



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

Full-body Searches: Progress on the
Introduction of Technological Alternatives

14 February 2013

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Paul Givan (Chairperson)
Mr Raymond McCartney (Deputy Chairperson)
Mr Stewart Dickson
Mr Alex Easton
Mr Tom Elliott
Mr Seán Lynch
Mr Alban Maginness
Ms Rosaleen McCorley
Mr Patsy McGlone

Witnesses:

Mr Stephen Davis	Northern Ireland Prison Service
Mrs Sue McAllister	Northern Ireland Prison Service

The Chairperson: I welcome Sue McAllister, the director general of the Northern Ireland Prison Service (NIPS), and Stephen Davis, who is governor II head of the standards audit unit. This session will be recorded by Hansard, and a transcript will be published in due course. Sue, I will hand over to you.

Mrs Sue McAllister (Northern Ireland Prison Service): Thank you for the opportunity to brief the Committee on our evaluation of the suitability of full-body imaging scanners as a replacement for our current full searching procedures, following the conclusion of a three-month period of testing.

At the outset, I will say that I am grateful that you have agreed to hear some of our evidence in closed session, if it is indicated that that will be necessary. That is important for security and commercial-in-confidence reasons, and doing it will enable us all to gain as much as we can from today.

We should also emphasise that the purpose of the pilot was to evaluate the appropriateness of the technology as a possible replacement for full searching in the prison setting, not the suitability of the equipment or the suppliers. Therefore, it is important to understand that we will not comment on the specific equipment or the suppliers, other than to say that we are very grateful to them for their help and support throughout the pilot.

If Steve or I feel that some of your questions take us into an area that may be viewed as commercial-in-confidence or that may have an element of security sensitivity, we will ask that you keep that question until the closed session.

Although recognising that full searching is justified as proportionate and necessary to prevent the smuggling of contraband and weapons, recommendation 8 of the prison review team's final report stated:

"Efforts should be continued to see whether there is an effective and less intrusive method than full body-searching of ensuring that prisoners leaving and entering prison are not bringing in contraband."

It was against that backdrop that the Prison Service conducted a review of technology on full-body imaging scanners and their potential use in prisons. The outcomes of that review led to a commitment from the Prison Service on 3 May 2012 to pilot two projects in our prisons. The first involved millimetre wave scanners and the second will involve transmission X-ray technology. That commitment was another significant step in our reform agenda, and it has resulted in our deciding to test technology that had never before been used in a prison environment in the UK.

I am sure that we would all agree that full searching is intrusive to prisoners and far from ideal for prison staff. We felt that it was worth taking a step that enjoyed the full support of our senior management and staff associations. They, too, welcomed the opportunity to significantly reduce or eliminate the need for full searching.

The millimetre wave pilot ran for three months at Hydebank Wood and Milligan in addition to existing search procedures. That enabled a direct and accurate comparison to be made between the results that were obtained from both types of search. In addition to the operational deployment, prison staff conducted a series of tests on each unit to ascertain the technology's ability to detect a range of items that were hidden about the person.

We are very grateful to those Committee members who took time out of their busy schedules to visit Hydebank Wood to view the technology and witness the testing of the equipment. I hope that you feel that your visit was worthwhile and that it enabled you to get a proper sense of the suitability of the technology for prisons.

We already announced our intention to initiate a pilot of transmission X-ray scanners as soon as the necessary authorisation for the use of that technology in UK prisons has been obtained. Should it be obtained and the pilot take place, we will produce an options paper outlining our views on the way forward.

From your papers and from reports in the media, you will be aware that the results of the millimetre wave scanner pilot showed that there were limitations to the technology in the prison environment and that our current full searching processes provided a higher level of assurance by finding more of the test items than the scanning technology. A closed session will undoubtedly enable us to go into the evaluation in much more detail, but I think that it is important to say that, at this stage, we are disappointed at the outcome of the pilot. It is our view that, to preserve the security of the establishments and the safety of prisoners, staff and the wider community, the requirement for full searching on entry to and exit from the prisons and in some other circumstances must remain until a satisfactory alternative can be found. In moving forward, our intention is to hold discussions with millimetre wave scanner suppliers on potential improvements that could be made for the prison environment, with the possibility of revisiting the technology at a later date.

