

Guernsey Prison

INDEPENDENT MONITORING PANEL



2017 ANNUAL REPORT

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CHAIR'S FOREWORD & SUMMARY

In starting my fourth foreword as the Chairperson of the Independent Monitoring Panel (IMP), I again wish to acknowledge my fellow volunteers who sit on the Panel for their continued commitment and enthusiasm. The role of the Independent Monitoring Panel is to provide independent oversight of the day to day operation of the prison. We are a group of ordinary people doing an extraordinary job. We monitor day to day life within the prison to ensure that proper standards of care and decency are maintained.

In 2017 a number of members retired and we successfully recruited three new members who all offer new and different perspectives. It is important that Panel members be flexible, enthusiastic and open-minded and that they possess objective judgement and listening skills. Panel members need to be good communicators in order to be able to ask the right questions and formulate a fair response, taking into account all of the different and often conflicting personalities and priorities.

We are, as always, indebted to the staff at the Guernsey Prison; especially to those prison officers who accompany members throughout their visits. Without their insight, information and an understanding of our role we would have a very difficult and frustrating job to do! I take this opportunity to thank them all for their professionalism, courtesy, patience and good humour on our visits.

The Guernsey Prison continues to develop and improve the way it protects the public and endeavours to reduce re-offending. The past year has seen a number of significant physical improvements to the estate, which has had the effect of reducing the number of complaints received about the fabric of the prison, its facilities and atmosphere.

We all consider that more could be done to improve general awareness of the Panel's role. Panel members have continued to attend induction meetings throughout 2017, which has served to increase understanding however, the Panel is of the opinion that a significant amount of information is disseminated to prisoners on induction, at a time when emotions are generally running high. The Panel is sympathetic and understands that it is difficult for prisoners to retain all the information given at induction and suggests that there may be other ways for the prison to make this information available, perhaps in different formats.

The Panel has continued to improve the way it communicates with prisoners and prison staff specifically regarding the outcomes from its enquiries.

In conclusion the Panel continues to view the Guernsey Prison, its facilities and its staff to be a testament to this Island. The Panel is pleased see the work being undertaken to prepare offenders for their eventual release and overall considers that prisoners are treated fairly and humanely and that they are held in a facility which is properly managed and in good condition.

Wendy Meade

STATUTORY FUNCTION

The Guernsey Prison Service serves the public by keeping in custody those legally committed to its care. Its duty is to look after them with decency and to help them lead law-abiding lives in custody and after release. The Prison holds a diverse population, including those sentenced and on remand, men and women, young offenders and juvenile and vulnerable prisoners.

The Independent Monitoring Panel is constituted under the Prison (Guernsey) Ordinance 2013 (“the Ordinance”) as an independent body made up of members of the public to make unannounced visits to Guernsey Prison. Members provide independent oversight of the day-to-day operations of the Prison and prison conditions, monitor the administration of the prison, the treatment of prisoners and whether the statutory objectives of the prison system are being met, and serve to protect the well-being of prisoners. In addition to this, the Independent Monitoring Panel also looks to oversee the general well-being of the members of staff who are employed at the Guernsey Prison.

The core functions of the Panel include:

1. Undertaking a monthly unannounced visit of the Prison premises (two Members in attendance for each visit);
2. Individual responses to prisoner requested visits;
3. Visits to prisoners who have been admitted to the Segregation Care and Progress Unit (SCAPU);
4. Bi-Monthly Panel meetings;
5. Attendance as observers at various Prison meetings.

