



# **INDEPENDENT MONITORING BOARD REPORT**

**1 April 2019 – 31 March 2020**

**ISLE OF MAN PRISON,  
CUSTODY SUITES & HOLDING CELLS**

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 them 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 they consider expedient to report.
- Inform the Department immediately of any abuse which comes to their knowledge.
- Consult the Governor in relation to 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 also 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 also 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 prisoner 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 prisoners are transported and make recommendations to the Department.
- Investigate and report to the Department any allegations made against Prison Custody Officers by prisoners 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 14<sup>th</sup> 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 is able to 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).

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 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 Primary Healthcare through the Department of Health and Social Care Primary Care Directorate.

The Education area has 6 classrooms; each is able to 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 staff 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 are the Dog Unit, Works Department, Training Workshops, Sport Pitches, and a Horticultural Area.

### **SECTION 3: EXECUTIVE SUMMARY**

The final month of the reporting year 2019 - 2020 was overshadowed by the global COVID-19 pandemic. The Board would like to go on record to congratulate the staff of both the Prison and the Police Custody Suite for the efficient and professional way in which they changed regimes and processes in an expeditious manner to ensure detainees and staff operated in a safe environment. In accordance with the Isle of Man Government guidelines on social distancing and in line with the UK Independent Monitoring Board policy, visiting to the Prison was suspended during the time the Prison operated a "RED" regime. This action was taken to reduce the risk of visiting IMB members introducing the virus to the Prison. Despite this, throughout the lockdown period the Board maintained daily communication with the Prison through daily operations reports and the application process. Contact with the Police Custody Suite was also maintained as required. The Chairperson and one member attended the Prison during this period due to a serious incident.

At the conclusion of the lockdown period the Chair and one Board member visited the Prison and spoke at length to approximately 30 per cent of the detainees across all wings about their thoughts and feelings during this period. Without exception, they expressed their thanks to the staff for the safe manner in which they were detained, together with the effective way in which the virus was prevented from entering the Prison. This, despite the extended periods in their cell, limited exercise opportunities and minimal communication with their families.

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 has been made with the development of a Mental Health Pathway, Resettlement Day Release (RDR) and Resettlement Overnight Release (ROR). The shortage of Board members reported on last year has been rectified due to a successful recruitment drive conducted by the existing Board members during which six new members joined the Board.

The Board is saddened to report that on the final day of the reporting period there was the death of a detainee at the prison. Little can be said about this event as it is the subject of an Inquest. The Board wishes to put on record its sympathy for the family and friends of the deceased detainee.

The Board is pleased to be able to report the completion of the work at the Court Custody Suite which was initially committed for completion in the last reporting year but had barely started by the end of it. Due to a very positive course of action by the Prison Governor and

his team, together with Executives from the Department of Infrastructure, this area is now clean, hygienic and safe for both detainees and staff.

The programme of Resettlement Day Release (RDR) and Resettlement Overnight Release (ROR) continues to develop and establish 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 at the conclusion of their sentence. The ongoing development of this programme remains a credit to both the vision of the Governor and his staff to secure the opportunities for work and the determination of the detainees to demonstrate that the trust placed in them is well-founded. The Board once again places on record its high regard for this initiative and looks forward to further developments during the coming year.

It is disappointing that whilst it is expected that detainees are returned to society ready and prepared to make an active contribution, there is reluctance by Government to provide funding to secure the education and training opportunities which can lead to this. Despite the progress made within the Education Department and the results being achieved in the personal development of detainees, this vital area is now being restricted in its contribution to the development pathway by a lack of adequate funding, resulting in year on year net reductions. The Education Department is operating with the same budget as three years ago.

The role of Custody Support Officer has been further developed with a reduction in the number of detainees for which each Officer is responsible. This has enabled far more in depth, meaningful interactions with detainees.

The Board is disappointed to report once again that following the advances made two years ago, there has still been very little movement with the Sentencing Bill this year. Detainees are still being given short sentences which create difficulties for both the Prison, which has insufficient time to engage in effective rehabilitation or education, and the detainees whose lives are potentially ruined. The Board urges the Minister to both actively progress this legislation and explore alternative sentencing options to short periods of incarceration.

The ageing fabric and equipment within the Prison continues to be an issue and the Government should prepare to allocate a budget to ensure that this can be repaired or replaced as required in order to maintain the high standards set within the establishment. The Board congratulates the Governor on the successful impact of the planned maintenance programme which ensures the Prison structure is as effective as possible. However, this does hide the funding deficit from Government.

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.

#### **SECTION 4: ISSUES FOR THE MINISTER**

- The Board would continue to urge the Minister to make sufficient funding available to deal with any repairs, replacement and structural issues which are bound to arise now that the Prison is 12 years old.
- The Board would urge the Minister to be aware of and support the need for the Department of Health and Social Care and the Isle of Man Prison to work closely together in the light of the many changes that will be taking place in Health and Social Care as a result of Sir Johnathan Michael's Report and the Transformation Board's work.
- The Board acknowledges the significant progress that has been made with the Mental Health Pathway and would urge the Minister to continue to support and fund this.
- 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. All too often, the Officers in the Close Supervision Unit have the extremely difficult task of safely managing and supporting these detainees. This is not acceptable. The Board would ask the Minister to consult his ministerial colleagues and reconsider the provision of an on Island Secure Mental Health Facility.
- The budget for Education in the Prison has not increased for many years, yet the yearly running costs of the Education Department in the Prison are increasing constantly. The Board would urge the Minister to release additional funds for this vital aid to rehabilitation and also to support the Education Manager's efforts to obtain funding for the refurbishment of the Prison Workshops for vocational training.
- The increase in detainees serving short sentences is of great concern to the Board. As highlighted in the previous two Annual Reports, the Board would ask the Minister to tackle delays in progressing vital legislation with increased effort and 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 is concerned by the failure of the Department of Home Affairs to meet Programme for Government targets and would urge the Minister to tackle these with the effort and resources they deserve.
- The Board would urge the Minister to ensure ring-fenced funding for Intervention Hub hardware requirements so the Hub can be used to its full potential to deliver all identified modules within an appropriate time frame.



- The Board would urge the Minister to promote the role of Probation across Government so that the social consequences of underfunding this service are better understood, particularly by Treasury.
- Whilst the Board is pleased to report that the 'Live Link' is being used more frequently by the Judiciary, there is still scope for improvement. The Board would encourage the Minister to continue to press for its increased use to reduce costly and time consuming escorts to the Courts.
- Following the success of the recruitment campaign during this reporting year, the Board would ask the Department of Home Affairs to ensure that funding is available to train and develop both the six new members and existing members. The Board would also hope to see continued 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).

#### **SECTION 5: ISSUES FOR THE GOVERNOR**

- As highlighted in several previous Annual Reports, the Board would still like to see consideration given to the introduction of CCTV cameras in the Kitchen. The Board also supports efforts to improve the quality of CCTV in other areas of the Prison.
- The Board appreciates the need to have comprehensive Induction Compacts but still feels that some detainees struggle to fully understand them. The Board would suggest that the language used in the compacts could be simpler to aid understanding.
- 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. Whilst such interactions should be part of all discussions with detainees, perhaps consideration could be given for a protected time slot for Officers to achieve this?
- The Board would urge the Governor to continue to support the Education Manager's efforts to obtain funding to enable full use of the Prison Workshops for vocational training. Should this initial bid be successful, the Board hopes that the Minister and the Governor will be able to identify and allocate sufficient funds to sustain such a vital initiative.
- The Board continues to encourage the Senior Management Team (SMT) to look at increasing options for work and possible Resettlement Day Release (RDR) opportunities for all detainees, but for female detainees in particular, now that the female prison population has increased.

- The Board would also support the continued use of Resettlement Overnight Release (ROR) wherever possible. The desire to achieve both RDR and ROR is very evident and the detainees who have reached this level of trust have shown great enthusiasm and application.
- The Board continues to encourage the SMT to bring changes and concerns that impinge on the routine and safety of detainees, to the Jurby Advocates for early notification and discussion. The Board also applauds the efforts of the SMT to encourage increased detainee engagement in suggested changes and new initiatives.
- 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.
- The Board is concerned about the seemingly large increase in the number of cases of bullying being reported.
- The Board is also concerned about the increase in the number of Folder 5 files being opened and what the reasons behind this might be.
- The Board would hope to see continued support and encouragement for the Officers involved in the Assessor Training project.
- As mentioned in previous Annual Reports, the Board would encourage further thought being given to promote greater use of the Library.
- Whilst supporting the policy to deal robustly and consistently with breaches of the Custody Rules, the Board is concerned by the increase in the number of detainees being held under Rule 40 conditions without adjudication or charge. The completion of Rule 40 paperwork should make it absolutely clear to the detainee why they are being held in the CSU. The results and requirements following reviews should also be communicated clearly.
- The Board remains of the opinion that the introduction of Voluntary Drug Testing would be beneficial.
- There remains a need for a more suitable area for private discussions with detainees held on CSU.
- The Board would like to see all Key Performance Indicator data included in the Prison and Probation Service (PAPS) reports on a quarterly basis following their publication in the Programme for Government.

