



Isle of Man Prison

INDEPENDENT MONITORING BOARD

Report for the Year 2009

The Independent Monitoring Board (IMB) is a statutory body established to monitor the welfare of prisoners 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 ROLES & CHARGES OF THE INDEPENDENT MONITORING BOARD

Under the Custody Rules 2001 it is the duty of the Independent Monitoring Board:

Rule 78:

1. The Board of Visitors shall satisfy themselves as to the state of the premises of the institution, the administration of the institution, and the treatment of the detainees.
2. The Board shall inquire into and report upon any matter into which the Department asks them to inquire.
3. The Board shall direct the attention of the Governor to any matter which calls for his / her attention, and shall report to the Department any matter which they consider expedient to report.
4. The Board shall inform the Department immediately of any abuse which comes to their knowledge.
5. Before exercising any power under these Rules, the Board and any member of the Board shall consult the Governor in relation to any matter which may affect discipline.

Particular Duties Under Rule 79:

1. The Board of Visitors for an institution and any member of the Board shall hear any complaint or request which a detainee wishes to make to them or him.
2. The Board shall arrange for the food of the detainees to be inspected by a member of the Board at frequent intervals.
3. The Board shall inquire into any report made to them, whether or not by a member of the Board that a detainee's health, mental or physical, is likely to be injuriously affected by any conditions or his detention.
4. To enable the Board to carry out these duties effectively members have right of access to every prisoner and every part of the prison and also the prisoner's records – Rule 80, 1, 2, 3.

Other Charges:

Rule 39 – Removal from Association:

2. A detainee shall not be removed under this rule for a period of more than 5 days without the authority of a member of the Board of Visitors or of the Department. An authority given under this paragraph shall be for a period not exceeding one month.

Rule 42 – Temporary Confinement:

2. A detainee shall not be confined in a special cell for longer than 48 hours without a direction in writing given by a member of a Board of Visitors or by an officer of the Department (not being an officer of the institution). Such a direction shall state the grounds for the confinement and the time during which it may continue.

Rule 43 – Restraints:

2. Notice of such an order shall be given without delay to a member of the Board of Visitors and to Medical Officer or the Governor, as the case may be.
4. A detainee shall not be kept under restraint longer than necessary, nor shall be so kept for longer than 12 hours without a direction in writing given by a member of the Board of Visitor.

Rule 46 – Disciplinary Procedure:

6. In the case of a charge of any of the following offences:
 - (a) Escaping or absconding from an institution or from legal custody
 - (b) Assaulting an officer

The Governor shall, unless he / she dismisses it forthwith, refer the charge to the Board of Visitors.

7. Where the Governor refers a charge to the Board of Visitors under para 6, he / she may also refer any other charge against the same detainee arising out of the same incident.
8. The Chairperson of the Board of Visitors shall constitute a panel consisting of not less than 3 members of the Board, who shall inquire into any charge referred to it under para 6 or 7.

Rule 49 – Cellular Confinement:

1. When it is proposed to impose a punishment of cellular confinement, the panel of the Board of Visitors or the Governor, as the case may be, shall consult with the Medical Officer, who shall inform the panel or the Governor whether there are any medical reasons why the detainee should not be so dealt with.
2. The panel or the Governor, as the case may be, shall give effect to any recommendation which may be made under para 1.

Rule 53 – Remission & Mitigation of Punishments etc:

2. Subject to any directions given by the Department.
 - a. The Board of Visitors may remit or mitigate any punishment imposed by a panel of the Board or by the Governor.

Rule 55 – Personal Visits:

4. The Board of Visitors may allow a detainee an additional visit in special circumstances, and may direct that a visit may extend beyond normal duration.

Rule 56 – Personal Letters:

5. The Board of Visitors may allow a detainee to send an additional letter at the expense of the Department in special circumstances.

Rule 81 – Annual Report:

1. The Board shall in every year make a report in writing to the Department:
 - a. Concerning the state of the institution and its administration during the year ending on the previous 31 December, and
 - b. Giving such advice and making such recommendations (if any) as it considers appropriate with regard to the administration, state of repair, facilities and operation of the institution.
 - c. The report shall be made as soon as reasonably practical after 31 December.

UNDER THE CRIMINAL JUSTICE, POLICE AND COURTS ACT 2007 APPOINTED DAY ORDER:

Custody Act 1995 42(1) The Board of Visitors constituted under Custody Rules made under the Custody Act 1995 is renamed as 'The Independent Monitoring Board'.

The Independent Monitoring Board under 42 (2) (c) shall '.....inspect any cell or any part of a custody suite in any police station'. '.....to enter the institute, police station, cell or custody suite and see every prisoner in police detention.

The Independent Monitoring Board is also charged under the Prisoners Escorts Bill 2007 2 (1) (2) (3) (4)

1. The Independent Monitoring Board shall:
 - a. Keep prisoner escort arrangements under review and report them to the Department; and
 - b. Inspect conditions in which prisoners are transported or held in pursuance of such arrangements and make recommendations to the Department.
2. It shall also be the duty of the Independent Monitoring Board to investigate and report to the Department on:
 - a. Any allegations made against prison custody officers acting in pursuance of prisoner escort arrangements; and
 - b. Any alleged breaches of discipline on the parts of prisoners for whose delivery or custody such officers so acting are responsible.

SECTION 2

DESCRIPTION OF THE PRISON

The new Isle of Man Prison is a secure, enclosed build taking up some 11.5 acres within the perimeter walls.

It was opened on 23 April 2008, and received the first detainees on 14 August 2008. It is a non-smoking establishment.

Standing apart from the main build is a Visit Centre where visitors are processed before being escorted to the Gate Lodge. Once here they follow a route through a search area before being taken to the main Visits Hall. The hall has seating for 66 visitors and 22 prisoners at any time. There are 3 closed visit booths at the far end of the hall.

On the ground floor of the Gate Lodge can be found staff reception, security offices, mail room and other offices. The Administrative Department is contained within the first floor, and the Control Room and staff facilities are on the second floor.

On the far side of the sterile yard along the main street, can be found:

Reception / Discharge / Property Unit, General Stores, Main Kitchen, PE Department, Prison Laundry, and Multi-Faith Room.

On the first floor are: Education Classrooms, Offices and Library. Also, on this floor are the Staff Training Department, Visits along with Legal Visits and Video Court.

The main street links the sterile inner yard to the Hub and the residential units of the prison. The street provides the prison with the base for all prisoner movement.

Off the Hub are five residential units and one segregation unit with a certified normal accommodation of 138. Each unit / wing provides single cell accommodation with integral sanitation, wash basin and cell power.

A & B Wings houses adult males. Each wing holds 42 detainees.

C Wing houses vulnerable prisoners; holds 26 detainees (originally the Young Offender's Wing).

D Wing houses female detainees; holds 16 detainees.

E Wing – Segregation Unit; holds 9 detainees.

F Wing – houses young offenders; holds 16 detainees (originally Vulnerable Prisoner's Wing).

A, B, C, D and F Wings have cleaner stores, servery and a laundry for personal items. Prisoners can eat either communally at tables or in cell. Each of the wings have shower units and telephone facilities. There is also a cell which provides additional access for prisoners who are disabled.

Except for E Wing, cell doors are fitted with a privacy lock. Staff can over-ride this lock if needs be.

E Wing – the Segregation Unit is located underneath F Wing and is also connected to Healthcare. This wing has 6 standard segregation cells, 1 dry cell, 1 safe cell, and 1 dirty protest cell.

The Mandatory Drug Testing Unit is located within E Wing but at the initial entrance. Accommodation in E Wing and the MDT Suite does not form part of the certified normal accommodation.

Healthcare can be found directly under F Wing and is adjacent to E Wing. The unit contains various offices, treatment room, drug store, dental surgery, consultant's room, day room, equipment store and duty utility store. There are toilet and shower areas.

The unit is managed by Primary Healthcare through the Department of Health and Social Security.

The Education Department has 6 classrooms: Music, IT skills, Art & Craft, Literacy & Numeracy, and Homecraft. Each is capable of taking up to 6 prisoners per class. There are 3 education offices and a library. The Department is managed by the Isle of Man College of Further Education.

The Dogs Unit is a standalone building located to the side of the Gate Lodge. The dogs used are passive and active and are used in drug searches.

Also, on the periphery is the Works Department, and workshops catering for plumbing, joinery, electrical and painting skills.

Between the main build and perimeter walls lie a sports pitch, trim track and a horticultural area.

