 24 hours coverage helps

There are “Appropriate Adults” available to help both the very vulnerable and younger detainees. In our last report we advised that we felt that the system was poorly run and left the Police to ask members of the immediate family, extended family and then friends (who may be either a victim or witness) to attend. During the early part of this reporting period the situation had not improved. However, it has been reported by Members on two occasions towards the end of this reporting period that the situation has improved dramatically. The Board will endeavour to continue to monitor this.

The Board would like to take this opportunity to compliment the Custody staff on their ability to deal with vulnerable and “high maintenance” detainees in a calm, professional and compassionate manner. There appears to be good support from the RAS (Mental Health Team)

During November 2022 a member of the Board gave a presentation to Custody Staff, undergoing training, to outline the role of the Board.

Legal Visits:

During the period 1 April 2022 to 31 March 2023, visits to detainees by Advocates, Children’s Services, The Coroner’s Office, Tromode House, Housing, Police Interviews and Probation services totalled 254, visiting a total number of 365 detainees.

Live Link:

During the period 1 April 2022 to 31 March 2023, the facility was utilised 382 times, a dramatic decrease compared to the last reporting period of 524 times.

The breakdown shows that the Courts utilised the system a total of 153 times over the reporting period as opposed to 235 times over the previous reporting period, whilst others totalled 229 times, compared to 289 over the last reporting period.

The Board is disappointed to see the drop in usage of such a valuable commodity, especially from the Courts. It is hoped that this facility can and will be utilised more frequently thus hopefully reducing the number of detainees who need to travel from Jurby to the Courts, which in turn would make a considerable saving on escort time and overall costs

The Board understands that the default position has been changed so that it is now the Courts decision as to whether a detainee is called to appear in person before them. The Board can understand the importance of a presence in person for a sentencing but would hope that the Courts would consider dealing with other matters via Video Court.

SECTION 22: 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 firm holding the Escort Contract.

Statistics:

During the April 2022 to March 2023 reporting period there were twelve visits (of which three were Induction for new members) made, during various times of the working day. The average visit duration was approximately 45 minutes. Three visits were cancelled due to unforeseen circumstances.

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 occasions, Juveniles have been held in the Suite. There is a dedicated Juvenile area close to the main Custody Suite which is equipped with video conferencing equipment. There is not a requirement for CCTV as when it is used there are always two officers present wearing Body Cameras, and there is generally an appropriate adult present.

The Board understands that there are ten fully qualified officers who are able to look after detained Juveniles.

Maintenance of the Suite & Fittings:

The Department of Infrastructure (DOI) is the landlord of the Court Custody Suite.

The Advocates' Room and additional Interview room are fit for use.

The firm holding the escort contract continues to take responsibility for the cleanliness of the Suite and the Board is pleased to note that the Suite is cleaned to a good standard and is generally fresh smelling.

Communication between the suite and the prison appears to have run smoothly over the reporting period.

CCTV in the suite is considerably better thanks to the Prison Governor donating equipment from the prison once new equipment was installed there. However, the DOI appear to be reluctant to maintain this equipment which has GREATLY facilitated the monitoring of the area, a very important requirement when considering the care of detainees being held under restricted conditions. The Board feels that there is a pervasive feeling that the Court Custody Suite is a low priority for investment. The age and management of the fixtures and fittings remains a concern in the long term.

Critical materials (first-aid kits, anti-ligature knives, anti-suicide blankets, cuffs, 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 staff are frequently very busy but are always happy to help and should be commended for this. The Board has noted that there is an adequate supply of First Aid equipment, spare clothing, toiletries, blankets and reading materials.

The Board remains concerned about access to medication and healthcare practitioners for detainees whilst they are in the Court Custody Suite. It is understood that this is being reviewed by healthcare professionals at the moment and the Board hopes that a solution can be found.

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 the vehicles have been fitted with updated CCTV and Defibrillators, and staff have been trained in the use of such equipment. There is a vehicle used primarily for juveniles and medical escorts; this is also equipped with CCTV.

Staff:

The management of detainees in the Custody Suite and their transport to and from the Prison and hospital, including some bed watch duties, were the responsibility of the Escort Contractor throughout this reporting period. The Board's visit reports consistently comment on the sensitivity and professionalism of the staff and managers.

The Board was pleased to note that all staff are currently "in date" for C & R (Control and Restraint) Training, and it has been noted that staff are undergoing Mental Health and Awareness training.

Prisoner Escort Act:

Under the Prisoner Escort Act dated 2008 the IMB is tasked with reviewing escort arrangements, and the handling of detainees whilst being escorted to and from appointments. These have been noted to be of a satisfactory level.

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, however the Board are pleased to note that Cell Custody Staff practice a Fire Evacuation process every six months.

SECTION 23: CRIMINAL JUSTICE STRATEGY

The Board's Annual report for 2020/21 noted with some concern the delays in progressing the Criminal Justice Strategy ("CJS") of 2012 and noted the lack of transparency around published data in this matter.