The Ordinance requires the Panel to prepare an annual report at the end of each calendar year, which must include the following:-

- (a) *A summary of the Panel's activities, including the number of –*
 - I. Complaints or requests received from prisoners, and*
 - II. Inquiries conducted by Panel members, broken down by the topics to which they relate (e.g. food, temporary release licence, privileges, use of force) and compared to statistics from previous years,*
- (b) *Anonymous examples of prisoner's complaints and results of the Panel's inquiries into those, including recommendations made and responses received from the Governor or the Department,*
- (c) *The Panel's observations in relation to:-*
 - I. The state of the prison premises,*
 - II. The administration of the prison,*
 - III. Its observations on the treatment of prisoners.*
- (d) *Any advice or recommendations the Panel sees fit to make.*

THE PANEL'S OBSERVATIONS in 2017

The Guernsey Prison continued to see low numbers in terms of the prison population throughout 2017. The prison's Certified Normal Accommodation (CAN) is 134; the maximum operational capacity is 143. The average prison population for the 2017 calendar year was 91 with the highest number reaching 108 and the lowest recorded at 78. It was noted by the Panel, that on the majority of visits it was observed that that despite the size of the population and the staffing pressures, the atmosphere throughout the prison appeared healthy, relaxed and positive.

The Panel have generally been satisfied with the state of the prison premises during their visits. The planned programme of wing refurbishment has progressed well, has led to a reduction in complaints and, has contributed to the improved atmosphere. However, the panel is disappointed to report that the occupation of Lima Wing, following its redevelopment, was held up due to a delay in the installation of cell call buttons. The Panel was impressed that the female population had been invited to be involved in redesigning their new wing and had produced furnishings. The Panel note that tensions have been running high on the female wing due to individual personalities and suggests that some of this might be calmed by their moving to the new wing. See Appendix for further detail.

There has been a significant reduction in complaints from prisoners about the temperature of the accommodation, following the replacement/installation of boilers and heat pumps this year. The Panel notes that this has been an ongoing issue for the prison for a number of years, so is pleased that this issue appears to be finally resolved.

A new perimeter fence has been erected providing additional security however, the Panel were saddened to find that the erection of this fence has led directly to a reduction in the size of the football pitch, meaning that it is now not the correct size for competition matches, and the prison team can no longer invite outside teams in for competitive games. The Panel note their concern with regard to the potential for this to lower morale and cause disruption, specifically for the younger male population.

Glasshouses on the horticulture site have been replaced, the Panel commends the prison on its resourcefulness in that it replaced the greenhouse for free after a member of the public donated an old glasshouse that was due to be scrapped. The horticulture site is always beautifully presented and not only does it provide fresh produce for use in the prison kitchens, it also provides purposeful activities and training opportunities for prisoners.

Occurrences of skin irritation complaints also appear to have dissipated. As identified in the Panel's 2016 report, Prison Healthcare considered that this may have been caused by the detoxification processes.

The Panel continue to be frustrated that some prisoners appear unaware of the Panel's existence and role within the prison despite members of the Panel attending induction

sessions. The Panel welcomes the prison's review of its induction process and hopes they can find a way to disseminate the required information at the necessary time and in a way that is understood by the majority of the population. The Panel are cognisant that there is a lot of information that needs to be given to those entering the prison. Much of this is not retained by prisoners and it's not surprising, induction can be an emotional time. The Panel considers that the use of video or other electronic media may be an option, as an alternative to written or verbal information. Further, that rule books and information could be contained on wings or via the in-cell terminals to ensure prisoners have access to as much of this information as is possible.

Recommendation:

- *Rule books to be placed on every occupied wing*
- *In-cell terminals to contain accessible induction information including information relating to the IMP*

The Panel anticipated in its last report that prisoners may query the use of body worn cameras and considered that it might be beneficial to have some training about the benefits of using body worn cameras, what the capabilities are and in what situations they might be deployed within the prison setting. The Panel were advised at the end of 2016 that further information would be provided, but this has yet to be made available. There have been no enquiries or complaints arising from prisoners about the use of the cameras this year.

The Panel noted from its last report that the recreational area appeared neglected and equipment had not been properly maintained. The Panel is pleased to report that the recreational area has improved and opportunities for different recreational activities, for example, yoga classes have been made available.

The Panel is disappointed to learn that the issue of ex-prisoners accessing bank accounts locally remains unresolved. The Panel noted that having access to a bank account enables ex-prisoners to feel like they are valued members of society who are able to contribute and lead 'normal' lives. Having a bank account may even go some way to reduce the risk of re-offending by enabling them to access employment and accommodation without employers and other organisations having to jump through hoops. Having a bank account allows ex-prisoners to lead normal lives and does not place them, their employers and potential family members at risk.

