



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

**Northern Ireland Prison Service Exit
Scheme: Prison Officers' Association**

19 April 2012

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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 Colum Eastwood
Mr Seán Lynch
Mr Alban Maginness
Ms Jennifer McCann
Mr Jim Wells

Witnesses:

Mr Bryan McMullan	Prison Officers' Association
Ms June Robinson	Prison Officers' Association
Mr Finlay Spratt	Prison Officers' Association

The Chairperson: I welcome Mr Finlay Spratt to the meeting. Finlay, if you would like to introduce your colleagues and make your opening statement, I am sure that members will have particular questions to ask you afterwards.

Mr Finlay Spratt (Prison Officers' Association): I am joined by Mr McMullan, vice-chairman of the association, and June Robinson, the area secretary.

Mr Chairman, I thank you and your Committee for giving us the opportunity to come here and express our views. Members of this Committee have made some comments about prison officers and the Prison Officers' Association (POA) in the past, and I would like to give them the opportunity to ask the same questions when we are here to answer them. I am quite happy to address them. It is very difficult when these comments are made in the papers and on the radio because we are not there to defend ourselves, so I will certainly give them the opportunity today; we are here.

The Chairperson: I appreciate that. I will start off, Finlay, with the wider reform programme. The Minister made his announcement that there was an agreement in principle around the target operating model and things like that. Can you just touch on that and tell us how you were able to reach agreement and how you see that impacting on the way that officers will do their jobs?

Mr F Spratt: We have reached agreement in principle. In fact, we had a meeting this morning and we have more or less tidied up the bits and pieces. The Prison Service budget was cut by £17.6 million; that is what it amounts to, whether people like it or not. We, as a trade union, took responsibility. We went along and said that we were quite prepared to enter into discussions.

I said quite clearly from the outset that the strategic efficiency and effectiveness (SEE) programme was not the answer for the Northern Ireland Prison Service. The SEE programme has not reformed the Northern Ireland Prison Service; it has, in fact, dismantled it, and that will be borne out over time. I hope I am wrong, but those are the indications to me. I wrote to the Department of Justice (DOJ) in August 2011 and said that it was an English solution to an Irish problem, and that never works. In fact, the Englishmen are away with your money and we have got the mess. That is the reality.

I am not going to mince my words; I always speak my mind and I am going to speak my mind. I believe that there is worse ahead for the Prison Service. However, in saying that, I acknowledge that money is tight all around. When I wrote to the Department in 2011, I accepted that. The interesting thing about the SEE programme is that there seemed to be no problem with getting money for people who wanted to come across from England and take advantage of what was available.

I will give you an example. There was much talk about the SEE programme and the profilers that they brought in from England. They paid them £95,000-plus; I do not know what that figure ended up being. I made the case that we had people in the Northern Ireland Prison Service with the expertise to do that job, but nobody would listen to what I said. In fact, I heard Paul Maskey say yesterday that expenditure on accountants is now down from £42 million to £14 million. He said that, in many cases, the Civil Service has the expertise to do the work itself. That was the case here. I have here the letter that was used as an excuse to get around the tendering process. It was endorsed that we hand out £95,000-plus to other people when we could have done that work ourselves. In fact, Northern Ireland prison officers were put on that team and were not listened to. This is why they are away and we have got the mess that we have.

I will give you another example. They lifted a set of shift patterns from an English private prison and imposed it on Northern Ireland. I accept that our job is to be there when required to do the job, but this has left the biggest mess. You are not getting all the facts or all the truth; it is all about window dressing. I am not here to window dress; I am here to tell you exactly what is going on. We have been left with the biggest mess.

Last night, three of my colleagues were assaulted in Maghaberry prison. That is the life of a prison officer. There are many people around who want to cut staffing levels. That is fine; we all have to try and live within our budget. Dolores Kelly from the SDLP was shouting in the newspapers yesterday about finds of illegal articles. That is the life of a prison officer. Let me tell you, it is going to get worse. Staffing levels have been cut across the Northern Ireland Prison Service, and while that is bad, bearing in mind how we have fared with staffing levels, it is going to get worse. We do our best to keep the number of illegal articles down, but that is the nature of the prison environment.