SECTION 3

EXECUTIVE SUMMARY

From October 2004 until June 2008, the Isle of Man Prison was operating without a Governor in situ with senior members of staff 'acting up' in positions of responsibility. There appeared to be no set time limits in place and a protracted delay by the Department of Home Affairs in appointing a new Governor, exacerbated the problems which were developing within the prison. With no overall leadership, the morale of the prison officers deteriorated and standards declined. This, of course, was to the detriment of the prisoners whose conditions, even before the absence of a Governor, could only be described as squalid.

However, the appointment in 2008 of a Governor, the move to the new prison at Jurby, and the ongoing management structure and staff changes throughout 2009, have led to a number of substantial improvements. This has been achieved by hard work and the setting of clear targets and objectives. Although some of the changes have been reluctantly embraced by staff and prisoners, it is clear to the Board that they are providing a healthier, safer, humane, cleaner and more productive regime.

The new senior management team finally came into being in October 2009. As a consequence, a business strategy will be in place by January 2010. This will establish a clear vision for the future and outline the necessary actions required in order to accomplish it. The Board look forward to seeing these plans come to fruition.

SECTION 4

ISSUES FOR THE MINISTER

- The Board's role in the Adjudication process (Custody Rule 46 (6) (a) (b)), is inappropriate and in complete conflict with their monitoring role. The Department of Home Affairs has missed opportunities in 2007 and 2009, to change existing legislation to correct this.

This matter is viewed as urgent. The appointment of an Independent Adjudicator should be made. This person could also be in a position to award additional days for Mandatory Drug Test failures.

- The Board have no avenue for formal objection to the removal of a prisoner from association beyond the Governor.
- In the event of a serious incident, there would appear to be a lack of support above Governor Grade (Silver Commander). There is no effective Gold Commander.
- A departmental policy relating to response times for written communications needs establishing. Very often letters from the Board to the Department remain unanswered or replies were several months in coming.
- Under the present Custody Rule 39 (6), the Board authorise removal of prisoners from association. This is an executive role and so compromises the Board's independence.
- A Custody Limit and / or Bail Act needs to be introduced quickly as a high proportion of detainees are spending an inordinate amount of time on remand. One prisoner has waited at least eighteen months for court proceedings to take place. This delay could damage the detainees, their families, life situations and mental state. Lengthy remand periods also put pressure on the number of certified normal accommodation units available within the prison. The two adult male wings were operating at almost full capacity throughout 2009.
- The Department and other agencies need to develop a comprehensive strategy to reduce re-offending and provide throughcare for prisoners during and after imprisonment.
- Specialist accommodation i.e. bail hostel, hostel and temporary units, is very limited for prisoners who are about to be released.
- There are some occasions when the Board had concerns about Prisoners' mental health issues. Prisoners are frequently accommodated in the prison's segregation unit which is unsuitable for their needs. The Board feels that they should be supported by Mental Health Services in the community where appropriate or in a secure psychiatric unit where necessary. There appears to be a mismatch between the needs of the individuals and the response of a system not equipped to help.
- In spite of the present economic climate it is vital that funding for prison education is not reduced. There is a need to improve education and vocational training in particular, otherwise its lack will impact on rehabilitation issues. Prisoners need to leave the institution with a chance of being productive and valued members of society.
- Poor transport services, both on and off the island, are detrimental to the building of family links through visits. Families using public transport can spend some five to six hours on a round trip to Jurby if they travel from the south of the island.
- The Department needs to actively encourage the legal service to make greater use of the 'Live Link'. In 2009, the link was used just twenty-six times which covered a total of three hundred and fifty

four minutes. A remand prisoner will leave prison at 7.30 am, spend all day in a holding cell in the Custody Suite at the Courts of Justice in order to make, what amounts to, a five minute court appearance.

ISSUES FOR THE GOVERNOR

- Programmes to address offending behaviour still await development. Staff have expressed a willingness to engage in work with offenders. Perhaps they could be used as an internal resource for external probation. This, hopefully, would help with throughcare resettlement / preparation for release. Prisoners need to be helped to re-settle into society and so reduce the likelihood of re-offending.
- Formal plans for the re-settlement / throughcare of offenders need developing, particularly with such agencies as probation, external volunteers, drug counselling, and church contacts.
- Prisoners awaiting assessment by specialist Mental Health Services experience long delays.
- Improved communication and understanding between the Healthcare Team and prison staff would assist those prisoners with mental health and other serious medical issues.
- There is an absence of 24 hour healthcare. Those prisoners with mental health issues are frequently cared for in the Segregation Unit by unqualified prison officers.
- The Board needs to approve the holding of a prisoner in Segregation (Custody Rule 49 (1)); approval is also required by a member of the Healthcare Team. Although the prisoner is visited by a team member, the relevant paper work often remains incomplete and unsigned.
- With regard to Mandatory Drug Testing – there would appear to be staffing and training issues. These prevent the achievement of targets set. As there is an inconsistency in the recording of data, it is difficult to illustrate current trends.
- Classes in the learning skills and workshop areas are often under-utilised. The Board feels that this needs a positive campaign to promote classes and recruit tutors especially for the workshop area.
- The role of a prisoner's personal officer would seem to be undervalued. Many prisoners are unaware of their officer's names. Personal officers should be in a position to provide input and advice on all matters relating to the prisoners in their care.
- It is important that prisoners are processed through Reception as swiftly as possible; a second interview space would facilitate this.
- It appears that the services of the Drug & Alcohol Team are not sufficient to meet the needs of those prisoners requiring help to overcome dependencies.
- The Board is disappointed with the absence of a Safer Custody Group. Developing this would provide the necessary support and services to those prisoners who threaten or attempt self harm.
- Insufficient activity places fail to occupy all prisoners each day. The introduction of Horticulture in 2010 will help to alleviate the problem. Prisoners should be expected to improve themselves and to be given the opportunity to engage in purposeful activities.
- Although the Segregation Unit is well run it could benefit from the presence of a female prison officer.
- There is a lack of a review process for prisoners held in segregated conditions. There does not appear to be a 72 hour or fortnightly review. The latter should be run by a multi disciplinary review group chaired by a Governor Grade. Segregated prisoners need to be actively involved in this review process.
- It would be helpful if visitors were advised on the Visiting Order Form that they require pound coins for the vending machines in the Visits Hall.

- As a matter of urgency the Board feels an agreement must be reached between the management of the prison and the management of probation on the range and content of available courses.

SECTION 5

AREAS OF SPECIAL INTEREST

HEALTHCARE

Healthcare services at the prison are gradually developing and improving since responsibility for their provision was transferred out to the Department of Health & Social Security (DHSS) in 2008.

The prison healthcare environment improved tremendously with the opening of the 'new' prison at Jurby where there is a purpose-built, well-equipped Healthcare Department which includes a number of treatment rooms, a dental surgery and appropriate storage facilities for medications. The department is staffed from 07.30hrs – 20.30hrs Mon – Fri and from 08.30hrs – 17.30hrs at weekends and Bank Holidays. The Healthcare Team consisted of a female Clinical Manager, two female Registered General Nurses (RGN), two female Registered Mental Health Nurses (RMN) and one male Paramedic. The Clinical Manager is a trained non-medical prescriber and first contact practitioner. Other members of the team are trained to issue medications from a restricted list under the NHS Patient Group Directive (PGD).

The Board acknowledge the efforts made during 2009, recognising that this was a transitional period. Changes to habitual practices, and the integration of appropriately qualified healthcare practitioners presented some challenges for all concerned. Hopefully, the Healthcare Team, under the leadership of the Clinical Manager is now embedded into the prison community so that attempts to achieve greater parity between health services for prisoners and those available to the wider community can be enhanced.

The Board were surprised that a long-overdue prison Health Needs Assessment (HNA) was not conducted. A HNA was recommended by the Inspectorate in their last two reports. The Governor had requested this work to be done, but did not receive a response. Further, the Board was extremely disappointed that appropriate services for those with mental health issues remained largely unaddressed throughout this reporting period, although a little more support became available through weekly in-reach from a Community Psychiatric Nurse.

Effective links to a local Group Practice were established which should enable prisoners to gain improved access to Primary Care Services. A GP Clinic runs three times a week. Prisoners' applications for the clinic are scrutinised by Healthcare staff who, in effect, act as 'gatekeepers', dealing with any problems they can. Whilst the Board is not aware of any specific problems encountered by this system, the potential exists for prisoners to be denied access to a medical practitioner, which would not be acceptable. Female prisoners are informed on reception that they may request to see a female doctor although the Board understands that no such request has ever been made.

Dental services were reported to be adequate to meet the prisoners' needs, with three sessions per fortnight being run. In an emergency, a visit to an outside dentist was arranged.

