



Northern Ireland
Assembly

COMMITTEE FOR JUSTICE

**OFFICIAL REPORT
(Hansard)**

Prisons Review

17 November 2011

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 Sydney Anderson
Mr Colum Eastwood
Mr Seán Lynch
Ms Jennifer McCann
Mr Basil McCrea
Mr Alban Maginness
Mr Peter Weir

Witnesses:

Mr David Ford)	The Minister of Justice
Mr Colin McConnell)	Northern Ireland Prison Service

The Chairperson:

I welcome to the meeting Minister David Ford and Colin McConnell, the director general of the Northern Ireland Prison Service (NIPS).

Before I invite the Minister to go through the briefing paper, I want to deal with the issue of the emblems and names now and then deal with the report and what is in it. First, Minister, the issue of the Prison Service's name and emblems was raised in the House. That took me and others by surprise, and there was then the reaction to the issue. Subsequently, you released a statement indicating that the issue of names and emblems is controversial and, as such, will be brought to the Executive. I want you to confirm that that will be the case. Secondly, I have been in touch with a large number of current and past prison officers who were offended by the manner

in which the matter was handled. On reflection, do you regret that? What would you say to those officers and families who feel hurt by how the issue was handled? Will you respond to those two issues?

Mr Ford (The Minister of Justice):

Thank you, Chair. I appreciate the opportunity to respond. As I said in my final contribution to the Assembly debate — I think it was in response to points that Jim Wells made in his winding-up speech — there are decisions that are operational, decisions that are ministerial and decisions that are cross-cutting or, as I may have said at that point, controversial and for the Executive to take. The statement that I released the next day amplified that, and I certainly stand over it. That is the position.

You said that you were contacted by people who are offended by what I said. I believe that what I said reflected the reality of the position, although I accept that my phraseology was, perhaps, a bit clumsy. If people were offended by what I said and what subsequently transpired, it was certainly not my intention to cause offence, and I regret that any offence was caused. Clearly, we are now in the position where we have established the different levels at which the issue will be dealt with. It is clearly the case that the issue will now have to be dealt with in a way that takes account of all the views that might be expressed around the Executive table on issues that are seen as cross-cutting or controversial.

The Chairperson:

We have made our position very clear: if it even comes to the Executive table, we will not support it. Therefore, I would suggest that it is not worth the Prison Service even considering it. You can answer that, but, first, where did the notion ever come from that this issue was included in a report that never mentioned the emblems and the name? Who in the Department or the Prison Service thought that this was an issue that was on the table?

Mr Ford:

The answer is that I am the Minister and I take ministerial responsibility for what is happening in the Department. In fact, although there is no specific recommendation around the issue of emblems in the Owers report, it is specifically referred to in the preliminary report. It is also the fact that, before I became Minister, there were discussions between management and representatives of the Prison Officers' Association (POA) around issues of uniform and so on that

included references to symbols. That was the point at which some of this was previously discussed as an operational issue. However, I accept that it is quite clear that, in the mood of devolution, it is not seen in that light by a significant number of Members.

The Chairperson:

Finally, there was an issue with the section of the intranet that had the roll of honour for the 29 officers who were murdered while doing their jobs. That was removed from the internet, and people contacted me about it. I understand that there were reasons behind its removal. However, I am seeking an assurance that it will be put back up again. Can you explain how that came about?

Mr Ford:

I was informed of that issue at the time, and I have been following up on it more recently. The Prison Service has its own separate internet. I think that there is some slight confusion; the page was not on the service's intranet but its internet, which is separate and distinct from the Department's site, and which was unfortunately hacked into. Additional material had been put on the roll of honour page, and although that material did not suggest a terrorist link or whatever, it was, nonetheless, entirely inappropriate. So the whole Prison Service internet was taken down to avoid any further offence being caused by it or any further damage being done to it. There is basic Prison Service information on the Department's website, and work is under way to ensure that we have a secure facility for additional Prison Service information. The roll of honour will be restored when that is up and running, which we imagine will be in a few weeks' time. It is unfortunate that that happened. However, removing the page to avoid the danger of anything inappropriate being put on it seemed to be the best way of dealing with the hacking problem.

Mr McCartney:

When we get into discussing the report, we will be raising the issue within the broader context of roles and responsibilities, decision-making and the process of implementation.

Mr A Maginness:

Chair, I understand that you are a member of the DUP and that you have a party position. However, you are also the Chair of this Committee, and I believe that the Chair of any Committee — I have done this in my capacity as the Chair of other Committees — should maintain, where possible, a non-partisan position when contentious issues arise. I do not think that it is

appropriate for you to act as a spokesperson for the DUP on such a sensitive issue. Your colleagues here who are members of the DUP could quite properly raise such issues.

I think that you should reflect long and carefully on the issue. The issue is a very sensitive one for everybody concerned. If you, on behalf of the DUP, are adopting the position that there will be no discussion about emblems or symbols in the Prison Service, that is unfortunate. Those things have to be addressed. If there are barriers to recruitment, they have to be addressed sensitively. The Prison Service must reflect the values of the whole community, not the values of one section of it. I am making those points generally. I do not think that that is the most appropriate way to deal with the issue. You have colleagues on the Committee who could quite properly make the points that you made.

The Chairperson:

OK. I appreciate your analysis of how I should chair the Committee. However, I beg to differ about how I should conduct myself as Chair of the Committee.

Minister, I am going to hand over to you so that you can take us through the report and how the Department of Justice (DOJ) and the Prison Service intend to respond to the recommendations. I am sure that members will have some questions after that.

Mr Ford:

Thank you, Chair. As ever on such occasions, I will do a preliminary statement and then Colin will deal with some of the more specific operational issues. I do not think that he needs any introduction to the Committee this afternoon.

Thank you for the opportunity to brief the Committee now that we have had time to consider the report. I would like to start by expressing my great gratitude to Dame Anne Owers and her team for their work. I welcome the report they produced. It reinforces the need for radical reform in the Prison Service and, indeed, across the justice system. It sets out what is wrong with the Prison Service — a service that is over-expensive and under-effective. It also gives us 40 specific recommendations to turn the situation around. Although, at one level, the report is about the sort of prison system that we should have in the future and the steps needed to deliver that, there is actually a more significant, underlying set of issues that affects us all in the Department, the Committee and the Assembly. It is fundamentally about the approach that this society should

take to those who offend most seriously against its rules.

As I said in the Chamber, I am clear that there needs to be punishment, and there are, on occasion, some cases where the crime or the risk factor requires that punishment might genuinely be for life or for the vast majority of a life, but those are the exceptions. I also believe that we need a society that enables, encourages and supports those who have done wrong to play a positive and meaningful part in the future. That process has to start while the individual is in prison, and, crucially, it has to be sustained in the period afterwards. That is the key message permeating the review team's report.