We will continue with our application to pilot a transmission X-ray system. However, it is entirely appropriate to continue to take steps to establish whether there is an effective and less intrusive method than full searching to ensure that prisoners leaving and entering prisons are not carrying contraband. Both the manner and the frequency with which we search will continue to be reviewed as the service modernises and produces new security policies. It is also important to restate our desire for and absolute commitment to maintaining as safe, secure and decent an environment as possible for all.

I again thank the Committee for this opportunity to update you in person on this important issue. Steve and I are very happy to answer any questions that you might have.

The Chairperson: Thank you very much for that. I have a number of initial questions.

You said that you were disappointed at the outcome, but were you surprised?

Mrs S McAllister: I kept a very close eye on the pilot throughout the three months. I visited the establishments and looked at it, as did Steve and members of his team. So, the findings did not come as a surprise at the end of the three-month pilot. It was a gradual recognition that, in their current form, these machines were not suitable for our purposes at this time. It is probably fair to say that there were no surprises for us by the time that we came to the end of the three-month pilot period.

The Chairperson: Upwards of 1,200 people participated in the pilot. Obviously, a number of prisoners did not want to participate and could not be forced to. Were detections exclusively made on staff or were detections also made on prisoners?

Mrs S McAllister: It was exclusively on staff. We did not find any items concealed on those prisoners who went through the machines.

The Chairperson: Did those who did not want to be scanned give any particular reasons for that?

Mrs S McAllister: There were potentially a number of reasons. The first was that this was new and different, and it operated alongside existing search procedures. We were not asking people to do it instead of the existing search procedures; we were asking them to do it as well as. So, there was a certain element of people's asking, "Why would you?". We also recognised that situation when we were searching prisoners who were about to go on home leave, for example, as they were keen to get out of the prison as quickly as they could. So, going through a voluntary procedure was less likely to happen if they were rushing to get out.

Some refused because they could refuse. Some refused because we think that they may have come under pressure from other prisoners, and some refused because they were concerned about potential health risks, despite our assurances that there was no risk. So, there were a range of reasons.

During the pilot scheme, when we were doing both types of search in tandem, it was a slightly different operating environment than we would envisage were we to have scanners in use daily. However, we tried to replicate the operating environment as far as possible. We know that it would be very difficult to search somebody by force; in fact, it would be impossible in one of those scanning machines. So, we understand that we will always have to have those alternatives.

The Chairperson: When I witnessed the system, false readings came up. You thought that there was an item, but it was a false reading. What were prisoners' reactions when there may have been a false reading? There was then a full-body search, although because it was a pilot, they were always getting a full-body search anyway. Was there, for example, the reaction along the lines of, "I do not have anything, but you are indicating that you think that I do"?

Mrs S McAllister: As you say, it was slightly unreal, because they were always going to have a full search anyway. Steve may be able to answer that in more detail.

Mr Stephen Davis (Northern Ireland Prison Service): During the pilot, the operator did on occasion ask whether there was or was not an object. The prisoner was asked what the object was. He could produce it if there was something, and, if there was nothing, he obviously said there was nothing. However, you are quite right: there was a full search immediately afterwards. So, at the end of the day, those sorts of discussions really did not come up.

They would be an issue in the event of the machinery's being accepted and that being our means to search prisoners entering and leaving the prison. At that point, we would have a situation with prisoners being adamant that they had nothing on them and our being equally adamant that they may have something.

The Chairperson: Would that have been a concern? Obviously, there would have been a sense of victimisation. Prisoners would be certain that they did not have anything but were being told that they would be subjected to a full search. Was part of the concern that you could end up having people feeling that they were being victimised?