A local optician visited infrequently, by request from Healthcare, when a sufficient number of prisoners' names were on a waiting list. This situation is expected to improve in 2010 when regular 6-weekly visits are planned.

In May, a meeting was held with the island's midwifery services to commence discussions on dealing with pregnancy and childbirth for prisoners.

Work to treat and support prisoners requiring help to overcome drug and alcohol dependencies was inadequate. A doctor from the Drug & Alcohol Team sees four / five prisoners on each of his fortnightly visits for medication reviews, assessments and pre-release advice. The Board feels that this does not represent sufficient provision of services for this sector of the prison population. No psycho-social

interventions, such as relapse prevention, were provided by the team. Drug & Alcohol service provision is to be reviewed in 2010.

Prison psychology services are virtually non-existent although a psychologist did visit the prison during the year following a prisoner-led complaint and requests from the Prison Governor.

A number of prison-based nurse-led clinics were run throughout the year. Prisoners could self-refer to the Health Promotion (Well-Person) Clinics, the Sexual Health Clinic, and for Relaxation. In some instances, participation was actively sought, e.g. for training in Basic Life Support/ Emergency Aid. A Biophysical Solutions Clinic (electrical acupuncture) commenced in October 2009 for addictions and stress management. An eight week anxiety management course was piloted. An in-house health promotion magazine is produced quarterly and distributed to all the wings. The Board commend the motivation and enthusiasm demonstrated by the Healthcare Team undertaking these activities. Further improvements could be made to advertise health-related information, e.g. there are under-used notice boards in various locations that are visible to prisoners. Many of the posters etc. are only displayed in the Healthcare Department and therefore not visible to those who have no need to go there.

Another positive achievement was the setting up of a Patient Safety & Governance Committee. The committee is chaired by the Clinical Manager. The first meeting was held in November. The Governor, along with representatives from Primary Health Services, Pharmacy Services, DHSS Clinical Governance & Standards, and a local GP are members of the committee. IMB members attend the meetings in an observational capacity. A number of policies and standard operating procedures have been produced and more are planned for 2010.

Pharmacy Services are another area where significant improvements have been accomplished since the Inspectorate Report of 2006, although there is little, if any direct contact between pharmacy staff and prisoners. Many prisoners are able to have a limited supply of medication in-possession following risk assessment. Patient Information Leaflets are provided with the medication. A pharmacy inspection was conducted in 2009. Future inspections are to be done three monthly.

Within the reception area is a room designated for healthcare screening. However, the room tended not to be used, with most reception interviews being conducted in the Healthcare Department. Towards the end of the year reception screening procedures were changed in order to identify health issues more appropriately. A computerised system was installed to assist in that area. Reception screening is usually carried out within one hour, which is well within the recommendation of new arrivals being seen within twenty-four hrs. This prompt attention may be beneficial, although a great deal of information is given to prisoners at this stressful time and it is unclear whether the information is reinforced later, when the prisoner has had a little more time to come to terms with his / her situation.

The Board do not have access to prisoners' medical records, for reasons of confidentiality. Medical records are kept on a computerised system (EMIS). The department participated in a record-keeping audit and was found to be compliant in most areas assessed. Areas for improvement require clearer statements of the client's needs or problems, along with more evidence of patients' involvement in their own care.

MENTAL HEALTH

The Board were surprised that a long overdue Prison Health Needs Assessment (HNA) was not conducted. A HNA was recommended by the Inspectorate in their last two reports. The Governor had requested this work to be done, but did not receive a response. Further, the Board was extremely disappointed that appropriate services for those with mental health issues remained largely un-addressed throughout this reporting period, although a little more support became available through weekly in-reach from a Community Psychiatric Nurse.

The lack of an adult secure psychiatric unit on the island, together with there being no in-patient facility at the prison meant that acutely or severely mentally ill prisoner/patients still found themselves located in the

Segregation Unit being cared for by male prison officers without formal healthcare qualifications. A joint policy between the prison and the Isle of Man Mental Health Service on the care & treatment of acutely mentally ill prisoners became effective from Nov 2009, aiming to ensure that such prisoners receive the most appropriate, timely care in the most appropriate environment. It would seem this is not being achieved at present, although there are some encouraging indications for 2010.

APPLICATIONS

Of the prisoner applications regarding requests and complaints submitted to the Board in 2009, 25% related to healthcare issues. 37% of these were from the same prisoner who seemed generally unhappy with many aspects of his treatment. Most of these grievances were easily resolved within the system by dialogue with healthcare staff. However, the National Health Service complaints procedure is available to all prisoners who wish to pursue their grievances further. Evidence from applications also suggests that some prisoners had concerns about medication and/or treatment. Some wing staff felt their interaction with the prisoners would have benefited had they been given sufficient information about prisoners, particularly those with mental health problems, for whom they were responsible when the Healthcare Department was closed. The Board feels that with improved communication, whilst at the same time respecting confidentiality, many issues between staff could have been more easily overcome.

The smoking ban throughout the prison was an ongoing source of verbal complaints. Prisoners continued to smoke inappropriate materials and dangerous practices were employed to obtain lights for 'cigarettes', e.g. tampering with electrical supplies. Smoking cessation support and nicotine replacement therapy are available. As prisoners have no choice but to stop smoking, a 14-week course was introduced. This is two weeks longer than the courses offered in the community, and a second course was available on request.

SEGREGATION

Segregation – E Wing is well maintained and suitable for purpose. It is kept clean and tidy with six normal cells and three special cells which offer fair and safe conditions for the prisoners. The only problem with its design is the lighting of the Wing Office; it is such that it is preferable at times to work using the corridor lighting only.

In total 82 prisoners were housed in E Wing during the course of 2009. The reasons were as follows:

- Cellular confinement = 29
- Good order and discipline = 34
- Own request / protection = 9
- Healthcare Department instruction = 9
- Security Department instruction = 1

There has been no requirement to use mechanical restraints on any prisoner.

There are certain cells within the initial entrance of D Wing which can be used for female prisoners and any overspill from E Wing. These have been used on three occasions in 2009, for one day by a female and twice by male prisoners for one and a four day period respectively.

Prolonged use of segregation at the prisoners own request is discouraged by staff. Of greater concern during the year was the occasional practice of placing vulnerable prisoners in the unit, as their wing was full. However, in December, this problem was resolved by switching the larger, but less populated Young Offenders Wing with the Vulnerable Prisoner's Wing. This was executed successfully without significant problems. During the Board's rota visits it was unusual to find more than half the cells in use and on

several occasions, there were no prisoners in the unit. The Board members visit E Wing at least once a week as a matter of course.

The prison officers on the wing are normally all male. Their relevant training and positive manner helps to create the calm atmosphere required on this wing and generally there have been no complaints by prisoners of their treatment. The officers have been co-operative in enabling Board members to see all prisoners at any time.

They have maintained a suitable distance when any application has been discussed. Consideration could be given as to whether the skills of female officers could be used appropriately on the wing.

There is an issue with documentation for segregation. During rota visits it has been noted, on several occasions, that Healthcare have either not seen the prisoner or have not made a record of their visit on the appropriate form. Also, Board members, signing the document, are agreeing that the prisoner can remain in segregation for up to one month. This should not be part of the Board's role. There needs clarification of the existence and application of the Custody Rule requiring the Independent Monitoring Board or Department of Home Affairs to give consent for more than five days of cellular confinement.

There is a culture of returning the prisoners to their wings as soon as is possible subject to maintenance of Good Order and Discipline. However, there is no obvious evidence of a Review Board with representatives from Governor Grade, Healthcare, Personal Officers and Segregation staff for prisoners who are segregated for more than seventy-two hours.

LEARNING & SKILLS

The prison moved to Jurby just before the start of the 2008 – 2009 academic year. The facilities at the new prison are a significant improvement on those available at Victoria Road with a total of 5 classrooms in the Education Wing and 3 in the Trades Area. There are also activity rooms available on each wing which can be used if required. The Education Department is run by a full time Education Manager supported by a Deputy Education Manager, a team of sessional staff and 5 Isle of Man College full time tutors who undertake some of their teaching hours at the prison. The Education Manager also has clerical assistance from an Administrative Officer for 2.5 days a week.

The current Education Manager was appointed in March 2008, a few months before the move to Jurby. She has achieved a great deal since then but there is still much to do. On a positive note, the number of prisoners in education has increased and the delivery of education has been formalised. There has been significant improvement in the quantity and variety of educational classes on offer during 2009 and steps have been taken to increase the teaching weeks from 36 to 42 (2009-2010) and ultimately 44 (2010-2011).

