

## **SECTION 4: ISSUES FOR THE MINISTER - MINISTER'S RESPONSE**

- 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.

I am pleased to be able to advise the Board that as part of the 2019/20 budget, the Department was successful in obtaining a recurring budget of £210k per annum for Minor Capital Works at the Prison. This was to reflect the ageing and deterioration of some of the key pieces of equipment in the Prison including the CCTV system. A full medium term funding plan is in place for the budget which identifies and prioritises replacing kit as required.

- 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.

I will continue to support the transformation of the Health Service and ensure the support the Prison requires is provided as the implementation moves forward and both are encouraged to work closely together.

- 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.

I will continue to support the significant progress with the Mental Health Pathway, that it is sustained, and that this remains a priority for the Department.

- 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 managing and safely controlling 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.

I am happy to raise this important matter with the Minister for Health and Social Care but it has to be recognised that as a result of the covid emergency funding is being cut back until the next financial year and as result any progress towards such a facility is unlikely in the short term.

- The budget for Education in the Prison has not increase 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.

My Department is under pressure financially in every area. Each Department was asked to undertake a full review of its budget in the current financial year to reflect the reduction in forecasted income due to the recent pandemic. This has resulted in savings across all the Department's Divisions of over £700,000. The Prison and Probation Service have savings targets to meet this year to address their operating deficit, however, this Service will see no physical reduction in budget. The 2021/22 budget process will begin over the summer and the Prison and Probation Service will be able to put forward funding requests via a business case as and where needed. These will be considered against other areas of the Department but will be supported and recommended to Treasury if approved. It should be noted that the Department do not receive an annual uplift in any non-employee budgets and only receive 2% towards staffing costs with any pay awards awarded over this to be met internally (PSC pay awards for 19/20 and 20/21 2.5% and 2.75% respectively).

- 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 Justice Reform Bill as it is now entitled, which contains alternatives to custody, is targeted for submission to the House of Keys in October. In this connection my Department has had a considerable legislative programme to progress and has successfully recently progressed the Domestic Abuse Bill to completion and the Sexual Offences Bill is at its final hurdle and I am now pleased to say the Justice Reform Bill is next.

- 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.

My Department is working hard to meet target dates but we have faced unprecedented demands on officer's time during the covid emergency and will now progress as quickly as possible to ensure matters get back on track.

- 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.

I am pleased to inform the Board that additional funding was provided from 2019/20 for £20,000 per annum to meet the annual ongoing costs of licenses and all modules are available under the Intervention Hub. In terms of hardware, the division has an annual budget for ICT and equipment and are able to discuss any additional needs over and above this with the Director of Finance.

- 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.

Probation was successfully promoted to the Council of Ministers in the most recent budget process which resulted in an additional budget of £120,000 implemented at the start of 2020/21. This promotion will continue however this must reflect the temporary short fall in Government income as result of the covid emergency.

- 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.

One benefit of the covid emergency is the greater use of electronic communication between Advocates and Detainees and the positive experience in relation to this greater use. The Courts, Government, and Local Authority Procedures and Miscellaneous Provisions Bill will I am pleased to say include the provisions intended for the Justice Reform Bill re live links which will be progressed quickly as an emergency Bill in October. This is intended to include provisions to continue the powers to use the live links facility in other proceedings that were used during the emergency, and will if approved come into force by the end of December. The inclusion will mean the provisions will not have to wait for the Justice Reform Bill.

- 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).

My Department will continue to work with the Board to ensure that training requirements are identified and funded where required and that Board is the subject of greater publicity.

10<sup>th</sup> July 2020