



Northern Ireland  
Assembly

Committee for Justice

# OFFICIAL REPORT (Hansard)

Prisons Issues: Prison Officers' Association

15 October 2014

# NORTHERN IRELAND ASSEMBLY

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**Members present for all or part of the proceedings:**

Mr Paul Givan (Chairperson)  
Mr Sammy Douglas  
Mr Tom Elliott  
Mr Paul Frew  
Mr Seán Lynch  
Mr Alban Maginness  
Mr Edwin Poots

**Witnesses:**

Mr Paul Hardy	Prison Officers' Association
Ms June Robinson	Prison Officers' Association
Mr Finlay Spratt	Prison Officers' Association

**The Chairperson (Mr Givan):** I welcome formally the Prison Officers' Association (POA) officials: Finlay Spratt, the chairman; Paul Hardy, the vice-chairman; and June Robinson, the area secretary. You are all very welcome to the Justice Committee. As is normal procedure, the session will be recorded by Hansard and published in due course.

Finlay, you are aware that the Prison Service management is coming to the Committee on 22 October. That is next week. We wanted to take this opportunity to hear from you in advance of that meeting to allow us to put any issues that, you feel, are important to the officials when they come next week. I will hand over to you to give us a brief outline of some of the issues. I am sure that members will then have some questions.

**Mr Finlay Spratt (Prison Officers' Association):** Thank you very much for the invite to appear before the Justice Committee. The people whom I represent are a bit concerned about the state and the running down of the prisons. Our concern is staffing levels. There has been much talk about the reform of the Prison Service. As far as we are concerned, they did not reform the Prison Service; it was a guise for reducing staffing levels. For the benefit of the Committee, I have some handouts that I will pass around.

**The Chairperson (Mr Givan):** If some of the Committee staff would like to hand those to members, it would be helpful.

**Mr F Spratt:** You will see that there is a communications sheet from one of our officers who worked in Maghaberry. You will see that he voiced his concerns about staffing levels in that prison. With that, is a communications sheet from one of our representatives at Maghaberry, who refers to the point that management seem to want to run the prisons irrespective of whether staff are there or not. His view is

that we are slipping back by years and that it is only a matter of time before something serious happens. Have you got that one?

**The Chairperson (Mr Givan):** You press on, Finlay.

**Mr F Spratt:** There is also a communications sheet from Mr Henry Glass, who wrote to the governor on 3 August this year. That is self-explanatory, and I ask the Committee to read it. That is my way of demonstrating to the Committee what the problems are out there.

Our major problem is the cutting of staffing levels. For example, we have two officers looking after anything up to 50 prisoners, particularly at Magilligan. In the young offenders centre (YOC), one officer looks after 25 prisoners and, at Maghaberry, two officers look after up to 40 prisoners. The situation that we are looking at — I have said it before to the Justice Committee — is that they have imported an English solution to an Irish problem. That is still going on.

We are having staffing levels imposed on us that are applicable to England and Wales, and my argument throughout has been that we work in prisons in Northern Ireland. Across the water, there are anything up to 135 prisons, and they can spread disruptive prisoners all over the place. In Northern Ireland, we have two prisons and one juvenile prison, so we cannot spread that load. Yet and all, staffing levels that are applicable to England and Wales are being imposed on us.

The other thing is that we are supposed to have what they call a risk assessment that is based on staffing levels. That is not being done. They are just imposing staffing levels. In fact, what happens is that the profiling team goes in, cuts the staffing levels and then builds the risk assessment around it. It should be doing the opposite; it should work out the risk assessment and then see what staff are needed. We are having staffing levels imposed on us that are applicable to England and Wales, where there is a completely different system. It is a recipe for disaster, and we believe that it will get worse.

On top of that, assaults on prison officers have increased. I will hand round another paper, the information in which is taken from a freedom of information request made by our solicitors. That was requested as we were concerned about the assaults on prison officers. The figures were supplied by the Northern Ireland Prison Service. You can see that, in Maghaberry, from last year to this year, assaults on prison officers have increased by 46.1%. In Magilligan, they are up 100% from this time last year, and assaults in Hydebank Wood Young Offenders Centre are up by 130%. We recently met the director of operations in the Prison Service, who tried to tell us that assaults on prison officers were down, because he used different statistics. We all know what statistics say. Those are their figures — they are not my figures — and you can clearly see from the document that it is from a freedom of information request.

Added to that problem, as I sit here talking to you today, we are 91 staff short in the Northern Ireland Prison Service. Our staffing levels in the Northern Ireland Prison Service should be 1,319. We are 91 short of that. In Maghaberry alone, they are 53 short. How can we hope to run a prison regime if those are the figures that are being imposed on us? We are 91 short over the whole Prison Service, as you can see from that document. Again, ladies and gentlemen, those are not my figures; they are supplied by the Northern Ireland Prison Service. Overall, we are 91 short. The only one that comes up any way near the figures that we should have is Magilligan, where we are only seven short. The statistics for the YOC show 37 short. Fortunately, in that situation, a block is closed. In actual fact, we are 12 short of our target staffing level (TSL) with the house shut. However, if that house opens, we will need 37 staff.

My main concern is that we are reforming the Northern Ireland Prison Service, but the prison officers whom I represent are being beaten into the ground. I do not know whether you know about prisons, although I am sure that some of you do. The fact is that you cannot supervise 50 prisoners — I do not care what kind of person you are — when they are spread over 100 yards. You do not know where they are. You could have a situation at Magilligan where there could be 50 prisoners with two female officers in charge of the landing. I can tell you that those females are terrified. That is the situation that we find ourselves in.

There has been much talk about the new prison officers who have come in. Yes, the young prison officers who joined the Prison Service are doing an excellent job because they are being mentored by the older hands. However, they are being thrown in at the deep end, and they have no resources.