The Education Department tries to assess all new arrivals expected to be in prison for more than 4 weeks but some prisoners refuse to participate so it is hoped that a formal system to monitor this and try to engage reluctant students will be put in place in the near future. The Education Manager is also able to request assistance from a tutor at the Isle of Man College; a specialist in Specific Learning Difficulties. He is able to assess and screen prisoners thought to have dyslexia and give them a study plan tailored to their needs. The range of non-academic classes has increased and prisoners are now engaged in meaningful activities to assist charities (e.g. packing Christmas cards) and produce useful items (e.g. Morsbags, discharge bags and decoration of the multi-faith room). Unfortunately the facilities in the workshops in particular are underutilised and there is insufficient emphasis on vocational training and practical skills which would help prisoners to find work on release and reduce the likelihood of re-offending.

WORKSHOPS

Although the Works Department houses the workshops, and the training courses, classes are not within their remit but come under the Education Section. Uptake and application is through the Education Department - a risk assessment is carried out as to suitability.

Within the Works Department there are currently three departments covering:

Joinery - one tutor due to join in January 2010:

The average class size will be four prisoners at a time. The operating times will be Monday and Tuesday 09.00 – 12.00 and 13.30 – 1600 hrs.

The course will be Isle of Man College based First Year Apprenticeship covering a six month syllabus. This will cover basic construction work encompassing skirting, window frames, and door hanging.

Plumbing - one tutor

The average class size is three to four prisoners in any session. The operating time is Wednesday and Thursday 09.00 - 12.00 and 13.30 - 16.00hrs.

The instructor is currently running a B Tech 1st Certificate Course which runs for thirty six weeks over the year. He is unable to do the NVQ as it requires outside course work.

Painting

None, as no tutor has yet been appointed.

The Works Department does have an in-house contract decorator who has two prisoners to help. There is also a Groundsman / Gardening Department which uses two prisoners for grass cutting, strimming and "planting up."

Main Achievements/Positive Trends:

- The move away from a thirty-six week academic year has started with some activities available during the long summer break in 2009.
- Increase in range of classes and numbers in education.
- Excellent Mathematics and English GCSE and OCR Adult Literacy and Numeracy examination results during 2009 (the Minister is to present the certificates at an awards ceremony in the near future).
- The prison now has exam centre status in its own right rather than being tied to the Isle of Man College. This gives greater flexibility for non-GCSE/GCE subjects and is more suited to a fluid prison population (e.g. use of OCR unnamed entry route for literacy and numeracy).
- Prisoners have to commit to a minimum number of weeks/classes if they sign on for education.
- Increase in the range of arts and crafts/charity work with emphasis on useful activity and encouragement to enter competitions such as the Koestler Awards. Increased publicity of charity work has raised the profile of the prison and helped to project a more positive image within the community.

Areas of Concern:

- There was some confusion over the administration/organisation for the 2009 summer programme which resulted in some prisoners not being able to attend classes. The Board is particularly concerned about the effect on young prisoners (C Wing now F Wing).
- Classes are not full.

- There is no formal system to follow up prisoners who refuse to be screened or take part in education. These prisoners are often those who really need help.
- Prisoners who are released part-way through studying for a qualification usually abandon this even when offered the opportunity to take examinations at the Isle of Man College.
- The workshops are underutilised and it has proved difficult or impossible to recruit tutors e.g. there is no painting and decorating tutor. This is particularly disappointing because the acquisition of practical vocational skills is an essential rehabilitation tool.

The Education Manager is working hard to introduce a number of changes during 2010 which should help to address some of the concerns. The Board should monitor the following proposed improvements:

- The increase in the number of education weeks from 36 to 42. Classes/activities are to be offered during the Easter and summer breaks and the associated administration should be improved.
- Prisoners to be encouraged to sign up for a minimum of 2.5 days per week in education and steps to be taken to ensure classes are full.
- Follow up on prisoners who refuse screening/help.
- Better marketing of education to prisoners (production of a leaflet to be given to all prisoners on reception as well as an information booklet to be available on each wing and in the library).
- Greater use of workshops and more vocational and work based learning.
- Introduction of new courses/classes (e.g. horticulture, NVQ in catering, CIEH Food Safety).
- Greater use of volunteers (e.g. to teach languages, guitar).
- Extension of curriculum to include parenting and other social skills as well as pre-release courses.
- Increase in use of the library and extension of library facilities to provide information, pamphlets etc to help prisoners on their release.
- Impact of cuts in government spending on education and how this may affect the prison.

The Board should also consider conducting a survey similar to the one featured in 'Opportunity or Not?' the report by the Learning and Skills Support Group of the National Council for Independent Monitoring Boards.

ACCOMMODATION, RESETTLEMENT AND SENTENCE PLANNING

The Board received complaints during the first quarter from prisoners on various wings that cells were drafty and the Prison building contractors returned on two occasions to improve the window seals. A Planned Preventative Maintenance Schedule has now been established for in-house staff to inspect and carry out remedial work.

Problems have been experienced with leaking roof sections, although all the wing roofs have now been repaired. The final Building Certificate has not yet been issued.

It was disappointing that the Sports Hall was not available until mid April due to problems with the floor, but no further difficulties have been encountered.

Despite complaints about poor drainage in showers on B and D Wings, the Board was assured that the floor levels were within acceptable tolerance limits and wooden thresholds to contain the water were included in the original contract design.

There has been no decrease in small job reports since moving to the new establishment, mainly due to blocked drains, sinks and toilets and to prisoners tampering with power sources in cells.

Redecoration of cells has been logistically difficult due to the high level of occupation on A, B and F (Vulnerable Prisoners) Wings.

The Board is concerned at the consistently high proportion (in the region of 33%) of remand prisoners in the establishment and the length of time they have to wait before being sentenced. In one instance, a prisoner has been waiting over 18 months. This demonstrates the urgent need for the introduction of Custody Limits and a Bail Act.

Provision for prisoners who cannot read notices because of literacy problems is addressed by presenting the information in video form and encouraging them to speak to their Personal Officer. Education also provides additional support.

The provision of telephones on the wings is at a satisfactory level and improved privacy hoods and a device to help the hard of hearing have been installed.

No formal consultation with prisoners about routines and facilities exists presently and there are no prisoners' wing representatives, but plans are currently being drawn up to address this.

Prisoners are allowed personal possessions according to the Facilities List which has been updated twice since the move to Jurby. The Canteen List is reviewed regularly.

There had been concern over the high rate of occupancy in the adult male and vulnerable prisoner wings since July. To alleviate part of the problem, in December, the Vulnerable Prisoners were transferred to C Wing and the Young Offenders moved to F Wing. The change was accomplished very efficiently and the prisoners, after some initial reservations settled in well. Wing staff feel that juveniles are more easily managed on the one floor in F Wing.

The Board was very concerned at the lack of activities for all prisoners during the summer holidays, when there was little else other than sport and gym activities.

The IEP Scheme, which was introduced in November 2008 is working well and prisoners are reviewed weekly.

Presently, the Personal Officer Scheme has no formal structure or defined responsibilities and is reliant on the commitment of individual officers. The Board, whilst acknowledging the efforts made by prison staff, considers this to be unsatisfactory.

It is disappointing that since the move to Jurby, no Sentence Plans have been enacted for any prisoners and there is no Formal Regime Plan for unconvicted prisoners. A Custody Plan is currently being prepared, along with Education Testing. An Induction Plan is also being drawn up. Most Resettlement Planning is currently undertaken on an ad hoc basis using informal contacts for emergency accommodation with David Gray House, Kemmyrk, Graih and some local authority housing departments. Space is extremely limited with these agencies. There does not appear to be a formal demarcation of responsibility for this planning between probation and prisoner officers and positive outcomes are dependent to a large extent on the good will of individual officers involved.

Through care is not formalised.

SECTION 6

OTHER AREAS

PROBATION

There appears to be a perception on the part of some prison staff that the prison and probation operate as separate agencies, rather than a partnership, which can cause difficulties at times. Two Probation Officers are funded directly by the Department of Home Affairs to work in the prison but their salaries are not part of the prison budget. This can influence priorities when the Probation workload is particularly heavy in relation to court reports.

A suite of programmes has been agreed between the Prison Senior Management and the head of the Probation Service, but is yet to be implemented. The Prison Senior Management has some reservations regarding the content of some courses, particularly that for sex offenders.