There is, undoubtedly, a need for transformational change within the Prison Service. The review team set out a new model for the service, and both the director general and I are committed to turning that model into a reality. I am reassured that the pace of delivery is gathering momentum. Last week, as you all know, we saw the launch of the staff exit scheme, which has marked a significant turning point in the change programme, although it cannot be viewed in isolation and needs to be balanced against measures to professionally develop and upskill the remaining staff. That development work is ongoing, and I look to Colin to give you the full detail of it. I want to concentrate on those areas where a wider response is needed.

Even within the prison system, we need to collaborate with others, whether in the wider justice system, such as probation, or in the wider government system, for example, in relation to healthcare or the support given by the third sector to help to maintain family links for a strengthened base for those who are in prison. Tackling the causes of offending, whether addiction or behavioural issues, must start in prison, so prison has to become the focus of the contract that society makes for the justice system when individuals are sent to prison. It follows that it must also impact on who goes to prison, and the review team has put down a clear marker that custody should be used only as a last resort. The team has made a number of recommendations aimed not only at alleviating the population pressures within prisons but at ensuring an appropriate response to the differing levels of offending.

The Department has already taken forward considerable work to address fine default, for example. Since the introduction of a fine collection scheme by the Court Service in May 2009, £2.9 million has been recovered in fines without the need for police intervention. The number of fine warrants issued to the police has reduced by 28%. Plans are also in place and at an advanced

stage for a pilot of the new community-based alternative to custody for fine default, the supervised activity order, which will be commencing shortly in Craigavon. Across the wider justice system, further changes are planned, and I will be announcing plans on sentencing guidelines and community sentences over the next few months.

The report has also recommended a presumption against custody where offenders would otherwise receive just a short custodial sentence. The issue has been explored in the consultation on the review of community sentences, and proposals on the way forward will be presented to the Committee in January. The review team has also put forward a number of proposals designed to speed up justice and to reduce the number of remand prisoners, thereby helping to alleviate population pressures on the prison system. As members will know, speeding up justice is already one of my top priorities.

However, a substantial amount has already been achieved in the last 18 months, including the introduction of streamlined case files, the establishment of out-of-hours prosecutorial advice and the current roll-out of performance improvement partnerships. You will also know that the review team recommended the introduction of statutory time limits, and, in the context of other similar recommendations, I am exploring how those might operate in Northern Ireland. That will include issues relating to the different criminal justice processes and which offending groups the statutory time limits might apply to. It is complex work, and great care will need to be taken to ensure that the introduction of time limits will deliver genuine improvements. Of course, we will be coming back to the Committee on that in due course.

There has been much progress already across the justice system, but the rehabilitation and reintegration of offenders cannot fall solely to my Department. I have frequently emphasised the need for collaboration on healthcare, employability, education, learning and skills and with voluntary and community organisations. All of them are needed for a successful approach to reducing reoffending, and the report was clear on that. Collectively, the Executive have acknowledged the role that wider government must play to reduce reoffending.

In the months ahead, I will work with my colleagues to more clearly define what needs to be done in light of this report and the other reports to integrate the social and economic responses to offending with those of the justice system. Underpinning the recommendations is the issue of proper and robust oversight. My officials have already started to develop oversight arrangements

for those recommendations that fall solely to my Department. I share the review team's view that the challenge of reducing offending goes much wider than my Department and is the shared responsibility of the entire Executive. I welcome Dame Anne Owers's recommendation that those important cross-cutting reforms should be overseen at the highest level, and I am currently considering, with Executive colleagues, the best way to take that forward.

In conclusion, let me reiterate the importance of this report. I am wholly committed to reforming our prison system. The need for reform cannot be denied. I look to the Committee for support as we drive forward this process of transformation.

Mr Colin McConnell (Northern Ireland Prison Service):

I want to echo the Minister's thanks to the Committee. I am grateful for your keen interest in prison reform. As I said when I was last here, I continue to look to the Committee for support as we move forward.

Like the Minister, I welcome the report and the vision that it sets out. I hope that, through today's discussion, I can give the Committee an overview of what NIPS is already doing through the strategic efficiency and effectiveness (SEE) programme and of the work that it will undertake in the coming months to achieve that vision.

Committee members will be aware of the concerns raised through the report about the speed of progress — that not enough has been or will be made. I want to assure the Committee that progress is being made, but real and fundamental change cannot and will not happen overnight. The process of delivering fundamental and lasting organisational change of this scale will take four years, and cultural change much longer than that. However, the benefits are clear. By the end of this reform programme, we will be operating a more efficient and effective service, providing custody safely, securely and decently. We are working to support offenders towards a crime-free life and thereby enhancing public safety.

Our corporate and business plan, which we published early last month, marked out how we will achieve that change over a four-year period. It is clear that this first year is about laying the groundwork for structural change on which we will establish fundamental changes to how we deliver our business operationally and to the culture underpinning it. Our progress so far is consistent with that plan.

It is important that we do not underestimate what has already been delivered. NIPS has not been idle since the publication of the interim report, and, already, we are beginning to see evidence of very real, practical improvements to outcomes for prisoners. The development of the Donard day centre at Maghaberry, which the Minister opened this month, is transforming how we manage, support and care for the most vulnerable of prisoners and exemplifies the joined-up partnership approach advocated by the review team.

The roll-out of free flow movement for all category C and D prisoners in Maghaberry is not only delivering greater efficiency but developing and enhancing personal responsibility for prisoners. That, again, is in line with the review team's message about desistance. The introduction of central detailing in May 2011 has resulted in a more consistent regime and noticeably fewer lockdowns. Our innovative work with women offenders has been singled out for praise by the review team. Those are, of course, just the first small signs of change. There is much more to do and to achieve. However, I am confident that, with the necessary support from political leaders, NIPS can and will embrace reform.

I also share the Minister's view that last week's launch of an exit scheme for NIPS staff marks a pivotal moment in the reform programme. It has quickened the pace of change and paved the way for us to introduce a number of critical changes in the coming months. I note that the Committee has already been briefed on the scheme, and, in light of that, I will avoid going into any particular detail in this briefing.

The launch of the exit scheme needs to be balanced against the development and support opportunities that we put in place to invest in and upskill those staff who choose to remain and be part of the reformed Northern Ireland Prison Service, ensuring that our staff, whether new or existing, are appropriately trained and equipped to undertake new and challenging responsibilities. Progress is being made towards redefining the roles and competencies for new grades of staff, such as custody officer and offender supervisor. As part of their training, they will be required to obtain a certificate of competence and a licence to practise, each of which will be relevant to the nature of the role and how it interacts with offenders. Work is progressing at pace to develop a dynamic training programme, with a view to professionalising the Northern Ireland Prison Service.