As I indicated, we are 91 short. Can you imagine what Maghaberry could do with 75 officers? We have not got them. Looking at the overall picture, if we were to have the TSL of 1,319, we believe that we would still need additional officers. For example, to keep people safe and to supervise prisoners properly, we believe that Maghaberry should have an additional 28 officers, over and above what it has at the minute; Magilligan should have an additional eight officers; and the YOC should have an additional eight officers. Those are not big numbers, but it means a lot when you are supervising prisoners. Two officers are being left on their own with 50 prisoners: that is impossible. We are not reforming the Prison Service.

The prisoners are getting frustrated because the officers on the landing do not have time to deal with their problems. Whether you like it or not, those people are locked up and they deserve to have their problems dealt with, but the officers do not have time. On top of that — talk about reform of the Prison Service — that officer on the landing might have 10 reports to do that day as well as trying to manage the whole thing. What have they done? They have cut our staffing levels and added more work to the prison officer's day. To compensate for that, the prisoners are being closed up on Saturday and Sunday, which means that they are spending less time out of their cells than ever they did. So, where is the reform of the Northern Ireland Prison Service?

I am happy to take questions.

**The Chairperson (Mr Givan):** I want to get some clarity, Finlay. The TSL is at 1,319. Is that the figure that was reached through the strategic efficiency and effectiveness (SEE) programme? Is 1,319 the figure that they came up with as what you should have following reform? Currently, staffing is 91 below the level that it should be.

**Mr F Spratt:** That is right.

**The Chairperson (Mr Givan):** OK. You are saying that, even if you had your TSL level of 1,319, from the POA's point of view, it should be an additional — how many was it? — 40 or something?

**Mr F Spratt:** It was 44 over the whole establishment, and that is just to ensure that officers are safe walking the landing. Our officers are not safe, and you can see from the communications sheet that I gave you that staff do not feel safe. In fact — just as a side issue — I went along and asked them for pepper spray, because officers in the YOC are not allowed to carry batons. I suggested that we, as officers, should be allowed to carry pepper spray, because that is a deterrent and it gives staff confidence, but I just got a blank no. We are not finished with that one; we will come back to that one later on.

**The Chairperson (Mr Givan):** What has the response been? Do you want to touch on that now?

**Mr F Spratt:** It was a blank no. We will deal with that in our own way.

**The Chairperson (Mr Givan):** OK. What way is that, if we can tease it out?

**Mr F Spratt:** You know what they say: there is only so much that you can take. The prison officers whom I represent have been more than generous. We have bent over backwards. We have taken the staffing cuts. We recognise that we are living in a time of austerity — we appreciate that fact — but there is only so much that prison officers will take.

Prison officers in general have been very good over the last number of years. We have cooperated with the Department and have tried everything. But, what do they do? The Department locks us out from all decisions. We are just told what is happening. There is no longer consultation on quite a lot of issues. That is the way we are going.

**The Chairperson (Mr Givan):** The figures that show the increase in assaults on prison officers are alarmingly high. Will you give me a flavour of the nature of the assaults?

**Mr F Spratt:** For example, a young female officer was attacked in Maghaberry. The prisoners pulled her into the class office and hit her round the head. We had an officer who was on the landing in the YOC three weeks or a month ago. It was one officer on his own, and they came up behind him, hit him over the head and dragged him into a cell. Another officer was doing a fire check, and he found

the officer lying in the cell. Those are the types of things. There are also broken wrists and lacerations to the face.

Many people do not realise that, in some cases, the prisoners are out of their head on drugs. I will make a bet with you now: you will get drugs quicker in prison than you will get them outside. That is what we are trying to manage. That is how difficult it is. Then these people from England come along and cut our staffing levels, and we are left to carry the can. Gentlemen, I am sorry. It is just not acceptable, and I have to say that I have noticed that our MLAs are very quiet about it. You do not say too much.

**The Chairperson (Mr Givan):** You know that I was —

**Mr F Spratt:** Mr Chairman, I appreciate that you are very supportive.

**The Chairperson (Mr Givan):** I know that you are talking in the plural.

**Mr F Spratt:** I accept that.

**The Chairperson (Mr Givan):** I was in Maghaberry three or four weeks ago. I spoke to a number of staff members and that was one of the issues that was mentioned. On the back of that, I submitted a series of questions on assaults, staffing levels and sick leave. I want to touch on that. The figure that I got was that, in September, around 130 staff members were on sick leave. Do you know what the underlying issues are? Obviously, some will get the flu, but there are other issues that are causing people to be on the sick. Is that a concern for the Prison Officers' Association?

**Mr F Spratt:** Let me say from the outset that I do not condone people going on the sick. In many cases, it is too high. However, you have to recognise the difficulties that prison officers are facing. There are a lot of people off with stress, and a lot of people are off as a result of assaults. The media and the Prison Service put out these big figures, but they do not break it down and say how many have been assaulted and how many are suffering from stress. They just batch it all up together. If you look at the figures, you see that prison officers are getting more warnings about their sick leave than those in the general Civil Service. We are under a bigger cosh than the general Civil Service. However, you have to sit down and examine why the sick level is so high. As a trade union, we do not endorse people going on the sick, but you have to be realistic and look at the problems that prison officers face.

**The Chairperson (Mr Givan):** It is no surprise that you have around 130 people on the sick when around 100 members of staff have been assaulted.

**Mr F Spratt:** Yes.

**The Chairperson (Mr Givan):** There is clearly a correlation between sick leave and assaults, as there is with undermanning, which creates additional pressure. There are fewer people doing more work, and that can create stress. There is also the dissident threat, and I understand that a number of staff members in Roe House have been directly threatened very recently. Do you have any comment to make on that?