All you people in this Justice Committee who signed up for this wonderful SEE programme actually signed up to lock up prisoners early. That is what it is about. People need to realise that. There are people on this Committee who have shouted about reform. I am all for reform — absolutely, 100% — but you are actually locking the prisoners up early. It has not broken out there yet. These prisoners do not realise that, on a Saturday and Sunday, they are going to be locked up at 5.30 pm. That is what is going on.

That is my view. I realise that times are changing and we have to move on. We are quite willing to play our part, but I think that people have been misled, and people have come in and made a substantial amount of money at the expense of the taxpayers of Northern Ireland. For example, you paid the review team around £280,000-odd. Do you know how much that works out at for an hour? It works out at £694 an hour for the hours that they worked. Even the prison cat knew that we needed to do things differently in the Prison Service. We have a director general. It was approved that we would recruit a change manager — at £130,000 a year. What do we pay a director general for?

The Chairperson: Set in that context, and in the context of the obvious frustration at where things have been, you have been involved in direct talks with Ronnie Armour, who has been heading up the negotiations for the Prison Service. Can you touch on how those negotiations have been going? What has been the relationship between Ronnie, as the director heading up the Prison Service management, and the POA? Have those negotiations been constructive?

Mr F Spratt: I have no issue with that. I might sound angry, but, at the end of the day, there are people being paid to manage the Northern Ireland Prison Service, and they should get on with it. In many cases, prison officers were blamed for the management of the Prison Service, so we made a conscious decision to let management get on and manage it. You just have to look at the mess they made of it. We had no input to that. It was absolutely nothing to do with us.

I have to say that, throughout the negotiations, we have had a very good relationship with Ronnie Armour. Whether people want to believe it or not, Ronnie Armour has held this whole thing together. If it was not for him, it would have collapsed long ago. What organisation sets out to reform with no plan? There are 544 prison officers who applied to leave the service; everybody wanted rid of them. That has to tell you something. Why do 544 people want to leave their job in this economic environment? Many people here talked about the wonderful package. There is no wonderful package; prison officers are only getting what they deserved in their pension. They got an extra 15 months' salary — that is effectively what they got — but they earned that pension. Let me tell you that that is not a good deal. Take the MLAs who will leave this Assembly at some time; they will have a better deal. That was the pension of those prison officers; that was their entitlement. Then a whole mess-up was made around whether it should be taxed in the old year or the new year. I can tell you now that, if it was not for Ronnie Armour holding the whole thing together, it would have been a bigger mess. When we were negotiating with Mr Armour, we found that, in many cases, he could not make the decision. We have been up there negotiating since last August. It should only have been a matter of sitting down together for about four months to put this whole thing together, but, instead, they went back, toing and froing. Nobody knows what way they are going. It has done more harm.

The Chairperson: You touched on the exit scheme. What has been the impact on staff morale for those officers who signed up to that and thought that they were getting out at the end of March?

Mr F Spratt: That has totally demoralised the staff in the Northern Ireland Prison Service, and we have been through many troubled times. Whether people like it or not, prison officers have always stood to the fore and done their job to the best of their ability. This has totally demoralised them. You have to ask yourself why 544 people want to leave. There were people on the management side who gave the impression that, if you applied, you could go, but reality and common sense will tell you that 544 people cannot walk out of any organisation in a day. That is why there should have been a plan. In fact, initially, I asked for a four-year plan to be ring-fenced so that we could decide to let so many people go now, so many on another date and then recruit so that we could backfill. I was laughed at. When I wrote to the Department in August last year — here is the letter — I said that the most it could afford to let go from the Northern Ireland Prison Service was 200 to 250 people. Look at the figures: 157 people went on 1 April and around another 70 or 80 people will go in August. So, who was right and who was wrong? Again, we were laughed at. We stepped back and said, "Fine, you get on and run it." We left it, and look at the mess.