Mrs S McAllister: If you think about it, there are already instances when we indicate to prisoners that we are searching them because we believe that they have an unauthorised item. That may be as a result of intelligence or because of the way that the prisoner may be behaving. Although we have not come across the specific instance that you describe — we have not had that technology in place —

we are experienced at managing that sort of situation when we say, "We think you have something", and the prisoner says, "I think you are wrong." So, I would not think that that would be unmanageable operationally or would necessarily lead to allegations of victimisation.

The Chairperson: What has been the reaction to this from republicans in Roe House? Are you alert to what their reaction could be to the fact that what they have been demanding will not happen?

Mrs S McAllister: We have been clear all along that this is a technological solution for the Prison Service. This is not about any specific group of prisoners. We have been absolutely clear about that.

The pilot scheme has only just finished, and we did not share the findings with anybody before coming to brief you. That would not have been appropriate. So, we have not yet shared the findings from the pilot with any prisoners, including prisoners in Roe 3 and 4 at Maghaberry.

The Chairperson: Do you expect a reaction?

Mrs S McAllister: We have been talking to the staff at Maghaberry and to the assessors who go in regularly to speak to prisoners. We know that there will be an interest in this. My view is that there is not a high expectation among those prisoners in Roe 3 and 4 that this will be necessarily suitable for our purposes. So, it remains to be seen what the reaction will be. However, we have undertaken to share the findings with staff and prisoners when it is appropriate and in a form that is appropriate. If we are not going to adopt that technology at this time, it is important that we make it absolutely clear to all stakeholders, including prisoners, their families and supporters, why we are making that decision at this time.

The Chairperson: Are you prepared for a reaction?

Mrs S McAllister: Can you explain a bit more what you mean, Paul, please?

The Chairperson: Do you anticipate a reaction from republicans saying that they are not now getting one of the key demands that they came off the dirty protest to try to secure? What if they decided to go back on that protest? Do you have any plans in place to deal with that?

Mrs S McAllister: I certainly do not mean this to sound glib, but we in the Prison Service are used to dealing with the unexpected or unplanned. So, if there is any reaction from any group of prisoners, whatever that reaction may be, we will deal with it.

The Chairperson: Do you believe that, first, you will get a licence for the transmission X-ray type, and, if so, how long will that take? Secondly, how long will the pilot be?

Mrs S McAllister: We said already that this is the first of its kind, so we do not have anything to benchmark it against. I am very grateful to Steve and his team for progressing this matter. This is a very complex and comprehensive application, and he has been working on that alongside managing this pilot. We are now at the stage where within the next few days, and certainly within the next couple of weeks, the application will be ready to go to the Minister, who is the conduit for it to go to the Department of Energy and Climate Change (DECC). This has never happened, so we do not know how long it will take to process.

Mr Davis: It would do no harm to explain the justification process that we have to follow for this type of equipment. As the director general said, we are certainly within days of finalising the Northern Ireland Prison Service's justification application as required under the Justification of Practices Involving Ionising Radiation Regulations 2004. That is binding. We cannot introduce the equipment without going through a full justification process.

As the director general said, this equipment is not used anywhere in the UK, so we have nothing to benchmark ourselves against. Holme House was taking forward an application and has withdrawn it, because it was going forward primarily on a jail basis as opposed to a service basis. So, the process starts with the justification application. That then goes to the justifying authority, which, under the legislation, is any Northern Ireland Department. In this instance, it is obviously the Department of Justice.

We then get into a procedural process whereby the devolved Administrations across the United Kingdom, along with the Government, have agreed to a single mechanism for deciding whether a particular class or type of practice is justified under that legislation and is justified for the whole of the United Kingdom. So, there tends to be a requirement for a consistent approach on such decisions. That process is delivered through the concordat, or agreement, involving the devolved Administrations and appropriate Whitehall Departments.

As the director general said, the application is registered with DECC. At this point, it is required to give indicative timescales within one month. The Department will then form a justification liaison group, or JLG, that is headed up by the justifying authority, which is ourselves. The process then goes through a justification, and at the end of that we get the licence either approved or not approved.