Currently, the following programmes are available (subject to minimum numbers of prisoners being available to complete the sessions):-

- Victim Awareness
- Drug Trafficking Awareness
- General Drug Awareness
- Cannabis Awareness Workshops

In addition, Sex Offender and Domestic Violence Courses are delivered by Probation staff on a one to one basis. The Board considers this to be unsatisfactory particularly when it became aware of an incident during the year when investigation of a prisoner's application revealed a considerable difference in the version of events between the prisoner and the Probation Officer leaving the latter in a vulnerable position.

Prison staff engage in work with prisoners regarding Cognitive Awareness and Anger Management.

The services of a visiting Clinical Psychologist are utilised on occasions. The Probation staff liaises on behalf of prisoners with Social Services, the Drug and Alcohol Team, Mental Health, Courts, Policing Teams and other Probation colleagues. They also attend MARM and MAPPP meetings and multi agency conferences and are involved in child protection and vulnerable prisoner issues, as well as prisoner self harm and public protection matters.

Any responsibility for prisoners' welfare in relation to Probation staff is not defined and depends on their goodwill and workload.

RECEPTION

There is in place a very detailed, and comprehensive process and system, concerned with the reception of prisoners. This is very much concerned with the issues relating to security, safety and the well being of all prisoners.

Reception is open seven days each week, and the normal close down point is 7.30pm, except in the event of the courts remaining late, when staff at Jurby Prison will be alerted to this situation by G4S staff. In this event, reception remains open, even if night staff have to take over the running of the area. The reception processes are known, understood and followed by all staff within this area, and is evidenced from

discussions with staff, and by the fact there have been very few applications to the Board relevant to reception, and the treatment received there.

Prisoners arriving at the prison are handcuffed until they are located within Reception. Prisoners will have come from Police Custody via the Courts under escort by G4S or direct from the Police if they are fine defaulters

Every reception is subject to the special search; female prisoners will be processed through this by female officers. Wheelchair training has been given to staff, for the effective handling of prisoners in need of that type of assistance to mobility.

The special search has caused a few prisoners some concerns, and these have been raised with the Board, but the need for complete security checks, coupled with the need to preserve the personal dignity of prisoners, necessitates the process.

For new admissions, for whom this is their first time being in Jurby Prison, the detailed reception process, including the important storage of valuables and property is followed. As part of this process, plates and cutlery (which is now clearly stamped with the cell number), a health / hygiene pack (with items relevant to females or males) is given out, and also a pack of canteen items to see them through their first days in prison. Included in the pack is an envelope, paper and pen for that important first link with home and family.

As part of the admission of new prisoners, a healthcare check and assessment is made. Although there is a Medical Room designated within the reception area, Healthcare staff prefer to use the facilities within the Healthcare Wing.

A useful booklet 'A Rough Guide to the Isle of Man Prison' is given to each prisoner, which offers relevant and helpful information to assist in the process of settling into prison life. Also available to them is a DVD 'Welcome to Jurby'. Some sections of the booklet do need revision to update the information.

All the information gathered as part of the admission process is referred to the relevant departments e.g. the kitchen, to ensure there is a meal for any prisoners new to the wings. Administration is given any money prisoners may have brought in with them. The interview also ascertains the most appropriate location to which the prisoner should be housed.

Prisoners returning to the prison from medical appointments, courts, or outside working parties, are also subject to the special searches on return, and all movements are efficiently recorded on the prison's computer system.

Throughout all of these processes, staff are seen to be sensitive to the situations, in which prisoners find themselves, and endeavour to ensure the smooth and efficient running of the prison.

It is important that prisoners are processed through the reception area as quickly as possible. At certain busy times a second interview area would be beneficial to this process.

PROPERTY

Within the reception area, is the designated Property Storage Store. This is a suitably sized and well organised facility. This area has clearly designated zones for stored property, incoming property, and a locked cupboard for valuable property; also a similar cupboard for property requested by prisoners to add to their in-possession.

The effectiveness of this facility is evidenced by the significant reduction in the number of applications to the Board concerning missing property, since the move to Jurby.

There is also an effective system for the prisoners to retrieve their property. This is done by means of prisoners accessing their property through an application system. The post box for this facility is clearly labelled on the Street, and is conveniently sited just outside the reception access door. Each wing is allocated two days, within the week, on which they may request and receive their property.

At each stage of this process, security measures and checks, giving a clear audit trail, are in place.

When prisoners arrive at the prison, their property is checked, in front of the prisoner, and carefully listed, within the three groupings pertaining to all stores property – these are property allowed 'in possession' i.e. electrical equipment, clothing allowed 'in possession, in their cells, and property to be stored within the stored property area. The prisoner checks, agrees, and signs the three separate lists, as does the Reception Officer.

- The Valuable Property Store is very secure; again items are logged, and kept in the safe, covered by CCTV observation. All money is passed on to Administration to be logged and accounted on the prison computer system.
- From time to time, visitors may bring in property and money for the prisoner; this will be recorded within the prisoner's personal on-going property record.
- Information concerning property is clearly outlined in the booklet 'Rough Guide to the Isle of Man Prison'. This is useful information and aid memoire for prisoners, particularly those new to and unfamiliar with the prison organisation.

Throughout the year, Board members have received written and verbal applications for help in retrieving property which has been taken from prisoners on arrest, and has had to be kept by the Police for forensic purposes. This property has to be kept until the investigation, of which it is a part, eventually comes to court. Sometimes, even after a sentence has been given, these items are kept, in the possible event of an appeal. The Police / Prison Liaison Officer has been helpful in assisting in the retrieval of these items of property. Board members have observed the return of property to the prison by the Police, even without the intervention of the Board. We would hope this smooth transition of reuniting prisoners with their property will continue and improve.

VISITORS CENTRE

All visitors to the daily social visits session must report to the Visitors Centre, located a little distance away from the gatehouse main entrance to the prison. The centre is opened at 1.00 – 1.15pm on visits days; this allows time to process the visitors, prior to them going across to the main gatehouse in time for the 1.50pm session.

In the centre are lockers for property unable to be taken into the Visits Room, and a notice, which informs visitors that they may only take up to £3 in change for use in the vending machines, within the Visits Room. This notice is the first indication that new visitors have of the limitation on the amount of money allowed. A few prisoners have spoken to the Board about this issue. An amended notice on the Visiting Order might usefully detail this information.

Push-chairs (including a 'double buggy') and wheelchairs are available on loan to visitors as visitors own push-chairs are not allowed to be taken over into the prison.

The officers running the Visitors Centre deals sensitively and efficiently with all visitors, in particular the needs of families visiting for the first time are taken care of, by way of individual explanation of procedures, where numbers are low enough to allow for this. Roles of the two staff are clearly outlined – one member of staff checks Visiting Orders and the other deals with property brought in.

The area within the gatehouse foyer where security checks are carried out on the visitors and the property they might be bringing in to the prison, can at times, cause serious congestion, and this can mitigate against effective security checking by the drug dogs. To alleviate this, small groups of up to seven persons, are sent over to be processed at any one time.

VISITS

These are held on each weekday except Wednesday and the Christmas and New Year Bank Holidays, and on Saturdays and Sundays. Very few visitors come to the prison during the week; Tuesday had the lowest number of visitors during 2009; most of the visitors came at the weekend, but the numbers on those days never warranted opening a second visits session on each weekend.

The reason for this disproportionate spread of visitors, throughout the week appears to lie in the inordinate amount of time it takes to travel to Jurby, even from Douglas (let alone those areas lying outside Douglas) on public transport. It would seem that the majority of visitors leave their visits until the weekend, when they are able to arrange private transport from among friends and family members, who are not working on those days.

The bus times coincide with the afternoon visiting session and there is shelter near the Visit Centre. Timetables do have an affect the release of prisoners who would need to travel on public transport. Their release at 10am means that no morning appointments, with the support agencies in Douglas (e.g. Probation, Social Services and DHSS) can be made for prisoners.

The Visits Hall is a spacious, light and airy area with generous seating at twenty-four tables allowing each prisoner to have up to three visitors. There are special spaces for wheelchair users, and a very small play-area, manned at the week-ends by members of the Mothers Union which also offers a variety of toys and games to occupy younger visitors.

The visits cater for all categories of prisoners, and thanks to the skilful allocating of prisoners to tables, based on the officers knowledge of those prisoners ensures the calm running and atmosphere of the Visits Room.

The visitors are seated first, and then the prisoners are brought to the Visits Room – this ensures that no prisoner suffers the embarrassment of waiting for visitors who fail to arrive.

Each visit lasts for one hour – except in the case of extended visits. These are when prisoners from off the island have visits from family, who cannot come as frequently as others, and they are allowed a visit of 1.5 hours.

