



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

Prison Review Oversight Group Second
Annual Report, March 2013:
Prison Review Oversight Group

25 June 2014

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 Stewart Dickson
Mr Tom Elliott
Mr William Humphrey
Mr Seán Lynch
Mr Alban Maginness
Ms Rosaleen McCorley
Mr Jim Wells

Witnesses:

Ms Patricia Gordon	Prison Review Oversight Group
Mr Brendan McGuigan	Prison Review Oversight Group

The Chairperson: I welcome the independent members of the prison review oversight group, Mr Brendan McGuigan and Ms Patricia Gordon. I know that you did not intend to, but you might want to make a few brief comments about the report, after which we will go straight into questions.

Ms Patricia Gordon (Prison Review Oversight Group): Thank you very much for the invitation. I apologise on behalf of Professor Monica McWilliams and Mr Duncan McCausland. I will start off with a headline on the work to date. Of the 40 recommendations, 15 are now complete. Nine are under assessment by the Criminal Justice Inspection (CJI) or the Regulation and Quality Improvement Authority (RQIA). Four recommendations were audited by the Criminal Justice Inspection, which we did not accept, and they have been referred to the Prison Service for more work. Twelve of the recommendations are outstanding.

Last year, we focused on health. I was interested to hear your comment on the joint healthcare and criminal justice strategy. As part of that, the independent members raised the need to address social care as well as health to reflect the integration of health and social care that Northern Ireland enjoys, which is not enjoyed in the rest of the UK. We were pleased that the permanent secretary in the Department of Health, Social Services and Public Safety (DHSSPS) said that a paper would be prepared on social care. We hope that it will form part of the joint healthcare and criminal justice strategy. Like you, we are anxious for the strategy to go out for consultation.

Will I pause there and see whether members have any questions?

Mr Elliott: Thank you. You are very welcome. I have a quick question on the recommendation on statutory time limits. I will put it down as a mild criticism of the Department of Justice (DOJ). How do you plan to progress that? Obviously, the issue has also exercised the Committee for some time. It has been part of significant discussions.

Mr Brendan McGuigan (Prison Review Oversight Group): Obviously, we challenged the Department on the limited progress on that recommendation. The Owers report was very clear that the statutory time limit should include from the time the offence was committed until proceedings terminate. The proposals, as drafted by the Department, were late. This really should have been discussed at a much earlier stage. In our view, the proposals that it came up with would never have reached the proposals in the recommendation. They fell far short. This was always to have been the first stage in the youth court before it moved on to the adult court. Our concern is that it consigns the justice process here to continuing unacceptable delay in processing cases.

Mr Elliott: Obviously, we have pressed this matter on a number of occasions — I certainly have in Committee — but the Department of Justice appears to be pretty set in its ways and unwilling to move to any significant degree towards the recommendations. How do you intend to make progress?

Mr McGuigan: I am engaged in a review of avoidable delay, so I will be able to comment on whether the current band of initiatives that the Department has engaged in has actually secured any improvements. Once again, it comes back to whether statutory time limits become the nuclear option in trying to secure the significant improvements that we need in the time that it is taking to process cases.

The Chairperson: Does the group think that sufficient progress has been made? Does it feel that the complete implementation of all 40 recommendations will be met in the current envisaged timetable?

Ms Gordon: Our overall reflection is that there has been steady progress, but it is still evolutionary. We still have concerns, for example, in healthcare about the number of agency nursing staff who are employed as opposed to permanent staff. Whilst the recommendation on supporting prisoners at risk (SPAR) has been signed off, we have concerns about ensuring that appropriate staff from health and the Prison Service have knowledge of a prisoner because that is the way in which you reduce and mitigate risk. Steps have been taken with the Belfast Met about learning and education, but those are at an early stage. We could give a number of examples that show steady progress, but there is still quite a lot to do.

The Chairperson: What is the key challenge in moving from steady progress to accelerated progress? If 15 of the 40 recommendations are now complete, and we are in the final year of the reform programme, that suggests to me, based purely on the number left to be implemented, that the envisaged time frame is challenging.

Ms Gordon: Brendan may come in here. The success of the implementation of some of the recommendations is outwith the Prison Service at this time. Investment in the physical estate is really important — I am bound to say that we are concerned about the women's estate and that facility — so investment is needed to meet some recommendations.