Mr McCartney: Thank you for the presentation. In a sense, I share the disappointment, so I want to explore whether that is an opportunity lost or maybe an opportunity squandered, which is my concern. Did they do the right thing?

I need some guidance, Chair, because I am going to refer to a particular document. In your opening remarks, and in the document that we got today, it says that you are free to talk about the evaluation of the technology but not about the suitability of the equipment. Can you explain what that means?

Mrs S McAllister: I will give Steve an opportunity to talk about this in more detail, but we know that this technology was not designed specifically for the purpose for which we have been using it during the past three months. So, we will make no comment about the effectiveness of these machines in any other setting or for any other purpose. We are absolutely clear about that. We know, however, that these machines are not suitable in their current state as a potential replacement for full searches. We have not ruled out the possibility that we may be able to talk to the two different suppliers about possible modifications to the technology that would make the machines more suitable. As to whether this an opportunity lost, all we are saying is that, at this time, we are not in a position to press the button and say that these are the machines for us and that we are now going to roll them out across the Prison Service. Does that answer your question?

Mr McCartney: Hopefully, my next question will determine that. Was the machine that was selected suggested by the supplier or suppliers as the most advanced possible to do this job?

Mrs S McAllister: Steve may be in a better position to answer that because he spoke to the suppliers.

Mr Davis: To the best of my knowledge, yes, it was the most advanced machine at the time. It is the equivalent of machinery that is deployed throughout the aviation industry.

Mrs S McAllister: It might also be worth saying that we understand that millimetre wave body scanners are used in prisons in France. We have been trying very hard to get more information about that with a view to talking to our counterparts in the French justice system about how they use them, because we do not know that they use them as an alternative to full searching. Obviously, in airports, for example, they use them alongside what we call "rub-down searching", but there is no suggestion that, if they did not have them, they would carry out full searching. So, again, we have to be clear that we are comparing like for like. However, we are pursuing the possibility that machines of this kind might be adaptable to our requirement.

Mr McCartney: Are you pursuing that at present? OK. The Chair asked a question about this, so, from all the prisoners who went through this piece of technology, nothing was discovered?

Mrs S McAllister: That is correct.

Mr McCartney: Was anything discovered when they were then subjected to the full-body search?

Mrs S McAllister: No.

Mr McCartney: So, there was nothing to be detected by —

Mrs S McAllister: Or we did not find it through either method. You can infer either of those things. However, we would like to think that the former is true.

Mr McCartney: On the tests that were carried out, the document said that metallic implements did not display well. If someone went through the metal detector first and then through the body scanner, can I assume that the metal instruments would be picked up?

Mr Davis: I presume so, yes.

Mr McCartney: So if you were going to introduce a body scanner to maximise your security, you would not have it standing out on its own?

Mrs S McAllister: We have always been clear that this would be a part of a wider approach. We already have some technological solutions, the dogs and intelligence, so we would use it as part of a package rather than as a stand-alone.

Mr McCartney: Again, and I do not want to stray into forbidden territory, but four categories of searching are laid out, and deterrence is one of the headlines. So, it is a fair assumption that all the prisoners who went through reception were deterred from trying to smuggle things in or out of the prison because of what you had in place, including the body scanner.

Mrs S McAllister: We would certainly like to think that, but it is quite difficult to evidence.

Mr McCartney: One of the areas that is pointed up is that the feet are an area of the body that did not scan well.

Mrs S McAllister: Yes.

Mr McCartney: So, if someone were asked to remove his shoes before he went into the body scanner, would the hidden objects be found?

Mrs S McAllister: Possibly —

Mr McCartney: Given the experiment that was carried out, the people who placed any hidden object —

Mr Davis: It would be possible to overcome an issue of that kind. If any items in and around the ankle area were not found, that could be overcome.