- The Board would continue to encourage the Governor to ensure Interventions Officers are given protected times so they are able to achieve both timely and high quality interventions with detainees.
- The Board would urge the Governor to ensure that technology improvements are prioritised to enable detainees to gain maximum benefit from rehabilitation opportunities whilst they are in Prison.
- The Board welcomes the increased use of the "Live Link" to the Courts and would urge the Governor to continue to press for the facility to be used more frequently to reduce the need for detainee escorts to Court.
- The Board thanks the Governor and his staff for their support and hard work to bring about a change in the deplorable conditions in the Court Custody Suite. The Board is encouraged by the improved communication between all the parties involved and hopes that this will continue and develop in the coming months.

## **SECTION 6: RESIDENTIAL SERVICES**

**Wings:** During March 2020, changes to the Prison regime in response to the Coronavirus pandemic dominated the Prison agenda. F Wing changed from an Induction, RDR and Detainee Pre-Release Wing into a Reception and Isolation Wing. Those detainees deemed suitable for Home Detention Curfew were released on temporary licence. Those requiring isolation and new receptions of people breaching COVID-19 restrictions put pressure on F Wing with all new male receptions having to be isolated there for a period of 2 weeks. At the end of the reporting year the wing was already at 50 per cent of its maximum occupancy and further new receptions were expected. The Female Wing used its own isolation cell for isolation purposes and any new receptions.

The Board has evidenced that the Healthcare and Prison staff have responded and adapted very well to the demands of the Coronavirus pandemic, going above and beyond the call of duty to ensure a safe and secure environment for both new detainees held in isolation and the rest of the Prison population.

All the wings have been kept in good order during the reporting year; regular maintenance and cleaning ensure they are fresh and clean at all times.

Due to staff shortages, F Wing had to be run with reduced Officer numbers on numerous occasions during the reporting year. The situation was reviewed weekly by the Senior Management Team. The Board feels that this may have had a detrimental effect on more vulnerable new receptions, because they would not necessarily receive as much one-to-one time or might have spent more time in cell during the induction process.

The prison is now 12 years old and the commercial machines throughout the Prison are showing their age. The Board has witnessed the Works Department going the extra mile

to maintain and repair this equipment, replacing some of the less frequently used commercial machines with domestic machines to keep costs to the prison at a minimum. The decommissioned machines are used for spare parts; a good example of this has been in relation to washing machines on the wings. The Board is pleased to note an improved system for the replacement of appliances coming to the end of their useful life to ensure suitable use and safety.

Cell cleanliness is usually good given the constant usage and general environment. The introduction of e-cigarettes has more or less obliterated the smell of other smoking materials on the wings and has been widely welcomed by the detainees.

**Staffing:** Staff shortages due to illness occurred throughout the year and a rota system for closing wings was introduced. Staff absences increased dramatically at the end of the reporting year due to the mandatory isolation requirement implemented in March 2020 during the Coronavirus pandemic. The Board has evidenced that the remaining staff have filled the gaps, cancelling time off to report for duty in order to ensure the smooth running of the Prison. Inevitably, there has been disruption and changes to the normal regime as well as to Gym Sessions and Horticulture as part of the Prison contingency planning. The Board commends staff for their co-operation and flexibility in the face of increasing pressure as the pandemic progressed.

Succession Planning is still a priority within the Strategic Planning work and is ongoing.

Monthly Training Days continued until the advent of the Coronavirus with varied appropriate modules being offered. The Board was invited to join in where possible and this was much appreciated by those who have attended.

The Staff Care Team continues its valuable work of supporting colleagues behind the scenes with integrity and compassion.

Morning Handover Briefings and Daily Operational Briefings together with entries on the Prison Database (PIMS) allow staff to be continually updated on the Prison and detainees. It does still appear that some staff take a little time to catch up with events after periods of absence and this may have an impact on detainees.

In March 2020, the daily briefings were moved to the Multi-Faith Room as part of the COVID-19 contingency planning to allow for proper social distancing to take place.

**Custody Support Officers:** The Custody Support Officer Scheme re-launched in June 2018 and has been a welcome means of encouraging positive engagement between Officers and detainees.

The role has been modified and has improved notably, with each Officer now having only six detainees to support rather than the previous thirteen. However, there is still room for more interaction and improved skills when it comes to report writing.

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 towards the end of the reporting period, the Board feels there is room for further improvement. These detainees are particularly vulnerable and require ongoing support.

**Stores/Canteen:** This is a well-run and an excellently managed department offering a high level of service to detainees and Officers.

The new Stores Officer started during the reporting year and has continued to provide the same excellent level of service. The Board received one application in relation to Stores; this is a significant reduction.

**Kitchen:** Throughout the reporting year, the Kitchen has struggled with one Officer on long term sick leave. Even when the Kitchen has been short staffed it is run well and efficiently.

The Kitchen has also been left short staffed on occasions due to detainees being released or moving to other roles to improve their security level and prepare for Resettlement Day Release (RDR). To counter this and provide a more realistic working environment, the Kitchen now employs detainees on a full time basis which was seen as a positive step by both the Officers and the detainees.

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

Kitchen staff and detainees have worked hard during the year providing meals for the Food Bank (see the section on Purposeful Work).

The Board is pleased to report there have been no applications concerning the Kitchen and food during the reporting period.

The Board would still like to see consideration given to the installation of cameras in the Kitchen area for safety reasons.

**Reception:** The manner in which 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 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. Reception is open

seven days a week from 07:30 hours to 19:00 hours, and until 14:30 hours at the weekend. It will remain open at other exceptional times; e.g. the Courts sitting late or the potential recall of a person on Licence. The Prison is advised of any late sittings at the Courts by the Escort Contractor. In this event, Reception will stay open even if it means the night staff taking over the running of the area.

The Reception process is the responsibility of the Operations Group who carry out an extensive and thorough 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 prisoner. A full search is always undertaken by staff of the same gender as the detainee. Electronic scanning procedures are also carried out. During the reporting year the Prison installed new scanning equipment which helps greatly with detecting concealed mobile telephones, drugs and other prohibited items.

The Board has witnessed Reception staff carrying out their responsibilities and dealing with detainees in a dignified and respectful manner. All those monitored have been compliant with the procedures within the Reception Area. Detainees who give cause for concern may spend an initial period on the Close Supervision Unit (CSU) before going to the Induction Wing and ultimately, a Residential Wing.

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

**Induction:** The Prison ensures that all detainees receive a series of induction sessions after completing the reception process. Male detainees are housed on F Wing for induction and female detainees complete the induction process on D Wing.

The induction process entails a paperwork pack containing a series of compacts to be worked through with the Wing Officers.

The detainee has to 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 keep good order and discipline at all times.

During the induction process, detainees should be introduced to their assigned Custody Support Officers as well as being allocated to a Residential Wing. The Board has evidenced a number of occasions when the former has not happened or detainees appear unaware of whom their Custody Support Officers are. 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.

Whilst the induction process is very comprehensive, the Board feels some vulnerable detainees may struggle to take in all the information given to them. There are a large number of compacts to understand and many rules and regulations to assimilate during what can be a very stressful time for the detainee. The Board would also suggest that the language used in the compacts could be simpler to aid understanding.

## **SECTION 7: HEALTHCARE**

The year 2019 - 2020 has seen some significant changes in the Healthcare Team and its service provision.

The Prison Healthcare Management Group and Patient Safety and Governance Committee meet every quarter. The meetings are chaired by the Department of Health and Social Care (DHSC) Chief Operating Officer.

These quarterly meetings are underpinned by monthly Safer Custody meetings held in the Prison attended by the Prison's senior staff and a member of the Healthcare Team.

**Staffing:** The structure of the Healthcare team was altered from April 2019. A new Team Leader was appointed as well as new Registered Nurses (RN's). This recently formed team has a Paramedic working with them, thus providing different but nevertheless very useful skills. The Team Leader has additional training in the provision of Cognitive Behavioural Therapy (CBT). Other RN's have been trained in mental health first aid and one has a psychology degree.