In the case of Manx prisoners who are serving their sentence in the UK, they are brought over to the island twice per year for accumulated visits. In this instance they can have visits on alternate visiting days, but these last only for the regular one hour period. During 2009 one prisoner returned to the island for this purpose.

FAMILY DAY VISITS

A new addition to the visits programme was introduced in 2009, when a longer visit was made available to the families of a small group of trusted prisoners serving long sentences (no more than eight per session). These prisoners had been nominated by officers and members of other agencies working in the prison as deserving and benefiting from a longer session with their families. These sessions were first and foremost for the benefit of the prisoner's children (those up to twelve years of age), and not totally for the prisoners.

So far, three of such sessions have been held, coinciding with the school holidays at Easter, Autumn Half-Term, and Christmas. The Board members, on rota, observed these sessions and confirmed their value and worth to the children and the family unit as a whole.

A condition of taking part in these sessions for the prisoners was their attendance at valuable sessions relevant to parenting skills – entitled 'Through the Eyes of a Child'. A further course in preparation for these family days is being developed into how to help children deal with a parent who is in prison. These courses were supported and delivered by the Mothers Union, the Children's Centre, and the Prison's Education Department. On the day, valuable input was also given by the staff of the PE Department and by the Prison's Catering Department as well as the Prison Officers.

Based on the success of the sessions held in 2009, more such visits are planned for 2010.

The staff as a whole is to be congratulated on their effective involvement in these valuable visit days.

CHAPLAINCY

There are currently three prison chaplains representing the Catholic Church and Church of England. This also includes a chaplain who represents Free Churches. A multi-faith room is available for services which are held once a week, usually on a Saturday morning. One member of the chaplaincy team visits the prison each day and is available on the wings or by request. Every effort is made to accommodate those prisoners whose personal faith is other than those of the appointed chaplaincy.

During the past year representatives from the Mormon faith and Jehovah Witness's have been escorted into the prison by the Free Church chaplain. The chaplaincy provides an important role not just for the prisoners but also members of staff if necessary. During 2009 an Alpha Course was run for prisoners during the Saturday morning service; however it was unfortunate that although this particular course is specifically tailored for use in prisons, there was not enough time allocated for discussion.

DOGS

There are two dog handlers who have two dogs each, which are trained in the detection of illegal substances and other items. Training is continually ongoing as a matter of course. The dogs are used during prisoner visiting sessions as well as when external deliveries are being made to the prison, this is in addition to general active duties within the prison itself. The kennel area is situated in a purpose built unit within the prison grounds and is extremely well kept. There is also provision to house police dogs when their handlers are on leave. The dogs themselves are kept in excellent health, are very alert and well trained and receive the best possible care.

GYM

The Gym is headed up by a Senior Officer and five other officers. The average weekly usage of the gym is approximately two hundred people, which is impressive. The gym officers do not offer any training for a qualification as they have so many prisoners going through the system and there are no outside jobs for them. However they do offer training in a Healthy Educational Lifestyle.

There is a Trim Trail area next to the football pitch. This is yet to be completed and is unlikely to be so due to lack of funds! It is used for walking at the moment, but it is unsuitable for running as the surface is not flat.

It is suggested that if it was finished with tarmac, the track area could have six or seven training / workout stages round it. However, once again, nothing is being done due to lack of funding.

LEGAL VISITS

In the period 1 Jan 2009 to 1 Jan 2010 Professional/Police/Legal Visits to the prisoners totalled 512 visits.

JAN 2009 41 visits	FEB 2009 60 visits	MAR 2009 35 visits
APR 2009 33 visits	MAY 2009 44 visits	JUN 2009 36 visits
JUL 2009, 35 visits	AUG 2009 28 visits	SEP 2009 56 visits
OCT 2009 65 visits	NOV 2009 49 visits	DEC 2009 30 visits

'Live Link' was used on 26 occasions and the time in use was 354 minutes.

CATERING

Prisoners are able to pre-select their meals from extensive weekly menus. This includes for lunch a homemade soup plus choice from two mains and at dinner a choice from three mains or a sandwich. There is always a vegetarian option.

All meals are delivered to the accommodation wings, for service, using heated trolleys.

The Board have tasted meals at random on the wings and can confirm the quality and quantity of the meals produced is to a very high standard.

Meals for the Prison Officer's Canteen are supplied from the same kitchen and this facility is well used.

The kitchen is staffed both by Prison Officers and prisoners. The prisoners working in the kitchen have the advantage of being taught how to use very modern catering equipment under the supervision of proactive Prison Officers.

It is disappointing that to date there are no facilities for the prisoners to attain formal catering qualifications to help in their rehabilitation.

MANDATORY DRUG TESTS

Mandatory drug testing (MDT) is an area for further development.

Despite MDT being conducted since 2001, the operation did not run smoothly in 2009. A key performance indicator (KPI) required that a certain percentage of the prison population should have been randomly tested each month. There were some staffing and training issues which resulted in the required number of tests not being carried out in some months.

On other occasions, priority was given to the Frequent Test Programme rather than random testing. As a result, the KPI was not met. There were some procedural anomalies where a few tests were carried out that should not have been done. There were other procedural problems on occasions, regarding the obtaining of MDT results from within the establishment in a timely manner, and the measures taken to effectively deal with some prisoners who had tested positive for illicit drugs. It is anticipated that a new Operational Order, to become effective from January 2010, will help to address these issues.

Statistics presented to the Board, in preparation for this report, were acquired from two sources. Neither source had figures available for January. Figures for February and March were only available from one of the sources. The other source began collating information quarterly, with the year running from April - March. There are discrepancies between the two sets of figures for the months covered by both (April - December).

Both sets of data indicated that of those tests producing a positive result for the presence of drugs, the majority related to prescribed medications rather than illicit drugs. This is an encouraging sign, suggesting that illicit drugs are not readily available to prisoners and detection methods for drugs entering the prison are mostly effective. Few prisoners were subjected to adjudication and/or closed visits as a result of positive test results because discretion was appropriately applied in cases where legitimate prescribing of medications was confirmed by Healthcare staff.

Another encouraging sign was reported to be the high proportion of prisoners who voluntarily agreed to frequent testing compacts. In the case of female prisoners, the Board were informed that most of them were in this category. Actual numbers were not obtained.

Support from the Drug & Alcohol Team (DAT) for prisoners taking drugs (either prescribed or illicit) was regarded by Healthcare staff to be inadequate. The provision of these services is to be reviewed in 2010. The Board felt that the Governor's signed authorisation for testing to be undertaken could have been more prominently displayed.

SECURITY

A Deputy Governor Grade is responsible for Security and Operations; since September 2009 there has been an increased team dedicated to identify and improve security issues within the prison. The team is currently seven persons.

There is a monthly meeting of the 'Security Group' to discuss issues and maintain standards. It should be noted that the use of security measures within the prison are balanced against the existence of a prison community at Jurby.

Security Information Reports (SIR) are used as a 'risk assessment' within the prison community and to identify "development offenders". Towards the end of the year there was a concerted campaign to encourage completion of such reports. A single report may seem, insignificant, however a number of reports when 'joined up', can provide important intelligence. A Security Notice Board has aided relevant intelligence: submissions can be made by all security officers and the police liaison officer. The police liaison officer spends one day per week at Jurby and it is intended this should increase to two days per week.

Security personnel monitor mail in and out of the prison (5% random sample) as well as outgoing phone calls (also 5%). Monitored phone calls are recorded digitally and the fact that a call has been monitored is permanently noted on the system. Should circumstances / intelligence reports raise suspicion, mail or phone calls can be targeted - this has to be signed off, with written reasons, by the Duty Governor and continues for a period of twenty-eight days. It is noted that targeted monitoring can only be activated with written reasons - random 'fishing' for intelligence or selection against random prisoners is not permitted.

Occasionally mail can be withheld - this procedure is managed by the Deputy Governor.

The activity of using electrical leads / appliances for creating a spark / light has been a cause of concern throughout the year; the dangers and risk have to be monitored regularly along with managing the alternate uses to which electric leads may be put.

Random use of 'operation design' (keeping prisoner & visitors safe) has had some successes in 2009; this is an operation where every person & vehicle arriving at the prison on a visit day are stopped and questioned.

The increased resource dedicated to security issues has enabled many more procedures to be introduced late in 2009; evidencing of security procedures as required in modern management is also underway.

SECTION 7

THE WORK OF THE BOARD FOR THE YEAR 2009

This reporting year, 2009, has proved to be very busy with many changes and developments.

MEMBERS

Seven new members were appointed in April and attended their first Board meeting in June.