Mr McCartney: When you say "overcome" —

Mr Davis: An alternative procedure could be put in place.

Mr McCartney: Yes, but this was an experiment.

Mr Davis: Yes.

Mr McCartney: So, whenever you do an experiment, you know where you place the object. If someone had removed their shoes —

Mrs S McAllister: If you are asking whether, if we knew that that was one of the weaknesses and we wanted to address it, we could require people to take off their shoes and socks, the answer is yes.

Mr McCartney: So, you would then see detection rates going up.

Mrs S McAllister: Yes.

Mr McCartney: So, all metallic contraband would be found, as would anything in the feet area.

Mrs S McAllister: Yes.

Mr McCartney: What about the groin and the buttocks, if a rub down were involved? What would be the potential of increasing the —

Mrs S McAllister: Is it worth suggesting that we talk about this in more detail later?

Mr McCartney: I am happy with that.

The Chairperson: If you are more comfortable with that, we can bring it up during closed session.

Mr Dickson: Apologies for being a little late to the Committee. I heard all your presentation, and I thank you for it. Is this the end of your search to find an appropriate search process that is safe and secure for all prisoners?

Mrs S McAllister: No.

Mr Dickson: I think that it is important for you, as a prison service, to say that and that this is an ongoing process.

Mrs S McAllister: Absolutely. As I said, we have been attempting to speak to colleagues in France. We are also speaking to colleagues in some parts of Australia, where they have some very sophisticated scanners. So, we are determined to exhaust every opportunity to look at where other prison services are using similar equipment and where other criminal justice agencies are using it. We are also determined to continue to speak to suppliers about what they might be able to do to modify or produce new equipment.

Mr Dickson: Have the suppliers of the millimetre wave equipment indicated to you whether it is possible to alter the technology or, in layperson's terms, to strengthen or deepen the wave from 1 millimetre to 2 millimetres?

Mrs S McAllister: We have not yet started to have those conversations. We are just at the point of coming to talk to you, which is the first thing that we undertook to do at the end of the pilot.

Mr Dickson: Is that a conversation that you will have?

Mrs S McAllister: It is.

Mr Dickson: I wholly understand the absolute need for the health and safety requirement in the use of the X-ray equipment. That is why the radiological requirements are so vital. It may be that, regardless of the safety elements, about which you will be able to assure people, that would reduce the numbers of volunteers who are willing to go through that equipment. Is it reasonable to suggest that?

Mrs S McAllister: We had a similar discussion here before. We have to make sure that the information that we give to people who will potentially go through that machine — primarily prisoners, but other people, if we decided to use it for other purposes — is accurate, evidence based and up to date. That is a really crucial part of the strategy. We included in our application to use the technology details of how often we envisage people going through it and the circumstances in which they would go through it. So, the health and safety and the potential implications for young people, especially women, have to be key parts of our policy.

Mr Dickson: That was my next question. Could women who may be or who are pregnant use the millimetre wave equipment, or are they excluded?

Mrs S McAllister: The numbers meant that we did not include the women at Hydebank Wood in the pilot. The reception area for women prisoners is separate; very small numbers go through it. It would not have been cost-effective to lease a machine for the very small numbers that are involved. However, there is no suggestion that it is unsafe.

Mr Dickson: So, it is approved for females who may be or who are pregnant?

Mrs McAllister: Yes.

Mr Dickson: Would the X-ray equipment be safer?

Mrs S McAllister: That is another issue. Broadly speaking, it would be, because we have some figures about how many times you can go through the machine and how that compares with flying or X-rays for medical purposes, and so on. In view of the small number of women whom we have, we would need to look at whether it was something that we wanted to introduce. We mentioned that we are looking at the frequency and circumstances of searching all prisoners, as we might want to look at how much random and routine searching we actually need to do. It may be that we still come to the conclusion that the numbers are so small that we should look for another solution for women.