Mr McGuigan: Absolutely. The estate strategy is important to unlocking the potential progress of the Prison Service. Maghaberry prison is overcrowded, and the numbers are increasing. Magilligan prison is also approaching its capacity. Hydebank Wood and Ash House need significant investment, obviously, with the development of a new women's facility. There are ongoing pressures.

While staff reductions are lowering the overall cost per prisoner place, which is one of the measures, that puts significant pressures on staff to ensure that they deliver the sort of regime that we know is required to secure the rehabilitation of offenders.

We cannot reinforce strongly enough the complexity of the prisoner population. We talk about healthcare, and you have to be in a prison establishment for only a short time to realise that there are many disturbed prisoners who need significant help to get them through their day. The availability of prescription medicines in the prison regime and bullying are significant issues. You can design out some of those issues, but that is very difficult if you are trying to work in the existing estate.

I will produce a report in the next few months about prisoner safety. Some of the statistics are really shocking, and I will share them with you at this stage. A significant number of prisoners suffer from psychotic disorder: 25% of women and 15% of men in prison reported symptoms indicative of psychosis. The rate among the general public is 4%.

Between 20% and 30% of offenders have learning disabilities or difficulties that interfere with their ability to cope with the criminal justice system. Forty-six per cent of women prisoners surveyed reported having attempted suicide at some point in their life. That compares with 7% of women in the general population. Forty-nine per cent of women in prison suffer from anxiety and depression, and 25% report symptoms indicative of psychosis.

The profile for young offenders is equally concerning. Thirty-four per cent of prisoners committed to Hydebank Wood have literacy levels comparable with nine-year-olds, while 51% have the numerical ability of nine-year-olds. On committal, 21% reported learning difficulties, and 30% had undergone some form of mental health intervention.

A total of 70% of all prisoners in the Northern Ireland Prison Service are on prescribed medication: 80% of prisoners in Maghaberry, 58% at Magilligan and 38% at Hydebank Wood. Ninety per cent of prisoners have a diagnosable mental health problem, substance misuse problem or both, and 27% have some form of chronic disease.

I mention those statistics because they are really shocking. I do not mean to give a history lesson, but although closing the mental institutions — those dark places where people were sent — was the right thing to do, the inevitable consequence was that it put additional pressure on the Prison Service. We see that in our work in the prisons, and all credit to the staff for what they are trying to manage in that scenario. There is no doubt that the Prison Service should be commended for the fact that there has not been a death in custody for over a year. We all touch wood on that. There is much evidence of staff making timely interventions to save prisoners' lives.

That is a real issue, and the Prison Service needs significant help with investment in the future estate and the support of the health service to deliver mental health services and social care. Most offenders are involved with social services outside the prison walls, and their needs increase when they go inside. There is a need to join it up and to try to support the Prison Service to deal with a very difficult issue.

The Chairperson: Obviously, the voluntary early retirement (VER) scheme has concluded, all those staff members have left, and the new recruits have come in. What is the group's assessment of staff morale, the changes across the grades and the relationship between staff and management — the Prison Governors Association and the Prison Officers' Association?

Ms Gordon: That area requires ongoing development. Anecdotally, we have heard some very positive reports about the work of the new recruits and how existing members of staff have been working together to support them. However, there is always a need to improve communication, and we know that the senior team have been taking steps to do that across the sites. It is an ongoing process.

Mr McGuigan: We conducted a joint unannounced inspection of Magilligan prison two weeks ago with Her Majesty's Inspectorate of Prisons. I have to say that one of the most commendable things was the staff/prisoner relationship, which, in our view, is the fundamental building block to delivering rehabilitation in a prison setting.

Other things need to support that, and, in Magilligan, politicians have played their part in ensuring that there is an opportunity for a rebuild. However, so much more needs to be done with local councils and local employers to support the opportunity for offenders on release to start to rehabilitate and to play a meaningful role in society, as opposed to getting onto the merry-go-round of the revolving-door syndrome.

While I am very positive about the work that has taken place over the last period of time, I do not underestimate the challenge that lies ahead for the Prison Service. I have tried to paint a picture for you that has become very clear to us, which is that the Prison Service needs significant support from the health service and others to deal with prisoners with health and welfare issues and to deliver rehabilitation at the same time.

Ms McCorley: Go raibh maith agat, a Chathaoirleach. Thanks very much for the presentation. What you have told us is a matter of huge concern.

