



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

Review of the Northern Ireland Prison
Service Estate Strategy: Final Decisions on
Way Forward

21 March 2013

NORTHERN IRELAND ASSEMBLY

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Review of the Northern Ireland Prison Service Estate Strategy: Final Decisions on Way Forward

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Members present for all or part of the proceedings:

Mr Paul Givan (Chairperson)
Mr Raymond McCartney (Deputy Chairperson)
Mr Tom Elliott
Mr Seán Lynch
Ms Rosaleen McCorley

Witnesses:

Mr Mark Adam	Northern Ireland Prison Service
Ms Sue McAllister	Northern Ireland Prison Service
Mr Max Murray	Northern Ireland Prison Service

The Chairperson: I welcome Sue McAllister, who is our director general in the Prison Service; Max Murray, director of estates in the Prison Service; and Mark Adam, who is one of the change managers in the Prison Service. The session will be reported by Hansard.

Ms Sue McAllister (Northern Ireland Prison Service): Thank you for the opportunity to update you on the Northern Ireland Prison Service (NIPS) estate strategy following David Ford's statement to the Assembly earlier this week.

You will be aware that in November last year the Minister announced a number of key decisions in respect of the prison estate and highlighted where further engagement and evaluation would be required before he could make any final decisions on provision for young offenders and women offenders and the shape of the adult male estate. That period of consultation and evaluation is complete, and the Minister returned to the Assembly earlier this week to outline his final decisions in respect of the prison estate, including a definitive decision on the future of Magilligan Prison.

Rather than repeat everything that the Minister said, I propose to outline the main elements of the Prison Service's final estate strategy. The development of the prison estate is an opportunity to bring about the whole scale reform of the Prison Service envisaged by the Prison Service review team and endorsed by the Minister. It is our opportunity to create an environment that promotes rehabilitation, reduces risk and enhances public safety. It is also an opportunity to provide accommodation that not only is fit for purpose but provides value for money. Our estate strategy over the next 10 years will deliver on both of those things.

With regard to young offenders, both the prison review team and the Minister are clear that addressing the level of educational need amongst that group of offenders is essential if we are to improve a young offender's chance of rehabilitation and employment upon release. On that basis, the Minister has

outlined his commitment to the reconfiguration of Hydebank Wood as a secure college, offering young offenders a full programme of skills-based activities to better support rehabilitation and desistance.

Building on the vision in the prison review team's report, with support from colleagues in the Department for Employment and Learning, we have produced a concept development paper, which defines the secure college model in more detail and identifies how that can best be achieved. At the centre of the secure college approach will be the implementation of a revised learning and skills curriculum and a move to a new delivery model. Consultation with trade unions and other key stakeholders is ongoing, and we anticipate that the new curriculum will be introduced in 2014.

In the immediate term, it is anticipated that work to improve the physical environment at Hydebank Wood and to making the surroundings more conducive to learning will be completed within the next six to 12 months. However, as the Minister emphasised on Tuesday, the secure college approach is about much more than bricks and mortar. It is about raising the value placed on learning and skills and changing attitudes towards offender management through positive engagement and interaction.

I am pleased to inform the Committee that Paul Norbury, a governor with extensive experience of working in the National Offender Management Service, will take up his appointment as governor of Hydebank Wood on 14 April. I am confident that he will provide the necessary leadership and inspiration to deliver the secure college model.

The Department of Justice, in partnership with the Probation Board has also been exploring what additional support and services might be put in place to manage young offenders in the community. That work aims to better enable them to benefit from multi-agency co-ordinated services, which will contribute to their successful resettlement. It is hoped that a pilot scheme based on the Inspire Women's Project model will be launched in the coming months.