As the Minister said, the next six months will be crucial and will see us reach a number of critical milestones on the journey towards reform. Those include the launch of a new business operating model. Work on that is well advanced, and I anticipate that it will be ready to launch across the Prison Service by April 2012. It will reflect recommendations that were made by the review team and will include new roles for front line staff; a leaner four-tier management structure; a standard core day; tailored staff:prisoner ratios that bear reasonable comparison to other jurisdictions; and, crucially, the removal of inefficient and outdated working practices, which will result in greater efficiency and effectiveness, a more predictable prison regime and improved outcomes for prisoners.

The staff exit scheme could also provide us with the opportunity to refresh the service with the potential for the recruitment of up to 400 new custody officers. That process is expected to begin within the next few weeks. The appointment of a dedicated change programme team is also crucial to the change programme. The selection process for that is almost complete. Radical changes to healthcare are also in hand, and they will see healthcare staff transfer to the South Eastern Health and Social Care Trust by April 2012.

A number of reviews of the provision of non-core functions, such as learning and skills, catering and estate management, will move to completion. By the end of this year, the publication of a revised prison estate strategy will set out how the prison estate will be developed while taking account of the recommendations contained in the review team's report.

In bringing my presentation to a close, I return to my opening remarks: in delivering the reforms, we will increasingly look to the Committee for support as we move forward. Our prisons must become places that encourage and support offenders to change and to sustain that change after release. The reforms that we plan to take forward through the SEE programme will deliver against the review team's recommendations and realise the vision that is set out by the team of a prison system that helps offenders to desist from reoffending, that values human rights and exemplifies decency, that reaches outwards and delivers effective joined-up working with other partners, that makes effective use of public money, and that, overall, contributes to the creation of a safer society.

The Chairperson:

Thank you very much, Colin. I have a couple of questions. When you distil that, when will we

get information on what you regard as being under the DOJ remit and what you regard as being under a cross-departmental remit and on what will require legislation? You said in the House that there are areas on which you need to work and consult the public. When do you envisage being able to provide us with a breakdown of those types of issues?

Mr Ford:

I do not have an instant answer to that, but it will be possible to give you a breakdown of what categories things fall into relatively speedily. If it would be helpful to the Committee, we will remove the word “relatively”.

The Chairperson:

That would be useful so that we can know which areas will be cross-departmental.

Mr Ford:

Some of them are fairly obvious from the recommendations, but I accept that others will need to be teased out a little.

The Chairperson:

One of the specific recommendations is that no under-18s should be held in Hydebank Wood. I think that you mentioned in the House that there are currently eight people in that category. Do you ever envisage flexibility to allow exceptions to the norm? Housing everybody together in Woodlands would be very difficult to manage and would be disruptive to the other children there. Therefore, can you say that you will never allow an under-18 to be held outside Woodlands?

Mr Ford:

I am always reluctant to give absolutes on such matters, Chair. I may well not be describing accurate figures, but the last time I checked, the figures showed that, in the past year, 12 young people referred to Hydebank Wood were, after discussion, re-referred to Woodlands. In some cases, they had to go back through court processes to change orders. Only eight remained. To me, that was an example of positive work between the Youth Justice Agency and the Prison Service in meeting the needs of those young people better.

As you said, it is clear that a small number have the potential to be disruptive in Woodlands, as it currently is, so there are issues about what changes might be required to Woodlands to deal

with that remaining small number. One report talks about, potentially, the last two or three difficult young people who would be most disruptive in Woodlands. Ongoing discussions between the Prison Service, the Youth Justice Agency and the Department are required to see how we handle that issue. Part of it involves specific orders made by courts as to where people should be remanded, and another part involves how best to manage young people in their interests and in the interests of other young people elsewhere in the system.

The Chairperson:

The paper highlights that the statutory limit issue is very complex and needs to be taken forward very carefully. I agree with that and with the sentiment behind it concerning delay. Primarily, from a victim's point of view, delays are very unhelpful, but I am concerned that using a statutory limit as a way to reform the system in order to remove delay does not necessarily seem to be the best way to do so. Potentially, individuals could be released who should not be released.

Mr Ford:

We will seek to avoid that. One body of evidence that has come to me says that we need to do significant work on reforming the system before we can consider statutory time limits. Another says that until we have the statutory time limits in place — and there is perhaps a three-year lead-in for that — we will not ensure that the agencies work together in a joined-up way to ensure that that does not become a problem. That is why it is a complex and difficult issue that is being worked through in the Department at the moment.

Mr Eastwood:

This has been a pretty strange week; and people in my constituency think it very strange that, when thousands of young people are on the dole and when we are talking about closing hospital wings and schools, our First Minister is talking about resigning over emblems. Nonetheless, it is important to say that on Monday a majority in the House supported a progressive way forward on prisons, and I commend you on that.

As you know, we stressed very clearly that we want to see this done as quickly as possible, and we accept that you are moving in that direction. However, where have you reached on setting a detailed time frame for moving forward; and, given that you now have mandate from the Assembly — and I ask this of Mr McConnell — what is the likelihood of getting this over the line?

Mr McConnell:

I am convinced that the reform programme that we have set out is achievable in the time that we have set out. I am enough of a realist to know that we will reach humps and bumps along the way and that no plan ever runs smoothly, but we will put every effort into making sure that it runs as smoothly as possible. The issue to keep in mind is that, last month, we published a four-year corporate strategy, which sets out the transition plan for the Northern Ireland Prison Service in some detail. As I said in the presentation, this year we are making preparations for structural reform next year. Those preparations are well in hand, and we are reasonably confident that, come year 2 of our plan, which will be next year, we can get into the business of hard-edged structural reform of the Northern Ireland Prison Service.

The following year, we will want to combine structural reform with the early stages of cultural change. As I referred to, let us not be unrealistic. It will take time for accommodations to take place in cultural change in particular and for staff, new and old, to adjust to new ways of working and dealing with offenders.

As I said, year 3 of the plan is about combining structural and cultural change. In year 4, we will want to ensure that the changes that we have embarked upon in the service stick and are sustained. Therefore, year 4 will focus particularly on performance management issues and will readdress any slippage that may have occurred along the way. I want to assure you that we do not see this as a one-stop issue. We are approaching it in a comprehensive and dedicated way, and we have built in activity to ensure that what we say happens and that, when it happens, it remains.

Mr Eastwood:

Will we be able to get a detailed breakdown of the Anne Owers report, the recommendations and the delivery timetable?

Mr McConnell:

Indeed. We are working on a more detailed project plan. The corporate plan that we have provided sets out, in broad detail, what we seek to achieve. As we speak, my change management team is working up the finite detail, the granularity. I ask Committee members for a bit of forbearance to give us the space to get it right. The old story is that the first casualty is the plan, so we have to be careful that we get the plan as right as possible.

Mr Eastwood:

I agree. Minister, if I have got you right, you said that there are two or three individuals at Hydebank with whom there are major difficulties.

