



**Isle of Man**  
Government

*Reilrys Ellan Vannin*

# Department of Home Affairs

*RHEYNN COOISHYN STHIE*

Mr R Ringham  
Chair of the Prison IMB

**Minister**

**Hon Mrs Jane Poole-Wilson, MHK**

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22 December 2023

Dear Mr Ringham

## **MINISTERIAL RESPONSE TO PRISON INDEPENDENT MONITORING BOARD ANNUAL REPORT 2022-23**

Thank you for the Board's report for the period 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023 (final version received on 11 December 2023). I would like express my sincere thanks to all the Members of the Board for their continued work and commitment in their important and valued roles.

Below are responses to the recommendations made in the Board's report. It is very helpful to read the report and it is reassuring to see the progress made following last year's report, noting the impact that staff changes have had on the lack of continuity, which has resulted in delays in certain areas being progressed.

As you are aware, this reporting year was concluded with an invited inspection by His Majesty's Inspectorate of Prisons (HMIP) resulting in several areas being identified where improvements should be achieved. As a result, the Department along with the Prison and Probation Service have developed commentary on the HMIP report and an action plan to address each of the priority and key concerns detailed. I fully appreciate that a number of the areas flagged by the HMIP report are areas that had been identified within IMB Annual Reports previously and I welcome the IMB's ongoing review on the delivery against those actions. In addition, the Department has requested that HMIP return in 2024 to assess progress on the matters raised by this inspection.

I welcome the Board's proposed change to a quarterly update to the Department that, cumulatively, will form an annual report. As we have discussed, this will allow the Department to understand and respond in a timelier manner to issues raised.

I greatly appreciate the role played by Members of the Board and the commitment that you have shown personally as Chair; thank you all.

Yours sincerely,

Hon. Mrs Jane Poole-Wilson, MHK  
**Minister for Justice & Home Affairs**

## **Response to the IMB Recommendations for the Minister 2022/23**

### **Recommendation 1:**

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.

#### **Response:**

- The Department welcomes the acknowledgement of progress and thanks the Prison and Manx Care staff for their efforts.
- The Department has been working with the Prison and Manx Care as required in response to specific issues that have arisen.
- The Department is committed to overseeing the action plan in response to His Majesty's Inspectorate of Prisons (HMIP) to ensure that the Prison fulfils its objectives in this area.
- The Department will continue to liaise with the Department of Health and Social Care to ensure that Manx Care complete the objectives agreed by them.
- The Department is securing a resource to complete a custodial care pathway for all settings and incorporating mental and physical health.

### **Recommendation 2:**

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.

#### **Response:**

- As outlined above, the Department is working with colleagues to ensure those in custody are able to access the care they need.
- The custodial care pathway that the Department is seeking to progress further would be intended to identify thresholds for services provided.
- The Department would welcome further clarity on the number of prisoners believed to meet the threshold for secure mental health care that cannot be met by the Prison or the existing Mental Health facility.

### **Recommendation 3:**

The Board would urge the Minister to highlight their support for Resettlement work in the community.

#### **Response:**

- The Department fully recognises the importance of employment on Resettlement Day Release and fully supports the work being undertaken by the Prison to increase opportunities for prisoners.
- The Department has facilitated the inclusion of the Prison and Probation Team on the newly established Workforce and Skills Board to try to increase the opportunities available.
- The Department is working as part of a strategic partnership to address homelessness and has and will continue to include the Prison and Probation Services in this work.

**Recommendation 4:**

The Board urges the Minister to push through the policy and legislation to underpin and support the work of the Probation service.

**Response:**

- The Department has supported the Prison and Probation Service's innovative approach to build the skills necessary in probation services by supporting recruitment freeze appeals for trainee Probation Officers and is not aware of policy or legislative gaps around this approach.
- The Department is working with other partners in the Criminal Justice System to meet the aims of the Criminal Justice Strategy so that Prison is reserved for the most serious offenders, including exploring/enabling alternative/diversionary means of sanction.
- The Department has commenced work to review and refresh the Criminal Justice Strategy as, while it remains broadly relevant, there are updated approaches and options that have and are planned to be made.

**Recommendation 5:**

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.

**Response:**

- The Department supports the use of video facilities where appropriate to do so.
- The Department notes the HMIP inspection report that commented on the video courts being "well used to reduce the necessity for court escorts".
- The Department would welcome further information around the figures for the usage and any further views on the underlying reasons for the apparent reduced usage outlined in the report in order to investigate and potentially discuss with the Courts.

**Recommendation 6:**

The Board would urge the Minister to work with colleagues in the Department of Infrastructure to better maintain the Court custody suite.

**Response:**

- The Department welcomes the improvements in relation to the CCTV as referenced in the report.
- The Department is working with the Public Estates and Housing Division of the Department of Infrastructure to ensure the suite is suitably maintained.

**Recommendation 7:**

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.

**Response:**

- The Department notes that the bus timetable was amended to reflect visiting hours and is grateful to the Department of Infrastructure for this.
- The Department notes that there is the option of connectVILLAGES bus.
- The Department notes there is the option of online visiting ("purple visits")
- The Department and IMB have discussed and agreed that the current provision is the most that can be expected at this time.
- The Department is supportive of the Prison's medium to longer term ambition to provide an RDR opportunity for prisoners to operate a shuttle service between the Prison and Ramsey.

- The Department recognises and supports the Prison's work towards the action from the HMIP response to review the support and opportunities for prisoners and their families followed by implementation of a Family Programme.