We will continue to play our part in a responsible manner. I am not making any apologies to anybody. I represent and defend prison officers. I will do that while I am doing this job. I do not make any apologies to anybody.

The Chairperson: You touched on the three officers who were injured last night. I spoke to some of the staff in Maghaberry, and I spoke to the deputy governor, Mr Treacy, as well. Prior to that event, staff relayed to me their concerns that they could be exposed to that type of risk. Obviously, that happened last night. Is there a need to review the levels of staff in particular houses in Maghaberry where people will be unsettled? Are staff being unnecessarily exposed to that type of risk?

Mr F Spratt: Whether or not people want to accept it, prison officers work in a hostile environment. It is all about working with the prisoners. These things will happen from time to time, but we always have

to be on our guard. The amount of illegal stuff that is smuggled into prisons is unbelievable, and it is going to get worse. We work in a volatile environment, and we need all the help that we can get to suss out these things. Unfortunately, it happened to three of my colleagues last night. You could run on for two or three months and have nothing like that, but it will blow again. We always have to be vigilant in what we are doing. Certainly, it does not help things.

A lot of people have criticised the staffing level in the Prison Service, but that is a fact of life. It is a thing that we run. All the SEE programme is about is reducing the supervision of prisoners. Prison officers are also being blamed for the lack of communication with prisoners. The fact of the matter is that we do not have enough places for the prison population. That is wrong; I fully accept that. I shouted many years ago about the level of education that was provided to prisoners, but nobody paid any heed to me. However, because the Criminal Justice Inspection has now said it, it is a wonderful thing. When I shouted on behalf of prisoners about the education system, I was laughed at. The same happened when I talked about the remission scheme. I said that that was wrong and that people should work. We have always wanted people to work. The reality is that, a few years ago, the Northern Ireland Prison Service ran down the skills and learning. It was not the fault of prison officers; it was the fault of the management of the Northern Ireland Prison Service. Today, we do not have enough places to employ prisoners. For a start, the prisons are too full. We have too many on remand. We have too many in for fines, but hopefully that issue will be addressed. Even setting that aside, we have no employment places for prisoners, and we should have. Prisoners need to be usefully employed for the best part of their day, but the model that is being brought in will reduce that. As well as that, we do not have the facilities to accommodate our existing prisoners.

You can shout about reform as much as you like, but reform is about everything; it is not just about one thing. We fully accept and have stepped up to our responsibilities in terms of reform. That is why we are where we are today. However, the life and times of a prison officer are difficult. It is something that you have to balance. It is about personalities and interaction with people, which is a skill that you learn down through the years.

The Chairperson: As Chair of the Committee, I want to convey our sympathies to the officers who were injured last night. I am sure that I speak for everyone on the Committee when I say that. If you could take that back to the staff, we would certainly appreciate it.

Mr S Anderson: Finlay, you and your colleagues are very welcome. Maybe you should have been at this Committee sooner, because you are certainly painting a picture that is different to the one that we have heard about. At the outset of the exit scheme, an issue that I and others raised was that staff should be treated with respect and dignity. Do you think that staff have been treated with respect and dignity?

Mr F Spratt: No, they were not, because certain people within management gave them the expectation that they could apply and would be allowed to go. Quite a lot then applied on the basis that they were going to get away. I acknowledged earlier that you cannot let 544 people go, but that should have been spelled out from day one. When I asked for a four-year framework in which it could be done, I was laughed at. Because I was the chairman of the POA, it was seen that I was interfering in the management of the Prison Service. I have to say that what has happened speaks volumes. I do not want to get involved in running the Northern Ireland Prison Service, but I do want to get involved in representing the members who work in it. I think that we are entitled to have a voice in it. If you look at this whole thing, you can see that they have actually cut the POA out. That is absolutely fine, but when the rocket goes up, do not expect prison officers to bail them out, because we have done it over the last 30 or 40 years. We have always stepped up to the plate. You paid out all this money for people to come in and give us reports, but even the prison cat knew what was needed. It is not rocket science. But then we are only a trade union; what do we know?