I am interested in all prisoners, but I am particularly concerned about women prisoners because of the delay with the new women's facility. There seems to be an iffy promise that there will be a new women's facility, but it is at the bottom of the list all the time. What are the main immediate priorities in trying to address some of the very serious issues you told us about for women?

Ms Gordon: We share your concerns about the women's facility and want to make sure that the plans for the new facility are not aspirational and are achieved. The plans for the new facility have been shared with us. I think that the business plan and supporting documentation are with the Department of Finance and Personnel (DFP), and the creation of the physical estate will come down to a resource issue. It is clearly a critical component of making sure that we resolve some of the issues for women. The current accommodation is totally unsatisfactory.

The Prison Service is making some changes later this summer to try to improve the accommodation. It is doing what it can within the existing fabric. We need to improve the physical environment and the amount of purposeful activity for women, and that can be achieved by greater collaboration with the voluntary sector. We need to make sure that all those pieces go together.

Ms McCorley: Are you confident that we can do that?

Ms Gordon: The resources will have to be made available for the physical estate.

Ms McCorley: Where do you lay the blame for the high level of mental health problems? I know that people come into prison with those problems, but there is certainly a much higher percentage of people with mental health issues inside prisons than outside, and they seem to get worse and not better. Are they not properly resourced or not taken seriously?

Ms Gordon: As Brendan said, health and social care is important and fundamental, as is access to prompt services, whether for physical issues like the chronic diseases that Brendan spoke about or mental health issues. Ready, easy access to those services is vital. We said that steady progress has been made, but there is still quite a lot to do to make sure that those services mesh together from a health and social care and prison perspective.

Ms McCorley: Do you feel that it is not being addressed quickly enough?

Ms Gordon: There is certainly progress, but we would probably be happier if it was being made more quickly. It is still part of the journey.

Ms McCorley: Is there a lack of will to take it on board seriously?

Mr McGuigan: I do not think so. I detect a real resolve with the senior leadership in the Prison Service to resolve that, and their personal interventions have been appreciated, as has the new management regime in Hydebank Wood. That is, once again, trying to create a better environment so that women are not locked up for long periods, have more association with one another and have purposeful activity. They have separate needs and require access to psychiatric support, sometimes much more so than the male population. Some of my statistics bear that out.

Mr Dickson: Thank you for the presentation and the information. You referred to prisoners who are incredibly vulnerable as a result of mental health or other medical issues and described them as people who, heretofore, might have been housed in mental institutions in Northern Ireland. Two questions arise from that. Is prison the right place for those people? Are the mental health services up to the challenges of dealing with those people in prison, or should they be dealing with them somewhere else?

Ms Gordon: I will answer the second question about mental health services in prisons. I am probably in danger of repeating myself. Some steps have been taken, but I think that further investment and an increased focus on mental health services in the prison regime is needed so that prisoners can access cognitive behavioural therapy, for example, which is available to others who are not incarcerated. The range of services and links with voluntary organisations could help with that. It has started, but there is still a way to go in providing that support.

Mr McGuigan: Is prison the right place? Prison, in my view, should be kept for the most dangerous people. It is about protecting the public and trying to work with those individuals in a prison setting to reduce the risk to the public on their release. All prisoners will be released at some stage, and it is a very costly process to keep prisoners in an institution for a number of years and not to reduce their risk.

People may think that prison is softer than it used to be, but taking away somebody's liberty is the punishment, not providing them with a decent and humane regime whereby they can start to address their offending behaviour so that they can rehabilitate and become good members of society. This is not a soft way of going about it. A rehabilitative regime in a prison is a tough process for an offender. It would be much easier for prisoners to sit in their cell for 23 hours a day, do nothing, be quiet, take their prescription medication and not address their offending behaviour, but we are trying to encourage them so that that regime can be seen as an investment by the taxpayer. Keeping somebody in a prison setting is about reducing the risk of their reoffending.

Mr Dickson: If prison is the only place because alternatives no longer exist, is it the right place? Rather than debating whether it is the right place, perhaps we should ask whether the right regime is in place inside a prison to deal with those prisoners. This might affect a small number of people, but is the right regime in place to deal with that discrete group of people whose needs may be different to those of the general prison population, which you described when you addressed offending behaviour?

