



**Isle of Man
Government**

Reilrys Ellan Vannin

Isle of Man Prison & Probation Service

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4 September 2013

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Mrs Aileen Gelling
Chairperson
Independent Monitoring Board
c/o Isle of Man Prison & Probation Service
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Dear Mrs Gelling

IMB REPORT JANUARY 2012 – MARCH 2013

Thank you for your Annual Report – it is clear to me that a lot of hard work has gone into the preparation and finalisation of the report. This is in addition to the massive commitment that Board members show day in, day out to the Isle of Man Prison and their duties at Police Headquarters (ICV) and Court Custody Suite.

I have attached my responses to the recommendations directed to me – I have agreed these with the Department of Home Affairs and with Senior Managers at the prison who will take the work forward.

Yours sincerely
for Isle of Man Prison & Probation Service

ALISON GOMME
Governor

cc Mr M Kelly, CEO, DHA
D/Gs N Fisher, G Hathaway, P Skillicorn
P/Os M Cain, B Clark, M Speers, J Vorster
Mrs M Mitchell

Issues for the Governor

- Prisoner Exit Surveys would be better completed on the wing, prior to discharge, in order to increase the return rate. Personal Officers could assist the prisoner if need be. The survey could also be used to solicit feedback on how vulnerable or safe prisoners feel during custody and how the prison is performing from their perspective.

A revised approach has ensured that a greater number of prisoner exit surveys are now completed and this is a useful source of information.

- At Reception, there is a need for more structured questions to identify whether the prisoner is 'applying for 'protection' or whether someone else is making that decision. Staff have considerable knowledge of the local community and those who are received into custody, but there needs to be a very clear audit trail which will stand up to scrutiny.

The reception process follows clear questions sets that staff ask prisoners. The responses are captured in the IT database. We have a duty of care to incoming prisoners and if there is information that we have available that is not known to individuals which may mean that a prisoner would be at risk on ordinary location then appropriate protection measures will be offered.

- Disappointingly, serious consideration has still not been given and time made available to holding table-top exercises covering the variety of serious incidents which may take place in and around the prison.

This will be addressed as part of the new training programme during 2014.

- There is no evidence of 'an active concern for well-being' by prison management in respect of on-going monitoring and support for Prison Officers or prisoners involved in a death in custody.

I am surprised at this recommendation, particularly as the body of the report is complimentary on the support offered to staff and prisoners post incident. The services of the local care team, line management and the staff welfare service continue to be available to staff involved in incidents. Much of the support will always be offered privately and discretely.

- The Chaplaincy Team is hard working and provides a valuable role within the prison, but has little management accountability or a structured role within internal meetings.

The chaplaincy team come under the line management of the resettlement team. They are represented at the safer custody meetings and are welcome to attend any other meetings if they wish. However we are mindful that they all have additional parish responsibilities and may not consider their attendance at internal meetings is the best use of their limited time. We will consult with them and take their view.

- There is still no strategy in place for dealing with the monitoring of incoming and outgoing mail written in a foreign language.

We should not target mail for special monitoring just because it is written in a foreign language. Target reading of mail is only undertaken as a consequence of intelligence led risk assessment. Should the risk dictate then mail could be held back in order that it is interpreted.

- Given climatic changes, and the increased numbers of days when the weather is inclement, consideration should still be given to prisoners who wish to exercise outside. A log should be kept to record the number of days when outside exercise is cancelled.

There is one morning and one afternoon period of outside exercise and the provision of "split exercise" increases the chance that one could be taken outside. There are no plans to offer outside exercise during inclement weather at this point and this is in line with the custody rules. As an alternative to outside exercise when the weather is poor, exercise may be taken in the residential units.

- Whilst the Board is delighted to note the increased availability of the Library to prisoners, the problem of training the prisoner volunteer still needs addressing.

There are no immediate plans to offer training leading to a relevant qualification for the prisoner employed in the library, as this is not deemed a priority. It is not immediately obvious where nationally recognised training would be available and at what cost.

- There remains a lack of signage in the Library itself to help prisoners to access legal books and there is a shortage of such books which should be available to prisoners who are representing themselves in court. The trolley

of Library books on the Segregation Unit needs changing at regular and suitable intervals.

This will be attended to.

- A review of the Canteen Sheet needs to be made. Prisoners on the Basic Level of the IEP Scheme have the same access to 'privileged' items as those on the Enhanced Level.

The newly appointed residential deputy governor will review this but I would point out that whilst prisoners on the different privilege levels may have access to purchase of privilege items, those on standard and basic levels have reduced weekly spending power to those on enhanced.

- The use of heat probes for testing the temperature of the food delivered in the heated trolleys is, at present, only carried out on an ad hoc basis. A clearly attributed system needs to be established and records of temperatures routinely checked by the catering staff.

This has been addressed but needs constant managerial attention.

- Servery workers do not always wear the correct attire and, we have consistently evidenced that tongs are not being used by the workers and prisoners when handling food.

This has been addressed but needs constant managerial attention.

- The system of assurance provided by the Catering Manager for the vulnerable prisoners is still not sufficient. They have a perception that their food could be contaminated by other prisoners who work in the kitchen.

Additional measures have been put in place to provide assurance but I am not sure that this perception by vulnerable prisoners that their food could be contaminated will ever dissipate.