Mr Ford:

That does not refer to any two or three particular individuals at this stage: frequently, there are two or three such people in the system.

Mr Eastwood:

We have had that argument before, and we will have it again. Parking it for a second; there are still eight young people left in Hydebank. You have agreed that it is important that we move to end that? What is holding that up right now? Given that there have been a couple of suicides; there is a right-to-life issue involved. What is preventing the vast majority of those young people from being moved out of Hydebank today?

Mr Ford:

I will be slightly cheeky in my answer. Given that I have said that we have moved 12 people, and there are eight left —

Mr Eastwood:

There are still eight left.

Mr Ford:

— then I think we have already moved the majority.

Mr Eastwood:

Why can the majority of the remaining eight not be moved?

Mr Ford:

Then you are starting to push. I take the point, and the matter is being actively discussed, including with the Youth Justice Agency, to see how the most difficult young people who have not traditionally been placed in Woodlands could be managed there. Potentially, that requires physical building work to be done as well as staffing and other arrangements to be made. It is not

something that could be done speedily, but it is something —

Mr Eastwood:

Is it required for all eight?

Mr Ford:

I am sorry, but I do not know the details of all eight; I am going on the reports that there are normally two or three particularly difficult young people. Since we discussed the issue last year, progress has been made in that 12 have moved across, a fact that shows the good work that has been done. It includes Woodlands staff co-operating in case conference reviews in Hydebank Wood to determine the best way of treating young people. That should be taken as a measure of success, even though the more enthusiastic members of the Committee will measure it only as staging post.

Mr Eastwood:

You may think that I am a bit enthusiastic, but we want to see all young people moved out of Hydebank. The point that I am trying to get at is that, given that people have committed suicide and that there are right-to-life issues, if some can be moved out today or tomorrow, what is preventing you from doing so?

Mr Ford:

Nothing is preventing active consideration of each under-18 young person in Hydebank Wood, and 12 of them have been transferred. That is a measure that we are actively doing the work with each of them, as well as the formalities of the discussion between the Prison Service and the Youth Justice Agency, specifically juvenile justice centre (JJC) staff, on arrangements for further moves. I am expecting a report back on the whole principle of it early next year.

Your general point was on the speed of progress. A number of recommendations are between the Prison Service and the South Eastern Trust, and some lean more to the South Eastern Trust. The note that I have been given says that we have achieved one of the 40 recommendations so far; nine are on target for 1 April 2012, and progress on nine others is well advanced. Those do not include the bulk of the recommendations, which relate to health care. That is an indication of work being actively pursued and we will get a report to the Committee to indicate the level progress as soon as we reasonably can.

Mr Weir:

I thank the Minister and Mr McConnell for their evidence. I slightly resent the implication, particularly from Mr Eastwood, that those of us who took a slightly different line in the debate are in some way not progressive on the issue. There has been a difference of emphasis on some of the detail. However, pretty much everyone who spoke in the debate indicated that there was acceptance across the Chamber of the need for prison reform. The difference is on some elements of the detail in getting it right. I also welcome the clarification on emblems, so I will not probe that.

As regards young people, it is important that we do not reach such a dogmatic position that the practicalities are overridden. We have to ensure that whatever is put in place is practically suitable for any young person. Consequently, to say that we should get people out of a particular situation simply because it ticks a box, irrespective of whether preparation has been done or whether it is right — and with perhaps two or three people involved — does not necessarily mean making special arrangements for them.

I pick up on the Chair's point about implementation, and what recommendations and actions fit into which boxes. You indicated in the debate that there was a spectrum of views on the level of consultation needed. Some of us wanted the full report consulted on, while others at the other end of the spectrum said, more or less, that you should implement everything as swiftly as possible. If I picked you and your colleagues up right in the debate, to some extent you were perhaps closer to the latter. You indicated that there was a range of issues that you felt had been sufficiently aired and could move towards implementation, and others that would require consultation.

When you come back with the overall paper on implementation, will you clarify that and one specific area, namely, whether there is a slight danger of being a little too doctrinaire. I think that we all embrace the principle. However, one of the most controversial issues is the statutory time limit. All of us see merit in trying to move towards a situation in which access to justice and the courts system moves more quickly. I think that everyone acknowledges that that would be to everyone's benefit, particularly victims and those who may be wrongly accused. For those cases to be disposed of in a timely manner is to everyone's advantage. There is some concern about the statutory time limit. Will you assure us that that will be one of the areas that will be consulted

on?

Secondly, I welcome the moves that you have made in the reform of the preliminary examination (PE) and preliminary inquiry (PI) situation. Is there scope to speed up the system or move further on that issue? I was quite taken — and I think I submitted a Question for Written Answer on the issue — by the fact that it is essentially supposed to be a benchmarking exercise to see whether there is a prima facie case. I think that of the 8,000 cases that came through the PI or PE system in the past five years, only eight were thrown out at that stage. Perhaps defence counsel could ask that the automatic assumption is that PI or PE does not take place. That could be one area that could be consulted on.

If you would just comment on those two specific points, I will have a couple of other questions.

Mr Ford:

You asked me to comment on a number of things, but if you made the statement —

Mr Weir:

I suppose specifically, the two questions —

Mr Ford:

I will go with my notes. First, transfers of individuals from Hydebank to Woodlands have been done on the assessment of what is best for those people and how they fit the system. Decisions on the principle will be taken on the same basis. As we produce the implementation plan, the areas for consultation will become obvious. As to statutory time limits, the clue is in the name; you cannot do something statutory if you do not have full consultation around it.

I sympathise with your view on PI and PE issues. You said that eight cases out of 8,000 were thrown out. That is a measure of how little benefit is being obtained from that, but it has traditionally been seen as a check-and-balance on the roles of the police and prosecution services. We need to be careful that we take account of the full range of issues as we move to reform that.

Mr Weir:

I will touch on two other issues very briefly.

I welcome the parts of the report that deal with partnership working; the Prisoner Ombudsman raised that as a matter of concern. I realise that this may be an early stage, but will you put more meat on the bones of how you see partnership working and developing? One concern I have is that about 90% of government reports — and I will hold my hands up, even Committee reports — state an easy recommendation that there needs to be more joined-up government and that an issue is to be tackled by not only one Department. I am not being critical of the DOJ; I am making a generic point that virtually every report on whatever subject recommends a more joined-up approach and more working together with other Departments. Will you tell us more specifically how you see that developing?

The final point I want to make is on the exit scheme. The Committee has had a briefing on it, and the broad thrust seems to be that a sensible package has been put together. It is halfway between a Patten style, although not so generous, and someone exiting the Civil Service, although it goes considerably further than that. How confident are you about achieving the target numbers? The problem is that we are looking at an exit strategy against a background in which there are very high levels of unemployment compared to 10 years ago. During the Patten period, people felt that a package would give them the opportunity to get into another career for the remainder of their life. However, I suspect that for a lot of people faced with leaving employment at present, there is a much greater level of uncertainty. There is much less confidence that there will be another job around the corner.