The Minister has made clear his intention to move to a position where custody is used only for the most serious and violent offenders, particularly in respect of women. On a number of occasions, he has also repeated his view that the existing arrangements for women prisoners currently located in Hydebank Wood are not appropriate. That is a view that was widely shared by stakeholders and was recently reinforced by Her Majesty's Inspectorate of Prisons during an inspection of Hydebank Wood. He has, therefore, committed to establishing a new separate facility for women offenders, combining both custodial and community services. We are working with colleagues in the Probation Board to assess the options in terms of size and shape and a number of options for the location of the new facility, including three areas on the existing Hydebank Wood site. A strategic outline case will be prepared and, subject to funding being made available, it is envisaged that a new facility for women offenders could be established by early 2018. Members will agree that it is more effective to support women in the community than in prison to address the many complex issues associated with their offending behaviour. That is why Department of Justice officials are continuing to refresh the existing women's strategy to put in place new actions aimed at reducing reoffending among women and diverting women away from custody. That work will incorporate work on the new women's prison and the roll-out of the probation-led Inspire women's project across Northern Ireland.

We are also looking at options to use the probation premises at Alderwood House at Hydebank Wood to provide step-down accommodation for women prisoners assessed as suitable for working in the community. The existing building will provide accommodation for up to six women and, subject to planning permission, a design team has been asked to consider options to extend it or to build additional accommodation on adjacent land.

Alongside the core aim of creating an environment that encourages positive change by offenders, the estates strategy recognises that there is an urgent need to address issues of overcrowding at Maghaberry. Quoile House, the new 120-cell accommodation block at Maghaberry, was officially opened by the Minister last month, and I thank Committee members who attended the launch for their support.

Good progress is also being made towards the development of an additional 360-cell accommodation block at Maghaberry. Subject to the approval of an outlying business case, it is anticipated that construction of the new block will commence in late 2014 and be completed in just under three years. The additional accommodation will ease pressures and lead us closer to the goal of reducing shared accommodation. It will also enable us to reconfigure Maghaberry Prison into three discrete areas — for remand prisoners, low- to medium-security sentenced prisoners and prisoners requiring high-security accommodation — with appropriate support regimes and security. That will enable the Northern Ireland Prison Service not only to develop a security regime that is proportionate to the risk

presented but facilitate the delivery of better tailored regimes to specific groups of prisoners and reinforce work to rehabilitate offenders.

The remand area will focus on the safe and effective committal and assessment of offenders; provision of short or modular interventions, courses, work and programmes; and practical resettlement initiatives with considerable external support. Some existing facilities at Maghaberry will provide accommodation for low- to medium-security sentenced prisoners, and we will continue to provide step-down facilities for life sentenced prisoners. The high-security facility will include provision for separated prisoners and high-security prisoners from the integrated population. Subject to the availability of funding, work to convert to the existing Bush and Roe site to a high-security facility will commence in early 2015. That will enable the Prison Service to deliver a regime appropriate for the prisoners held there, while allowing the remainder of the prison to develop a more dynamic regime, with appropriate staffing arrangements that meet the needs of those prisoners not requiring the highest levels of security.

In the interest of encouraging positive family contact, we are developing options to replace the visitor facility at Maghaberry. Subject to the availability of funding, I hope that that work will commence in late 2015. Meantime, the existing visits facility will be upgraded.

In recognition of the importance of managing the transition between prison and community, particularly for prisoners who have served long sentences, it is intended to redevelop the prisoner assessment unit (PAU) on the Crumlin Road as a working-out unit for prisoners approaching the end of the sentence. Subject to approval of a business case, that work will commence later this year.

Members will be aware that our outlying estates strategy proposed decommissioning Magilligan Prison from 2018. In November 2012, having taken account of the views put forward by stakeholders, the Minister announced his intention to retain a prison on the Magilligan site, subject to evidence being provided that issues concerning rehabilitation and family links could be adequately addressed. Over the last few months, we have continued to engage with stakeholders and local councils on this issue. Both the Minister and I are now convinced that there is a case for the retention of Magilligan prison.

