Rachel Lindsay
Chair, UK NPM

Nikki Robinson
UK NPM Head of Secretariat

[redacted]

Ms Kathy O'Hanlon
Clerk to the Committee for Justice
Room 345
Parliament Buildings
Ballymiscaw
Stormont
BELFAST
BT4 3XX

Sent by email
committee.justice@niassembly.gov.uk
[redacted]

2 September 2026

Dear Kathy,

Re: Impact of the Criminal Justice (Sentencing etc) Bill on prison population

We are writing to you in our capacities as Chair of the UK National Preventive Mechanism (NPM), also Chair of the NPM Northern Ireland Subgroup, and Head of the UK NPM Secretariat, to highlight possible impacts of the Bill on prison population and prison conditions in Northern Ireland.

The UK NPM was established under the Optional Protocol to the Convention Against Torture (OPCAT) in 2009 to prevent torture and ill treatment of people deprived of their liberty, and to strengthen the protection of people in detention through independent monitoring. A Northern Ireland Subgroup was formed in 2023 to work collaboratively on issues affecting treatment and conditions in detention in Northern Ireland.[1] With this role in mind, while fully supporting the Bill's aims of improving outcomes for victims and their families the Northern Ireland NPM members are mindful that the prison population in Northern Ireland, particularly Maghaberry Prison and Hydebank Wood Secure College and Women's Prison, has steadily increased in recent years.

A number of proposals in the Bill are likely to result in more people in custody and/or longer sentences, raising questions about cumulative impact on an already pressured system. With

[1] The Subgroup consists of Criminal Justice Inspection Northern Ireland (CJI), The Regulation and Quality Improvement Authority (RQIA), Independent Monitoring Boards Northern Ireland (IMB), the Northern Ireland Policing Board Independent Custody Visiting Scheme (ICVS). The NIHRC and NICCY attend meetings as observers.

population levels already a pressure point, any significant increase in the number or length of custodial sentences might intensify demand and create or widen existing gaps in provision in:

- Healthcare;
- Education and training;
- Offending behaviour programmes; and/or
- Support before and after release.

Last year, older accommodation at Maghaberry Prison that was previously deemed unsuitable was re-opened to keep up with the increasing number of committals through emergency measures. Despite commenting in March 2025 that "much of the prison estate is nearing the end of its useful economic life, with the ageing infrastructure, particularly at Magilligan Prison, leaving prisoners housed in huts with "deteriorating walls, roofs and flooring plus aging plumbing, electrical and heating systems", the Department of Justice continues to use these facilities as accommodation.[2]

As well as requiring the use, and preventing the repair and replacement, of unsafe buildings for accommodation, overpopulation in prisons causes strain on prison officers, on healthcare provision, and opportunities for progression in the regime. This compromises safety, both of prisoners and staff, and risks failure to uphold the prohibition on cruel, inhuman and degrading treatment, the right to health, the right to life and associated rights.

As the Bill moves to Committee and Consideration Stage, the NPM Northern Ireland NPM organisations invite the Committee to enquire:

What consideration has been given, including through any impact assessment, to the likely impact of the Bill on:

- **Prisoner numbers;**
- **Prison conditions, particularly regarding the physical integrity of buildings and prisoner dignity; and**
- **Prison and prison healthcare staff capacity, access to training and supervision?**

Please note that this letter and any formal responses will be published on the UK NPM website in line with our strategic objective to promote transparency.

Yours sincerely,

[redacted]

[redacted]

Rachel Lindsay
Chair, UK NPM

Nikki Robinson
Head of UK NPM Secretariat

[2] https://www.justice-ni.gov.uk/news/long-visits-new-build-kitchen-and-cafe-magilligan-prison