The current team is proficient in dealing with many challenging detainees and manages their health needs well. The team also works well with the rest of the Prison's staff and communication is well maintained.

**Administration of Medicines:** The plans to administer medication on each wing are still in place but the practice had not commenced by the end of the reporting year. However, a trial run over the Christmas period to deliver medication once a day only worked well and this practice continues.

The need to have Non-Medical Prescribers (Nurse Prescribers) has been identified. Two staff members with this specialist qualification have left so it is necessary to replace these skills. Nurse Prescribers would help to manage the transition from community to prison, enable detainees to receive their medication quickly and save the healthcare professionals' time. The team is willing to take on the training but the capacity for this type of training provision is limited, therefore it is necessary to wait until the DHSC can offer this opportunity to the Prison's RN's.

**'Flu Vaccinations:** The Board is pleased to report that the concerns expressed in last year's Annual Report have been addressed. All detainees were offered a 'flu vaccination and received one if they wished to have it.

**Mental Health:** Provision of Mental Health Care has been steadily increasing. A Mental Health Nurse holds weekly clinics every Thursday. A Consultant Psychiatrist visits every Friday. The new RN's have additional skills in helping detainees with mental health issues. The Anxiety and Stress Management Group was not well attended so this has now been changed to 1:1 provision from a Counsellor. The CRUSE Bereavement Service continues to provide bereavement support.

**Clinics:** In addition to Mental Health Clinics, other regular clinics continue to be held. These are the GP, Dentist, Optician and Motiv8 Addiction Services. The Smoking Cessation Clinic has been put on hold. Physiotherapy provision is being re-assessed due to some difficulties with timing.

**The Future:** Following the publication of Sir Jonathan Michael's Report in 2019, the Isle of Man DHSC is undergoing a major restructure. Part of this work will be the launch of a Custodial Healthcare Project which will see end to end service provision from reception into Police Custody through to the Prison involving the Courts and the Probation Service. At the time of writing this report, the appointment of the Head of Custodial Healthcare was imminent. The Board looks forward to monitoring and reporting on these important developments in the provision of vital healthcare services to detainees.

**COVID-19:** Towards the end of the reporting period the Coronavirus Pandemic developed. The Isle of Man Prison reacted swiftly by putting in place its emergency plan and the "Red Regime" was introduced. This regime focused on safeguarding and maintaining good health amongst all detainees and prison staff. In one of the Isle of Man Government's daily briefings, the Prison Governor and his team were given due recognition and praise for the excellent work that they carried out.

## **SECTION 8: PURPOSEFUL ACTIVITY**

There are several works items that are carried out daily within the prison. These include wing cleaning, kitchen work, servery work 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 environments of the prison.

Last year, the Board was pleased to note that there were proposals to refurbish the Vocational Workshops within the prison. Unfortunately, because of budgetary constraints these did not come to fruition. Towards the end of this reporting year it was encouraging to learn that the Education Manager had outlined proposals to use the Workshops for trades training and begun exploring options to secure the funding required. The Board hopes that these proposals will meet with approval and a suitable budget will be allocated for this important initiative to enable the Workshops to be used to their full potential. The Board



believes that once in operation, the increased use of the workshops will give detainees the skills and confidence that will assist with their re-integration into society after release.

Once again, it has been noted during the year that Horticulture activities have continued with a variety of quality vegetables, salad crops and herbs being produced. Potatoes, Leeks, Onions, Broccoli, Cauliflower, Lettuce and Spring Onions were some of the crops grown. These together with Chilli Peppers, Parsley and Thyme and other herbs were used to supplement stores in the Prison Kitchen. Donations of vegetables from the Wing gardens were made to schools for Harvest Festivals and Mhellihs.

As in previous years, the detainees continue to make Morse Bags and Bags for Life. In a similar way, 92 Wallaby Bags were made in response to the devastating fires in Australia. These were forwarded to Australia through a charity. Other items manufactured included kindling for the Department of the Environment, Food and Agriculture (DEFA) and several furniture items were up-cycled for the Hospice.

In September, the Prison Kitchen moved to full time working for the detainees employed there. The change was to better reflect working life outside the Prison and prepare detainees for work regimes when released. The initiative has proved to be very successful.

The Board is pleased to note that the Kitchen has been making meals for the Food Bank from donated food since March 2019. The Kitchen has, to date, created over 1,300 meals for this worthy cause.

The Board is also pleased to report that the Senior Management Team (SMT) continues to pursue actively work projects outside the Prison. Detainees are given the opportunity for Resettlement Day Release (RDR) which involves release on temporary licence (ROTL) and work with supervised work parties outside the Prison. These opportunities encourage trust and self-reliance whilst improving skill levels. They also assist with the re-integration of detainees into the community after release. The opportunities for RDR are sought keenly by detainees and help to maintain good order and discipline. There were occasional lapses of trust and some detainees were removed from the RDR programme, but these were few. The Board is pleased to note that these lapses have not affected the SMT's ongoing commitment to RDR and the Work Party Programme. Any detainees engaged in paid outside work receive a percentage of their wage with the remainder going to charitable causes.

During 2019 – 2020, in excess of 1,200 man-days of work were undertaken by detainees working on RDR and Work Party Community Projects identified by the SMT. This compares with over 750 in the year 2018 - 2019. This year's figure would have been even greater but for the Coronavirus emergency and the need to self-isolate, which curtailed RDR and Work Party activities in March 2020. Overall, this equates to approximately 109 man-days of work per month over eleven months of the 2019 – 2020 reporting year. Work has included painting, beach cleaning, plastering and laundry work. Job interviews have been arranged and permanent job offers have been made to detainees upon release as a result of the work experience gained during the RDR and Work Party initiatives.

It should be noted that, in order for detainees to be released on temporary licence the Prison must carry out stringent security checks on the individuals being considered. Each detainee must sign an agreement to abide by certain rules and codes of conduct whilst on RDR. It has been encouraging to see the number of projects generated by the efforts of the Prison SMT.

Whilst not directly related to external work opportunities, the Board was pleased to note that four detainees enjoyed Resettlement Overnight Release (ROR) with their families over the Christmas period. These detainees had demonstrated reliability and trust allowing them to be temporarily released over the Christmas holiday period. Certain detainees have also enjoyed ROR at weekends and other holiday periods. The Board is encouraged that this will lead to the maintenance of family ties which may, in turn, assist with reducing reoffending.

However, the Board notes that work opportunities still involve predominantly male detainees. There have been some opportunities available for female detainees and it is noteworthy that one female detainee was awarded an extra £50.00 by her employer for her hard work during a difficult period for the company. The Board encourages the Prison Management Team in their ongoing efforts to generate meaningful work for female detainees, particularly at a time when the female prison population has increased significantly.

The Coronavirus pandemic affected work activities at the end of the reporting period and its impact is likely to be felt for a while during 2020. This will significantly affect the opportunities for RDR and Work Party activities for some time to come.

## **SECTION 9: THE 'JURBY ADVOCATES' (PREVIOUSLY KNOWN AS THE PRISONERS' COUNCIL)**

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 held every other month with pre-meetings and interim meetings held between representatives and members of the Senior Management Team (SMT) to review items raised by detainees and agree the agenda for the next meeting. There are also a number of sub-committees. The change in emphasis reported in 2018 - 2019 has continued with detainees chairing the main meeting and producing the agenda and minutes. They are also 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".

During the reporting year, the Attorney General's Office launched a consultation exercise to look at the current Legal Aid system and obtain feedback from all those involved. Detainees were encouraged to contribute to the consultation and were visited by members of the Attorney General's Office to give them the opportunity to present and discuss their input. The 'Jurby Advocates' had a significant role in this. The detainees were praised for their contribution to the debate which was well-argued and thought-provoking.

Subjects covered in the 'Jurby Advocates' meetings have been many and various. For example, e-cigarettes, education, monies into and out of the prison, healthier food options, diabetes, changes to the Incentive and Earned Privileges (IEP) process, and the introduction of the new body scanner.

There were several meetings where issues concerning e-cigarettes were raised. The SMT kept the representatives informed about ongoing changes and brought Officers to meetings to explain progress and delays.

After discussions about diabetes in the Prison, it was pointed out that blood glucose urine tests are carried out when detainees enter the Prison and that healthy meal options are available. It was further decided to remove snacks and sugary drinks at supper time and substitute fruit as an alternative.