Mr Dickson: I want to consider two final areas. Given the potential disappointment of this early stage of working to find a solution not producing the appropriate outcomes for you, do you think there is common-sense acceptance that, if it is not going to work, it is just not going to work? That may be the case, even though people may have their own motives for not wanting to go through the experiment, or, indeed, for ever wanting to go through the process.

Mrs S McAllister: I think that there is. When I think about it, I would have been very surprised if, after a three-month pilot of the first machine that we looked at, we found something to replace what we have had to do for years. That would have been very lucky and very surprising. So, I think that we need to say that it is disappointing, but it is the start of a process that we always knew would require us to look at different types of technology and at different circumstances of using it.

Mr Dickson: Finally, I am interested in the fact that, for example, you discovered that some technologies are used in France — or, indeed, in Australia — that you are not currently using. In addition to getting to understand the technology that may be used throughout all European states and perhaps those further afield, is it possible that you could share that information with the Committee so that we, too, could have an understanding of what is available, for example, in the European Union, which clearly must be compliant with all the appropriate human rights legislation. It would be extremely helpful if we could see what happens in France, Spain, Germany and other jurisdictions.

Mrs S McAllister: I think that that would be wholly appropriate. Also, in thinking that through, I think that it was very helpful for some of you to see the technology for yourselves. It would be quite appropriate if there were opportunities for Prison Service colleagues, along with other interested stakeholders, to have a look at some of that technology.

Mr Dickson: Do you have a general belief that technology is being used in other European states?

Mrs S McAllister: Technology is certainly being used, but whether it is being used for the purposes that we want to use it for is another matter. That is what I meant when I said that we need to make sure that we are comparing like with like.

Mr Dickson: Most prisons do not have dissimilar problems, however. Drugs, for example, would certainly be a common problem, as would mobile phones and their parts, regardless of anything else. Thank you very much.

Mr Easton: You mentioned tests in which nothing was detected in any of the prisoners and that were then followed by the body searching. Were any staff found to have objects after passing the scanner tests?

Mr Davis: Can we talk about this in private session?

Mr Easton: Absolutely. Based on the evidence that you have, would it have been rather foolhardy to go ahead and purchase machines such as those that you tested?

Mrs S McAllister: I think that it always made more sense to lease machines. Are you asking that we lease rather than buy them?

Mr Easton: No. I am asking whether, based on the testing that you have done, would it have been foolhardy to have gone with the machines that are available at the moment?

Mrs S McAllister: We indicated that they are not suitable for our purposes, so yes.

Mr Easton: So, it was not a missed opportunity, because they were not suitable?

Mrs S McAllister: I said that we identified some machinery, tested it and found that it was not suitable for our purposes.

Mr Easton: I will come back to that question later.

Mr Elliott: Thank you for your presentation. I had an opportunity to look at the scanner at Hydebank. You said that there were other technologies in other countries but that you had not had an opportunity to look at them. Did you look at this type of scanner anywhere else before it went in?

Mrs S McAllister: Yes, we did.

Mr Davis: We saw it at the suppliers' premises, and some of my staff went through it at airports when they were travelling to and from the suppliers.

Mr Elliott: Did you have a chance to see it in operation, for example, at an airport or anywhere else?

Mr Davis: No, not prior to our visit to the suppliers.

Mr Elliott: You said that it is not suitable for your needs. Setting aside the experience of it, did any positives come out of the equipment trial?

Mrs S McAllister: Do you mean positives about the technology?

Mr Elliott: Yes.

Mrs S McAllister: It is difficult to think of any particular positives. However, we learned quite a lot, as you always do with any pilot, about the way in which we managed the pilot and how, when and in what format we give people the information about the machinery. We might want to look at speeding up the process or incentivising the people who go through it.

It was certainly not a waste of a pilot because we learned quite a lot. When we next pilot equipment, we will do it differently, and we will be better at it. You could say that those were the positives that came out of the pilot.

Mr Elliott: Those were the positives from the trial, but were there any positives from the equipment that was in place for what you wanted it for?