Ms Gordon: From our perspective, that is definitely still work in progress. We have not reached the stage of providing the whole range of required support, but that is one reason why we are focusing on the joint healthcare and criminal justice strategy. That is why we broadened it to include social care, because there will be prisoners in the environment who could also benefit from social care interventions.

Mr Dickson: Given the constraints on the health service's budgets, there would be a public view, not unnaturally, that those in prison should not get the same quality of health service or the same service that people who are not in prison sometimes struggle to get. You referred to agency staff working in the Prison Service, which, by and large, also reflects the health service. How difficult is the situation? What point has been reached in putting a stable health service regime into a prison to allow those developments and the delivery of equality of service?

Ms Gordon: The health trusts and the commissioning board have made progress, but we want the Health and Social Care Board to develop a much tighter specific commissioning plan that takes some of the statistics that Brendan quoted into account, because the need is evident. Services then need to be tailored to meet that need, and that is still very much an embryonic and ongoing process.

Mr Dickson: I have been told that healthcare staff who went to work in prisons decided that it was not for them. They did not want to be there and found it challenging and difficult. Is there value in the health service, or, indeed, those who educate people who work in the health service, to work up a model of health service working that delivers a career path for individuals in the health service who go into the Prison Service that would give them the appropriate experience to work in a prison? Would that be a quality career pathway if somebody in the health service desired to do it? Do you think that the health service is positively going out and recruiting people to an appropriate career path in prison care?

Ms Gordon: We are not here to talk on behalf of the health trust.

Mr Dickson: No, I understand that.

Ms Gordon: But we agree with everything that you have said. To nurse in a prison environment is very different from working in the community or in an acute ward. The health trust has become alert to that. We will do our best to make sure that exactly what you said is put in place, because it is a challenging environment for people to come into. It is very different.

Mr Dickson: I apologise for taking up so much time on this, but these are important issues. You and the Prison Service are working through the series of recommendations. What remains to be done? Setting aside, perhaps, the issue of money, what do you see as being the major blocks to progress over the next year?

Ms Gordon: There is the start that has been made on learning and development for prisoners. Learning, development and support for staff, which has started, is also important. We need to make sure that people have purposeful activity and that we are trying to equip people for moving to the outside world when their sentence comes to an end. That is why it is important that we think of initiatives like Inspire, which the Probation Board has for women. It is very successful, and we advocate rolling that out throughout Northern Ireland. There is definitely work still to be done on psychology services between the Prison Service and Probation Board. Those are some of the things that, we think, still need to be looked at.

From our point of view — Brendan referred to it — this is a huge change programme. Prison Service staff are to be commended for the service that they have been providing, but it is a huge change and shift in culture. We are concerned, for example, about foreign nationals and the services and support that are available to them. That is still a big piece of work that we intend to look at in the coming year. Those are some of the things, and Brendan may want to add to that.

Mr McGuigan: On the learning and skills and purposeful activity, some of the good things that we saw at Magilligan still fall far short of providing prisoners with the right skills to secure employment on their release. They were at too low a level, and there is a question about the involvement of local employers. We had a look round the workshops and saw some excellent work going on there but not enough prisoners engaged in it; only those who wanted to do it. Some of them were not being encouraged and supported to come out of their cells and do something meaningful that would support their rehabilitation and improve their employability on returning to society.

The Prison Service can do so much about this, but wider society needs to take some responsibility as well and to ask what it can do. Some employers have come forward, but we need to see more. In my view, we need to see the development of some social enterprise — some of the stuff that has been created actually being developed. We have moved on from sewing mailbags. In the workshops, you could see opportunities to generate some income to be reinvested in a prison environment. Certainly, any forward-looking prisons in other parts of the United Kingdom will have that on their agenda. It is about getting prisoners out of their cells and engaging in rehabilitation, which is the key to all of this.

Mr A Maginness: Thank you for your work. I think that it is very important.

Last year, we heard from the Prison Officers' Association, in fairly robust terms, about the new operating model. The representatives suggested that it was not working out as well as it could have been, and I am perhaps being a bit light on it. They were saying, "Look, there are problems with low morale and there is dissatisfaction, safety concern for staff, etc". Have those problems been resolved or do they remain?

Ms Gordon: The senior management team looked at all those areas and those shift patterns, and new shifts were introduced not very long ago. So, I would not feel qualified at the moment to say what the impact has been.