Mr Ford:

I will ask Colin to speak on the detail. However, the Committee has now had the answer to the question it asked about people with 40 years' service and the pension they will receive. The figures are even starker than I realised when I saw them as the answer was being prepared. More than 40% of those in the eligible categories have over 40 years' service, and another, roughly, 25% have between 35 and 40 years' service. In that sense, we are not looking for people in their early 40s who will leave with a view to finding another career. In many cases, we are talking about people who are already in their very late 50s or early 60s, and that becomes a different example. However, Colin can talk about the detail.

On partnerships; if you were to invite me to be cynical, I would suggest that not all joined-up working operates terribly successfully. However, I believe that when it does so, it is because one

Department has the lead and takes responsibility and others are brought in to carry out their function within that joint working. Rather than having three equal partners, joint working is more likely to be successful if someone asks: “We are in the lead; will you help us?” I went to Magherry to open the Donard Centre and the Learning Skills Centre. Fair enough, I got an apology the day before that Edwin Poots would be unable to be there to represent the Department of Health, Social Services and Public Safety. However, the chief executive of the South Eastern Health and Social Care Trust and Stephen Farry, as Minister for Employment and Learning, were there. I think it is an indication that the agencies that mattered for the work were involved, but were very much involved in something in which the Prison Service was in the lead. That gives me some confidence that we will manage this. I am not suggesting that it is easy, but it is something that we are certainly committed to, and I hope that others will come in, in a slightly minor role.

I am sorry, Colin. I said that I was going to let you talk about the staff exit scheme. Then I will talk about other things.

Mr McConnell:

I do not mind commenting on partnership working and the staff exit scheme.

As you know, we launched the staff exit scheme last week. About 620 staff are eligible for the scheme. As of today, my understanding is that there have been almost 500 expressions of interest, and that is with the scheme having, effectively, hit the ground a week ago. Staff have until 28 November to register an expression of interest. In a sense, I do not want to make too many judgements from those early numbers as to the number who will leave the service. You are right; there are a number of general and individual factors that will impact on that.

However, from the feedback that managers and I are getting from staff in the business, I have to say that your assessment is quite accurate. Staff are responding positively to it, on the whole. I think that they see it as a fair and balanced package given the circumstances. If you think of what Anne Owers said of many of our staff in her report — which is almost an echo of what the chief inspector said in the corporate governance review last year — they are simply tired. They are exhausted, having spent a long, tough career in the Prison Service. So, I think that there are external and internal pressures through the staff exit scheme that will encourage significant numbers of staff to be able to make the very sensitive choice about when they go. Given the level

of interest at this stage, and the speed at which that interest has developed, we can say that we are encouraged that significant numbers will come forward and that probably substantial numbers of staff will sign up to leave next year.

On partnership, let me drill down a bit. I smiled when you said that it has become one of the most popular recommendations, and we do read it in most review reports. However, it is a truism that, in the prison environment, and as we shape the service, we have to face the fact that our staff cannot be everything to everyone. We want to be able to develop a range of services and facilities if we really are going to reduce the risk of reoffending and contribute to the safer society imperative that everyone recognises. So, the Northern Ireland Prison Service will conduct a review process as part of the SEE programme. The impetus will be to identify the core business that we should be delivering through directly employed staff and the capacity, resources, and ability to skill them to do that. Where we are not able to do that, or it does not seem to be core, then we will want to get into partnership with other bodies so that we can deliver excellent services to offenders.

I have a very relevant and recent example of that. Last week, I spent time with Extern in the town. It delivers an excellent service in bail hosteling and other support services. I spoke to the chief executive and staff there. I think there is a real opportunity for the Northern Ireland Prison Service to do some partnership work with Extern and similar organisations, particularly in “through the gate and into the community” type activity.

So, we will be exploring partnership work, but not in an airy-fairy sense. There is real determination to form proper relationships with external bodies that can enhance rather than diminish what we do.

Mr McCartney:

Since reading the report, I have made observations on it in Committee and during the debate. It strikes me that what emerges from the report is the vital need for change. That is writ large. It also goes into the challenge and process of bringing about change, the process of implementation of change and the process of oversight. Today, I would like your initial observations about how we bring clarity and certainty to that process. In other words, is there a sense that there will be an implementation plan? Will people be able to examine that plan to have a fair indication of who will be responsible for what, the changes proposed, how will they be brought about and what

purpose each change will serve?

The same applies to oversight. In the House the other day, David, you spoke about chairing an oversight committee. How often will it meet? What will be its purpose? What will be the status of its papers? Will they be shared with this Committee? Will they be internal or whatever? I am looking for your general observations.

Mr Ford:

OK. You are probably a bit ahead of me at this point, but I will try to give you something on that. First, the implementation plan is something that has already been worked up through the SEE programme arrangements. I suspect that how much of it will be shared depends, to some extent, on how much detail you want to see. It can be worked through as different strands of the Department's work.

You highlighted oversight, which is a key issue for me. I have regular meetings with Colin and his senior team, but, on the specific idea of having an oversight committee that I would chair, I am looking at issues such as its precise membership and terms of reference. At this stage, there are no firm decisions, but, for example, I will want to see that there is independent representation on the committee. It will be very much a committee that looks at the plan regularly and gets reports — whether written or by oral presentation — on what has been achieved. It will certainly meet regularly enough to ensure that we follow through on the plans and see that they are developed.

I have spent 19 months saying that elements of the justice system need significant reforms. We have looked at past reports about the difficulties in prisons. We now have the opportunity of the SEE programme coming together with the Owers report, so the time is right for change. You heard from Colin about the opportunities to develop through refreshing staff. Those will be key issues, and given that we are in mid-November, I hope to have a meeting very soon after Christmas with the oversight committee having approved the terms of reference and having got the membership, including the independent membership, sorted out. I see that as being a regular meeting and a fixed item in my diary, which will ensure that we follow through.

I am not sure about the detail of the level of reporting from the oversight committee to this Committee. There may be reams of stuff, which are just too much for you. However, I will see

to it that you will at least have a summary of the reports presented to the oversight committee, and I say that without having worked out exactly what the terms of reference will be. It is important that the Committee for Justice should know what is going on. Early in the new year, we will need to see how we work out the precise mechanism and level of detail for that.

Mr McCartney:

One reason I asked that is because we got an insight into the timeline for the exit package. Expressions of interest are due by 28 November, followed by something in January, and so on. That will allow us to ask, on 28 November, how many people have applied for the package, and, if it is short of your target, what the implications are and how they will be dealt with.

Mr Ford:

We must remember that the expressions of interest are not totally binding, but I take the point. In a sense, Colin has already given you an update on that.