In March 2020, the Coronavirus emergency meant that the scheduled 'Jurby Advocates' meeting was cancelled. However, meetings between representatives and the SMT continued. It was at these meetings that the Coronavirus situation was discussed and the proposals from the SMT to deal with the emergency reviewed. The 'Jurby Advocates' appreciated the information they were given to pass onto the other detainees. The Board was pleased to note that the detainees were kept informed of the ongoing situation both within and outside the Prison through daily updates posted on the wings and believes that this helped to defuse any adverse speculation and reaction to necessary changes to the Prison regime.

The Board was pleased to note the continued attendance of Senior Officers at the 'Jurby Advocates' Meetings to explain the reasons for rejection or delayed resolution of items raised by the Advocates. Whilst at least one Deputy Governor attended each 'Jurby Advocates' meeting, the Governor also attended regularly to explain strategic policy. His attendance at meetings was appreciated by both the Board and the detainees.

## **SECTION 10: SAFER CUSTODY**

The Prison through the Governor and his dedicated team continues to provide a safe and secure environment both for those detained there, and for staff and visitors. As mentioned elsewhere in this report, there has been a further significant increase in the number of detainees rewarded for their behaviour and participating in rehabilitation plans through access to RDR (Resettlement Day Release) and in some cases, ROR (Resettlement Overnight Release). These two hard-earned activities continue to be major tools in the preparation of detainees for release and re-integration into society. RDR and ROR together with the continuing improvements to the Incentives and Earned Privileges Scheme (IEP), ensure that the detainees now have access to a truly live system which is subject to continuous review and development.

The Board is aware of the significant input from staff into engaging detainees so that they learn to demonstrate and sustain exemplary behaviour in order to be ready for release and re-integration into society.

Each detainee is assigned two Custody Support Officers (CSO's) who meet them regularly and document any issues that surface. The information gathered is documented on the detainee's record, thus enabling the staff to deal with anything that may arise.

The Mental Health Pathway previously reported on continues to take shape and quicker, more regular access to mental health professionals by detainees is beginning to take place.

**Incentives and Earned Privileges (IEP):** As referred to earlier, the IEP Scheme continues to be reviewed and revised to keep pace with the changing nature of Prison life. This live system encourages detainees to engage fully in their rehabilitation path as opposed to just behaving well to gain progression through the stages; the ultimate goal being to participate in RDR and/or ROR.

At the end of this reporting period, the percentage of detainees on each level when compared to the previous three years was as follows:

	<b>March'20</b>	<b>March'19</b>	<b>March'18</b>	<b>March'17</b>
Basic	1%	9%	4%	4%
Standard	33%	49.5%	52%	42%
Enhanced	66%	41.5%	44%	54%

The Board is delighted to have been able to witness the hard work required from both detainees and prison staff to achieve and maintain these levels of inclusion. It is a credit to all concerned and clearly demonstrates the effort applied.

**Bullying Incident Reports (BIR's):** The Prison takes reports of bullying very seriously and monitors the situation closely by raising BIR's where bullying is suspected or reported. Throughout this reporting period, a total of 24 BIR's were opened which disappointingly, is an increase of over 30 per cent from the 2018 – 2019 reporting period. This may illustrate an increasing problem but might also be due in part to better, more vigilant identification of bullying incidents and prompt reporting.

**Folder 5:** This system identifies those detainees who require close monitoring to ensure their safety. These are detainees who are likely to self-harm or are otherwise assessed to be at risk.

During this reporting period a Folder 5 was opened on 38 occasions and 37 were closed. This is an increase of almost 12 per cent from the previous reporting period. During the ten Safer Custody meetings held during the reporting period, all those placed on Folder 5 were recorded and discussed. One detainee remained on Folder 5 at the end of March 2020.

N.B: When looking at the statistics for both BIR's and Folder 5, it should be borne in mind that the prison population increased significantly during the reporting year, with a number of detainees serving very short sentences.

**Meetings:** Safer Custody meetings are normally held every month. These are attended by Prison staff, Healthcare, Education, Probation, the Samaritans and IMB Members. Vulnerable prisoners are highlighted and those suspected of being bullied discussed.

Whilst acknowledging staffing issues during the reporting year, there is a continuing disappointment that, whilst there was limited attendance by the Probation Officer based in the Prison, community-based probation staff did not attend despite numerous requests to do so by the Chairperson of the meeting.

**Supported Living Plans (SLP):** Specific guidelines for detainees with serious health or mental health issues and detainees over the age of 60 are in place. These require the Healthcare Department to take responsibility for co-ordinating a care plan and liaise with the detainee's Custody Support Officers who will then ensure that monthly reviews, which involve the detainee, are conducted and all the relevant information is recorded.

**Late Arrivals at the Prison:** This issue that had caused some difficulties in the past appears to be resolved and was rarely a concern during the reporting year.

**Death in Custody:** On the final day of this reporting period, a Death in Custody occurred. The Chairperson and one Board member attended the Prison as required by the Custody Rules. The death is the subject of an Inquest and investigation and as such no comment can be made at this time. The Board is deeply saddened by this event.

## **SECTION 11: EQUALITY & DIVERSITY**

**The Isle of Man Equality Act 2017:** 1<sup>st</sup> January 2019 saw the implementation of the first phase of the Isle of Man Equality Act 2017. The second phase was implemented on 1st January 2020. The Act is one of the most important pieces of social legislation to be enacted in recent times and will have a major impact on Manx society including all those who live and work at the Prison.

The Senior Management Team (SMT) at the Prison is fully committed to ensuring compliance with the Act which affects both detainees and staff alike. The Government wide Isle of Man Equality Act Implementation Group was disbanded in January 2020 but the Governor and a Senior Prison Officer still attend meetings at the Department of Home Affairs to discuss equality and diversity issues. All new policies and any policies under review within the Prison require impact assessments to ensure compliance with the Act and provide fair and equal treatment for all. The Board will continue to monitor this important aspect of detainee treatment as the Prison population becomes more diverse and the number of female detainees continues to increase.

**Equality and 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. These are usually identified during the reception process when a healthcare assessment will be undertaken so that staff can be made aware of any requirements and needs. In addition, it has been evidenced that other detainees are always very ready to assist someone who has difficulties, whatever they may be. There is a written policy covering the treatment of older detainees.

It is inevitable that as there is such a diverse group of foreign nationals now living on the Island, there will be detainees who do not speak English as their first language. There are tablets on the Induction Wing which can be used to translate to help with the written/verbal barrier. There is a written policy to cover the use of Interpretation Tablets. The Board has also evidenced detainees who speak other languages helping new foreign nationals to settle in.

Veterans constitute anyone who has served in Her Majesty's Services or the Merchant Navy. There are two designated Officers who actively support Veterans and a written Veterans' Policy. The Veterans Officers offer valuable support in the Prison and help detainees to link up with support agencies on their release.

**Women:** The female prison population increased dramatically during the reporting year. At times, it has been a volatile mix of detainees with challenging personalities, behaviour and healthcare needs. The efforts of Officers to defuse difficult situations and deal with them sensitively and quickly, is to be applauded. The wing is always spotlessly clean and tidy and certain detainees have gone out of their way to support those struggling in a custodial setting. A representative from the wing attends the 'Jurby Advocates' meetings and participates in discussions. Most of the female detainees embrace any educational or other opportunities offered to them, but as has been mentioned elsewhere in this report, there remains the need to develop more varied and rewarding employment options for them. If the female prison population remains at current levels, this requirement will become increasingly urgent.

**Chaplaincy:** The Chaplaincy Team represents the Roman Catholic, Church of England and Baptist Faiths. A member of the team visits the Prison daily and inter-denominational services are held weekly for those detainees who wish to attend. The Board recognises that the Chaplaincy Team offers compassionate pastoral support to detainees and their families as well as assisting all faith groups to practise their religions. A member of the Chaplaincy Team attends the 'Jurby Advocates' Meetings regularly and the team also provides input to other meetings whenever possible. Unfortunately, the Chaplaincy Team had to suspend visits to the Prison towards the end of March 2020 when the Coronavirus restrictions were implemented.

## **SECTION 12: EDUCATION**

The Education Department has been through some major changes this year following the retirement of the Education Manager in April 2019. The new Education Manager supplied by the University College, Isle of Man (UCM) divides her time between UCM and the Prison. An Assistant Programme Manager has been recruited to work with her and is due to begin her duties in June 2020 to provide support and cover for both the College and Prison roles. The

closer ties between UCM and the Prison have provided some positive developments in the Education Department.