Sadly, Justices of the Peace retired in July - we lost three highly valued members. Two of these, Mr Malcolm Hartley and Mrs Elaine Christian (who had chaired the Board for the previous seven years) had given some forty-eight years service between them. Mr Matthew Evans had given four years service bringing to the Board both humour and knowledge. Their vast experience and common sense is greatly missed.

The present Board is comprised of thirteen lay persons – five male and eight female.

MEETINGS

The Board meets on the first Monday of each month apart from Bank Holidays when another date is arranged.

The Governor attends part of these meetings and delivers a report on prisoner numbers, staff illness, appointments, training and other relevant matters. Unresolved issues encountered by visiting members are aired and acted upon.

Every second month a representative from the Department of Home Affairs joins the Board for a meeting prior to the regular meeting. Every six months, the Minister of the Department of Home Affairs attends this meeting also.

The Chairperson and Vice Chairperson meet with the Minister twice a year at the Department of Home Affairs.

The Independent Custody Visitor Scheme meeting takes place at Police Headquarters on a three monthly basis. We are joined by Inspector Will Campbell who has overall responsibility for the Custody Suite.

Matters concerning the Custody Suite at the Isle of Man Courts of Justice are raised at our meetings with the Department of Home Affairs representative.

The Chairperson and Prison Governor meet on a fairly regular basis throughout the year.

VISITS

Members are rostered to make weekly visits to the prison and do so in pairs – one new member accompanying an experienced member.

One pair visit a wing, kitchens, Segregation Unit, and Healthcare.

One pair hear and pursue prisoner requests and complaints made in both written and oral form. They will also visit specific areas of the prison such as PE Department, Workshops, Chaplaincy, Education, Dog Handlers Unit, Library, Reception, Visits, and Probation. This ensures that all areas of the prison are monitored several times a year.

Each visit is recorded and responses to prisoner's applications completed and returned to them. Urgent issues are brought to the Governor's attention.

The IMB office is now located on the main administrative floor of the Gate Lodge. It is within easy access of the IMB Clerk, all Governor and Deputy Governors, Probation, and Head of Business – a tremendous bonus!

The Custody Suite at Police Headquarters is visited monthly. The holding cells at the Lord Street and Port Erin Stations are visited at least twice a year.

The Custody Suite at the Isle of Man Courts of Justice and G4S transport are visited monthly.

OTHER MEETINGS

Various agencies i.e. Probation, are invited to Board meetings as are prison staff i.e. Deputy Governor responsible for Security.

The Board tries to monitor as many internal meetings as possible. This year these have included: 'Issues', 'Security', and 'Clinical Governance'. We still await 'Safer Custody Group' to re-convene.

Several members have attended the excellent 'Family Days' and were well impressed with the quantity and quality of staff input.

TRAINING

Training sessions for new members have been carried out at the end of Board meetings. These have been devised and delivered by the experienced members. Sessions include: 'The Role of the IMB', 'Rota Visits', 'Applications', and 'Serious Incidents'.

A two day course took place in December. This was delivered by three National IMB Trainers from England, around a package developed by the experienced Board members so that it suited the needs of the Isle of Man situation. It proved to be very beneficial to new and longer serving members alike and established links with the English Independent Monitoring Board – particularly the North West area. This lessens the feeling of working in isolation and assists in keeping the Board abreast of developments in the UK.

Several members enjoyed attending a 'Control & Restraint' course run by prison staff.

Early in 2010, it is hoped that there will be follow on courses including 'Hostage' training and 'Adjudication'. The latter to be run by National trainers.

SERIOUS INCIDENT

In November, a serious incident on B Wing took place necessitating the opening of the Command Suite. The Board were called in to monitor the situation as it developed and concluded. The Board contingency plans were followed with two members attending and one on standby. A precise log of events in the Command Suite, Wing, and Segregation Unit were recorded with follow up visits, in order to speak to those concerned, the next day.

In total, this involved some twenty hours work – monitoring, recording, re-visiting and attending hot and cold debriefs.

OTHER DEVELOPMENTS

One member has kindly offered to act as Information Officer to the Board. Now any non-essential material is filtered out thus saving time for concentrating on essential information.

The Board have re-designed Letter Heads, Application Forms, Medical Consent Forms, and Hostage Information Forms.

Prisoner Information Literature has been produced re 'The Work of the Board' for wings and reception areas.

ADJUDICATIONS

Regrettably, there still remains no change to the Custody Rules which require the Board (under Rule 46 (6) (a) (b)) to carry out adjudications whereby extra days can be awarded to a prisoner committing an offence under this rule. The Board have continued to seek a change from as long ago as 2002. This is a direct conflict with the Board's role; it is inappropriate and at odds with our monitoring role. There needs to be an independent arbiter in post – an urgent need!

This year, four adjudications by the Board have been carried out – all resulting in the award of additional days.

STAFF

We would like to acknowledge the support and help of management and staff in carrying out our tasks, and thank them for their unfailing courtesy and co-operation.

The Board wishes to acknowledge the exceptional help and support that it has received from its Clerk throughout the year, and take this opportunity to publically record its thanks.

MEMBERS OF THE BOARD

Finally, the commitment and enthusiasm of the serving Board members has been exemplary remembering that seven of the members have only six months experience. They are all ready to support each other and are flexible in the cover of rota visits to prison and holding cells, meetings etc. This has been greatly appreciated by the Chair.

For and on behalf of the members of the Independent Monitoring Board, Isle of Man Prison

Mrs A N GELLING

Chairperson of the Independent Monitoring Board, Isle of Man Prison

BOARD STATISTICS FOR THE YEAR 2009

Number of Board members at start of reporting period	9
Number of Board members at end of reporting period	13
New members joining within reporting period	7
Number of members leaving within reporting period	3
Total number of Board meetings during reporting period	12
Total number of attendances at Board meetings	118
Total number of Board meetings with DHA Minister & / or Representative	6
Total number of attendances at meetings with DHA / Minister	57
Chair / Vice Chair meetings with the Minister, DHA	2
Number of visits to prison (excluding meetings)	75
Total number of IMB adjudications	4
Total number of attendances at other Board / Prison Meetings	10
Total number of Prisoner Applications dealt with	138
Total number of serious incidents attended	1
Total number of training days attended	3
Approximate number of hours spent on visits and meetings	1065

SUMMARY OF APPLICATIONS TO THE INDEPENDENT MONITORING BOARD FOR THE YEAR 2009

SUBJECT	No
ACCOMMODATION	6
ADJUDICATIONS – GOVERNOR GRADE LEVEL	7
DIVERSITY RELATED	1
EDUCATION / EMPLOYMENT / TRAINING	3
FAMILY / VISITS	11
FOOD / KITCHEN	6
HEALTH RELATED	34
PROPERTY	27
SENTENCE RELATED	6
STAFF / PRISONER / DETAINEE RELATED	13
TRANSFERS TO OTHER PRISONS	11
I E P RELATED	3
MISCELLANEOUS	10
TOTAL NUMBER OF APPLICATIONS	138
TOTAL NUMBER OF APPLICATIONS FOR PREVIOUS YEAR	107

NB: One male prisoner submitted 14 applications to Healthcare

SECTION 8

POLICE HOLDING CELLS

Background to Custody Visiting

Independent Custody Visitors attend local police stations unannounced and in pairs in order to check:

- The provision of rights and entitlements.
- The treatment and wellbeing of people who are held at the facility.
- The condition of the facilities.

The scheme allows for a greater public understanding and confidence in respect of statutory and non statutory rules governing a detained person's welfare. In addition, it offers an extra level of mutual protection to detained persons and police officers by providing independent scrutiny of the treatment of detained persons and the conditions in which they are held.

The Isle of Man Independent Custody Visiting Scheme

As at 31 December 2009, there were thirteen Independent Custody Visitors serving the Island Scheme. These individuals also represent the total cohort of both the Independent Monitoring Board of the Isle of Man and also the Court Custody Suite Monitoring Scheme of the Island.

During the year, seven new Independent Custody Visitors were recruited as a result of the compulsory retirement of Justices of the Peace. Due to a change in Island legislation Justices of the Peace may no longer serve as members of the Independent Monitoring Board and, by implication, the Independent Custody Visiting Scheme.

Monitoring the Scheme

The Police Authority appointed a Senior Officer to maintain an overview of how the scheme was working. The officer and the ICV members hold a formal meeting quarterly at Police Headquarters in Douglas to provide an opportunity to review matters arising from visits.