Mr Davis: It is important to establish the difference. We are in a high-risk prison environment, but the equipment comes from the aviation industry, which deals with a different client group — passengers as opposed to prisoners. There were significant differences in what we were expecting the machine to do.

If we were to decide to go for this piece of kit, it would be used as an aid to our existing search methods rather than as a replacement of them. There were issues with compliance and prisoner reaction, and there were limitations on how we could do certain things.

Although I am talking in negatives here, there were positives for us in our understanding of the equipment. If we eventually get to a situation in which there is something that does what we need it to do, we will know how to operate within that.

Mr Elliott: So is it reasonable to say that you are treating the negatives as a positive?

Mr Davis: Yes.

Mr Elliott: However, there are no positives about the equipment for what you wanted it for. You talked about what you expected the machine to do, Steve. What were you expecting the machine to do?

Mr Davis: We hoped that the machine would be a replacement for full-body searching, as we currently operate. That was our desire. We knew that that was a stretch for the equipment. The equipment is currently used in the aviation industry to supplement or replace rub-down searches.

Mrs S McAllister: We are using the word "expect", but it is important to say that we went into this with an open mind. We had never done this before and did not know whether it would be suitable.

Mr Elliott: I appreciate that, in the sense that it had not been trialed previously in those circumstances. How much were you expecting, with the level of knowledge that you had and where you had seen the equipment in operation?

Mrs S McAllister: This was a pilot. It is not that I am trying not to answer the question. We did not know because we had never done anything like this before.

Mr Elliott: However, you had seen it in operation, even though it was not in a prison surrounding?

Mrs S McAllister: Are you asking me what we saw that it could find? We were looking for very different things; that is the point that we are making. We were looking for different items being —

Mr Elliott: What were you looking for?

Mrs S McAllister: We might be able to take that question in more detail at the end of the session.

Mr Elliott: That is all right.

The Chairperson: Just before we go into closed session, some may suggest that some staff members wanted this to fail. How would you respond to those views?

Mrs S McAllister: I have no evidence that staff wanted this to fail. Indeed, I do not know any staff members who particularly enjoy carrying out full searches. We were trying to find a method of searching that removed the need for staff to do something that is not particularly pleasant for any of the participants. Genuinely, I am not aware of anybody trying to undermine or sabotage this pilot.

The Chairperson: It is useful to have that on the record.

We will go into closed session shortly to go into more detailed issues; I have some questions. Before I went to Hydebank, I was not fully aware of what a full-body search entails. You can pick someone to describe a full-body search; the director general has the power of delegation. It would be helpful if you described what a full-body search is.

Mrs S McAllister: I will ask Steve to do that. He is closer to it than me; it has been a long time since I carried out a full search, and Steve has done some quite recently on colleagues as part of the pilot. We can also let you have that information in writing and give you the guidance we produce for new staff when we train them in carrying out those searches.

We have been having some debate about the terminology, because different terms are used for what is the same process. Some people call it a "strip-search"; I prefer the term "full search"; and many of my colleagues call it a "full-body search". When we talk about all those things, we are talking about the same thing. Steve, will you take us through the mechanics?

Mr Davis: Searches begin with a request to prisoners to declare any items they might have. Prisoners are then given a rub-down search, and, when available, a walk-through metal detector or a handheld metal detector is used. Prisoners are then taken into an area where there are two staff: prisoners are on their own, and that area is closed off from any other individual. Prisoners are asked to divest themselves of the upper part of their clothing, which is handed to one officer to search. Once prisoners have divested themselves of all clothing from the top half of their bodies, they are asked to raise their arms and turn around so that a visual inspection can take place of their bodies, under the arms, etc. Prison staff talk to prisoners the whole time. Prisoners are then given their clothing back and can put the top half back on. The same process then takes place with the bottom half. Again, once prisoners have divested themselves of the bottom half of their clothing, they turn around, and

staff can visually inspect their bodies. At no stage do staff touch prisoners' bodies. Prisoners are given back their clothing, and the full search is completed.