However, much of Magilligan is no longer fit for purpose and has outlived its useful economic life. We have engaged with a number of professional service providers to consider the options for a replacement prison on the existing Magilligan site. A number of high level design concepts, including the phased redevelopment of Magilligan, are now being considered. It is anticipated that, subject to available funding, key elements of the redevelopment will include the replacement of the H-blocks and other ageing accommodation with a range of fit-for-purpose accommodation that will promote and encourage rehabilitation and resettlement; the development of a purpose-built central activities block comprising a multifunctional offender management unit, sports and recreation facilities and learning and skills classrooms and workshops; a new entrance building and welcome centre; and the creation of a number of independent living units for prisoners nearing the end of their sentence. Subject to the availability of funding, it is anticipated that the phased redevelopment of Magilligan will be completed by 2020.

In summary, over the next 10 years, subject to the availability of funding, we will reconfigure Hydebank Wood as a secure college; provide a separate facility for women offenders; reconfigure Maghaberry into three discrete areas; create an effective working-out unit on the site of the former PAU on the Crumlin Road; and implement the phased redevelopment of Magilligan Prison. The total cost of the implementation of this estate strategy is estimated to be approaching £202 million. However, those costs will be refined as we work through the business case process. The majority of the expenditure on the capital investment programme required by the estate strategy will fall outside the current budget 2011-15 period. Full implementation of the strategy will be dependent on the level of funding agreed by the Executive in future Budget processes.

Thank you again for giving us the opportunity to provide an update. Mark, Max and I are now very happy to answer any questions that you might have.

The Chairperson: Thank you very much, Sue. I have a couple of very quick questions. The paper states that the majority of funding will be outside the current cycle. Are you able to tell us how much funding is secure now and what that can achieve?

Ms S McAllister: We do not yet have detailed figures for the financial position. The Minister said that at the beginning of the week. What we have committed to do is to produce a plan that takes account of funding that we currently have, funding for which we are bidding, and funding in future periods. I do

not know whether Max wants to say anything more than that. I do not wish to be evasive but, as we have not yet got those detailed figures, it would be wrong of us to speculate.

Mr Max Murray (Northern Ireland Prison Service): The only thing to add is that the key priority is to bring forward the business cases for the capital works programme to inform the next funding round so that, at least, those business cases are before DFP. Then, when the allocations come, we will have to revise our plan.

The Chairperson: And you are confident that what has happened to the police college will not happen to these capital programmes for the Prison Service?

Ms S McAllister: I think that we have been clear. On a number of occasions this afternoon, I have said: "subject to funding being available". We have a number of proposals for the estate that take account of the possibility that we might not get all the funding that we ask for. We might not get it when we ask for it. We have some phased redevelopment that will allow us to do as much as we can afford to do. It is not an all-or-nothing option. It is a genuine and realistic set of proposals that take account of the current economic situation.

The Chairperson: If you get the £200 million, are you confident that the skills set exists in your management team to ensure that there will not be plans drawn up that are not properly costed and then need more?

Ms S McAllister: Yes. However, we also recognise the need to keep that under continuous review so that we have not committed to doing something that we cannot afford to do.

The Chairperson: That is important.

Ms S McAllister: Yes.

The Chairperson: The Crumlin Road prisoner assessment unit is fine; I have no issues with that. However, you will obviously be aware of the governance arrangements; that is of concern to me. Can you assure us that those areas have been addressed?

Ms S McAllister: We have learned lessons from the experience of the previous PAU. We will factor all that into our planning. However, we are looking at something that is actually quite different from the former PAU. It is very much a step-down unit, so it will be for prisoners who will be assessed as suitable to work in the community. We are also looking at a range of delivery options. We might choose to staff that unit with some prison staff and some staff from other organisations; for example, the Probation Board or voluntary and third-sector organisations. So it is not a replacement for the unit that we had before; it is something very different. We are very clear that we need to put in place governance arrangements and proper management so that we have firm leadership in that unit and a day-to-day structure that allows us to manage it very carefully and manage the risks that those prisoners present proportionately and appropriately.

The Chairperson: I should have picked up on this in my previous set of questions, but what is the consequence of not getting all the money that you want, particularly for Magilligan? If the current fabric is not fit for purpose, I take it that it will be critical that the funding is available to ensure its sustainability.