**Mr F Spratt:** The dissidents continue to target prison officers. My message for dissidents is simple: we are prison officers, and we are there to provide a service; we do not make the policy. That having been said, all the threats will not deter prison officers from doing their job. It is as simple as that. That was demonstrated down through the years. Twenty-nine officers were murdered in the last campaign plus one recently by the dissidents. That did not stop prison officers. I appeal to the dissidents: stop taking it out on prison officers. We are there only to do a job. By attacking prison officers and our homes, you will not deter us from doing our job. They never did. We will continue to do that job.

I think that the Northern Ireland Prison Service has to be a bit more honest when it talks about its statistics for sick leave. It should actually give the breakdown of people who are off due to assaults, ordinary sickness or stress. It looks very good. It is headline news. Fine: throw it out there, but you have to be honest and break it down. Then, you will see the difference. Make some comparisons with the general Civil Service. Have a look. For example, if prison officers are off sick for two days with diarrhoea, they get a warning. That goes on your file for two years. You cannot go off sick again for

another two years. It does not happen to general service grades. Why should it happen to prison officers? That is an example.

**The Chairperson (Mr Givan):** Finally, before I bring other members in: the relationship between POA and management has been well documented in the past. We can go over all of that, but it is probably not that helpful. How would you describe the current relationship that your organisation has with the director general and her senior management team, the directors of the Northern Ireland Prison Service?

**Mr F Spratt:** I have to be honest: the relationship is fairly good, but it will be good for as long as we can try to change things. We are becoming more frustrated because we put forward ideas about staff safety and nobody wants to listen. The current relationship is fairly reasonable. I have a good working relationship with the director of human resources. We get on very well. We are able to negotiate pay and to put forward submissions jointly to the pay review body. So, overall, at this time, the relationship is not too bad, but I am flagging it up and saying to management, "Look, you need to start doing something and listening to what prison officers are saying", because this reform of the Prison Service was not reform for prison officers. We are not part of it. We are locked out. All they do is come along and cut staffing levels. They build the risk assessment afterwards, when it should be done before it. They are basing their figures on English prisons. I do not work in England. I work here.

**Mr A Maginness:** Thank you, Finlay and your colleagues, for coming along today, although, mind you, you did not bring the prison cat with you. Remember the last time —

**Mr F Spratt:** Do you want it? I have it here in a bag. *[Laughter.]*

**Mr A Maginness:** What you have said is disturbing. I have to confess that I was unaware of the increase in the actual assaults on prison officers. It seems from the statistics that you have presented about the increase in assaults that there are more in Maghaberry than anywhere else. In Magilligan, it is not as bad. In Hydebank, it is certainly not as bad as in Maghaberry, but it is not as good as in Magilligan. Is there something in particular about Maghaberry that is causing the increase in assaults there?

**Mr F Spratt:** The director of operations has said that he believes that the increase in assaults is because there are too many in what they call the "square houses" — Roe House and so on. He has taken an initiative to reduce that down to, I think, 130 in each house, but even that is above the certified normal accommodation (CNA). In fact, the director general was on the news a few weeks ago when she said that they have opened up all of the accommodation that they can get around Maghaberry so that they can reduce the square houses. I think that it goes deeper than that. I think that it is frustration by the prisoners. The officers do not have time. There are just not enough staff there.

**Mr A Maginness:** Can we examine that? Has the level of lockdowns changed, Finlay? Is there a decrease in lockdowns? I know that you have mentioned that the weekends are a bad period for prisoners. During the week, what is the level of lockdowns?

**Mr F Spratt:** The level of lockdowns changes from day to day. I think that there is still quite a lot of it going on in the evening.

**Mr A Maginness:** Do you think that there is any improvement on lockdowns, Mr Hardy?

**Mr Paul Hardy (Prison Officers' Association):** Initially, when we started this two years ago, yes. But year on year, we have had cuts. Year on year, we have had quite serious staffing reductions in Maghaberry. We have changed the way in which we work. Full lockdowns do not happen as often, but restricted regimes do, whereby you move from landing to landing. A landing may be locked up for a morning and the next landing may be open. Then, they are swapped over.

**Mr A Maginness:** Right. So, it is a different type of lockdown. Is that what you are saying?

**Mr Hardy:** As Finlay said, the CNA for the old square-type houses is 108, so even reducing from 168 to 130, as we did at Lagan House with remands, which has the highest number of assaults, is overcrowding. We are still not getting to the single-cell accommodation that we were supposed to aim

for. We are not getting anywhere close to it. We are still sitting close to 1,000 prisoners. Overcrowding is still an issue.

**Mr A Maginness:** Just bear with me for a moment. It seems to me that lockdowns in themselves would cause frustration insofar as prisoners cannot do meaningful activity if there are too many lockdowns. Is that really the cause of it, or is there something else, Mr Hardy?

**Mr Hardy:** You could bring a whole lot of factors into it. We have more foreign national prisoners now, so there are communication issues. They get frustrated because they cannot obviously tell you what is wrong half the time. We all know that there is a massive drugs problem. There are mental health issues.

**Mr A Maginness:** Can I stop you there on drugs? Again, that was very disturbing. Mr Spratt raised the issue of drugs. He said that there is freer availability of drugs in the prison than outside. What is the reason for that?

**Mr Hardy:** Who knows? I cannot comment on how they get into prison, but they get in. They get in by various ways. Obviously, they get in with visitors and when prisoners come back from home leave. Because, as we all know, there are ways of hiding them where we cannot go, they arrive in prison and will always arrive in prison. We have had a drugs strategy. We have had quite a robust one. We took a zero-tolerance approach, along with PSNI, whereby people who were caught with drugs were charged. It was not just a caution; they were actually taken to court. That is still ongoing. Yes, we try to tackle it, but it is like everything. Drugs around Northern Ireland are the same as the drugs in the UK. They are always going to be there. You are only skimming the surface.