Mr A Maginness: Can I ask another question? I am sorry for interrupting you. Has the industrial relations between staff and management improved?

Mr McGuigan: That has improved.

Mr A Maginness: Significantly?

Mr McGuigan: There is no doubt about that. In all three establishments, that is our sense of it. We spoke to trade union representatives on our prison inspection at Magilligan, and, from conversations and observations of meetings between the management teams in the other two prisons and their staff representatives, we know that it is very businesslike. It is cooperative and about trying to find solutions to local issues as they arise, and, I think, that has been the change in the last year. The strategic management team has been very aware of what needed to be done, and I think that it has in place now governors who clearly understand what is expected of them and are working cooperatively with staff to try to deliver that. That will only take you so far, because there are always limitations, and we have tried to outline to you that some things are not within their gift or control.

Mr A Maginness: One of the major problems was the level of lockdown in prisons and that it was interfering with purposeful activity, education, training, and so forth. Has that improved at all?

Mr McGuigan: It has done, but it can be subject to all sorts of pressures. So, in the event of staff being required for training etc, it can sometimes have an impact on the availability of activity places for prisoners. They are obviously trying to mitigate that, but, at the same time, it is inevitable because we have equally said that you need to invest in the training of your staff and the training of the governor grades, because, for years, there had been significant underinvestment. So, there are many challenges for them in trying to balance all of this, but certainly the temperature in the prisons is lower than it had been. I am saying to you that there is overcrowding in Maghaberry and a complex set of issues in that establishment. There are a significant number of prisoners accessing prescription medication. Indeed, there have been a number of situations where it is clear that very vulnerable prisoners have been bullied and intimidated to hand over their medicines or to engage in illegal activity on behalf of others, and it is a real challenge for the Prison Service to keep on top of that.

Mr A Maginness: There is another matter. Do you think that significant and real progress has been made on addressing the needs of the young inmates in Hydebank Wood?

Mr McGuigan: No. There have been some recent changes, and I really welcome those, but the learning and skills provision — I reported on it last year — is just awful.

Mr A Maginness: So, it has not significantly improved.

Mr McGuigan: No. However, there has been the recent outsourcing and the fact that Belfast Metropolitan College is now delivering some of that programme. Obviously, it will take a few months for that to bed in. Indeed, there have been initiatives to get young people engaged in other activity with employers etc, and those who have been assessed at low risk can work out during the day and come back into the prison in the evening, in preparation for their release. It takes a significant effort to achieve all of that.

Ms Gordon: There definitely has been a focus on that in the last year. We see definite signs of change. It is too early to come back and say exactly, but we definitely see signs that things are changing with the young. It is still a very complex site, because you have two very different groups of people on that site.

Mr A Maginness: I appreciate that, but it is a little bit disappointing to hear that report. I am grateful for the fact that that has been brought to our attention. It seems to me, Chair, that if we can get young people in a situation where there is proper training, education and medical support, we can prevent a lot of reoffending. Those youngsters go on to reoffend and populate our prisons, and we have to break that cycle.

Mr McGuigan: The challenge to get young people — 18-year-olds with skills of a nine-year-old — into a classroom situation is not going to happen. These are people who absented themselves from mainstream education when they were 11 and 12 years of age, and they are not going willingly back into it. There is a real challenge for the Prison Service to create the sort of regime in the prison setting whereby the young people see the benefits of engaging in this. To be fair, I have to report negatively on the basis of the outcomes for prisoners, and that is what I did when I said that I would like to have seen much more progress in Hydebank Wood. We have an aspiration to turn it into a secure college, but it is going to take time and it is going to take some money as well to achieve that aspiration. However, the first thing that you do is to get some meaningful activity for those young people. There are significant plans for developing a bakery in the prison itself, which could then start to support other parts of the estate. Perhaps externally, there are commercial opportunities there, and, at the same time, people can start to learn the skills that will help them to secure future employment. So, it is a long-term process, and there is a need for local employers etc to step forward and support the Prison Service in finding meaningful employment for young people as they progress towards their release.

Ms Gordon: To build on one thing Brendan said: with the involvement, for example, of Belfast Met, and as that rolls out, one of the benefits is that it brings the latest thinking about how to provide attractive learning opportunities for people who have not engaged. It brings best practice and a look at what helps there. So, I take some hope from those kinds of arrangements bringing something different to allow those young men to engage.