Mr McCartney:

I ask that because it was recommended, or suggested, in the February report — the interim report — that a properly resourced change programme, under a programme manager with experience of change management and a dedicated team, should be implemented. I am not chastising Colin or anything like that, but it is nearly in place and almost complete. So, there is no timeline. It is not as though we are saying that there will be a programme manager or a change manager in place by the first of a given month.

Mr Ford:

I will let Colin come in on that because he will have certain responsibilities now. However, the reality is that we had difficulty dealing with the Department of Finance and Personnel and others to get that process in place. We have now completed the interview process for the change manager. Progress has been made, but it has not been nearly as fast as I would have wanted. However, once we get that team in place, it will be the team that will carry forward those changes alongside Colin and the existing management team.

Mr McConnell:

I think that the Minister is right. I certainly share the frustration of many members here with regard to the timeline to get to where we are. However, whether we like it or not, there are

established recruitment procedures that we simply must follow. They are there for a good reason, and we have slavishly followed them. I am pleased to be able to tell the Committee that we interviewed yesterday and the day before for the post of change manager, and a recommendation is being made for an appointment. Obviously, you will appreciate that I cannot say more than that at this stage. However, we are almost there. We have identified four of the five people, and we are on the track of the fifth. We are one short, but we are on track to get that resolved. Again, to repeat: however frustrating it may seem, there is a recruitment process that we must follow, and we cannot deviate from it.

Mr McCartney:

That is fine. Again, this is a broad and wide point; when I read the report and look at the recommendations, I see that there are certainly cross-departmental issues. However, with most of this, the driving mechanism has to be both the Department and the Prison Service. That is my reading of it.

Mr Ford:

I entirely agree. The key issues are overwhelmingly either exclusively or very much led by DOJ. The main issues that do not fall exclusively to us are the healthcare issues, where we have good established partnership working with the South Eastern Trust. I believe that it will follow through. There is already a group made up of the trusts and the Northern Ireland Prison Service working on that and looking at the recommendations and the implementation arrangements for them.

Mr McCartney:

The reason why I am talking about how we take this forward is that, according to the report:

“managers and staff who are either seeking or would welcome change have spoken of the experience of the last seven months as like ‘wading through treacle’ or as a ‘phoney war.’”.

They talk about the culture of denial and compromise, and, in their opinion, problems were buried rather than faced. It is a matter of how you move on from that. The definition of “controversial” will always be controversial. Therefore, any aspect of this could be deemed to be controversial by anybody. If “controversial” is the definition that has to go in front of the Executive, in my opinion, this is the beginning of treading through treacle.

Mr Ford:

That is an issue that we will have to work through, but there is no hesitation on the part of Colin or his senior team. You had some of them up with you last week to talk about the exit scheme, and we —

Mr McCartney:

I do not want to pick on any particular thing, but, if I had made the case last week that the exit strategy would be controversial, I think that most people would say that there was a degree of controversy around it. However, I see it as the responsibility of the Department and the senior prison managers to take that strategy through. I do not see it as something that should go in front of the Executive for their approval.

Mr Ford:

It may then come down to it being my responsibility to discuss it with Ministers to establish whether there is an understanding about what needs to be done or whether people deem things to be controversial. You are quite right: different people around this table see different things as being controversial.

Mr McCartney:

That is what I am saying. As we take this forward, we should not allow the definition of what is controversial to become the blockage to progress.

Mr Ford:

Let us hope that an Executive who agreed a Programme for Government, an investment strategy and an economic strategy last night may be able to agree some of the issues that go to the heart of the difficulties over the past 40 years.

Mr McCartney:

I accept that. I am not trying to minimise the difficulties that we face. All I am saying is that, if we make everything controversial, we will not make any decisions. We have all praised the work of Anne Owers. At the heart of her commentary and narrative is the warning that the report could end up like other reports, gathering dust because of treading in treacle or cultures of denial. That is the point that I am making; I am not making any point about roles and responsibilities. There is a very clear path to progress. I am not saying that everybody accepts every single item, but it is a

pathway to progress that is garnering support. We cannot allow it to be whittled away by having phoney wars, which is how the prison staff described it, over what is controversial and what is not.

The Chairperson:

It would be useful to know what you see as being operational in the report and what you see as being ministerial.

Mr Ford:

I hear the point; you made it earlier, Chair. Frankly, we are now at the point at which the touchstone comes to us as politicians as opposed to the Prison Service management. Over the past 19 months, the Committee has shown that it is capable of handling some quite difficult issues by recognising the realities of people's different positions. Goodwill has been expressed around this, including the way in which the Chair introduced one particular controversial topic. We have had a rational discussion around it. I believe that, if we have that level of commitment, we can carry things forward. However, I do not work miracles. I do my best to discuss issues, explain them and see whether we can reach agreement. We established earlier that there is one particular elephant in the room on which we do not have agreement, but we have made a lot of progress in other areas.

Ms J McCann:

Some of the wider issues have already been covered. I want to concentrate on equality and diversity and the outcomes of the monitoring processes. The report highlights that there seems to be an issue around the Catholic population, particularly among young men. They are over-represented in prison overall, but the report states that they are disproportionately represented in matters relating to prison discipline, adjudication, the use of force and segregation. There are also problems with their being granted temporary release for emergencies or healthcare. Furthermore, they are over-represented in poor accommodation.

Obviously, this is a serious issue, and it causes people concern. Proper monitoring has not been carried out to see why that is the case. I have heard some of the recent comments about this. It is an equality issue. Proper monitoring should be being done anyway. Anne Owers makes a very clear recommendation in her report, but it is something that should already be part of the process. Has that concern been raised with the prison administration? It should collect and

monitor that information to see whether there is an issue with people from a certain religious background being discriminated against. That has been illustrated and highlighted in the report. Have you taken the necessary action to ensure that those processes are in place?

Mr Ford:

Colin can talk about the detail of what he is doing on that. It was certainly an issue for me that the report highlighted matters of which I was unaware. Some of the statistics appeared to be there and had not reached my desk, and I am not sure how far they had permeated through to Prison Service management. It is clearly an issue. As the report makes clear, the explanation is not obvious. There is certainly an appearance of differential treatment, but there is not necessarily a statement of specific discrimination. The first thing to do is to find out exactly what is happening. The second thing to do is to find out whether we can establish why that is happening. However, the report makes it clear that Dame Anne and her team were not able to do so. The third thing to do, having started to monitor it properly, is to address what is highlighted in the report to ensure that there is not an ongoing problem. Colin is now following through on that with the governors in the three institutions.