This year, changes have been made in how the Education Department publicises vacancies in classes and how they encourage the detainees to attend. This seems to be working very well as the classes are usually full to capacity. Statistics produced by the Education Manager show that on average about 50 per cent of detainees take part in education.

Student Services representatives from UCM attended the Prison to offer information and guidance to detainees who were due to be released before the new academic year commenced in September 2019. This was very successful and well attended. One detainee started a full-time Catering Course in September 2019 and another passed his Level 1 Joinery examination and was successful in his application to commence the Level 2 Joinery course in September. As at March 2020, there were nine applications to attend UCM when the new academic year begins in September 2020.

Students have been very successful in examinations during this reporting year:

- Six students took their iGCSE Mathematics examinations during 2019 and all were successful. In January 2020 a further two students sat their iGCSE Mathematics examination and both passed.
- Four students sat the Level 1 Functional Skills English Reading examination, one sat the Level 2 Functional Skills English Writing examination and one sat the Level 1 Functional Skills Mathematics examination. All the students passed.

Classes for 2019/2020 included:

- Four students working towards a City & Guilds Level 2 Database exam in Information Technology.
- Digital Media classes for the female detainees.
- Motor Vehicle Project Classes which are proving very popular with both the male and female detainees. Two of the students have completed and passed the Motor Vehicle Project.
- Driving Theory Tuition.
- Mindfulness Courses which were very popular.
- Ukulele lessons began for the female detainees as an alternative to the guitar.
- A new OCR Level 3 stand-alone qualification in Mathematics is due to begin with three detainees being taught by an experienced tutor from UCM
- Three students successfully completed the City and Guilds Level 1 qualification in Horticulture and all are currently working towards completing Level 2.
- Two students applied for distance learning courses; one on Sheep Farming and one on Proofreading.
- Care in the Family started the '60 Minute Mother' course with the female detainees during March 2020. The course runs for six weeks. Unfortunately, only one class had taken place when the Coronavirus restrictions began, but the detainees are keen to finish the course once education recommences.

A Dyslexia Specialist attended the Prison to screen three detainees for dyslexia. All three were diagnosed as dyslexic and will be offered support. This will help their development in education.

The Assessor Training Tutor from UCM came to the Prison to speak to Prison Officers about the training required to become Assessors. Once qualified, the Officers will be able to assess detainees in the gym, horticulture, kitchen and cleaning duties, whilst the detainees go about their daily work and activities. Eight Prison Officers have now signed up to be trained. This will give detainees another opportunity to gain a qualification before leaving prison.

Once again there was an excellent entry for the Koestler Arts Awards which are open to all those in custody and clients of the Probation Service in the UK, Channel Islands and Isle of Man. This year 30 detainees achieved certificates, two received commended awards and one received the first-time entrant award and a cheque for £25.00. Entries this year will include Art, Craft, Creative Writing, Poems and the Hair Design Category.

An Art Exhibition was held at the Engine House, Castletown, displaying detainees' painting on blinds. This was very well attended with the Lieutenant Governor opening it and many MHK's, including the Chief Minister, were in attendance. The work is the culmination of a project completed by Art students who have used recycled roller-blinds as canvases.

The new Cookery Tutor attended and passed a Level 2 Food Safety course. This will enable the tutor to teach Levels 1 and 2 to the students. During December, there was a Prison "Bake Off" competition between the wings. The detainees were very enthusiastic and some excellent baking was produced, resulting in three winners and three second places in various categories.

The Workplace Co-ordinator and Manager for Social Services attended the Prison and discussed offering three months' work placements for detainees on release. These could lead to permanent work. Also discussed were work placements for detainees on day release. Detainees applying to UCM to learn a trade on the apprenticeship scheme will need these work placements.

More and more detainees are expressing an interest in full time education but the budget for education has not increased for many years. In addition, the yearly running cost of the Education Department in the Prison is constantly increasing, therefore, the budget for projects has decreased. Unfortunately, the Workshop project had to be shelved again this year, due to lack of funds. An application has been made to the Lottery Trust to see whether some funding might be made available and the initial signs are encouraging. The Education Manager is juggling resources continuously and is actively trying to find volunteers to enable the department to expand the curriculum. Yoga classes were offered to detainees from March 2020 with the instructor giving her time on a voluntary basis. Another volunteer tutor is giving crochet lessons which have proved very popular with the female detainees. The Education Manager is also exploring whether representatives from a local bank might provide short courses on managing money.



The link between UCM and the Prison Education Department continues to grow and the Education Manager is hoping to develop education at the Tromode House Community Rehabilitation Centre to maintain the momentum for detainees and offer similar opportunities, particularly with Cookery and Guitar lessons.

As the IMB Annual Report was being finalised, Education classes had to be suspended due to the Coronavirus pandemic. The Education Manager and female detainees worked hard to put together activity packs to give every detainee the chance to study and keep occupied during a very difficult time. The packs included English, Mathematics, Art and Fitness suggestions as well as puzzles to keep their minds active.

**The Library:** The Library is usually open to detainees on Wednesdays and Sundays. Unfortunately, it remains an underused resource and its development as a research and study facility mentioned in the 2018 -2019 Annual Report has not happened.

Following a request made to the Board by some of the detainees for an up to date law reference book, a Criminal, Pleading, Evidence and Practice book was sourced and is now available in the Library. The Governor was very happy to grant this request. Also, Mindfulness books will be issued to the Library to cover the classes which will be available again once the Education Department opens after the lock-down due to the Coronavirus.

During December 2019, the Library was transformed into a "Pop-Up" Toyshop. Toys were chosen from Hospice Shops around the Island and brought into the Prison to give detainees the opportunity to purchase toys for their children at a reasonable price. It was a huge success.

### **SECTION 13: ADJUDICATIONS**

**Governors' 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.

Over the reporting year, there was a decrease in the number of adjudications throughout the Prison, with the total during the period being 358. During the reporting period, 77 adjudications were dismissed for a variety of reasons.

Board members have attended several Governors' Adjudications this year with the consent of the detainee. We have been satisfied in all cases that the adjudications are being administered professionally and detainees treated fairly in both the process and the award. Adjudication paperwork is also reviewed on a regular basis to ensure correct procedures are being followed.

During the reporting year, 36 per cent of adjudications listed were referred to the Independent Adjudicator due to the serious nature of the breach of the Custody Rules.

**Independent Adjudicator:** In July 2017, the Prison introduced a new regime after a change in the Custody Rules allowing an Independent Adjudicator to preside over adjudications of a more serious nature. Previously, this role had been undertaken by a panel of Board members. The Board felt this role was wholly inappropriate and petitioned for many years for the rules to be changed.

The Independent Adjudicator is a legally qualified impartial person and the Prison currently has two such Adjudicators available to ensure that all detainees are adjudicated upon in a fair and proper manner. The Board welcomed the introduction of the role and believes it adds credibility to the adjudication process for serious breaches of Prison rules.

Between April 2019 and March 2020, the Independent Adjudicator conducted 129 adjudications. In the previous reporting year, the Independent Adjudicator conducted 105 adjudications; this is an increase of 22 per cent.

Awards made by the Independent Adjudicator are based on a tariff for each type of offence to ensure consistency. The sentences awarded often include additional days in custody and the number of additional days awarded has increased significantly. The Board is satisfied that they were just and fair awards.

Detainees can apply directly to the Prison Governor for a reduction in sentences of additional days awarded by the Independent Adjudicator after a sustained period of at least six months' good behaviour has been proven. The Governor has the authority to reduce the award by up to 50 per cent.

During the reporting year a detainee challenged the legality of the awards made by the Independent Adjudicator. In Court, Deemster Corlett said "the guidelines differ markedly from those in the UK and have no rational basis." The Deemster's judgment quashed 271 additional days in prison that had been given to the detainee.

Deemster Corlett said "the court is always reluctant to declare unlawful, discretionary guidance issued by a government department but it was entitled to interfere where there is no reasoned explanation for a decision, which has had an effect on the liberty of the individual."

The Board continues to fully support the use of the Independent Adjudicator by the

Prison to deal with more serious breaches of the Custody Rules. An appeal against Deemster Corlett's judgement has been lodged. The Board awaits the result of this action taken by the Prison to ensure the Independent Adjudicator's position is clarified in the best interests of both detainees and Prison staff.