**Mr A Maginness:** I find that very disappointing, because I would have thought that in order to create a good and peaceful atmosphere in the prison, you need to eliminate or certainly make strenuous efforts to eliminate the availability of drugs. Is that not the right approach?

**Mr Hardy:** You will never get there. It is an ongoing battle, the same as it is for the police on the outside.

**Mr F Spratt:** I think, Alban, it is fair to say that we should, where possible, eliminate drugs in prison because it is a major problem. We have got a very open regime in which visitors and prisoners are all in contact. When you work in that sort of environment, it is very difficult to rule out drugs.

Certainly, they carry out a very rigorous programme. They are drug testing the prisoners. Paul Cawkwell has spoken to me and has tried to tell me that the drugs issue is decreasing. I am sure that you will see him in a couple of weeks' time. This is the reality: he is not living in the real world. Things have changed. Previously, when a prisoner refused to do a drugs test, he was regarded as having failed the test and was marked down as a "failure". Now they use a different word. The prisoner is not down as a "failure", so it looks good. All the drugs are down, but the reality is that when you talk to the officers walking the landings — I can only talk about Magilligan — they will tell you that the prisoners are out of their tree on drugs on a Saturday night and Sunday. It does not matter what you do, they will find the drugs. They are the best hands at concealing stuff. There are very rigorous searches, and the staff have that to contend with. I hear them say that prisoners are out of their head on drugs and are just about to bang a female but, for some reason, pull back. That is the type of thing that goes on.

Prisons are dangerous places. It is not right that the numbers of our officers — the officers I represent — should be cut to satisfy the armchair generals. I make no bones about that. I cannot blame the Minister or anybody else, because it was the Northern Ireland Executive who cut the budget of the Northern Ireland Prison Service. It is the prison officers who are bearing the brunt. Do you think it is right that prison officers come to their work and expect to be assaulted every day? When I go along and ask for pepper spray to support them and give them confidence, the answer is no. I do not think that is right.

After that young lad got a beating around the head, I asked for batons for the officers at the YOC. The answer was no. What support are we getting from the management of the Northern Ireland Prison Service? When police go on the street, they are issued with their spray and everything else. What is different about us? We have to man a jail that has 50 prisoners. They are not there because they took money out of the Sunday school box; they are there because of their criminal nature. We have to man that. The officers I represent deserve to be supported. There is no point in do-gooders sitting up

in the Northern Ireland Prison Service and saying, "Oh, we can't have that". I am sorry, but the people I represent deserve to be supported and are not being supported. There is a refusal to give us pepper spray and a refusal to give us batons at the YOC. OK, I accepted that officers at the YOC should not have been carrying, because there were juveniles there, but we have now taken them away. The latest ploy is, "Oh, but we've got females there". Well, there are two sides to the prison: the female side and the male side. The excuse is, "We can't have officers having to respond to the female side with batons". They do not have to take their batons with them, but they should have the support of their batons. I would much prefer pepper spray, because it is much easier to get a burning in the eyes than it is to get a slap around the head with a baton. We have an officer who ended up in court recently because he used his baton; in fact, he is appealing the case. We need to be supported to do our job, and we are not getting that support.

**Mr A Maginness:** I have a final question, which it is very short. Do you have contact with the independent oversight group?

**Mr F Spratt:** Yes, we have spoken to them, and they have been to meet our executive down at Castell House.

**Mr A Maginness:** You have expressed those concerns to them.

**Mr F Spratt:** No, I have not expressed them, because I have not seen them recently, but we will be seeing them. We would welcome the opportunity to come back here to the Justice Committee to express to you what exactly is going on. I know that Paul is very actively involved and keeps us in touch, but I welcome the opportunity to come here and make you aware on behalf of the members I represent. I hope that, having heard what we are saying today, the Justice Committee can do something about what is going on in prisons, because, I can tell you this: you are heading for a disaster. The way we are going, this Prison Service will lose a prison, and, when that happens, money will be no option because you will have to put it out. That is what is happening and is going to happen. I hope that it does not, but I have to flag up the possibility. I have been around too long and have seen what has happened in the past, and it is a possibility for the future.

**Mr A Maginness:** I share your hope in relation to that.

**Mr Douglas:** Thanks very much for the presentation. I am new to the Committee, but I certainly have an interest in prison issues. I have learnt a good bit today, so thanks very much for that and for being very frank. Can I take you back to some of your figures in annex A? It goes back to Alban's point in relation to the increase in Maghaberry and right throughout Magilligan and Hydebank. Would you say that there is a direct correlation or direct link between the increases and an increased number of prisoners? Is that the case? Are the numbers of prisoners growing in relation —

**Mr F Spratt:** No. Magilligan is not considered to be an overcrowded prison. Maghaberry is certainly overcrowded. The management has reduced the numbers there in the square houses to 130 per block compared to what they had. That is what they are hoping. The fact of the matter is that these assaults are continuing. For example, an officer was assaulted this morning in Maghaberry. That is the life and times of a prison officer. That is the environment that we work in. My argument is that the staffing levels have been cut to what apply in an English jail. I will give you an example. If you have disruptive prisoner in Liverpool, you can take them out and put them anywhere you want all over the country. You cannot do that in Maghaberry because all you are doing is shifting it down the road to Magilligan, which has the same problem. That is just the type of prisons. It is just the way it is.

**Mr Douglas:** You talked about the impact of the lockdown on prisoners, and Paul said that it could be drugs or it could be that they are locked up so much. Are there any other important aspects of it? One of the most important questions is this: are some of the attacks planned? Obviously, we have groups like violent dissident republicans in some of those prisons. Are some of the attacks planned?