The Chairperson: I have four more members who want to ask questions, so I encourage you to keep questions and answers succinct, so that we can try to make some progress.

Mr Lynch: I think that my question was answered. It was in relation to Hydebank, because we visited in September and saw the difficulties there, and it is kind of disappointing that not much change has taken place. One issue was access and staffing difficulties, and if staff were [*Inaudible.*] then the young people were denied access to the facilities that they had.

Mr Humphrey: Thank you very much for the presentation, which, I have to say, I am horrified at. The picture that we have heard of today is somewhat different from the picture that we have heard of in the past from the chief executive and her team, particularly in relation to the issue of normalising prisons. I appreciate that you were not here for the presentation and you may not have read Hansard, but how can the pictures be so different? I am not coming at it from my particular perspective politically, but your presentation is just so vastly different from the picture that was painted by her and her team.

Ms Gordon: I do not know how to answer that. I have not read the Hansard report of it. We have come here to answer questions on the 40 recommendations and to give you our best opinion.

Mr Humphrey: OK. I accept that is not fair. In short — the Chair has told us to be brief — much in the garden was rosy, and that is not the picture that has been painted here today. In fact, as alluded to by a previous speaker, your evidence is more in line with that of the Prison Officers' Association than that of the chief executive of prisons.

Mr McGuigan: Let me say something about that, Chair. We have been inspecting prisons here for 10 years. I see an improving situation, and I hope that, in my presentation to you, I conveyed that. However, I am equally trying to say to you that we now understand more about the prisoner population than we ever did before, and the complexity of the challenge is, I think, significantly underestimated.

I spent a lifetime trying to get people put into a prison environment for offending; but, when I look at some of the people as I go around the inspections of the prisons, I see people who are very disturbed. I maybe never had the opportunity to really explore; it was just dealing with an incident and getting it through a court process. Actually, there is a wider story about a lot of offenders, and that is why we have majored here on the whole need for social care. Social care is not soft; it is about challenging a lot of the issues that brought people to offend in the first instance.

Mr Humphrey: Can I ask you this, then? Mr McGuigan, you talked about encouraging people to leave their cells. You mentioned getting employers involved and the potential for social enterprise. Can you expand on how we can encourage people to leave their cells more? It is maybe the easy option to stay in their cell for some people, but everybody is different.

Mr McGuigan: Absolutely, and a number of offenders, when they go into prison, just want to do their time. You will have the career criminal who is in for a period of time, and he relaxes and takes it easy. I am not saying that it is easy for them in that scenario, but they do not actually want to do anything. They are not causing any trouble to staff etc. They just stay in their cell, do their walkabout, and the whole opportunity of trying to address their offending behaviour has been missed. On release, what do they do? They go back into the same situation, engage with the same groups and find themselves back in a prison environment. So, you have the career criminals who are quite happy to do their time. They understand what it is that they need to do to avoid attention in the prison environment.

You will have others for whom the shock of going to prison is the salutary lesson, and they seek to gain the support of their family and others outside to help them to stop reoffending. For the first time, people will start to deal with their addictions, be it alcohol or drugs, with the support of voluntary and community sector organisations working within a prison environment. As I said to you, the figures — the numbers of people within the prison environment who have addictions and who have been abusing alcohol and drugs — are staggering. We want those people challenged about that, in a way that reduces the risk to us — society — on their release.

Mr Humphrey: My question was on how you encourage them to come out of the cell.

Mr McGuigan: You do that by a range of things. We talked about the regime status. For instance, at Magilligan, the financial difference in terms of enhanced status and weekly pay between somebody who wants to sit in their cell and somebody who wants to work hard in the workshops and produce some excellent products is minimal. That will certainly be one of the recommendations and challenges for the Prison Service. If you want to develop an enhanced regime within a prison, you need to encourage prisoners, be it financially or through the fact that they may have access for

additional visits etc. You need to be cleverer than you have been in encouraging people. There is a psychology around how to get people to do things. We probably all have children, families and stuff like that, and we have known what it is to encourage children to do things. There will be a whole range of measures that you will employ to try to secure their agreement. Believe me: it is no different in a prison environment.

Ms Gordon: Some of that will be the skill of the staff. That is part of their skill set.