#### **SECTION 14: DRUG TESTING**

Dealing with detainees who have taken controlled drugs is important within the prison. Testing for this is a demanding role. Testing for drugs is through a Mandatory Drug Test (MDT). This determines those who have or have not taken controlled drugs. Additionally, New Psychoactive Substances (NPS) now have to be taken into account.

Drug testing results are broken down into four categories: Random Testing, Frequent Testing Programme, Suspicion Testing, and Risk Assessment Testing. During the reporting year, a total of 42 drug tests were carried out. The split between the categories was 2 Random Tests, 5 Frequent Tests, 32 Suspicion Tests and 3 Risk Assessment Tests.

The Board has noted that once again, the majority of Mandatory Drugs Tests were carried out as Suspicion Testing with a reduction in the number of MDT's 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 in policy by the Prison led to Suspicion Testing becoming the central focus. This is 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.

A number of 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 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)**

Previously called the Segregation Unit, E Wing was renamed the Close Supervision Unit during the reporting year to more accurately reflect its primary use: to closely monitor and support detainees for their safety and for the safety of others. Staff on the CSU have also 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.

To assist with the introduction of the revised regime, the CSU underwent minor refurbishment works during the reporting year. This was carried out by the Works Department in-house to install a small kitchen servery unit to facilitate food service and a laundry facility for the wing to allow it to function independently of the Central Laundry.

Predominantly detainees are removed from their normal Residential Wing and placed in the CSU to separate them from other detainees. The majority of 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.

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

The Board is pleased to note that the use of the CSU has decreased during the reporting year, with some periods when the wing had no detainees at all.

The Board believes there is still 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 support for the 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. Further thought could be given as to where the discussion might take place.

During the reporting year, the Board has been concerned about certain 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 tirelessly 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.

Thankfully, such occasions are becoming less common, but the Board believes these detainees would be treated differently if secure mental health facilities were available.

Whilst supporting the decision to deal robustly with bad behaviour, the Board has been concerned about the increased use of Rule 40 during the reporting period with many detainees being held in cellular confinement for substantial periods with no charges being laid or adjudications being held. The Board has also viewed the Rule 40 paperwork given to detainees and has evidenced a number of instances when the reason for detention was vague or unclear.

Six serious or notifiable incidents have been recorded on the CSU during the reporting year including incidents of Officers being assaulted, detainees refusing food and incidents of self-harm.

The Board is exceptionally impressed by the work of the Officers on the CSU. They are exposed to many risks and episodes of challenging behaviour and their work is highly demanding. The support they give to Board members when on the wing is very much appreciated.

## **SECTION 16: CRIMINAL JUSTICE SYSTEM (CJS)**

The Board is sorry to report that this has been another disappointing year with minimal legislative progress. The Justice Committee, a Standing Committee of Tynwald, produced a report in April 2019 following oral evidence given by the Minister and Interim Chief Executive of the Department of Home Affairs (DHA) in January 2019. The report highlighted the lack of progress in the implementation of the CJS strategy which was approved in December 2012 with the following aims: fewer people entering the CJS, reducing the time taken to get offenders to Court and the number of offences going through Court, providing an effective system for victims and reducing offending rates.

The Board remains concerned about the paucity of published data to evidence the progress that has been made. As part of the Programme for Government, additional Key Performance Indicators (KPI's) are collated by the Prison for the DHA. These include Safety, (absconds or breaches and Control and Restraint (C&R) training), Respect (clean and decent conditions), Resettlement (help and support to maintain links with families) and Purposeful Activity (expanded KPI data this year includes the percentage of offenders attending work or education), but again, these figures are not communicated widely.

In addition, 11 of the 12 Programme for Government actions set in April 2017 for the DHA were "amended" in April 2019 for completion by late 2020, or beyond. These included, "Create a single offender record for the Isle of Man Criminal Justice System" and "Develop a strategy to enhance early intervention through multi-agency working to prevent offending and reoffending".

The Board is pleased to note that a defined re-offending rate has been established and calculation has been back dated to provide a trend which is around 12 per cent. Nevertheless, the Board would have to observe that its interactions with detainees upon reception into Prison would include many familiar faces.

Criminal Justice System legislation went out to consultation in July 2016 and the Board responded on the terms of custody, probation, sentencing flexibility, intermittent and/or alternatives to custody. The full results of the consultation were made public in April 2017. A further consultation in respect of offender management, sentencing and domestic abuse concluded in August 2018. The "re-start" of legislative plans for CJS reform, Domestic Abuse and Sexual Offences and Obscene Publications Bills has recently been announced by the new DHA Minister.

The CJS reform containing the early intervention elements (fixed penalty and cautions with conditions attached - alternatives to custody) is now indicated as operational in February 2021. This is disappointing because it was reported for progression by July 2019 in last year's Annual Report. Given the persistence of elevated detainee numbers in the Prison throughout the past two years, this is a concern. The Board would suggest that detainees with short sentences would have benefitted far more from a non-custodial alternative, had it been an option. The consequence of the COVID-19 emergency powers upon operational activity at the Prison was extremely disruptive to detainees and staff alike and was tolerated with remarkable fortitude by all involved.

Meanwhile, as reported in the Resettlement and Probation Sections of this report, the Prison and Probation Service has made good progress in the area of addressing offender behaviour with more Resettlement Day Release (RDR) and Resettlement Overnight Release (ROR) Licences to include overnight and holiday period release as permitted within the limitations of the current legislation with over 1,200 RDR and work days achieved.

### **SECTION 17: OFFENDER MANAGEMENT/RESETTLEMENT**

January 2019 saw the expansion of the Resettlement Team to include a Horticulture Officer and two Intervention Hub Officers. The dedicated Officer for Horticulture has improved opportunities for detainees this year. The recorded quantities of fruit and vegetables supplied to the Kitchen are testament to all the hard work being achieved outside on a year-round basis. It is particularly pleasing to see this can now apply to the Female Wing also if detainees are interested.

The Intervention Hub (IH) posts have seen less stability and maintaining training and supervision of these roles has proved difficult. It was intended that the expanded team would also include a Trades Officer. This vital role was approved in 2019, but despite a genuine applicant, there have been technical and funding hurdles which must be a disappointment to the many detainees who have hoped for this long-awaited provision.

The Resettlement Team has continued to build upon team working with both Probation and Education. Their willingness to provide support to Prison staffing in general and Probation in particular, (which has suffered severe staffing shortages during the past year) must be applauded. The caveat is that this can impact upon the opportunity to achieve planned Intervention Hub (IH) Modules. In June for example, 85 hours of relief staffing equated to non-completion of 9 IH Modules in vital subjects such as Cannabis Awareness.

The difficulty of teaching IH Modules without keyboards continues. This was highlighted as essential for effective learning in last year's Annual Report but resources have not been

forthcoming on this front. However over 100 IH Modules were completed throughout the year across all the available subjects including a new Woman's Programme Module. The Board noted that module completions were lower in the last quarter of the reporting period as general Prison staffing came under intense pressure. Happily, ongoing funding by DHA for the IH programme seems to be secure for future years.

IMB members have attended the weekly Resettlement meetings from time to time during the reporting year to observe mid-sentence custody planning (CP2 and CP3) and pre-release planning (CP4). The Board is pleased to report that most detainees are being seen in an appropriate and timely manner. Generally, detainees are better prepared for their Resettlement meeting. A Wing Officer accompanies the detainee to the meeting on a regular basis and they are prompted to bring a copy of the monthly Custody Support Officer Report. The Resettlement Team members have been very pro-active on the wings which has greatly assisted the process. Detainees are given clear targets at their review for the IH Modules they are expected to complete but Intervention Officer capacity has meant that not all were able to be completed prior to release.

The input from both internal and external Probation to Resettlement meetings has been patchy since the retirement of the full time in-house Prison Probation Officer in October. Licence conditions need timely and thorough explanation. This has had an impact upon the Resettlement Team who often had to fill the gap in this regard. Arrangements are made for the first external Probation appointment and an appointment letter should be given to the detainee at the pre-release meeting.

Detainees also have access to information about support services and benefits available to them (DHSS, Drug and Alcohol Team, Job Centre, accommodation agencies etc.). Healthcare staff have attended some meetings and provided written input when unable to attend. Detainees are encouraged to maintain a healthy lifestyle through the NSC Scheme. It is vital that this funding continues for the foreseeable future.