The CJS was established to provide a system of “Joined up Justice” which would be “Better: Faster: Simpler: Cheaper”. An ambitious cross departmental project recognising that delivery of changes to culture and practice would require strong leadership given that “the status quo is no longer an option... a smarter regime [is needed] for reintegrating offenders back into the community and a reduction in re-offending.” And yet it would appear that the status quo effectively remains.

Some 13 years later it is not clear whether this strategy has substantively achieved many of its aims. The Government’s Criminal Justice Service web page, created to promote transparency, lacks any updates- simply a downloadable original CJS strategy document. This despite the fact that the important pieces of criminal legislation (Domestic Abuse Bill 2020, Administration of Justice and Other Amendments Act 2021, Sexual Offences and Obscene Publications Act 2021 and the Justice Reform Act 2021) have passed through Tynwald.

The Implementation Plan of March 2022 in respect of the Justice Reform Act contains target dates for activating reform which have passed. Indeed, very few of the Act’s provisions are in force, there having been only 1 Appointed Day Order (2022/0265) in September 2022.

We would note this plan (like the Government’s Island Plan of 2023) states there will be a review of the CJS in 2023 and we fully endorse the comment on page 16 that “a review and update is required. This will include specific Key Performance Indicators in the setting out of the strategy, in order to measure performance and effectiveness. Publication of these performance statistics would be alongside other matters such as the minutes of the [Criminal Justice] Board. Framing these indicators is key to monitoring progress and identifying future challenge areas.”

We note that different agencies are at various stages in their journeys towards creating more effective digital records which are capable of readily yielding useful data. Page 19 of the Implementation Plan states “In terms of data sharing more widely, the goal remains for a single offender record or identifier used throughout the Criminal Justice system, but this is some way off”. It is our hope that this is prioritised in any review of the CJS as a comprehensive offender record is imperative in understanding the impact of the CJS on those who move through the system and developing the tools to rehabilitate offenders for the benefit of all.

We previously noted the CJS Consultation exercises of 2016 and 2018 but there is little data available to support the claim “Over the last three and a half years work has been undertaken to make some changes where that could be done administratively or through existing legislation. That work will continue into the future;

however, more substantial developments do require existing legislation to be amended or new legislation enacted.” Where good work is being done, we would welcome the opportunity to spotlight it.

The Government’s Archived consultations <https://www.gov.im/consult-archive#accordion> provides a copy of the 2016 consultation document and a summary of responses but no indication of action taken and no reference to CJS is made on the Government’s https://consult.gov.im/we_asked_you_said/ site which might be a useful resource in this complex multi-disciplinary area.

With regard to the various agencies involved in the CJS there is little in the way of public reference to the Strategy, as opposed to individual agencies’ forward plans.

The IOM Courts Annual report 2021/2022 <https://www.courts.im/media/2870/annual-report-2021-final-draft.pdf> has no specific mention of the CJS nor any performance metrics with regard to the objectives of the CJS. It is noted at page 16 (figure 9) that there has been an increase both in the number of cases and defendants before the Courts of General Gaol Delivery between 2018 (88 cases 98 defendants) and 2021 (102 cases and 120 defendants), which figures taken in isolation suggest the strategy aim of reducing the numbers in the Criminal Justice system has not yet been met.

Conversely whilst The Chief Constable’s report of 2021/22 <https://www.iompolice.im/footer/corporate/chiefs-constable-annual-report-2021-2022/> makes no specific reference to the CJS, it shows recorded crime for the year 2022 fell by 6%. Without a cross-agency CJS data bank it is impossible to extrapolate from the Police and Court reports whether fewer or more people are entering the criminal justice system.

In the context of appropriate sentencing reforms, the Board have noted a large number of short sentences (less than 12 months) during the reporting year, the 2016 consultation document stated “where a custodial sentence is imposed by the court of less than 12 months, research has shown that there is a higher likelihood of reoffending. It is suggested that this be automatically converted to a community sentence with intensive work being carried out by offender management agencies in lieu of a prison term. This will allow rehabilitation work to be carried out rather than a prison stay and means that budgets can be spent on changing offender behaviour rather than housing them.”

Data evidencing a shift in sentencing patterns is not readily available. An obvious source of information is the Court website however its most recent note is dated 2015

<https://www.courts.im/court-information/sentencing/> and therefore of little assistance in determining this metric.

Following a report from the Tynwald Constitutional legal Affairs and Justice Committee Lord Garnier KC was appointed in March 2022 to undertake an independent review of legal services in the Isle of Man. That report, expected before the end of 2022, is still awaited. In addition, the Attorney General Chamber's report "Legal Aid Review Options and Recommendations", which was out for Consultation in 2019, has yet to be delivered. In the context of the CJS the role played by legal representatives is critical. Ready access, competent representation and affordable service are elements which we anticipate will be addressed in these reports, their content should inform the CJS review.

As always, we thank our Clerk for her continued unfailing support and efficiency.

A handwritten signature in dark ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Mr BOB RINGHAM

Chairperson