**Mr F Spratt:** We certainly believe that prisoners cooperate with one another if they want to set a particular officer up or for a particular reason. The dissident element is a different kettle of fish. Sometimes, they are spontaneous, and you have to accept that that can happen, but we believe that, if they believe that an officer is getting too zealous, they will plan so that they can manage to assault him or do something. It happens from time to time. Sometimes, it will just be a quick reaction.



**Mr Douglas:** What you are saying is very concerning and disturbing. You talked about drugs. One of my constituents did nine months recently, and he came out and said that his biggest problem was that he was offered every type of drug. Is that the case? Another ex-prisoner said to me — I do not whether this is true — that he felt that people were turning a blind eye to drugs such as cannabis and some of the sedatives because it kept people sedated. In a sense, it is like asking this: why would you take the dummy off a child? Is that the case?

**Mr F Spratt:** I represent prison officers, and it is very hard for me to say that a blind eye is being turned. It certainly should not be.

**Mr Douglas:** I am only saying that a prisoner told me that.

**Mr F Spratt:** That is human nature. I cannot really answer for that, but nobody should be turning a blind eye where drugs are concerned. That is where we would be. I am not saying that it does not happen because I do not know.

**Mr Douglas:** Finally, Finlay, what are your recommendations to us as a Justice Committee? How can we help and support you in the very difficult job that you do?

**Mr F Spratt:** For a start, I think that, yes, I know that we are living in times of austerity, and I accept that. However, given that these experts from England said that we needed 1,319 prison officers to run our jails, I want them. We are 91 short, and I want them. On top of that, I want another 40 to make sure that our landings are safe, that the staff are safe and, in fact, that the prisoners are safe. Because of the cut, they are not able to deal with the prisoners' problems, and the prisoners get frustrated. They, in turn, take it out on a member of staff. I do not think that it is right that two female officers should look after 50 male prisoners. It is crazy. All right, people can say that they that they are getting paid the same money, and that is fair enough, but that does not make it right, does it?

**Mr Douglas:** The other thing that comes through very clearly from what has been said is that this is not just about the welfare of the prison staff but about the welfare of prisoners.

**Mr F Spratt:** Very much so. That is our job. Our job is to look after the welfare of prisoners. As I said, at the end of the day, we are not getting to do our job because there is nobody there. Yes, we have produced all these wonderful things about sentence managers and all that, but that is no good to the prisoner on the landing who is looking for something and wants something done.

**Mr Elliott:** Thanks very much, Finlay. On the recent issues that you raised around staffing levels, there have been problems for some time. How much of it is down to the current financial problems that there are in the Executive, and how much of it is a longer-term strategic problem? You raised similar issues in the past, and maybe it is now much more immediate and difficult.

**Mr F Spratt:** I said from the outset that the reform of the Northern Ireland Prison Service was only a means of cutting staffing levels, because the Prison Service, according to the authorities, got too expensive. They brought these people in from England, and they told us that that is what we need. They are telling us that we need 1,319, although I disagree with them and think that we need another 40 over and above that. So, I am saying that we need the staff. They decided to cut another 91. We had no discussions and no negotiations about it. They just go along, and they do not recruit. We are then left to carry the baby, as the man says.

**Mr Elliott:** Finlay, do you see it as a strategic and longer-term problem, more so than being about the current financial crisis?

**Mr F Spratt:** I think that the long-term problem when they set out was to reduce the cost of the Northern Ireland Prison Service. That was the main driver. It was not about the reform of the Northern Ireland Prison Service. The main driver was to cut the cost. Now, I accept that we are living in financially difficult times, but, at the end of the day, society has a responsibility to look after the people who are sent to the courts. Society has a responsibility to the prison officers who look after them to make sure that they are adequately supported with the technology or whatever we have to do. Therefore, society as a whole should ensure that prison officers are adequately resourced to do the job. We cannot do it.

**Mr Elliott:** I think that you are indicating that is more a strategic issue than just being an issue around the current financial difficulties.

**Mr F Spratt:** I do not think that the current financial difficulties are the only driver. Yes, you are absolutely right. I said from the outset that, before these financial difficulties started, the Northern Ireland Prison Service was earmarked for a vast reduction. I can give you an example from England, where they reduced the staffing levels. They are now going out and recruiting 1,700 more prison officers after they had a redundancy package just the same as here. That is why I am telling you that they are stupid to go and get the policy from England. You have your own policy here, but they bring it in from England. So, they are going to recruit another 1,700 officers in England, and, after they let all those people go on redundancy, what do you think that they did then? They are now recruiting reserve prison officers in England. The ones who went out on the big money are now being brought back, and that is what is going on here.

**Mr Elliott:** One of the queries that has been raised a couple of times so far is around the drug problem in prisons. The information that I get indicates that the problem is getting worse as opposed to improving. How much of it comes from prescription drugs in-house as opposed to drugs that are smuggled in?

**Mr F Spratt:** It is very hard, Tom, to say it is one or the other. It is a combination of the prescription drugs that prisoners save up and drugs that are coming in from outside. The main avenue for drugs from outside is people who are visiting. Also, when prisoners go out on home leave, they come back with stuff secreted in their bodies. That is how the drugs are getting through. It is very hard to say the problem is just down to prescription drugs or just down to ordinary drugs; it is a combination.

**Mr Elliott:** Has there been any proactive work by prison management to try to resolve that? When they were here the last time, they said that they had a number of programmes ongoing to try to reduce the problem.

**Mr F Spratt:** They are carrying out all the searches that they possibly can. I do not see much change. Do you, Paul?

**Mr Hardy:** The South Eastern Trust has taken over the medical care, so it does not come under the direct responsibility of the Prison Service anymore. So, the information is not as readily available.