Overall, engagement between staff and detainees is open and transparent with problems being patiently handled. Some detainees tend to take the line of least resistance and are reluctant to engage fully with the process, preferring to have things "done to them" rather than accepting responsibility for their future path. It is hoped that the change of venue for the meetings to the Multi-Faith Room has improved engagement. Detainees could be encouraged to speak at Resettlement through the use of open questions. More daily interactions on the wings by Custody Support Officers through methods such as "Five Minute Interventions" could be encouraged by Senior Officers.

There has been an increase in pre-release visits to various agencies to assist long term detainees with discharge arrangements. There has also been a wider range of overnight and extended home visits with thorough and well communicated risk assessments. The range of individually paid work placements and work party activity in a wider range of settings is also to be commended with over 1,200 days working outside in the community.

Whilst the Board is pleased to report positively on the great progress in Resettlement during the reporting year, there remain areas of concern. 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 Reports still vary considerably in content and availability. There is certainly room for greater participation by Officers in the Resettlement Meetings. A copy of the Custody Support Officer Report for the detainee might be of benefit to aid reflection. The introduction of a checklist for the Resettlement Meeting might also help to ensure that nothing important is missed.

Whilst Parole Committee decisions were notified in a timelier manner earlier in the reporting year, there was some evidence of a deterioration in this towards the end of the period. This had a knock-on impact upon an already overstretched Resettlement Team who have shown determination and flexibility to support detainees within the Prison and improve their chances for a successful release into the community.

### **SECTION 18: PROBATION**

Tromode House opened up to discharged detainees and bailees from 30<sup>th</sup> September 2019 and includes accommodation for females and one disabled room. After initial teething issues with security and absconds, the procedures have been continually refined. Almost immediately at full occupancy, the layout has been further reconfigured to add two extra bedrooms, making a total of twelve. Having reported since 2012 about new "bail hostel" facilities being imminent, the Board is pleased to see this important addition to the offender journey in full operation.

Two Board Members visited Tromode House in November 2019, viewed the facilities and spoke with residents and staff. It was impressive how all were co-operative, and transparent about the continual improvement required to further progress the service. Thorough planning and ongoing review of procedures is evident and the delivery of face to face and hub-based interventions as well as classes in Guitar, Cookery and Art are now also in place.

The Tromode House Probation Team has however, had another difficult year, in terms of recruitment and retention. In-Prison Probation presents a similar picture; a daily dedicated presence has not been available since November 2019. A difficult situation is compounded by a further increase in Social Enquiry Reports (SER's), a rise in Community Sentences and the generally high level of Prison receptions this year. The regular attendance of Probation Officers at Court twice weekly and additional telephone advice has reduced the pressure on written SER's. Even so, nearly 300 reports were still required this year.

The absence of a full time Prison Probation Officer has impacted upon the ability to assess new receptions promptly and to the usual high standards. In spite of this, Probation and the Prison Resettlement Team continue to work together to support detainees throughout their sentence and beyond the gate. The clear provision of a paper invitation to an initial external Probation appointment at the Resettlement Pre-Release Meeting reduces the potential for non-attendance and consequent re-arrests, as seen in the past, although staff shortages have led to some delays in allocating external Probation Officers. Probation meetings at local Police Stations have also continued which promotes offender attendance and encourages positive behaviours.

PEPS (Problem Solving, Effective Thinking, Perspective Taking, Social Skills) Courses for



detainees have continued to be carried out externally and within the Prison with some modules being delivered by Prison Intervention Officers under close supervision by Probation and overseen by a Forensic Psychologist. Intervention sessions within F Wing on a regular basis have proved difficult with the demands of induction and the lack of availability of tablets to allow the Intervention Hub scheme to expand. Whilst it is positive that some limited Wi-Fi access is available in F Wing, the anticipated roll out of a large quantity and variety of Intervention Hub modules has not yet occurred. Having said that, over 100 Interventions have been completed in 8 categories. Technology is not a cheap substitute for face to face interaction with a detainee in a well conducted intervention and despite dedicated Intervention Officer roles, this activity has had to be reduced due to staffing issues. The advent of the Coronavirus also caused severe reduction in service.

The Prison has further expanded its RDR and ROR programmes to include overnight, weekend and Bank Holiday period release. This reporting period has seen detainees spending over 1,200 days working in the community with only the occasional lapse in behaviour, and much praise for completed projects which have extended geographically and supported a number of third sector charities. Detainees on long sentences have been managed on outings to secure accommodation, attend interviews and secure benefit arrangements.

The advent of the Coronavirus has resulted in more innovation with three detainees being granted Home Detention Curfew to permit their work placements to continue. All are risk-assessed by Probation and finally assessed by the Prison Security Department before any Licence is granted.

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.

## **SECTION 19: LEGAL VISITS & 'LIVE LINK'**

**Legal Visits:** During the period 1 April 2019 to 31 March 2020, visits to detainees including Advocates, Children's Services, Coroner's Office, David Gray House, Education, Housing, Police Interviews and Probation Services totalled 279, visiting a total number of 444 detainees.

**'Live Link':** During the period 1 April 2019 to 31 March 2020, the facility was utilised 419 times, an increase of 63 from the last reporting period. The breakdown shows that the Courts utilised the system 79 times during the reporting period, as opposed to 33 times during the previous reporting period, whilst others (Advocates, Administration, David Gray House, Police and Probation) utilised the system 340 times, an increase of 17.

The Board is pleased to see the overall increase in the use of the 'Live Link'. It is particularly encouraging to see the Courts making greater use of this valuable facility as was intended when the legislation was modified. However, there is still scope for improvement, thus hopefully further reducing the number of detainees needing to travel from the Prison to the Courts.

## **SECTION 20: DISCHARGES**

Female detainees are discharged directly from the female wing. Male detainees from the main residential wings are usually moved to F Wing the day before they are due to leave, but are kept separate from new receptions and RDR detainees. This is done to enable them to complete any necessary discharge paperwork and prevent any "horse play" or celebration on the wing prior to discharge.

The Board attempts to speak to all detainees who are about to be discharged and has found regularly that many are apprehensive about release. The Resettlement Team works hard to counteract this, but lengthy periods in custody in a controlled environment with limited contact with the outside world are bound to take their toll.

In the final months of the reporting period, the Board evidenced late or delayed notification of Parole Board decisions adding to the stress and anxiety experienced by certain detainees. 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 21: THE WORK OF THE BOARD**

Minimum complement of members (as per Custody Rules)	10
Number at start of reporting period	9
Number at end of reporting period	15
Number of new members during period	7
Number of members leaving during period	1
Number of rota visits to the Prison Average hours per Visit	50 5
Number of visits to attend additional meetings (Safer Custody, Jurby Advocates, Escort Contractor, Healthcare etc). Average hours per visit	54 2.37
Number of Board Meetings	12
Number of meetings with the Minister	2
Number of meeting with the Police Custody Inspector	1*
OPCAT meetings	1
Number of Significant Incidents – advisory	52
Number of Significant Incidents – attendance	1

\* Unfortunately, the Police Custody Inspector had to cancel the meetings scheduled for July 2019 and March 2020 at short notice for operational reasons. A Board member did meet the Inspector at Police Headquarters in lieu of these meetings and has remained in contact with him regularly, updating the rest of the Board as required.

The statistics for visits to the Custody Suite at Police Headquarters and the Court Custody Suite can be found within the relevant sections of the report (Sections 23 and 24).

It has been another challenging year for the Board. Member numbers remained below the minimum figure stipulated in the Custody Rules for most of the reporting year placing great strain on existing members and necessitating a reduction in the frequency of Prison rota visits to once a week. It should also be noted that the growth of the Prison population has necessitated longer and more complex monitoring visits and the number of Notifiable Incidents has doubled. Members give their time on a voluntary basis, the level of commitment required is significant, and the duties can be emotionally and physically demanding at times.

In person visits were suspended during the last two weeks of March 2020 due to the COVID-19 restrictions but an "on call" Incident Rota has been maintained for both the Prison and the Custody Suite at Police Headquarters. Sadly, two members of the Board were called upon to attend the Prison on 31<sup>st</sup> March 2020 following the death in custody of a detainee.

The fact that advertisements in the local press had proved pretty ineffective prompted the Board to take the initiative in recruitment and ask the Department of Home Affairs to support other methods to promote and publicise the Board's work.

Past experience had shown that members of the public did not realise that the Board existed and they certainly had no appreciation of the scope of the role. Well-advertised "drop-in" events were held at Ramsey Town Library and the Sea Terminal in Douglas in November and December 2019 respectively. An interview on Manx Radio, a video explaining the work of the Board on the Government website, a leaflet summarising what being an IMB Member means and social media posts, accompanied these events. The response was extremely encouraging, leading to interviews for prospective candidates in January 2020 and the appointment of six new members by March 2020. Unfortunately, the advent of the Coronavirus meant that the training of the new members had to be postponed, but the Board looks forward to supporting and developing the new members once visiting can recommence.

