

**ISSUES FOR THE GOVERNOR**  
**re**  
**2015/16 INDEPENDENT MONITORING BOARD REPORT**

- **Evaluate whether the present regime for long stay detainees in Segregation is fit for purpose. Consider any ways of enhancing the use of the time in Segregation, e.g. via hobbies, education, family contact, someone to talk to, someone to explore their issues. These are all important factors for countering the potential adverse effects of segregation and thus safeguarding mental health.**

**Thought should be given to the limited amount of exercise time detainees have outside of the cell, as presently it is only half that of the recommended European Standard and UN Standard Minimum Rules of 60 minutes. The importance of fresh air and exercise for the mental health and wellbeing of detainees has long been recognised. Exercise equipment, a basketball hoop, or other means would enable a detainee to exert themselves physically during their exercise period.**

**Response:**

There were two prisoners during the report period who had protracted periods in Segregation. Both were managed on a multi-disciplinary case conference basis taking into account the significant risk they presented. The regime and access to facilities were expanded as the prisoners behaviour improved. When we review the Segregation procedures we will consider a more progressive regime.

- **Reconsider the Policy & Procedures document for the "Segregation Unit" (Version No: 1.1), specifically the amendment of the current "Monitoring & Review" for detainees who are in Segregation for more than 72 hours.**

**Staff need to ensure that there is a relevant time period for reviews and who are the relevant personnel to be involved. These personnel will then be involved in all reviews. Careful recording of the reviews should be a natural outcome of the process.**

**Response:**

This will be considered as part of the review of the Segregation Unit.

- **Continue to improve the consistency of the data between that of Segregation and Adjudication. Ensure that cellular confinement is always recorded, when appropriate, on the Segregation data. Thought could be given to comparing the Segregation and Adjudication data each month to ensure consistency before it is published.**

**Response:**

We will compare the data monthly to ensure consistency. Officer Ant Rogan is available to attend an IMB meeting to explain the system.

- **The Board feel that having 3 different types of testing, in addition to random testing, is unnecessary. Random testing shows a positive fall in test failures. The percentage failing other types of tests is greater. Although the recent results in testing showed no failures in the last 2 months of the reporting year, it cannot be accepted that this would have occurred if any of the other 3 types of testing had been used. If more of the detainees who require assistance for abusing controlled drugs are to be identified, consideration should be given to have random testing along with a single testing to include the 3 previous tests. Also, those who refuse any testing should be included in the "failed" list.**

**Response:**

It is expected that random positive tests would be less than targeted positive tests. Our Drug Testing Programme follows the UK procedures which are well established and give a pattern of drug use. With such a small sample it is more difficult in the Isle of Man Prison. The UK do not record a refusal as failed and we agree with this approach. Refusals are treated the same as positive on Adjudication.

- **The role of Personal Officer is very important, especially when a detainee is in Segregation. There is a requirement that these Officers visit and engage with the detainee on a weekly basis and interactions should be recorded on PIMS. The Board have regularly evidenced that this has not been the case.**

**Response:**

The role of the Personal Officer is being reviewed and the requirement for Personal Officers to visit and engage with those in Segregation will remain and be reinforced.

- **Consideration needs to be given to wider Personal Officer training if this essential role is to be successfully fulfilled, e.g. training around soft skills and effective communication.**

**Response:**

The review of Personal Officer is underway. This will include training in the Five Minute Intervention which is in hand.

- **The Board is aware that further opportunities exist for Personal Officers to have a more structured Probation support role with detainees. This would involve more preparation, discussion and reviewing the outcomes, particularly at intermediate and pre-release stages. Interventions within a protected time slot could encourage recognition of their importance to all involved.**

**Response:**

The review of risk and sentence planning will involve the role of Personal Officers and Probation with the aim of a more structured sentence plan with clear targets.

- **It appears that a recent Governor’s Order regarding Personal Officers’ responsibilities for reviewing a detainee’s resettlement documents and keeping PIMS updated has not proved any more successful than Governor’s Order 54/2014. This order emphasises the expectations of the role of the Personal Officer. It is imperative that Officers, at every level, record frequently and accurately their interactions with the detainee, and that their performance in this task becomes an integral part of their own Personal Development Review (PDR). A protected time slot could be identified to ensure Personal Officer interactions with detainees on the accommodation wings are more formalised rather than the often observed casual communication.**

**Response:**

We agree the consistency and frequency of PIMS entries are crucial. This will be part of the review. The requirement for this is now in the Residential Officers PDR and the Senior Officers PDR.

- **Since our last report, there appears to have been minimal improvement in the consistency with which Officers deal with detainees who are smoking. The minimal number of Adjudications for smoking underlines the requirement for action to ensure that this issue is dealt with.**

**Response:**

The role of the Senior Officer is under review with the aim of freeing them up to supervise more closely the work of Officers and ensure more consistency. The IEP Scheme is being used to address smoking which is more immediate and has the same impact.

- **There are still a large number of Adjudications that are dismissed despite some improvement in the preparation of evidence by the Officers. Further effort should be made in this area especially in relation to alleged drug offences.**

**Response:**

Officer Rogan will explain this when he attends the IMB meeting.

**In order to track more easily the extent to which each individual is found guilty of breaching the Disciplinary Code, the Adjudication data should record the number of offences. Presently, the section of the monthly returns which record this is completed haphazardly.**

**Response:**

We are happy to work with the IMB to improve the data and Officer Rogan will address this at the IMB meeting.