The Panel continues to be impressed by the learning and skills initiatives on offer at the prison, and the resulting opportunities provided for its population. The Creative Learning in Prison (CLIP) charity continues to go from strength to strength, providing activities which are creative, give prisoner's new skills and develop their confidence. Prisoners from Guernsey Prison submitted a number of entries into the Koestler Awards again this year, with five individuals receiving awards. Prisoners continue to have access to vocational opportunities

such as work in the kitchen, in the carpentry, recycling and Le Tricoteur workshops and, as mentioned above, on the horticultural site.

The Panel investigated a number of complaints in 2017 when prisoners alleged unfair treatment from prison officers and had requested to see what those officers had written about them on their PIMS record. The Prison Information Management System, known as PIMS, is used by officers to record amongst other things, comments and observations regarding a prisoner's behaviour. The information contained is compiled and may be used for a variety of reasons including: when prisoner applies for parole, for security re-categorisation or, for a change in their IEP Status.

Currently, the prison charges for access to this information, as is the norm in the community when you request access to your medical records for example. The Panel is mindful that processing these requests, effectively a Subject Access Request (SAR), incurs additional costs in terms of the administrative resource and associated printing costs. However, with the new General Data Protection Regulations (GDPR) coming into force at the end of May 2018, new procedures in respect of these Subject Access Requests (SARs) will need to be established in order to meet data protection obligations.

The Panel are of the view that there may be some vexatious requests to view this information should the £10 fee be waived however, considers that it is only right that prisoners be able to see the information that is recorded about them.

In conclusion, the Panel has had no need to raise any specific issues with the Committee for Home Affairs in 2017. Responses received to visit reports have been satisfactory and the Prison always responds to our further enquiries until we are satisfied.

Please write to the Chair of Independent Monitoring Panel c/o Sir Charles Frossard House if further information is required in relation to any matter contained within this Report.

APPENDIX 1 - STATISTICAL ANALYSIS

1. Total number of visits

Type of visit	2017	2016	2015	2014	2013
Unannounced	12	12	12	12	12
Requested Visits	20	38	15	9	12
SCAPU*	12	6	3	2	2

*The Segregation, Care and Progress Unit (SCAPU) is used to hold prisoners separately from the main population. There are a number of reasons for a prisoner to be segregated; generally the reason for separation is that they present an increased risk to themselves, to staff, or to the rest of the population and cannot be managed effectively if they remain. SCAPU in Guernsey Prison is not used as a punishment although may be used for a period of cooling off should a prisoner be presenting aggressive behaviour. The ethos of the SCAPU within Guernsey Prison is that of individually-focused care. The intention is to support individuals so that they can safely be returned to mainstream accommodation.

There is a need to ensure that the decision to separate a prisoner, and the experience of separation for that prisoner, are governed by the stated principles of fairness and decency. Separation should never be prolonged or indefinite and care should be given to ensure that individuals contained within SCAPU are treated with humanity and decency at all times and to ensure that an individual's mental health is not adversely affected by the separation. To this end the IMP are automatically requested when an individual has been placed in SCAPU.

2. Monthly unannounced visits

Theme of visits	2017		2016	
	Number of concerns raised by prisoners	Number of enquiries made by IMP	Number of concerns raised by prisoners	Number of enquiries made by IMP
Incentives & Earned Privileges (IEP) Status	1	1	2	2
Release on Temporary Licence (ROTL)				
Adjudications/Warnings			1	1
Access to offending behaviour work			1	1
Access to work or education	3	2	1	1
Bullying				
Smoking			1	1
Detoxification				
Complaints against staff			1	1
Food & kitchen	4	2		
Cleanliness				
Association Time / Gym / Recreation			3	3
Parole			2	2
Personal belongings or issues	5	4	4	4
Healthcare	3	3	1	1
Unfair treatment	2	1	1	1
Fabric or maintenance of the prison building	6	3	6	7
Use of force				
Information (Induction / release / processes)	1		2	2
Support after release			1	1