**Applications to the Board:**

Accommodation	1
Adjudications/Prison Rules	5
Equality/Diversity including Religion, Finance & Pay	0
Education, Employment, IEP	2
Finance, Pay, Funds Received	4
Food/Kitchen related	0
Visits, Telephone	6
Health related	9
Property - Prison	1
Property - Police	1
Canteen, Facilities, Catalogues	1
Sentence Related, RDR (Day Release), Parole, ROCG (Release on Compassionate Grounds)	6
Transfers to Other Establishments	1
Staff/Detainee concerns re Bullying	5
Request/Complaints to Transport Contractor	0
Confidential access to the Chairperson	0
Miscellaneous	0
<b>Total No of Applications:</b>	<b>42</b>

It is pleasing to note that the number of applications has more than halved during this reporting period. This is particularly significant because the number of detainees increased and remained high throughout the reporting period. Health matters still account for the largest number of applications, but many detainees have significant health and/or addiction issues. It is pleasing to note a significant reduction in applications relating to employment, property and facilities.

Applications concerning bullying have halved but this may be due to more robust reporting/monitoring procedures and increased efforts to tackle this. Regular interaction between Senior Managers in the Prison and the 'Jurby Advocates' may also have played a role in the overall reduction in the number of applications.

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

## **SECTION 22: OPCAT**

The UK's ratification of the Optional Protocol to the UN Convention against Torture (OPCAT) was extended to the Isle of Man in 2014. The Council of Ministers had agreed to the extension of OPCAT to the Island as early as 2003 but it remained in abeyance for some years.

Whilst it is laudable that the Isle of Man Government wished to implement such an important protocol and there was discussion between various Government Departments as to how this might be achieved, there was no consultation with the members of the independent bodies who were to form the Isle of Man's National Preventative Mechanism (NPM) - The Independent Monitoring Board for the Isle of Man Prison, the Independent Monitoring Board for the Isle of Man Secure Care Home (Cronk Sollysh) and the Mental Health Commission.

The Board was first made fully aware of their proposed role in OPCAT during the 2016 - 2017 reporting year. The developments since that date were detailed in full in the OPCAT Section of the 2018 - 2019 Annual Report.

In June 2019 the Chairperson and Vice-Chairperson of the Prison Independent Monitoring Board met with a representative of the Mental Health Commission to finalise the Executive Summary which was to be submitted to OPCAT together with the most recent Annual Reports for the three bodies making up the Isle of Man National Preventative Mechanism. Unfortunately, the Independent Monitoring Board for Cronk Sollysh was not able to send a representative to the meeting but their agreed submission was finalised shortly afterwards.

The Isle of Man NPM Annual Report was published on the Cabinet Office website at the end of August 2019, some weeks after it had been submitted by the Board. Having spent many hours assembling and agreeing the Executive Summary and putting together the various reports, the delay in publication and complete absence of any feedback is a source of concern and irritation to the Board. This was made clear to Department of Home Affairs Representatives when the Board met them in February 2020.

Only time will tell whether the Isle of Man Government's approach to meeting the requirements of OPCAT is sufficient. The Board understands that OPCAT representatives visited the UK in September 2019, but their investigations did not extend to the Isle of Man. The Board remains troubled by the lack of response during the reporting year and feels reluctant to continue with yet another addition to an increasingly heavy workload.

## **SECTION 23: 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.

The Custody Tactical Group meetings which were very poorly attended ceased during the reporting year. The IMB representative who attended these meetings stressed that the IMB still wished to be kept fully informed of any proposed policies and changes affecting detainees. As the IMB is not represented on the various policy making committees the Board would be relying on the Custody Inspector to disseminate relevant information.

**Statistics:** During the April 2019 – April 2020 reporting period there were 1,652 arrests. The breakdown follows:

<b>Month</b>	<b>24&lt;48 Hrs</b>	<b>&gt;48 hrs</b>	<b>All Arrests</b>
April 2019	22	2	137
May	12	3	157
June	20	2	192
July	1	0	139
Aug	2	0	132
Sep	0	0	126
Oct	2	0	136
Nov	0	0	154
Dec	1	0	148
Jan 2020	0	0	108
Feb	1	0	103
Mar	5	0	120
<b>Total</b>	<b>66</b>	<b>7</b>	<b>1652</b>

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.

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 20 times and attended on 19 occasions.

The notification of 48 hours detainees improved during the reporting period but there was one occasion when notification was received too late for a Board member to attend. 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, so the onus to ensure the Board is notified still rests with individual Custody Officers who are frequently extremely busy.

During this reporting period there were eleven unscheduled rota visits, including one induction visit for newly appointed members. The average visit duration was approximately 56 minutes (ranging from 30 to 105 minutes). Visits were undertaken at a variety of times during the day. Visiting was suspended from March 2020 due to the Coronavirus but two members remained available to monitor detainees held for more than 48 hours.

Staffing was always appropriate: staff members were invariably co-operative 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. Its freshness and cleanliness are 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 in the last report 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. On one occasion, the heating/cooling system failed completely but staff went to great lengths to try to ensure detainees were kept warm and comfortable.

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 has been noted that the Suite has endeavoured to go "paperless" and a computer system called CONNECT was introduced in June 2019. The implementation was not without problems and the whole system or parts of it failed on a number of occasions. This necessitated a temporary return to paper records which then had to be scanned and

transferred to CONNECT once the system was operational again. The Board is pleased to report that the initial teething problems appear to be reducing with time.

Some Board Members have received a demonstration of CONNECT and Custody Officers have been very patient when explaining the system, particularly at busy times. The system is not without its problems, but it is a credit to the Police Authority that it has implemented new technology to try to conserve resources.

**Mental Health and 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 is increasing and a great deal of their time is taken up dealing with these issues to the detriment of other policing work. The fact that there are now two Mental Health Crisis Nurses on 24 hours call is a great improvement and has been instrumental in diverting some troubled individuals away from the Criminal Justice System. The Board hopes that the Constabulary's bid to further develop this provision will be successful.

There are "Appropriate Adults" trained and available to help both the very vulnerable and younger detainees. Difficulty with finding Appropriate Adults able to attend at certain times has been mentioned to Board members during a number of visits and this is a concern.

#### **SECTION 24: 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 Team of the Isle of Man Prison and the firm holding the Escort Contract.

**Statistics:** During the April 2019 to March 2020 reporting period there were twelve visits made during various times of the working day. The average visit duration was approximately one hour. One visit was made as part of the induction of a new Board Member.

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 a number of occasions, Juveniles have been held in the Suite. There is now a dedicated juvenile area close to the main Custody Suite which has been refurbished over the year and is almost ready for use. A few minor modifications are required to ensure the Juvenile Suite is fit for purpose. The Board will be pleased to see this area utilised as previously juveniles have been held in part of the main Court Custody Suite and this was contrary to the Custody Rules.

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



**Maintenance of the Suite and Fittings:** The Department of Infrastructure (DOI) is the landlord of the Court Custody Suite. It is with considerable relief that the Board is pleased to report that, at last, the Suite has been refurbished. This has been undertaken through the combined efforts of the Prison Governor, along with members of his Senior Management Team, the Prison Works Department and with the assistance and co-operation of the Site Manager, DoI, who has been extremely helpful.

The Suite now has additional air conditioning, and a refurbished kitchen allowing an improved range of meals. The furniture in the Advocates' Room and additional Interview Room has been secured to the floor, and both rooms are suitable for use. Overall, there has been a remarkable positive change.

The firm holding the escort contract has taken over responsibility for the cleanliness of the Suite and the Board is pleased to note a pro-active and marked change. This has been noted especially during the difficult times caused by the Coronavirus which presented considerable challenges. The Board was very pleased to see how the staff have been facing the challenge with a very positive approach. Their continued efforts are to be applauded.

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. Frequently, the staff are very busy but are always happy to help.

The Board has noted that there is an adequate supply of First Aid equipment, spare clothing, toiletries, blankets and reading materials.

**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 Prison and the hospital, including some bed watch duties, was 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.

**Prisoner Escort Bill:** Under the Prisoner Escort Bill dated 2007, 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, if at all.

for & on behalf of the Independent Monitoring Board

**Mr BOB RINGHAM**

Chairperson

7 July 2020