Mr McConnell:

As the member quite rightly said, it is an issue of equality and diversity. More importantly, it is an issue of management. We, as a service, have to recognise that we have not managed the issue effectively. The fact that the information was in our systems but was not gathered, interrogated and interpreted effectively is a criticism of management. I, as director general, have to accept that. As Anne Owers touched on in her report, the issue, of course, goes back some time in the service, and I think that it is about where the service has been and the business that it was in. The issue is now about transforming the service to make sure that it delivers a full range of services to offenders and addresses differential issues in the prison estate. Have we sat on our hands since Anne Owers raised that with us? Certainly not. Within days of Anne Owers raising it, I had revised and reissued the instructions to governors.

The management of the equality and diversity committees in prisons cannot be delegated to staff any lower than deputy governor level. So, either the governor or the deputy governor will chair those committees, through which the information will be considered. The deputy director general, Max Murray, has met the governors twice and the other staff at HQ who have responsibility for policy and other issues to begin to address how we properly go about gathering,

interrogating and interpreting that information. That work is now being taken forward.

We have to look to other jurisdictions that face not too dissimilar issues to see how they manage apparent discrepancies in how various groups of prisoners are treated. As regards running the prison, I do not think that we will ever get to a situation where there are not reported discrepancies. I think that the issue for us as a management team is to make sure that we understand why those discrepancies occur, and, if they are not explainable, we need management action to make sure that they are addressed. I assure you and the Committee that we have taken the issue seriously and addressed it quickly.

Ms J McCann:

I am glad to hear that the issue is being addressed. However, with respect, religious inequality is a significant issue in the North. You mentioned other jurisdictions. Religious inequality in an institution such as the Prison Service is a serious issue here because of the legacy of the conflict and everything else. So, in comparing the North with other jurisdictions we are not really recognising the importance of that issue and how that has panned out. In my view, there is a significant gap that needs to be addressed.

Mr McConnell:

My comments were not meant to in any way diminish the issue. The point that I, clearly, badly explained was that other jurisdictions will have to deal with issues of a similar nature, though not necessarily about religion. So, it is about understanding how they go about effectively managing such issues. That said, we need to develop and maintain a solution that is appropriate for Northern Ireland.

The Chairperson:

The important point in all of that is that it is if there has been discrimination, because Anne Owers's team did not have any evidence to suggest that there was. I think that we need to be careful about the inference that is being made.

Mr McConnell:

That is the point that I was making.

Mr Ford:

It is clearly an issue that requires investigation.

The Chairperson:

It is important to get behind the figure work, but it is also important that we do not imply something without having an evidence base to stand over it.

Mr S Anderson:

Thank you, Minister and Mr McConnell. I am pleased that the Minister has clarified what may have been said in the Chamber on Monday. I welcome the fact that any decision that will be taken on proposed changes to emblems or the title of Her Majesty's prisons will be a decision for the Executive and the Assembly. As the Chairperson said at the beginning, the DUP will not be going down that road for a name change or suchlike. We will park that one for now.

Mr McConnell, I want to ask you about the pace of delivery of the four-year delivery plan that you mentioned earlier. I think that I am correct in saying that there was a voluntary redundancy package on offer in 2000 or around that time.

Mr McConnell:

I believe so.

Mr S Anderson:

My understanding is that it took a lot of years to recover from the loss of that experience in the prison system. Perhaps you have some comments on that. I am concerned about whether you have the capabilities to upskill new staff and retrain staff who want to remain within the system over that short period. Do you see any difficulties in that? I keep asking you that question. How can you be confident or sure that the system will cope, given that staff will leave and that the new staff who replace them and the staff that remain will need to be upskilled? Bear in mind that the system is not perfect. There are still problems at Her Majesty's Prison Maghaberry. I am referring to those who do not want to conform to prison rules and regulations. I am just wondering whether you are totally confident that the position will be such that you will get 100% working operations there.

Mr McConnell:

Am I confident? Yes. Am I supremely confident that every single thing that we do will work? No. I think that we will hit humps along the way. You made the comparison to the scheme in 2002. Unfortunately, I do not have enough information to make judgements about that, but I want to focus on the change that we are confronted with.

Mr S Anderson:

That is information that had been fed back to me on a personal basis by officers in the system who found big changes and big difficulties. It took time to get over that.

Mr McConnell:

Change is threatening and difficult to accommodate. What needs to be put in perspective is the nature of the change that we are taking forward. I think that it is generally accepted — although you may want to disagree — given the reporting that has gone on, that we have too many staff with us for the business that we intend to do. In that sense, losing a number of staff is not in itself a threat to the business, because we are actually rightsizing the business. If you look at the nature of our workforce, you will see that the staff who are most likely to leave are those who are the most senior, but the group of staff who are most likely to stay also have considerable prison experience. The last prison officer recruitment exercise for the Northern Ireland Prison Service was in 1994, so even the staff who will be staying with us have considerable experience. Of course, there are the questions: what is experience, and what is time in the job? I am confident that the staff who will be staying with us are well able to keep a safe and decent regime running while we bring in other staff over time.

As I mentioned, we have put a lot of work into designing an effective training and development programme for the new staff who we seek to bring in, and that will run alongside a development programme for the staff who are staying. Every single member of staff in the new operating model will have a minimum of 10 days of training built in to the new model. We are currently struggling to deliver anything over two days of training per annum per member of staff, and we have built in a guaranteed 10 days. So, the issue for us is to recognise that we are working in a model that does not have the appropriate systems and structures to deal with even the business that we are trying to deal with today. We have the opportunity now to move to a new operating model that is purpose-designed, with the right number of staff turning up at the right time with the right training and skills. So, my assurance to you is that those staff who are

staying with us are very experienced and will keep our business going safely.

Mr S Anderson:

Point taken. There will be a lot of experienced staff left, but, at the same time, we will lose years and years of experience. I take the point, and you are putting a marker down that you have confidence in what is left.

I will move to a question that is maybe more for my own information. You referenced the supervised activity order pilot in Craigavon, which is right in the heart of my constituency of Upper Bann. It costs £55,000 to administer that. What agencies are you working with? It is obviously well progressed because you are hoping to roll it out in January. Could you give some background to that?

Mr Ford:

You are looking in the wrong direction if you are looking at Colin, because that was something that I mentioned early on. It is a wider issue that is designed to avoid having fine defaulters come anywhere near prisons in the first instance. It will involve working predominantly with the probation service and the Courts and Tribunals Service to look at those who have not paid fines, even though, as I mentioned, we have seen a significant increase in the number of fines paid properly and a reduction in the number of police warrants being issued. The key thing will be to say to people that, rather than them going to prison for a few days —

Mr S Anderson:

Or not at all.

Mr Ford:

— which is all that fine defaulters get — with all the difficulties and turmoil that that involves, they will do supervised activity. In effect, it is the same sort of thing as community service, and it will make sure that they make a public contribution rather than simply having two or three days in prison, with all the disruptive effects of moving large numbers of people in and out of prisons.