Visiting Statistics

During the period 1 January 2009 to 31 December 2009 a total of twelve scheduled rota visits were made to Police Headquarters in Douglas. Twenty six persons were detained in custody at the time the visits were conducted, of whom a total of eleven were visited. Two of the detainees were juveniles i.e. those aged below seventeen years and both were visited. Detained persons are not obliged to speak with visitors and have the right to decline a visit.

At first glance, these results suggest that as just over 42% of detainees had been visited, the other 58% declining a visit. However, of those 26 detainees, only 5 detainees (representing 19%) declined or refused a visit, the remaining 10 detainees were unavailable to be seen by an ICV for various reasons e.g. court appearance or interview with advocate.

Other visits included one unscheduled visit to Douglas Headquarters to investigate a complaint made by a detainee at the Court Custody Suite. In addition there was one visit each to Lord Street Police Station in Douglas and Port Erin Police Station. There were no detainees on either of these two visits.

With regard to the timing of commencement of scheduled visits to Douglas Headquarters there was one visit between 6am and 8am, two visits between 8am and 10am, two visits between 10am and 12pm, three

visits between 2pm and 4pm, two visits between 4pm and 6pm and two visits between 6pm and 8pm. Two of the visits were made at the weekend.

Issues reported from Custody Visits at Douglas Headquarters:

- Freezer in need of defrosting with out of date meal on one occasion.
- Advocates room in need of redecoration.
- Small amount of graffiti on one occasion.
- Some confusion regarding ICV access to areas of the custody suite.
- Police officer unaware of location of anti-ligature knife.

Issues reported from Custody Visit to Port Erin Police Station:

- Secretary/receptionist unaware of role of ICV.
- Police officer unaware of location of anti-ligature knife.

Issues reported from Custody Visit to Lord Street Police Station:

- Van docking area not secure for unloading of prisoners.
- Public counter manned from 9am to 4.30pm only.
- Cells only accessible by lift which requires detainees to be risk assessed.

Issues reported from quarterly ICV meetings:

- ICV Guidelines require updating.
- Lack of cameras in all ten cells at Douglas Headquarters.
- Lack of advocate availability out of normal office hours.
- Fire Practice Drill evacuation policy review.
- Provision of new 30 Cell Custody Suite at Douglas Headquarters.
- Implementation of new ICV Report Form.

Achievements and Highlights:

- New White Board in office to record detainee information (e.g. next review, identified risks, Meds, legal visits).
- Four out of the ten cells are fitted with video cameras whilst all ten cells are fitted with intercom equipment to allow more effective monitoring of vulnerable detainees.
- Some improvement in cell monitor picture quality following upgrade of computer equipment.
- Custody area invariably clean and tidy.

- Plenty of clean clothes and blankets readily available.
- Freezer usually well stocked with good choice of meals.
- All detainees visited by the ICV whilst in custody were very positive about the way in which they had been treated by the police officers. The complaint, mentioned above, which was investigated by the ICV was unfounded).

SECTION 9

CUSTODY SUITE –COURTS OF JUSTICE

Background and Context

- Members of the Board visit the Holding Cells in the Courts of Justice each month on rota. During 2009, a total of almost twenty hours was given to such visits. The visits enable the detainees held to raise any concerns or comments relating to their treatment whilst in the Custody Suite.
- Detainees are brought to the Courts of Justice from the prison at Jurby, or from Police Headquarters in Douglas. During 2009, the Board members noticed a significant increase in the numbers of such detainees appearing at the Courts of Justice, and being held in the cells, particularly on the days when the Courts of General Gaol were being held – usually on Tuesdays. On very busy sessions, numbers rose up to fifty detainees being held in the six very inadequate cells, during the day.

The Suite comprises six cells in total and of these, there are three smaller cells located separately. These three cells can usefully house females, or young offenders, or vulnerable prisoners. Of the three remaining cells, two slightly larger cells can hold up to two prisoners, and then one larger cell which has, at times, had to accommodate up to and sometimes more than six further prisoners.

- There are a limited number of Interview Rooms available for use by Advocates.
- The Custody Suite is managed and run by the security firm G4S. This team of people, usually totalling nine in number, including female staff, has received training from the prison staff in matters of the handling of detainees, organisation, working of the courts, and other security matters, in preparation for their role.

This team of staff operate from a small office, which also has within a very small food preparation area.

They have a fleet of two vans, and one car available to transport prisoners (dependant on the categories of prisoners appearing in court).

Observations from Visits

- It has become increasingly clear throughout our visits during 2009, that the senior staff of G4S, and the whole team, whom they organise and manage, are carrying out their duties in a professional and conscientious manner.

Despite the many difficulties presented by the Custody Suite's accommodation and its facilities, G4S staff are all purposefully and efficiently deployed. They know their roles and responsibilities and carry them out with sensitivity and in an effective manner.

On their visits, the Board have had various comments made to them by the detainees, expressing positive comments of appreciation, for the care of G4S who endeavour to make the detainees,

particularly those appearing at court for the first time, as relaxed and comfortable as the situation affords.

There seems to be a good atmosphere between detainees and staff, without compromising security.

Condition of the Holding Cells

- The cells are always presented as clean and tidy. All corridors, and the toilets within the cells, are clean and well presented. However, in the hot periods of the year, lack of ventilation in the cells and the area in general has resulted in poor air quality, and an unsatisfactory environment for detainees and for staff working in the area.

In particular, the overcrowding which the increasingly large numbers of detainees has caused, has necessitated that often six or over detainees have had to be located in the largest cell.

This has meant that the conditions for those detainees are less than comfortable, given that many of them could be held for up to eight hours.

The acoustics in this cell means that any individual conversations are extremely difficult, if not impossible to hold. This means that any prisoners wishing to raise any personal or individual concerns with the visiting Board members are unable to do so effectively.

Added to these difficulties, although each cell has a toilet facility, multiple occupancy of these cells, means that individual detainees have to be removed to offer privacy to the remaining detainee in need of toilet facilities. Then the detainees have to be held in the corridor area, whilst G4S clean the toilet, and the cell can be used again. This impinges on staffing numbers as well as raising health and safety concerns.

On certain busy days a cell has had to be used as an overspill Advocate's Interview Room, when the other reception rooms are in use by other Advocates.

We understand that meetings are to be scheduled during 2010 to attempt to alleviate the difficulties of overcrowding, and to explore management strategies which could ameliorate the situation.

Custody Suite Staff Office and Facilities

- (a) The office space, from which G4S staff have to control movement of detainees to and from the van parking area, travel to the courts, Advocate arrangements and offer appropriate care and attention to the detainees, is totally inadequate.

Within this office space is also housed a tiny area for preparation of meals, drinks, and snacks for detainees, who can be held in the holding cells for several hours.

A light breakfast is needed to be prepared by G4S staff for the detainees from Jurby, who have to leave Jurby Prison at 7.30am (before the prison breakfast is served), in order to arrive at the courts in time.

The cupboards in this food preparation area are always well stocked with an appropriate range of foodstuffs. The detainees have frequently expressed their appreciation of the provision of these snacks.

- (b) The Board members have frequently expressed their concern at the lack of facilities for the storage of property and valuables, which detainees often bring with them to court. This is particularly so in the situation when detainees are brought down to the court from Police Headquarters.

It is also concerning that when prisoners are brought down from Jurby with their personal property and valuables (in the event of them anticipating being given Bail), there is no designated or effective storage area for these belongings.

Again, G4S staff do their utmost to ensure that property is stored in a manner that does not compromise security or safety.

Vehicles

These are all very clean, and well maintained by G4S. Increasing numbers, accompanied by the fact that prisoners of all categories are transported from Jurby Prison to the courts, means that very skilful organisation and management of this situation is demanded of G4S staff. Working in collaboration with the prison staff, G4S become very well informed of prisoners' individual needs and behaviours, and this enforces their very effective handling of them.

Detainees with Disabilities

It is concerning to Board members that there is no access for detainees with disabilities of mobility to the Custody Suite. Access for them has to be via the front reception to the Court, or via the lift from the vehicle parking area, into Court 5, and then through the public area and into the Custody Suite.

The Board feels that although the court building at present can offer no other solution, we need to draw attention to the fact that Custody Rule 15 (1) is violated. This Custody Rule states that 'A person being taken to and from an institution shall be exposed as little as possible to public observation and shall be protected from curiosity and insult'. At present, we feel that all steps that can reasonably be taken are done so to ensure that the spirit of 'as little as possible' is being adhered to.

In conclusion, the Board acknowledge the not insignificant part which G4S staff play in this aspect of the Criminal Justice Provision.

We look forward to the future discussion with the Court Officers resulting in an amelioration of some of the concerns which have been outlined.