Mr Humphrey: Finally, in your view, how bad is the drugs problem in Northern Ireland's prisons estate?

Ms Gordon: It is an ongoing issue.

Mr McGuigan: I would almost turn that back and ask this: how much of a problem are drugs in Northern Ireland society? I would say that it is horrific. If these people are symptomatic of wider society, and there is every indication that they are with regard to the use of prescription medicines, albeit we conflate and bring together a very complex set of individual offenders with very complex needs — you get the statistics — that says to me that there is something seriously wrong in society with regard to the overuse of prescription medicines and some very heavy drugs, such as benzodiazepines and whatnot. Together with —

Mr Humphrey: I accept that. The Health Minister has made that position clear. There clearly is a societal problem with drugs throughout the kingdom. However, with respect, you are doing a review of prisons. What, in your view, is the level of the drugs problem in prisons?

Ms Gordon: It is *[Inaudible.]* One of the very positive things that the health and social care trust has done is to employ full-time general practitioners instead of having locum general practitioners. Again, it is early days, but I think that that is bound to show benefits for prescribing habits.

Mr McCartney: Thank you very much. I am mindful of the time restriction. I will just ask a factual question. Is it permissible for you to meet parties on a one-to-one basis outside this context?

Ms Gordon: Yes; absolutely. We are happy to meet. We have met lots of different people.

Mr McCartney: OK. That is fine.

What strikes me about this is that one of the, if you like, critical observations that has been made of the process is the lack of a clear implementation plan. Do you see any evidence of a clear implementation plan that links the 40 recommendations together —

Ms Gordon: Absolutely.

Mr McGuigan: Yes; absolutely. It is very clear.

Ms Gordon: We are provided with that.

Mr McGuigan: There is a very clear direction and a very clear plan. People are following it. There is no doubt about that.

Ms Gordon: We are provided with every piece of information that we want. We get updates on it. We have lots of information on a very clear plan.

Mr McCartney: Who would you say is in overall control of the implementation? How do they match it? I will take one example, which is the three mini-prisons in Maghaberry. We are two years into this process. You go into Maghaberry. For legitimate enough reasons, senior managers are rolling against the idea of three mini-prisons. You are then trying to say that this is a recommendation with an intended consequence, yet there is no clear indication that it is being implemented. Senior managers, for what I would say are legitimate enough reasons, do not think that it is a good idea. Who comes in and says, "This is what we are doing" and, "This is the timeline"? I do not see it in some of these recommendations. I just see them as recommendations. Statutory time limits is another example — "It is a good idea, but here is how we are going to do it". How the Department is

going to do it falls far short of the actual recommendation. Who steps in and says, "That will not work, and here is why it will not work"?

Ms Gordon: Different people are in charge of different recommendations. So, some will clearly fall to the director general of prisons, some to the Department of Justice, and some to the Health Department. We would have to go through them and say who we think is responsible. We have a clear picture of that.

Mr McGuigan: While different views may be expressed about the configuration of the Maghaberry site, equally, business cases are being prepared. The plans are there. We have seen them. They appear to be very workable in our estimation — we have even seen an excellent plan of how the women's facility would look. However, it is about securing funding to make it happen.

Mr McCartney: Notwithstanding that, it is similar to Magilligan. The recommendation is that a clear decision should be made on the future of Magilligan. Even in recent times, there is uncertainty around the prospect of a newbuild on the site.

From listening to you today, one of the reasons why Hydebank has not progressed as it should is the two-site facility. Your recommendations are clear that it should not be a two-site facility. We are talking about the difficulties experienced in engaging with young people etc, because that is curtailed by the fact that there is not a *[Inaudible.]* That is what I am saying about a clear implementation plan. A lot of the recommendations seem to be hitting off one and other, and the outcome is that there is no progress.

Ms Gordon: There is no doubt about the physical estate: a decision needs to be taken. We cannot determine how the Executive prioritise that, but it is much needed.

Mr McCartney: We will take up the offer, perhaps, to talk in greater detail about this. Thank you.