- Consideration should be given to allowing enhanced status prisoners extra minutes for telephone calls.

We will consider this as part of our annual review of the privilege system, but in implementing such a scheme we would need to be careful that there was sufficient time to enable all prisoners to access the telephones rather than the privileged few.

- The Board still has considerable concerns with regard to the management of prisoners on the Vulnerable Prisoners Wing. These prisoners fall into two distinct groups: sex offenders and those who have issues with prisoners on the main wings. We realise there are no easy solutions but a stronger, proactive approach by staff should be considered in order to meet the differing needs of the two groups of prisoners.

I note the board's concerns about this matter.

- We have witnessed the detention of mentally ill prisoners who are too ill to be held in custody. These prisoners frequently have a history of enduring mental health problems and the prison can do little to enable them to get their lives in order. Most are directed to the Segregation Unit because normal location is far too stressful. The Officers who care for these prisoners are under great pressure. If they are to continue to be expected to cope then provision should be made for training in mental health matters. Thought could be given to providing this in-house using the Mental Health Nurse recently appointed to the Healthcare Team.

There are plans to increase the amount of mental health training for staff during 2014.

The joint policy of the area and treatment of acutely mentally ill prisoners has been re-written and underpins a commitment shared by mental health services and the prison to work effectively and collaboratively together.

- Congratulations on initiating policies that have reduced the number of Mandatory Drug Test failures. However, whilst understanding the difficulties of identifying and training testers, further consideration should be given to the introduction of a Voluntary Drug Testing system, exploring ways in which this could be put into practice within the present staffing constraints. Prisoners whose parole is within 6 months of being considered by the Parole Board would benefit enormously.

The introduction of voluntary drug testing would require additional resources which are not currently available.

- The no-smoking policy creates a high level of indiscipline. Any way of reducing the number of breaches of disciplinary code related to smoking, including the possibility of allowing electronic cigarettes, needs to be kept under review. The introduction of a discreet category, within the Adjudication Data, which records all smoking related offences, should be considered.

Prisoner indiscipline cannot solely be attributed to the no smoking policy. A multi-disciplinary meeting that included colleagues from the Department of Health has considered whether e-cigarettes should be made available for sale to prisoners. Their views have been passed to the Department of Home Affairs who wish to review the conclusion of the group before a decision is made.

- As highlighted in our last report, consideration should be given to a review of the value of the current regime in the Segregation Unit and the need for any changes to the regime. Prisoners are housed on this wing for breaches of the disciplinary code and other reasons and there may well be alternatives to segregation which could be investigated. We acknowledge the improvement in the number of prisoners who have been segregated as a result of breaches of the Disciplinary Code.

I and other senior managers at the prison are not persuaded that changes to the segregation unit regime are appropriate, particularly for those who have broken the rules or are in segregation for reasons of the good order of the prison which is to the benefit of others.

Individual adjustments are made for those who are held as a matter of last resort for safety reasons.

- There is a need for a clarification of the way Adjudication Data is presented. In particular, the award of Cellular Confinement (CC) should be noted clearly in both the 'Punishments' Section and the 'Remarks' Section on the E Wing data.

I am sorry that the board have difficulty in the presentation of the adjudication data. The data is very clear on individual records and also in the segregation unit.

- Although there have been more occasions when CC awards have noted that prisoners should be allowed to keep bedding during the day, consideration should be given to whether this should occur with even greater frequency.

This will always be a decision taken on an individual basis and usually for specific medical reasons.

- Untapped opportunities remain for Personal Officers to have a more structured probation support role with prisoners through more preparation, discussion, and review of the Custody Planning documentation. The voluntary work by a few officers has meant that they have given up their own time to complete a series of interventions. This has been appreciated by the prisoners but frustration arises when manning restraints prevent the attendance of Personal Officers at Resettlement Meetings who are able to update current family situations.

The board has correctly identified the complex and multi- faceted role of the prison officer. Subsequent to the reporting period, some prison officers have been trained and have delivered interventions alongside seconded probation officers. It is hoped that more of this work will be delivered in this year.

I am afraid that staffing levels are governed by headcount and therefore there are not prison officers who are underemployed. There are occasions when personal officers or unit managers have attended resettlement meetings and if they cannot attend in person they can input their views in others ways by forwarding written reports.

- Most Prison Officers want to do meaningful work and make a difference to prisoners' lives; they express how important it is to feel valued by those above them and by the public. The Personal Officer's role is still under-developed yet expectations of performance have increased. Their work can be dangerous, difficult and challenging. Consideration should be given to the further development of the role of the Personal Officer.

This will be attended to in the 2014 training programme

- The Visiting Order has yet to be amended. It does not reflect the fact that property cannot be brought into the prison at the weekends. It also lacks information on the amount of money visitors may take into the Visits Hall and the coinage required for vending machines. If there is to be greater consistency in the management of the visiting process, there needs to be a written policy document for all Operational Support Group (OSG) staff to follow. This would add uniformity to the procedure.

This will be reviewed by the newly appointed deputy governor of security and operations.

However, increased amounts of information on the work of the prison and visiting arrangements in particular are available through the new dedicated prison and

probation service webpage accessible to all. The webpage will be kept under regular review.

ALISON GOMME

Governor

4 September 2013