There are large numbers of prisoners on prescription drugs; probably 80%-plus. Do not quote me on that figure, but that is how it seems when the nurses come in to hand them out. How many of those are being bullied into getting the drugs? We do not know. Anybody can go to see a doctor and get a prescription, as you know, and if they were selling it or passing it on, we would not know. We catch the odd one who is bullying, but, again, when you do not have the officers, how do you challenge offending behaviour? How do you challenge the bullies and the ones who are trying to manipulate the system if you do not have the people there to do it or the eyes and hands to sort it out? Prescribed medication is an issue, but that is the South Eastern Trust's responsibility and not so much the Prison Service's.

We have robust searching in various areas, but, as the Chair could probably tell you from the last time he was at Maghaberry, there is no searching in the Mourne House complex, which is the old female prison, of staff, visitors or anybody who is entering that area. That is done on a random basis. Because of the cutbacks, we had to cut staffing, and two of the posts that went were from the search on the way in. In the main prison, when things get tight, the search is dropped there, too. So, if you really want to bring something in, there is less of a deterrent than there would have been in the past. Home leave has always been an issue. Drugs are getting in. How are they getting in? The same way as mobile phones. They get in, and we do our best to try to track them down. We have all the latest equipment to try to help us with that. We have a good and dedicated search team that uses intelligence-led searching, which could be based on information from other prisoners, staff or a number of areas.

**Mr Elliott:** I am sorry to labour the point a wee bit, but the last time that prison management were here, they said:

*" We will then put in place relapse prevention support to stop them going back to drugs."*

Is that happening? Or is that something that is distant to you?

**Mr Hardy:** I have not heard of that, but we recently piloted a drug recovery unit. Around 57 or 58 prisoners applied to take part, and 12 were taken on. The programme has just finished. Unfortunately, it is what it is: a pilot. They would like us to carry it on, but where do we get the money from? It has stopped while they re-evaluate and figure out how we afford it in the future. I heard that as recently as within the last 48 hours.

As Finlay said, we have all these wonderful programmes for rehabilitation, but I have not seen that in the last two years. Figures can be manipulated, as Finlay said. The issue is about how you put people to work. If you have two orderly jobs on the landing and 10 prisoners as orderlies who all do an hour each, on paper, they all look as if they are working, but it does not mean that you have done anything with them. The number of work places in Maghaberry has not increase in the last two years, so how can we get more prisoners out to work? The staff want to do the professional side of things, but, if you do not have the right number of staff needed to deliver the programmes, you will fail in what you are trying to do. That gets frustration building up among staff because they cannot do what they are trained to do.

**Mr Frew:** Annex A of your paper gives the statistics on assaults on officers. Do you have any indication or idea of the number of prisoner-on-prisoner assaults?

**Mr F Spratt:** I have no great indication, but we were told at the last meeting that the number of prisoner-on-prisoner assaults is down, like we were told that the assaults on prison officers were down. I have not got the statistics for assaults between prisoners, so I am unable to give you an idea. I am sure that management, when they are here, will be able to tell you.

**Mr Frew:** Anecdotally, though, you would think that they would compare with the figures here. It stands to reason if —

**The Chairperson (Mr Givan):** Paul, I put a question on that. From memory, I can say that, over the last three years, the approximate figures were 350, 400 and 350. So, there were in the region of 1,000 over the past three years. It is a significant figure.

**Mr Frew:** OK. It would be interesting to see, and we should try to find out whether there has been an increase. If there is a percentage increase that is something similar —

**Mr F Spratt:** I do not have the figures, but, having spoken to my colleagues on the ground, I can say that they are telling me that prisoner-on-prisoner assaults have increased because they are so frustrated. They are locked up and have no work. There is nothing for them to do.

**Mr Hardy:** More scarily, the level of violence has increased. Previously, an assault might have been a few punches or something; now, we are getting mop buckets full of boiling water poured over people, as happened in Braid House. It may be that two or three prisoners get one inmate in the exercise yard and forget when to stop until we get there. So, the level of violence is increasing in certain cases. Before, it would sometimes just have been handbags at dawn, but no, it is getting more serious. That applies to prisoner-on-prisoner assaults as well as to prisoner-on-staff assaults.

**Mr Frew:** Could the severity levels be down to the fact that you have not got the staff to handle it, to react quickly and deal with it when they get there?

**Mr Hardy:** Yes.

**Mr Frew:** You talked about the pepper spray, and you seem to have made that plea to protect staff you represent. You say that they have basically said no. To me, saying no is not an adequate answer at all. You need to know why they say no. Have they told you anything about the rationale or reason for saying no?

**Mr F Spratt:** No. We raised it at a meeting about a month ago, at which we demanded to be given pepper spray. The answer was a simple no. It was the same when it comes to giving batons to officers at the YOC: the answer was simply no because we have females there. However, the females are separated from the males and juveniles are no longer there, so there is no reason why officers cannot be given batons. I would like to see officers issued with pepper spray. It is not that we

want to go round spraying everybody, but at least the officer would have confidence and the aggressive prisoner would know. Believe you me, prisoners can be very aggressive and take you so far. They do not touch you, but they would test the patience of a saint. Therefore, I believe that carrying pepper spray is a deterrent. By no stretch of the imagination do you want to use it or batons, but you have to have the means to defend yourself.

**Mr Frew:** Do they have pepper spray in any other jurisdictions?

**Mr F Spratt:** No. As I keep saying, I work in the Northern Ireland Prison Service, not in other jurisdictions. What is the difference between PSNI officers walking the streets and a prison officer walking landings with 50 prisoners? The police work with the public and prison officers with people who have sent by the courts, so a prison officer can get a bat round the head anytime. It is only right that prison officers should have pepper spray in the event that it is needed. It is much easier getting spray in your eyes than being hit round the head with a baton.