Ms S McAllister: Absolutely. That is why one of the first things that we need to do to redevelop Magilligan is to replace the accommodation units. We have spoken about the facilities building. However, the key thing is that we need to be able to replace the H-blocks with new accommodation units similar to the ones that you will have seen at Coyle House and Howard House. The buildings that are no longer fit for purpose and cannot be allowed to remain in use will have to be the first to be replaced.

Mr McCartney: Thank you very much for the presentation. In your introduction, you mentioned that this is part of the wider reform package. The Minister said the same in his statement on Tuesday. Who will be taking this forward? Will it be Max, as the director of estates?

Ms S McAllister: Max will have the lead.

Mr McCartney: Will there be a wider oversight group?

Mr Murray: Yes. It will feed into the wider programme and its structures.

Mr McCartney: I want to focus on Hydebank and the secure college. I think that that is welcome. If it becomes apparent that probation, for example, needs more resources, who will indicate that?

Ms S McAllister: Interestingly, we met the Probation Board chief Brian McCaughey this morning. We have spoken about how we need to look very differently at how we use existing resources and take a more risk-based approach to allocating probation resources in the prison. In answer to your question, if we decide that we need to spend more money on buying in seconded probation staff or other resources from the Probation Board, we, in the Prison Service, have to decide what other things we will not do or do differently.

Mr McCartney: Is there is no mechanism to go directly to the Minister and say, "If this is part of the wider reform package, we need this for it to work"? Rather your reform strategy or wider strategy being curtailed by having to move resources from one place to another, is there any mechanism to go directly to the Minister and say, "For this to work, you will have to increase the amount of money that probation gets"?

Ms S McAllister: There is the always possibility that we can do that. However, first of all, we need to make sure that we are spending our own current resources properly. Obviously, we will always be in competition with other public services for ever-decreasing resources. However, we have a very good working relationship with the Probation Board at all levels: at the working level, at the operational level, and at the more strategic level. Therefore, I am confident that, if we decide that we need more probation resources in the secure college, we will be able to give that a very high priority.

Mr McCartney: I raised the issue of Magilligan and the new proposed phased build with the Minister on Tuesday — I have raised it with him before. If location was one of the reasons why the review team and others said that there should be a new approach, what in your meetings with the local councils and others has satisfied you that location is no longer the key issue?

Ms S McAllister: Clearly, Magilligan will always be in a remote location; we cannot change that. In recent months, we have been persuaded and convinced of the absolute commitment of the local councils and people in the communities in the north-west to retain the prison. They are very willing to try to provide employment and training opportunities to help to rehabilitate prisoners when they are in custody and afterwards.

The other thing that we thought about is using Magilligan to provide opportunities and interventions for prisoners who have no family ties or for whom being in a prison that can provide a particular opportunity is more important than the location. We will provide some therapeutic interventions and training opportunities that will genuinely reduce prisoners' risk and improve their chances of resettling in the community. It will be more important to look at the quality of the courses that we provide than making sure that people can stay closer to home.

The local councils are working with us. There is some very positive stuff coming out about working with business in the community and local colleges in the north-west. That has meant that we are now convinced that that is the right place for the prison to be.

Mr McCartney: The economic impact is obvious, and you can see why the local communities and councils will make the case for the prison remaining at Magilligan. Once the new prison is realised, what will the structure will be to ensure that the mitigating aspects around location are delivered. I am not being unfair to anyone, but what structure does the councillors' forum have? Does it report directly to Max so that, somewhere along the line, they can question whether you are listening and are delivering on the commitments that you have made? I hope that I am not being unkind to anyone. However, if the economic case is made, they might say that they are home in a boat and will not deliver anything beyond this.

Ms S McAllister: That will be one of the first challenges for our new director of rehabilitation. He will have to make sure that the commitments that are being made are genuine and are embedded in our plans for Magilligan. That will mean that, even if individuals choose to walk away, we will be able to

sustain those links. We are confident that what people are saying is genuine and that they understand the need to commit in the longer term. However, equally, we will need to make sure that they are embedded in our processes and systems so that they are not reliant on any individual or any single organisation.