3. Requested visits by theme

Theme of visit	2017		2016	
	Number of concerns raised by prisoners	Number of enquiries made by IMP	Number of concerns raised by prisoners	Number of enquiries made by IMP
Incentives & Earned Privileges (IEP) Status	2	2	2	1
Release on Temporary Licence (ROTL)				
Prison Information System (PIMS)	1	1		
Adjudications/Warnings	5	1	4	3
Access to offending behaviour work			3	1
Access to work or education	2	1	1	1
Bullying				
Smoking			1	1
Detoxification			2	2
Complaints against staff			1	1
Food & kitchen				
Cleanliness				
Association Time / Gym	1 (group concerns)	1	1	
Parole			1	
Personal belongings or issues			4	4
Healthcare	3	3	1	1
Alleged unfair treatment	3		7	4
Fabric or maintenance of the prison building	1	1	1	
Moving wing			1	
Use of force			2	
Visits			1	1
Information (Induction / release / process)	1		3	2
Support after release				
No concerns raised			8	

APPENDIX 2- ANONYMOUS EXAMPLES OF PRISONER'S CONCERNS

In providing anonymous examples of the queries received, the Panel is mindful of the difficulties within a small prison population in ensuring that confidentiality is maintained. Conscious that it may be possible to identify individual prisoners by virtue of the circumstances, even in the absence of names, the examples below have purposely been written in such a way as to preserve the confidentiality of those seeking the Panel's assistance, but providing an illustration of the themes addressed.

Managing wing populations

The Panel is conscious that Guernsey Prison is the only facility on-island equipped to hold people committed by the Court, including those on remand, securely. The prison property must accommodate adult men and women, young offenders, children and vulnerable prisoners all with varying security categories, offences and lengths of sentence. With 12 wings available to hold all types of prisoner, the prison must manage the fluctuation of the population carefully. Disputes, intimate relationships, bullying and perceived unfair treatment can make things extremely difficult to organise, and the Panel congratulates Prison Management with how they manage to maintain separation for all of these groups when using the same facilities.

In 2017, tension and conflict on the female wing saw members of the Panel called in to observe and listen to concerns. Panel Members recognised that a particular mix of personalities confined to one wing presents significant difficulties. Had similar experiences occurred on one of the male wings, the Panel is of the view that they would have had the flexibility to move the occupants elsewhere. The Panel observed that the Prison Management Team had dealt with the clash of personalities in a very efficient way, trying various different arrangements in order to achieve balance.

The Panel consider that a further contributing factor, to the general atmosphere on the female wing, was the delay in moving the female population to the newly refurbished female wing. The female population had input ideas on the furnishing of the wing, which had been a positive experience for them, and this may have had a small part to play in the frustrations and dissatisfaction on the wing.

However, as mentioned above, the Prison Management Team are required to manage all types of prisoner and on this occasion the refurbished wing needed to be utilised for another category of prisoner. The Panel observed that the Prison had also made a significant effort to increase the availability of purposeful activity for the female population, including access to learning and skills opportunities, work and gym during this time.

Access to dental treatment

The Panel dealt with a few complaints raised by prisoners relating to accessing dental treatment whilst in Prison. The Panel noted that there was a dental treatment policy which states *“Guernsey Prison aim to provide a dental service to prisoners, equal to that provided by The States of Guernsey Social Security Department within the community.”* The Panel noted further that the Policy states that *“Individuals will receive free dental treatment for clinically assessed and routine dental work.”* Any cosmetic work including crowns and root canal treatments were not normally paid for out of prison budgets. However, treatment was available should the individual have sufficient funds. Once relayed to the individuals concerned the matter was resolved. The Panel consider the Prison’s Policy on dental treatment to be appropriate.

The Panel did raise specific concerns relating to the time it was taking for an appointment to be made for one individual who appeared to have been living with the pain and discomfort. Once raised with the Governor and Healthcare, it was agreed that the time delay was unacceptable and the situation was expedited, with an appointment being made within the week.