**Mr Hardy:** PAVA is available in the Prison Service. We already have it. It can be issued and used only with the Secretary of State's permission via the director general. If you have an ongoing situation in your prison and a quick decision is needed, it does not come. Anytime that we have asked, it has been refused; it has never been used. It has been on a pilot for at least three years, and we have never moved past the pilot. If you take it in relation to the use of force, PAVA spray is less force than a baton strike. You get sprayed and there is instant pain, but that wears off within 30 or 40 minutes, whereas a baton strike, especially a misplaced one to the head, could cause a lot more damage and would be a lot more serious.

**Mr Frew:** The last thing that I want to explore is something that you, Finlay, raised as a spectre, so it is incumbent on us to explore it. You talked about losing control of a prison. Growing up, I have seen issues and debates on English prisons, where similar actions have taken place. Do you have any knowledge or evidence of the cost of something like that happening on a human scale and financially? You said that the reforms are all about cutting the Prison Service and reducing money. If something like that were to happen, I want to get a feeling and context of the human and financial cost.

**Mr F Spratt:** I do not really know what the cost would be, but the most important thing for us is to make sure that we do not lose a prison. The point that I am highlighting is that, if we go on reducing staff numbers, particularly in supervising prisoners, prisoners will start to get frustrated. We are locking them up more now than ever we did. I stand to openly say that they could possibly lose a prison. In fact, it is no secret that, in the summer, it was touch and go at Maghaberry because the staffing levels are so low. In fact, you can see how bad it was from Mr Glass's letter to the governor about the shortage of staff. What concerns me is that, if we go on much longer in the way we are going, we could lose a prison. I would be scared of something happening to our officers, particularly our female officers. It is not right and proper for two females to be left in charge of 50 male prisoners. The Prison Service says, "You get the same money and all", but that is not the point. It should not happen. Take, for example, what they call the genuine occupational qualification (GOQ). It applies to female prisoners; they can have only so many females and so many males. That is quite right. Why does it not happen the other way around? When you have male prisoners, it does not happen with the GOQ for the females; they are just thrown in anywhere they are needed. As I said, and I am sure that it happens in Maghaberry, there are females in those landings in charge on their own. The prisoners are not stupid; they know now that there is no point in you calling for help because there is nobody there. They are not stupid; they know that the staff are not there, compared with what we used to have.

As I said at the outset, we are living in austere times. I accept that. You have to reduce your costs. I understand that, but it has gone too far. The figures that I am talking about — the TSL plus another 40 — are essential, or we are going to have serious diffs. I know that management is coming to you in two weeks, and they will give you a lot of waffle. You want to speak to the officers on the ground.

**Mr Frew:** That is a snapshot of the TSL now. What were the levels —

**Mr F Spratt:** We used to have over 1,500 staff. Over time, that has been cut to 1,319. In fact, we are running 93 short. That is fair enough; that is an austerity measure. I have no difficulty with that.

**Mr Frew:** Just on that — I know that time is pushing on — what is the prison population like?

**Mr F Spratt:** It is about 1,800.

**Mr Frew:** Now?

**Mr F Spratt:** Yes.

**Mr Frew:** What was it when you had 1,500 staff?

**Mr F Spratt:** Around the same. It does not fluctuate much. They have cut the staffing down. It was not reforming the Prison Service; they conned everybody. They would have been far better saying up front, "Look, we're going to cut".

**Mr Frew:** Give me the prison population figure again.

**Mr F Spratt:** I do not know it off the top of my head, but it is round about 1,800. At one time, we had 1,600 staff, and we are cut now to 1,300. That is fine, but, surely, if they are saying that we need 1,308, where are the 91? Surely, we should have them.

**Mr Hardy:** We are still losing staff hand over fist. In five days, I lost four staff members who resigned and went to other work. Supermarkets are paying more than the Prison Service now at entry grade. They come in, see the job and think that it is a career, but, when they see what it is like and see the dangers of it, they apply for other jobs, and they leave. We have quite a few who are going through the police process as well. Staffing figures are probably going to get worse over the next six or eight months with no sign of recruitment. That is our concern.

**Mr Poots:** Finlay, thanks for giving us the figures. You presented the figures and the percentage rises from last year to this year. I am more interested in looking at the trend. If you go from 2008-09 to now, you see that the trend has been almost entirely upwards, with the exception of a few blips. In Maghaberry, there have been 17 times the number of assaults; in Magilligan, there have been six times the number of assaults; and, in Hydebank, nearly 12 times the number of assaults. If that trend continues, it will be wholly unacceptable. Mr Frew quite rightly sought to identify whether there was a correlation between that and assaults on prisoners. Paul, you indicated that the assaults on prisoners were becoming much more extreme, perhaps planned and, consequently, much more dangerous. We have a duty of care to the prison officers and to the people who are in prison. They are there to serve time, not to be assaulted, beaten or whatever. Those trends should be of massive concern to us.

The issue of drugs was mentioned. We see prisons as somewhere where people go to reform. I think the message that we are getting from you is that there is not the level of service in the prison to be able to engage in the reform of prisoners. I think you are saying that there is not even the level of Prison Service staffing to ensure the safety of prisoners, never mind reform.

**Mr F Spratt:** That is right. We are there to provide a service. We are there to look after prisoners. If our staffing levels are cut so far, which has been done, we will not have the staff to look after prisoners or tackle reoffending. They introduced a lot of offenders' managers, sentence managers and stuff like that, but that is not going to deal with the day-to-day prisoner on the landing and the drugs issue. The more they cut our staff, the less chance we have of getting through to them and the less time the officers have to spend with the prisoners and deal with their problems. We as prison officers are caught on a merry-go-round. We cannot win; it does not matter what we do.

