



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

TUESDAY 18 NOVEMBER 2014
Senate Chamber, Parliament Buildings

Present: Mr Paul Givan MLA (Chairman)
Mr Raymond McCartney MLA (Deputy Chairman)
Mr Stewart Dickson MLA
Mr Tom Elliott MLA
Mr Paul Frew MLA
Mr Seán Lynch MLA
Mr Alban Maginness MLA
Mr Edwin Poots MLA

In Attendance: Mrs Christine Darragh (Assembly Clerk)
Mr Keith McBride (Senior Assistant Assembly Clerk)
Mrs Sinead Kelly (Assistant Assembly Clerk)
Miss Marianne Doherty (Clerical Officer)
Miss Anna McDaid (Assembly Bursary Student)

Apologies: Mr Patsy McGlone MLA
Mr Sammy Douglas MLA

The meeting commenced at 12.16 p.m. in public session.

1. Apologies

As above.

2. Stocktake Report on the Implementation of the Roe House Agreement – Oral Evidence by the Independent Assessment Team

The Independent Assessors, Mr Peter Bunting, Mr Conal McFeely, the Rev. Dr Lesley Carroll and Mr Chris Maccabe CB, joined the meeting at 12.16 p.m.

The Rev. Dr Lesley Carroll provided a brief overview of the background to and findings and recommendations contained in the Stocktake Report on the Implementation of the Roe House Agreement.

A detailed question and answer session followed covering issues including: whether any of the four Independent Assessors had been party to the original negotiations on the Roe House Agreement in 2010; who requested that they take part in the negotiations; who they were representing as part of the negotiations; who appointed the Independent Assessors after the 2010 Agreement was in place; who signed off on the 2010 Roe House Agreement; whether the 2010 Roe House Agreement was endorsed by the Department of Justice and/or the Minister of Justice; the murder of Prison Officer David Black, the dirty protest, parcel bombs and threats against specific prison officers which were significant breaches of the Agreement; the rationale for the findings and recommendations in the Stocktake Report given the significant breaches of the 2010 Agreement; whether the philosophy and recommendations in the Stocktake Report would encourage the prisoners to seek further changes within Roe House; the response to the recommendations by the NI Prison Service and whether this was the right approach to adopt given the on-going threats to prison officers; the Report's position regarding internal and external threats to prison staff; the current position regarding the Prisoners' Forum and any difficulties with it; how effective the Prisoners' Forum was likely to be in improving communication; the rationale for recommending the appointment of an Independent Chair for the Prisoners' Forum; the role and remit of the Independent Chair; issues relating to proposals to change visiting arrangements; the continuation of full body searches and progress in considering alternative technology; whether there is a role for the Independent Assessors in monitoring delivery of the recommendations in the Stocktake Report; how the recommendation that falls to the Northern Ireland Office would be taken forward; the views of the Assessors on whether the principles underpinning the Stocktake Report will be adhered to; the position if the principles are breached; what communication had taken place with prison staff and the Prison Officers' Association regarding the findings and recommendations in the Stocktake Report and whether they are satisfied with it and the Prison Service response; the conditions document produced by the prisoners in Roe House; the list of undertakings agreed by the NI Prison Service and prisoners in Roe House as part of the 2010 Agreement; and whether prison officers were involved in the 2010 Agreement or whether it was only communicated to them afterwards.

The Chairman thanked the Independent Assessors and they left the meeting.

3. NI Prison Service Response to the Stocktake Report on the Implementation of the Roe House Agreement – Briefing by NI Prison Service Officials

Sue McAllister, Director General and Paul Cawkwell, Director of Offender Policy and Operations, Northern Ireland Prison Service joined the meeting at 1.45 p.m.

The Director General referred the Committee to the NI Prison Service written response to the Stocktake Report on the Implementation of the Roe House Agreement.

A detailed question and answer session followed covering issues including: why the NI Prison Service had proceeded to change the conditions in Roe House in relation to movement on the landings when the recommendations of the Stocktake Report are predicated on the ending of both internal and external threats to prison officers which were still occurring; the position regarding the grill connecting the landing areas in Roe House; the potential for prisoners to seek further changes to conditions following implementation of the Stocktake Report; whether the NI Prison Service had accepted the recommendation of the Stocktake Report regarding an independent Chair for the Prisoners' Forum; the position regarding Prisoners' Forums and independent Chairs in other prisons in the United Kingdom; who currently chairs the Prisoners' Forum; the proposed role and remit of the Independent Chair; the timeline for the appointment of an independent Chair for the Prisoners' Forum; possible candidates for the position of

Independent Chair; the finding in the Stocktake Report that “not all the principles of the 2010 Agreement were adhered to” and who was responsible for not upholding the Agreement; why the 2010 Agreement was not fully implemented by the NI Prison Service during the following year; the rationale for the NI Prison Service accepting the recommendations in the Stocktake Report given the failure of the 2010 Agreement; the need to ensure that there is no acceptable level of threat to prison staff; how the Prison Service has engaged with and consulted prison staff on its response to the Stocktake Report; the nature of the engagement with the Prison Officers’ Association on the response to the Stocktake Report; the timing of the implementation of changes to the conditions relating to movement on the landings in Roe House; whether internal or external threats to prison staff were still occurring; what position the NI Prison Service would adopt if threats to prison staff continued; what action the Prison Service would take if the principles of the Agreement were broken following the implementation of the recommendations in the Stocktake Report; whether there was anything in the Stocktake Report that the Prison Service did not accept; the view of the Prison Service regarding a role for the Independent Assessors in monitoring delivery of the Stocktake Report findings and recommendations; the level of drug abuse in Maghaberry Prison and the ability to bring illicit items into the prison; and whether the Prison Service needed to review its decision to implement changes to movement on the landings given the timeline relating to the publication of the Stocktake Report, on-going threats to prison officers and the the change being made.

The Chairman thanked the NI Prison Service staff for the briefing and they left the meeting.

4. Date and Time of next meeting

The next meeting will take place on Wednesday 19 November 2014 at 2.00 p.m. in Room 21, Parliament Buildings.

The meeting was adjourned at 2.36 p.m.

Mr Paul Givan MLA
Chairman, Committee for Justice