Mr Anderson: Thank you for your presentation. A lot of points have been touched on. You talked about additional pressures on the Prison Service, the need for significant investment, overcapacity, and prisoners' healthcare. I think that Mr Maginness mentioned the low morale, dissatisfaction and safety concerns of staff. I hear different stories coming out of Maghaberry about its capacity and operation, and I wonder about the picture being painted today, which my colleague Mr Humphrey touched on. What is the true situation? For the smooth running of any establishment or prison, there has to be a good working relationship between prisoners and staff. However, I fear from what I am being told here today, that that is not possible because of the pressures and what is going on. Do you wish to comment on that, especially since we have lost so many experienced staff and have had to recruit and upskill new staff, from governor grade down? Can we address all, or even some of, those issues?

Ms Gordon: Yes, but it will take time; it is a major change programme.

Mr McGuigan: Absolutely. The programme was to run for three years, but implementing the changes envisaged for the Northern Ireland Prison Service is a 10-year not a three-year programme. Even if funding were made available, it would take time to get a new prison at Magilligan so that men do not have to sleep in dormitory conditions separated by pieces of cardboard. Some of the buildings that have survived, such as the Nissen huts from the Second World War, are an indictment on us as a society and a pressure on us. That is not the accommodation that we should be providing for prisoners in 2014. That is an issue. It may help you to say, that, yes, there has been a reduction in the numbers of staff, For instance, the significant investment required at Maghaberry to establish the configuration of three prisons reduces the pressures on staff. The new accommodation, with less staff and more prisoners operating in an airier environment, is absolutely brilliant. They are not confined and conflicting with one another, or the potential is not there. Even the space around the place is completely different and encourages a different attitude between staff and prisoners. That is where the process starts, in our view. We can only ever tell whether it has been successful when the outcomes for prisoners have changed. That is what we were demanding. We are demanding that prisoners on release from prison be seen as representing a much reduced risk than when they went in. That is the key.

Ms Gordon: And reduce reoffending as a result.

Mr McGuigan: Absolutely. It makes sense to build a prison estate in which you do not have to use as many staff, in which you can use closed-circuit televisions and do not have to move a lot of stuff from one part of the prison to another as it is contained in one area.

We are consolidating across a number of areas in our society, in healthcare in particular and in education. That is what is required in the Prison Service.

Mr Anderson: OK. Getting back to Maghaberry and staff morale, we are on a journey, and you say that it will take a longer journey to reach a point that is probably as best as we can have it. What have you seen in the past 12 months with staff morale? Some of the stories that I have heard are certainly not good. Are you of an opinion that we are moving in the right direction, are we static or moving backwards?

Ms Gordon: Anecdotally, in Maghaberry, where a lot of the new recruits are, we have heard that they are working very well with staff who have been there a long time, and that it seems to be bedding in. That is anecdotal, but it is what we have heard.

Mr McGuigan: Absolutely. As I said earlier, my most recent experience was two weeks ago in Magilligan prison where a high proportion of young staff were engaging very effectively with prisoners. That is something that we had not seen before. It may have happened at an individual level, but it was encouraging to see it in operation in a prison in a more wholesome way, as positive relationships can develop out of that to encourage prisoners. Once again, it is about going down the route of rehabilitation.

Mr Anderson: Chair, I will be brief with this question. Mr Humphrey raised the issue of how to get prisoners out of their cells and instil a work ethic in them. Surely, that has been used in the past. Why are we only thinking of it now? Why are we thinking about getting them out of their cells and giving them incentives to work? Surely, that has been done in the past; it is nothing new. Why is it not being used? What has happened?

Mr McGuigan: We now understand the critical importance of it. It is also about ensuring that there are meaningful places and that it is not a demeaning activity. Cleaning 3 square feet or 4 square feet of floor is not what you would call a challenging occupation.

Mr Anderson: Brendan, that is not the case. In the past, there have been many opportunities to do different things, not just cleaning floors. What has happened that that did not take place? Why have they not been given incentives to encourage them out of their cells? Has something gone wrong?

Mr McGuigan: All that I can say is —

Mr Anderson: There were opportunities to carry out different trades —

Mr McGuigan: Some prisoners took them.

Mr Anderson: Some.

Mr McGuigan: But not enough.

Mr Anderson: It is not a case of giving them a different incentive. Something has gone wrong, and prisoners have been allowed to stay in their cell. Maybe they just said, "Well, if you do not want to come out of your cell, sure you can stay there". As you said, if they come out of their cells and go to work there is very little monetary gain in doing that. That has to change.

The Chairperson: No other member wishes to ask a question. Thank you very much for coming to the Committee today. It was much appreciated.