Mr McCartney: Will the councillors' forum meet on, for example, a quarterly basis? Will there be a structured approach?

Ms S McAllister: Yes. Max will already be holding those meetings. They will probably be held more regularly than quarterly.

Mr Murray: They will probably be bimonthly in the first stages, until we get it up and running. Through the period of the Foyleview set-up we had very good relationships with councillors for many years. That seems to have slipped a bit over recent times. As Sue said, if we demonstrate our commitment, and prisoners return something to the community, it will encourage councils to maintain and extend that opportunity.

Ms McCorley: Go raibh maith agat, a Chathaoirligh. Thank you very much for the presentation. Why was the language so unspecific in the commitment to provide for women prisoners, compared with the commitments for the other changes for youth offenders and Maghaberry? The least specific commitment is for women prisoners.

Ms S McAllister: What we are proposing to do for women is very different from anything that we have ever done before. In Maghaberry, we are reconfiguring the existing prison into three prisons, but it will still look and feel like a prison. The secure college at Hydebank Wood is not particularly specific, because we are still in the phase of modelling the concept. We have a term for it — we are calling it a secure college — but we have not yet got a clear idea what it will look and feel like. We have a blank sheet of paper for women offenders and will design something that genuinely meets their needs. What we know is that only a very small number of women need to be in a traditional, prison-type environment, and we have said that.

We are proposing to get some stakeholders to help us to model what that women's facility will look like. Tomorrow, I am meeting with Juliet Lyon from the Prison Reform Trust, an organisation that is passionate about women offenders and what a women's facility should look like. We have a very exciting and probably unprecedented opportunity to design something from scratch. That is probably why it is not specific. We have genuinely not yet boxed ourselves into any idea about what it will look like. Max, do you want to add anything?

Mr Murray: The Corston report highlighted the significant differences between male and female prisoners and the particular needs of female offenders with addiction and mental health. I think that there is a reservation about rushing into building a 100-bed women's prison at this time. Inevitably, we will fill it and the other agencies that are supposed to step up to the mark and provide the appropriate services to deal with addiction and mental health will walk away from their responsibilities.

The Department of Justice (DOJ) is doing a bit of work through the women's strategy to try to bottom out some of those wider issues outside the Prison Service. Until that piece of work has been done, we are not in a position to make final decisions about the shape and size of a new facility.

Ms S McAllister: Mark, do you want to say something about our thinking about the residential-type units? You probably have more experience of what they look like.

Mr Mark Adam (Northern Ireland Prison Service): As Sue said, we are trying to be radical. Rather than just trying to replicate a secure environment somewhere else, we are thinking about how we can have a more permeable set-up that is more open and therapeutic. We are thinking quite radically about how we can do that, and that is why we are exploring the stuff around Alderwood House. That facility is there and we are trying to understand how we can move quickly. Money is a big constraint on all this and the need is now. It is about finding the balance between getting more out of what we could do in Alderwood House and getting more interaction out of the six to eight beds we can get into it. When we start to get the most out of that, we will treat the people whom we can treat differently and quickly.

Ms McCorley: I welcome your approach and the language that you are using, but there is nothing new in the document about the needs of women prisoners. I left prison in 1998. I was a political prisoner, but the non-political prisoners were the same. They had needs and most of them probably should not have been in prison. Indeed, the Prisoner Ombudsman recognised that the majority of women prisoners need a different kind of treatment. That is not imprisonment but the provision of other types of services.

It has taken a long time for you to get to the point of questioning how you can address this. I feel that women prisoners fall off the radar all the time. I fear that, as we go down the road, and given that this may be in place in 2018, women prisoners will fall off the table when you have to manage a budget and have to cut something. Can you give any commitments?

Ms S McAllister: Absolutely. That is a real priority for us as an organisation and for me personally. As Mark said, we will be able to do something quickly for a small number of prisoners. However, what we will not do is wait to make some of the necessary improvements even while we have to remain in Ash House at the Hydebank Wood site.