**Recommendation 8:**

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.

**Response:**

- The Department recognises the age of the Prison and that maintenance and upgrades will be necessary.
- For the 2023/24 financial year, the Department allocated the Prison c.£570k for minor capital work and maintenance of the Prison.
- The Department is aware that the Prison has an action plan to maintain all facilities and upgrade systems when necessary to provide a safe and secure site that is fit for purpose.
- The Department has supported the Prison with recruitment through the recruitment freeze appeals process to both oversee and manage the on-going repair and redecoration works within the Isle of Man Prison and Probation Service and to train prisoners as well.

**Recommendation 9:**

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.

**Response:**

- The Department has been working with the Prison and the most senior officers in the Department of Education, Sport and Culture and the UCM to enable the return of education staff to the wing.
- The Department has assisted the Prison in the finalisation of the relevant risk assessment and service level agreement.
- The Department noted comments made by the HMIP inspection on this matter and has sought and received further information from the Prison on the notable, negative impact of the absence of education staff from the wing.
- The Department continues to encourage and assist the Prison to ensure this matter is resolved.

**Recommendation 10:**

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.

**Response:**

- The Department recognises the limited education offered during the period of this report and indeed the similar comments made by the HMIP.
- The Department has increased funding for education provision in the past two financial years by making funding available from elsewhere in its revenue budget.
- The Department is actively attempting to secure additional funding to increase education offering as well as manage the increasing costs of delivering education but this must be considered within not only the Department's fiscal position but also the broader Isle of Man Government's financial situation and so challenging prioritization will be required. That being said, the importance of the provision of education to offenders is not

- underestimated by the Department.
- The Prison and Education Manager have completed a review of education opportunities that have been offered.
- The Department has been working with the Prison and the most senior officers in the Department of Education, Sport and Culture and the UCM to consider the range of options to deliver increased education opportunities.
- The Department is supportive of the Prison's ongoing active work to provide innovative means to provide opportunities for education and accreditation of skills.

#### **Recommendation 11:**

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.

#### **Response:**

- The Department recognises the work required with the full Criminal Justice System to implement the Criminal Justice Strategy, which introduced a principle that Prison should only be used for the most serious and persistent offenders in our community.
- The Department has commenced work on reviewing and refreshing the Criminal Justice Strategy.
- The Community Safety Partnership has tasked a working group with progressing non-custody disposals, particularly for youth offenders, which may introduce further alternatives to a custodial sentence.
- The Department is in the planning stages of extending electronic monitoring of individuals within the Criminal Justice System beyond those released on licence, which may introduce a further alternative to a custodial sentence.

#### **Recommendation 12:**

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.

#### **Response:**

- The Department has been continuing to work with the Prison to improve and enhance the productivity and performance reporting in light of comments made previously by the Board and made by HMIP.
- The Department Plan 2023/24 includes a set of high level Key Performance Indicators, which are a subset of the metrics reported to the Department to inform decision making and measure performance, with one of these around re-convictions. As such, the Prison has been reporting figures for reconvictions within 12 months and over 12 months of the first offence.
- The Department will monitor these figures and seek to support and ensure the Prison meet their target, which of course also relies on other parts of the Criminal Justice System, to reduce re-offending.

#### **Recommendation 13:**

The Board would urge the Minister to continue to support innovative ideas and training for the Probation team.

#### **Response:**

- As outlined in the Department's response to the HMIP report, the Department recognises that the introduction of further interventions and utilisation of specialist staff will better

address offending behaviour and should significantly contribute towards improvement in ratings of rehabilitation and release planning and improve the safety of our Island in the long-term

- As also outlined in the HMIP response, the initiatives that were then and have since been introduced or further progressed are welcomed by the Department. These initiatives include, but are not limited to a Life Minus Violence course, introduction of forensic psychologists, general offender programs, Group Intervention for Compassion Focussed Therapy and Substance Abuse programme (in planning).
- The Department would welcome any further thoughts from the IMB on what ideas and training should be considered.

#### **Recommendation 14:**

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).

#### **Response:**

- All IMB members now have access to eLearn Vannin (the Government training software) to allow them to complete all mandatory courses.
- IMB members are also invited to attend the Prison's monthly training days.
- The Department welcomes and supports the closer ties formed between the IMB and counterparts in the UK and recognises that training opportunities are being sought by the IMB through this relationship.
- The Department welcomes any further information on what types of training the IMB Members would like to be considered.

#### **Recommendation 15:**

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.

#### **Response:**

- The Department is supportive of working with the IMB to help raise awareness in Government and more broadly around the important role of the IMB, perhaps through interviews with members that have been suggested and progressed to a degree with the IMB previously.
- Chief Officer of DHA will raise with IOM Government Chief Officer Group the importance of the work of the IMB and valuable skills the role offers to those who volunteer.
- The Department welcomes the ability under the Public Service Special Leave Policy for employees to utilise up to 18 days during a 12 month period for public service duties, including the work of the IMB.

#### **Recommendation 16:**

The Board asks that the Minister encourages other Government departments to employ detainees on RDR & upon release, to expand detainee's skills and opportunities.

#### **Response:**

- The Department notes that the Prison Governor has ongoing discussions with the Office of Human Resources around potential opportunities in Government Departments.
- The Department has facilitated the inclusion of the Prison and Probation Team on the newly established Workforce and Skills Board to try to increase the opportunities available.

- The Department plans to consider potential changes to the Rehabilitation of Offenders Act 2001 given changes in the UK.