- **Ensure that the data on Adjudications is consistent across different documents.**

**Response:**

We are happy to work with the IMB to improve the data and Officer Rogan will address this at the IMB meeting.

- **Horticultural work can be very rehabilitating but it is too reliant on the goodwill of a limited number of Officers and is subject to frequent cancellation due to staff shortages. Allocation of an established Horticultural Officer post, or for better continuity, 2 part-time equivalents, might help ensure interested Officers and detainees could partake of this activity on a planned basis.**

**Response:**

This is an excellent suggestion and is being considered as part of the Resource Review.

- **The attendance of all agencies should be encouraged at Safer Custody Meetings.**

**Response:**

There are two agencies in particular that have had difficulty attending because of staffing issues. These have now been improved and the Chair of the meeting will reinforce the need to attend.

- **There is a plethora of statistics and data generated within the prison, e.g. the formal written recording of complaints made directly to the Catering Team using the Food Complaints Form. Consideration could be given to standardising the method of reporting results which would enable more meaningful analysis and monitoring of trend. Food complaints made by detainees via the Board are not formally recorded by the Catering staff and so a true picture cannot be evidenced.**

**Response:**

We will work with the IMB to determine the data they require and the format so that meaningful analysis can take place. I have spoken with the new Catering Manager and he will discuss with the IMB.

- **Consideration should be given to the introduction of E-cigarettes as an aid to help individuals stop smoking and, hopefully, reduce the use of NPS's.**

**Response:**

A paper has been prepared and will be submitted. In addition, Cumbria University are following up their report with a further visit.

- **Prisoners' Council:**

- **Consider the occasional attendance at Council Meetings of Officers dealing with issues raised at the Prisoners' Council in order to explain the progress and possible reasons for delay of outcomes. The Board has evidenced delays of several months without explanation to the Council and feel that this is not acceptable.**

**Consider possible training of both Officers and detainees in the communication and presentation of items for and from the Council. The Board feel that this important venture is beginning to and will flounder if those who take part are not shown the skills necessary for it to be successful. We believe it calls for more**

**sensitive management if detainees are to develop a feeling of personal responsibility which is lacking at present. The more regular attendance of the Governor would be appreciated by all in these initial stages.**

**Response:**

The IMB will be aware that this has improved recently and that progress is beginning to be made. We met this week to discuss the format, chair, agenda, frequency, and support and preparation of representatives.

- **Consider replacement of current defibrillators with new models as soon as possible.**

**Response:**

All defibrillators have been replaced throughout the prison; the only exception being the one in Healthcare which only Healthcare staff use (this is currently going through the Asset Register for replacement).

- **Since 2009, we have stressed the urgent need for table top exercises to be held in relation to the variety of serious incidents which might take place at the prison. The Governor's response last year was that this would be undertaken as part of ongoing Contingency Plans Work Stream. We are both concerned and disappointed this has still not come to fruition.**

**Response:**

The Contingency Plans required significant review. I am sorry the exercises have not taken place and I value the input of the IMB. A full exercise will take place during October and the IMB will be invited to attend.

- **We have previously raised the issue of varying the visiting times the Duty Governor makes to the kitchen to enable a wider sample of food tasting. We have no evidence that suggests this has been looked into as promised. The Kitchen still remains the first port of call when the Duty Governor visits the main block.**

**Response:**

The Duty Governors do attend the Kitchen at different times and the times they attend will now be recorded.

- **The Servery Workers Compact was amended to state that detainees were only allowed to wear their servery clothing at meal times. We have found that the promised managerial checks remain haphazard. Servery workers still do not consistently wear the appropriate clothing when in post, and some who do have been observed wearing this clothing when out on exercise.**

**Response:**

The inconsistency has been brought to the attention of Managers. This will be made a priority when the Residential Senior Officers are freed up following the Resource Review.

- **Several Policy and Procedure documents are approaching review stage, in particular, Personal Officer, Segregation Unit, and IEP Scheme.**

**After a much delayed period the IEP document was reviewed in 2015. However, according to HMIP Expectations this important scheme should be monitored more frequently and detainees consulted.**

**Consideration should be given to involving the Prisoners' Council in the consultation and feedback period.**

**Response:**

The IEP Policy was reviewed in August and there is one outstanding issue.

We will involve the Prisoners' Council in future reviews.

- **The Board feel that the use of Release on Temporary Licence (ROTL) should be considered on a wider scale. For low risk detainees it would enable them to put back into society while completing their sentences through community placements or paid work, and helps maintain important community and family links. It provides acclimatisation to life beyond the prison walls and a test of their readiness to live in the community without offending.**

**Response:**

Three prisoners have been on ROTL for a protracted period on a work project.

There is an increasing use of ROTL for other purposes and this will continue and be more widespread.

- **Introduce/reintroduce more positive methods of encouraging health and avoiding substance abuse.**

**Response:**

Patients in danger of engaging in regular substance abuse are referred to Motiv8 for advice and input. This year's Healthy Prison Day will provide access to information on Sexual Health, Mental Health, Substance Misuse, and Medicine's Management.

Healthcare also continue to provide training to prisoners in resuscitation techniques and advice on spotting, and dealing with, a drugs overdose. A health information board in the Healthcare waiting area is regularly updated with information from local Public Health Campaigns.

Advice on blood borne viruses is given on reception and safe sex packs will soon be available for distribution.

**Mr BOB McCOLM**

29 September 2016