I ask the Committee to bear it in mind that they are not my figures. Those are figures that were produced by a freedom of information request from our solicitors. The figures that I have given you have been supplied by the Northern Ireland Prison Service. I say that in case anybody comes along and says that I produced them; I did not produce any of those figures. They are not my figures whatsoever. For a start, I would not have the information.

**Mr Hardy:** I will finish by mentioning cuts and money. We are probably at the stage where we cannot go any lower on staff. That is what we are saying. If we are making cuts in the future, they will have to be at regime level. Once you start to get into the regime level, you are starting to change the whole reform programme, and you are following England exactly. You are going right back to lockdowns. Chris Grayling was on about the number of lockdowns across the Prison Service, hence the safety and the fact that they are bringing in 1,700 prison officers. We have already been there. Why are we running after them? It is time to stop and say, "Can we not do something a wee bit different here?"

**Mr Poots:** I think that the other issue is that, if you do not have the staff, you have to have the alternatives.

**Mr F Spratt:** That is my point.

**Mr Poots:** You have neither been given the staff nor the alternatives.

It strikes me that a lot of those assaults take place because prisoners know that they can get away with it.

**Mr Hardy:** Prisoners are actually telling staff, "You are only on the landing because we let you. We know that there are not enough of you any more". That is what is scary about it.

**Mr Poots:** If you have a weak regime that does not provide you with the requisite support to do your job, and you do not have the appropriate number of staff, there is only one outcome that you can see.

**Mr F Spratt:** I do not think that the POA is being unreasonable by asking for three officers instead of two to supervise 50 prisoners. I used Magilligan as an example. We are looking for only another eight staff for Magilligan, and that would allow them to make sure that there are always three officers supervising 50 prisoners. It is the same at Hydebank Wood. We are looking for eight officers there to patrol the landings, not to stay on them, so that nobody is left on their own. That young officer was left on his own, and, only by the grace of God, the fire officer came round to do his alarm checks and found him lying in a cell very seriously injured.

**Mr Poots:** I would be much happier with the idea of pepper spray, with the appropriate protocols, than batons, to be honest, because, if the baton falls into the wrong hands, massive damage could be done. There would be considerably fewer consequences with the pepper spray.

**Mr F Spratt:** That is why I put forward the idea that we should be issued with pepper spray. I cannot understand the logic for refusing it.

**Mr Lynch:** Finlay, how many prisoners have been charged with those assaults, or have any been charged?

**Mr F Spratt:** Again, Seán, I do not have those statistics with me. I know that the prisoners involved with that young officer in the YOC were charged. The prisoners involved in the incident in Maghaberry, where they went in and beat up the girl in the classroom, will be charged. To be fair, any prisoner who is found to be responsible is dealt with. OK, some people may say that they are not dealt with severely enough, but they are dealt with.

**Mr Lynch:** There are a huge number of assaults for so few charges.

**Mr Hardy:** A lot of staff do not progress them outside through the police. They do not bother. They just go away and get healed and come back and do it again. We work in a dangerous environment, and there is that element where, somewhere along the line, you will be involved in an incident. It is not always direct violence. It can be because the prisoner has mental health issues, has gone off on one or might be on the wrong medication. It is not always a direct assault. The injuries can initiate in lots of different ways. A lot of the time, staff just go away and get healed, and they do not go through the police liaison. Recently, however, more and more of the younger staff are saying that they are not going to tolerate it and that they are going to push it all the way through the courts. Therefore, we probably will see a rise in court cases. However, at the moment, it is not —

**Mr Lynch:** Obviously, it is registered at some level.

**Mr Hardy:** Most are registered through the police liaison. The figures that you get on assaults come through the accident book and the officers reporting it to CastleCourt etc, for it to be recognised as an industrial injury.

**Mr F Spratt:** To be fair, Seán, the director of operations has said that he will look at this business of assaults on staff and said that something will have to be done about it. I have to be up front: he is going to look at it. We do not know what the outcome will be. He feels that these people should not

get away with assaults because quite a lot of staff do not report it, and they are trying to encourage staff to report assaults to the police. But what we have discovered in the past, because there are quite a lot of assaults on prison officers, is that if you report it to the police, when it goes to the DPP nothing happens. So officers say, "What's the point?" because the DPP just looks at it and says, "Nah, it's not worth pursuing".

**Mr Lynch:** Finally, I think, Paul, that you said that a number of the new staff had left.

**Mr Hardy:** And it is rising.

**Mr Lynch:** The reason, you said, is that there are more advantageous jobs outside in the market.

**Mr Hardy:** The people hired by the Prison Service are good people. They are well educated and ambitious, as we would expect them to be. For some of them, it is a stopgap until the market opens up and improves. They are on low wages in comparison with the wages in other jobs that they can apply for. As I said, a number of them are going through the PSNI recruitment process. I do not know how many of them will be successful.

They thought that they were coming into a career. A lot of them do not see it like that now. They did not expect the level of violence. They did not expect the workload. They did not expect the stresses and pressures that they are put under. As you well know, certain areas of the prison are governed outside of the prison. There are different pressures there, and it becomes political. Maghaberry is multifaceted in that way. There is no one direct correlation to the assault statistics; it is a combination of lots of things.

**Mr Lynch:** How many assaults have there been in Roe House? Have there been any assaults down there?

**Mr F Spratt:** We do not have the breakdown for a particular house, Seán.

**The Chairperson (Mr Givan):** Thank you very much for coming to the Committee today. It is much appreciated. We will put those issues to the Prison Service management when it comes before us.

**Mr F Spratt:** Thank you very much, Paul, and thanks to the Committee for listening to us.