

## **INDEPENDENT MONITORING BOARD REPORT (2013-2014)**

### Executive Summary

#### **Issues for the Minister**

- To see whether the Government Careers Service can be more proactive in providing assistance to prisoners looking for work prior to release.

The Department is supportive of greater involvement of the Careers Service in assisting prisoners and will continue to work with the Department of Economic Development to advance the level of service provided. The service has improved with the Careers Service attending the Prison once a month.

- In our last report, we raised the issue of providing support at a Ministerial level so that prisoners could participate in varied and meaningful work. A Departmental Member was tasked with this responsibility. Again, we would ask the Minister and Member to continue to work more closely with colleagues in other departments to overcome prejudice, external Trade Union opposition and other obstacles, so that prisoners are able to learn new skills and engage in a wider range of work opportunities.

The Department is continuing to actively seek opportunities across Departments from sandbag filling to more specialised work in order to improve the situation. This is very much an ongoing concern, and a key objective for the Member with Delegated Responsibility for the Prison and Probation Service.

- Although we have noted your response to our last report, we would ask that the Department of Home Affairs communicates with the relevant department to increase the social and medical services for prisoners with drug dependency and to ensure that individuals working with the Drug & Alcohol Team maintain this contact if they are given a custodial sentence.

The Service provided into the Prison has improved with Motiv8 in regular attendance to help those with drug and alcohol difficulties. The Department will however continue to endeavour to increase the support provided via the Drug and Alcohol Team. I understand the Minister of Health and Social Care is planning to visit the healthcare team at the prison in the near future.

- We raised the matter of prisoners with mental health issues in custody in our last report and whilst understanding the Minister's position, we would stress once again that neither is the Prison equipped nor are its staff trained to deal with the resulting manifestations of behaviour. We strongly feel that where there are significant mental health difficulties, Prison is not the proper placement for the sufferer. We do understand that proper places where treatment is accessible are notoriously hard to locate and fund but provision of these has to be a priority for the Department and Mental Health Services.
- Whilst we appreciate that the Department of Home Affairs has made some inroads with regard to greater co-operation with other Government Departments, prisoners who have extreme mental health issues should be identified without delay and given priority. We also feel there needs to be continued dialogue with the United Kingdom

authorities in order to resolve differences in custody laws relating to prisoners with extreme mental illness and their transfer to specialised secure units.

The Department continues to work with the Mental Health Service to assist the Prison to respond to these important matters and provide appropriate places for treatment. The Department expects that prisoners will receive the same standard of mental healthcare as those in the community, whilst acknowledging that the prison environment can be additionally stressful for those with pre-existing conditions. There is no single response to this concern, but by developing better relationships with mental health professionals, the Department, prison staff and IMB will be able to get a greater understanding of each other's concerns and work on solutions. Recently work has taken place to update the forms and practice on urgent transfers following difficulties experienced.

- In view of the forthcoming replacement for Grainagh Court now being under active consideration, we would urge the Minister to press for the inclusion of a secure unit within the new build so as to enable prisoners with severe mental health illnesses, who also have serious charges against them, to be held there and given appropriate treatment while waiting for transfer to a secure specialised unit in England.

The Department has already raised these matters with the Department of Health and Social Care. However, this is of course ultimately a decision that lies with that Department. The Department will continue to work with the DHSC to provide improved treatment.

- We note that, as part of the Criminal Justice Strategy, the Department of Home Affairs is looking at alternatives to custody. The Board stress that community sentences for men and women who pose no risk to the public should again be reconsidered. Community payback successfully marries punishment, reparation and rehabilitation and its use is to be valued and promoted. Responsibility for overseeing each Community Order should remain with the Probation Service who would be responsible for working partnership with the Police, Health and local authorities. Community sentences have been proven to be more effective in reducing reoffending than costly short-term Prison sentences.

The potential effectiveness of community sentences is very much recognised by the Department. As a result preliminary scoping work has commenced on a Sentencing Bill which it is intended to incorporate positive changes. The Department welcomes any detailed considerations from the IMB.

- While the Board appreciates that the Island's Government must reduce its costs, we are concerned about the impact of the continuing need to find financial savings with regard to the Prison and the effect this will eventually have on prisoners and staff.

It is very much recognised that cutting costs is difficult and as part of the process of implementing such cuts the need to keep to a minimum the impact on both the Prison staff and those detained in the Prison is a very important consideration.

- Lower numbers of prisoners entering Prison is positive, however, the trends towards longer serving prisoners and crimes requiring specialised interventions are a concern when severe financial cuts are being imposed on the Prison budget.

The Department is very much aware of the difficulties long sentences bring and the impact on resources particularly in relation to the health of the more aged detainees. The Department continues to work with other agencies in advance of and as these issues develop.

- Accommodation on release from Prison is still reliant on the personal contacts of the Prison's Resettlement Team. There is acute concern in the short term regarding the limited amount of accommodation available for young people, females and vulnerable prisoners until the Bail Hostel replacement plan come into fruition.

The Department is considering incorporating provision in primary legislation (Sentencing Bill) to provide for a statutory responsibility for agencies to work together to provide accommodation.

- We urge the Minister to give the present re-drafting of the Custody Rules top priority. The watchdog of the Board is being hampered by its work on adjudications – to adjudicate lessens the confidence of the prisoners. Confidence will be increased if prisoners do not see the Board as people who are responsible for imposing disciplinary punishments. The roles are incompatible.

It is intended the first set of amending Custody Rules will be submitted to Tynwald for approval in October. The adjudication issue is extremely important and drafting instructions to provide for the Primary Statute to allow adjudications to be undertaken elsewhere than the IMB are being prepared with a view to the Bill being submitted to the House of Keys during 2014.