We must remember the statistic that over half of women who were in prison last year were admitted for a few days for an offence such as fine default. I accept that it is nothing like half of the population on any one day. However, from the point of view of administration, over half are

there, and prisons can do nothing effective to rehabilitate or reform prisoners serving a seven- or 14-day sentence. Supervised activity orders are being piloted to see how they work in keeping people out of prisons and making them do something constructive. We will then see how we can roll that out across Northern Ireland generally. That will be to the ultimate benefit of the Prison Service, as it will reduce numbers, and of the wider community, as it will see some constructive work being done in place of that.

Mr S Anderson:

That issue has been looked at or thought about in the past, and it is good that we are making an effort to get to that point.

Mr Ford:

The report slightly criticises us for the fact that we are piloting the scheme in Craigavon only, but we are looking to roll it out as fast as possible as soon as we have learned the lessons of the pilot.

Mr S Anderson:

I hope that it is nothing to do with Craigavon.

Mr Ford:

I cannot remember the technical reason why Craigavon was selected, Chair. I will duck that one.

Mr S Anderson:

Mr McConnell, I asked your personnel who were here last week about arrangements under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE). The paper mentions the transfer of medical staff. Is that a reference to prison staff transferring under TUPE? I asked about that last week. There is some concern here. Are specialised staff, as in medical staff, being allowed to go back to their discipline?

Mr McConnell:

I have to make it clear that I am not a TUPE expert. Even people who are TUPE experts would say that they are not TUPE experts. I am reluctant to get into the TUPE issue. However, let me try to be clear about where we are with healthcare staff. As far as the transfer is concerned, we accept that, if any members of staff wish to avail themselves of the exit scheme, they can do so. That is the first issue. That said, we do not want to put any particular blocks on those staff who

are otherwise transferring a service to the South Eastern Health and Social Care Trust. If you are asking a TUPE question, I would prefer to go away and get a properly researched TUPE-type answer for you. However, the assurance that I want to give you is around where the business is developing and the exit scheme. We are not putting particular blocks on staff who are currently in healthcare; it is about our employees accessing the exit scheme.

Mr S Anderson:

It is not just staff on the medical side. It is probably instructors and other specialised staff. What you are telling me today, Mr McConnell, is that those staff can avail themselves of the opportunity presented by the exit scheme.

Mr McConnell:

Yes, they can. If there are staff within the grades that have access to the scheme, they can avail themselves of it if they choose to do so.

Mr S Anderson:

OK, thank you.

Mr Lynch:

Most of my points have been covered by my colleague Raymond. Minister, as I said in the House on Monday, there have been some 23 reports, and most ran into the sand. I know that the best laid plans can run into the sand again. The fear is that the same thing will happen with this report. So, the most important thing is momentum. Colin, you talked about an opportunity. It is an opportunity, but the most important things now are the momentum and the oversight mechanism that Raymond talked about. Yes, the exit strategy and package have a detailed time frame. However, we want the holistic package to be nailed down and as detailed as that. Until and unless that happens, we are fearful that the whole lot will go the same way as before.

Mr Ford:

I hope that the fact that we have a report that has, to some extent, been all-encompassing rather than one that looks at small areas of prison work — as some have; indeed, the report has drawn on some of those previous reports — shows how we are seeking to treat things differently and take the whole issue seriously. I do not know that any of the previous reports had the level of scrutiny of a Minister and his senior officials stating what they would do to follow it through and

coming in when work was already well under way on the SEE programme and a number of different threads that are running together. The appointment of a specific change management team, annoying though it is that it has taken longer than hoped, is a measure of commitment. There will also be the oversight committee, which I will be chairing, as you acknowledged yourself, Seán.

I acknowledge that any of those processes can run into the sand, but I would have thought that we have given as good an indication as has ever been given that this matter is being taken seriously at every level of the Department, including the Northern Ireland Prison Service. I believe that, in conjunction with those other Departments and agencies that we have to work with, such as the South Eastern Health and Social Care Trust, we are looking seriously at making sure that we use this as a real opportunity for reform. I spent most of my first year in this job talking about the need for reform. We have now got to the plan ahead. I acknowledge that we have not got a full implementation plan to put before you with dates and precise targets, but all that is being worked on because we recognise that that is necessary. You do not drive reforms forward unless you have specific SMART targets.

Mr Lynch:

I acknowledge that the report is a vision for fundamental change. Colin, you said that NIPS was not idle since the interim report, yet Anne Owers would beg to differ. Little has changed in practice. Where is the difference there?

Mr Ford:

In fairness to Colin and his team, I think that it may be acknowledged that little has changed in practice on the ground, but, actually, some practice on the ground has changed. An incredible amount has been done in Dundonald House, the NIPS headquarters, in looking at the way that those things will work. That has started to spread the message, at least among senior staff in the three prisons, in a way that means that we will now be able to roll it forward. The scale of the programme we are on is very large. The issue that came up was around the 12-month timescale. On the one hand, we are seeking to do an awful lot in these six months to show that the process is under way. On the other hand, it is a four-year reform programme, and, just as with any other major reform, we cannot do it all in 12 months.

Mr Lynch:

Fine. Thank you.

The Chairperson:

OK. Thank you very much. You talked about an oversight committee with some independent members. Will that committee take forward the 40 recommendations? Just so that I am clear, what is the purpose of that oversight committee? I know what the change management team is about, but I am not sure about the committee.

Mr Ford:

The committee is to have oversight of the whole SEE programme. It will receive reports from Colin and his team; see that work is proceeding on the timelines that are identified; ensure that we can come back to the Committee with our heads up; and ensure that work is proceeding as well as it can on a project of this scale.

The Chairperson:

The SEE programme is obviously a key element of this report, but it is not responsible for statutory time limits or things like that. So, is the oversight committee responsible for the SEE programme?

Mr Ford:

Yes. The SEE programme is effectively the Northern Ireland Prison Service's bit of the Owers report. I acknowledge that there are other issues that are on a wider scale. Whether they will fit precisely into the oversight arrangements is the kind of issue that has to be resolved. That is, in part, because most of the other things that you highlighted — indeed, we talked about the statutory time limits — need to be the subject of a separate consultation and, therefore, do not fit easily into the change management programme aspect of the other work. However, I will certainly report to the Committee as early as I can on exactly how we see the oversight arrangements working.

The Chairperson:

I am keen for the Committee to have a look at the terms of reference of the oversight committee before it starts its work.

Mr Ford:

The Committee, as ever, will be bombarded with paperwork and consulted.

The Chairperson:

Minister and Mr McConnell; thank you very much for coming before the Committee.

Mr Ford:

I thank the Committee members. This issue has been hugely divisive in the past. There are clearly issues that remain divisive, but I appreciate the fact that the Committee is able to discuss those issues and give me the constructive advice and assistance that the 1998 Act speaks about. I suspect that, otherwise, a lot more work would need to be done on some of those difficult points. I find the Committee a useful point of reference, and I thank you for that.

The Chairperson:

Thank you, Minister.