Mrs S McAllister: It is probably worth saying that we have a much less intrusive way of carrying out a full search than in other jurisdictions. In England and Wales, for example, prisoners can be required to lift their genitals, squat or pull apart their buttocks if there is reason to believe that items have been concealed. Those things are clearly more intrusive and less pleasant for staff. We do not do those.

The Chairperson: Why not?

Mrs S McAllister: To my knowledge, we have never done it, certainly not in recent times. Our view is that the benefits of doing that are outweighed by the risks and the implications for decency and dignity.

The Chairperson: Were you to decide operationally to direct it, for example, to deal with the prevalent drugs problem, would there be any legal barriers?

Mrs S McAllister: I do not know the answer to that, but from my time as head of the security group in the Prison Service in England and Wales, I know that we had to ascertain that it was legal for us to do what we did. So in England and Wales, it is certainly legal to do the things that I have explained. What I do not know, because we have not asked the question, is whether we would legally be able to do it. However, I certainly have no wish to explore that at this time and do not think that it is operationally necessary. It is much more appropriate that we look at technological solutions than explore ways of increasing the intrusive nature of our full searching.

The Chairperson: I will pose a scenario that I know happens. During a visit, a camera clearly catches something being passed to a prisoner and then inserted into an internal cavity. Without doubt, that has happened; how do you deal with it?

Mrs S McAllister: What I talked about as being the norm in England and Wales does not extend to internal searching. So we do not carry out internal searches, and nor do we wish to. In the hypothetical situation that you describe, we would first indicate to the prisoner that we know that he has secreted an item internally and give him the opportunity to hand it over. If necessary, we would show him the CCTV footage if we had it. You are right: this happens, not regularly, but it does happen. If the prisoner indicates that he has not secreted an item, we would usually isolate him until such time as he feels able to hand over the item.

The Chairperson: For how long can a prisoner be in isolation?

Mrs S McAllister: That is a difficult question to which there is no answer. I am not being evasive, but we would have to do an analysis of the risks. So if we thought that an item presented a significant risk to the prison, we would have to make a judgement about the length of the isolation.

The Chairperson: Do you believe that the public will be shocked to hear that Northern Ireland does not follow what is done in England and Wales and that there is no search when it is known that a prisoner has something in an internal cavity?

Mrs S McAllister: It is important to explain that what we do not do that is done in England and Wales — for example, asking prisoners to lift up their genitals — will find things that are on the outside of the body only. So Northern Ireland, England and Wales, or any jurisdiction that I am aware of would not be able to use staff to retrieve by force an item that is secreted internally. We are no less able to do that than are our colleagues in England and Wales. That is important. We do not search internally, and nor do they.

The Chairperson: That clarification was helpful.

Mr Dickson: Further to that, and on the whole issue of detaining a prisoner until nature takes its course or a prisoner gives up the concealed item: do you have any right to seek a medical intervention if you have a reasonable belief that a prisoner is likely to cause injury to himself or herself as a result of his or her isolation? Perhaps a drugs package bursts or an object causes a sharp cut or something like that. How do you deal with such a situation if your health and safety assessment finds that to be the case?

Mrs S McAllister: We would not ask our healthcare colleagues to carry out an internal search on our behalf for reasons of security. If, as you suggest, we knew or strongly suspected that somebody had either swallowed something —

Mr Dickson: That is another alternative.

Mrs S McAllister: — or inserted something that we thought presented a risk to them, it would be quite appropriate to ask healthcare staff to speak to and examine them and to take whatever clinical measures it was thought appropriate. We would need to be absolutely clear of the separation between a medical situation and a security issue.

Mr Dickson: If you were to ascertain a medical risk to an individual, that would be dealt with entirely on the medical side and not on the security side of this discussion.

Mrs S McAllister: If healthcare staff were sufficiently concerned that someone had something inside their body that represented a health risk to them, I would expect them to be treated appropriately.

The Chairperson: We will move into our closed session and deal with the other points.