When the new governor starts work in a couple of weeks, one of the first things that he will need to do is to look at why the regime for women is not as open as it could be and why we have a risk-averse approach to delivering services for women in prison. Some of that is historical, but it is partly because we have not been prepared to be radical up to now. It is not all dependent on getting the new buildings, although the new buildings are a genuinely once-in-a-lifetime opportunity to build something from scratch that meets our needs. I fully accept that, because the number of women is very small in the greater scheme of things, they can sometimes be marginalised when we do our planning. However, we will certainly not let them fall off the edge, and they will not be the casualties if we are short of money.

Ms McCorley: Will the women's facility benefit from the work that you will be doing at Hydebank in the interim?

Ms S McAllister: In respect of the refurbishment?

Ms McCorley: Yes.

Ms S McAllister: Yes, but the physical environment at Ash House is not as poor as in some of the male young offender wings. We are refurbishing where the need is greatest and where the accommodation is really quite grim. We are putting in new windows and beds so that, even within the constraints of the buildings that we have, it will be less austere and will feel more like a secure college. However, there is a lot that we could do in Ash House at very little cost to open up the regime and start to be more therapeutic with the regimes that we deliver for women. The new governor will be able to provide the necessary leadership to do that.

Ms McCorley: We will see, anyway. Thank you.

Mr Elliott: Thanks very much for your presentation. I have two questions. I asked the Minister in the House on Tuesday about Magilligan. At the start, you were going to close Magilligan or decommission it. Halfway through the consultation, there was then an indication that, if you were going to retain a prison there, you would try to retain part of the building as well as having a new development. Now it appears that it will be a totally new development. What changed that mindset at each stage?

Ms S McAllister: There is very little at Magilligan that is modern and fit for purpose. However, there is Howard House, for example, which we will retain. So it is not a change of direction; it is still a redevelopment. A very small part of the site will remain, but most of it will have to be rebuilt.

Mr Murray: The perimeter wall also represents a significant cost.

Mr Elliott: My second question is about how this estate strategy fits in with the overall departmental strategies for dealing with offenders. I heard you say that a prison for whatever number of people could be filled in a very short period. I am trying to find out how that fits in with wider justice strategies on dealing with offenders. We had discussions, particularly with the Prisoner Ombudsman, about whether some people should have been in prison in the first place. How does it all tie together?

Ms S McAllister: It does tie together. The Department is still committed to reducing the number of people in custody through a range of initiatives, including how we deal with fine defaulters, increasing the number of non-custodial disposals that are available, and how we can better manage the testing time for people who are coming to the end of a long sentence. All that is still very clearly part of our overall reform programme.

The accommodation in our new estate will be much better and much fitter for purpose. However, it will also be flexible so that if, for example, the prison population reduces, we will be able to reduce the number of people sharing cells and the number in some of the older buildings, for example the square houses at Maghaberry.

Mr Elliott: Do you see other strategies in the justice system driving your estate strategy, or do you see it the other way round?

Ms S McAllister: I think there are a number of interdependencies within our reform programme. We have been discussing those with our most recent gateway review team. I do not think that necessarily means that one drives the other, but there are clearly some dependencies.

Mr Elliott: My concern is that, quite often, one side of the Department may not know what the other side is doing and there is not enough collaboration and co-operation to make the proper decisions at any particular time for one section, whether that is the estate strategy or other offending strategies.

Ms S McAllister: I think that is why it is important that we have the right governance in place. Mark might want to talk about how that works in practice.

Mr Adam: All of that comes together within the oversight group, which is chaired by the Minister and includes our representation. It also has representation from the courts, from health and the estate. Everything comes through that same channel, and the challenge in respect of our independence is about ensuring that we have that cohesion. Yes; we are facing a challenge in trying to pin down a figure for what it might look like in 2020 when we will complete all of the builds. I am not saying that we have got a perfect crystal ball that can tell us what our population will be, but we are working together and making sure that all of those strands come through one collective view, rather than being able to go in their independent different ways without getting some cohesion around it.

The Chairperson: Thank you all very much for coming today.