To take the point that you are making, Mr Anderson, in 1989 they removed the rank of chief officer from the uniform grade in the Northern Ireland Prison Service. I told them then that they were wrong, because that was the head of the uniform grade. They did not listen, and, since 1989, respect and discipline in the Prison Service have gone out the window. What are they at again? In this new programme of theirs, they have removed the principal officer, the head of the uniform service. That was on the recommendation of the prison review team, which included Mr Wheatley. It is no secret

that Mr Wheatley was the head of the National Offender Management Service (NOMS) when they removed the principal officer from that service. When he left, what did the people who were left behind do? They brought back the principal officer. I have told those people up there that they were wrong, because that is the head of the uniform service. In the 1960s, senior officers were promoted for the purposes of supervising prisoners and supervising staff. They were out working with them on the landing. Now senior officers are going to be desk-bound, behind computers. Who is going to supervise the prisoners and the staff? That is what Mr Wheatley did, and, as soon as he left, they brought back the principal officer. We have ended up with the same mess here, and nobody wanted to listen.

Yes, I should have been here sooner, but nobody invited me. I can come only if I am invited, and I thank you very much for inviting me. I am just telling you exactly what the situation is on the ground and what is happening. Up here, you are getting a lot of window dressing. I can only give you the facts of life as a serving prison officer. My colleagues, including June, who has been around the association, see it every day.

Mr S Anderson: My belief is that the negotiations that you had with management may have started off on a rocky road but things seem to have got better. Given what you are telling us today, would you say that we have 500-plus staff who are looking to leave the service? What do you think is the state of mind of those officers who are remaining, given what you are telling us about the way in which the service has been broken up and demoralised? What are you saying about the staff who are left and how they are going to see it? They are responsible people. You said that they were the people who were needed in the Prison Service to bring us through very difficult times in Northern Ireland, and they faced many challenges, as did their families. I, like other Committee members, have received numerous letters, e-mails and phone calls, and what they are telling me is the same message as you are telling me, but that is not the message that I was getting from some who are higher up. Do you agree that we now have a number of staff working in the Prison Service who are very unhappy because they do not know where they are going? They had made plans for the future, and now their lives have been messed up. When Ronnie Armour was here, he did not deny it.

Mr McConnell was supposed to be at a meeting with the officers when he was in Maghaberry. He more or less said that if 500-plus staff needed to go, they could do so on 31 March; that language was used. The answer I got back was this: anybody with a little sense would know that we cannot let 500 go. So why was that said? Those people made arrangements to go.

Mr F Spratt: Mr Anderson, I cannot answer that question. Like you, I keep searching for the answer. It is all about — you will have to forgive me for saying this — trying to tramp Paddy into the ground. People were brought in here from another jurisdiction who thought they knew it all. However, the reality is that they did not know it all. It is time people learned that.

I said from the outset that the problems of the Northern Ireland Prison Service are in our hands and that we should sit down and sort them out. However, other people thought better: they brought in a review team consisting mostly of English people and based the solution on the English system. As I say in the document, it was an English solution to an Irish problem. They are all gone now with your money, and we are left with the problem, but we will get over that. That is exactly what happened. The men and women are totally demoralised, and we now have a workforce that does not want to be there. How do you fix that?

I spoke to Ronnie Armour no longer ago than yesterday and said that we have to try to find some way of setting out a framework for the remainder of the 544 who are yet to go, without committing to a specific date. We need a programme that lets, say, 70 go in September/October and 40 or 50 go in January, so that people have some idea, because, at the minute, they have no idea. The letters were given a number, either 1, 2 or 3 — what a way to run an organisation. They are spending £1 million of taxpayers' money every day. It was not my doing.

Mr S Anderson: You are now talking about trying to get those officers out of the Prison Service ASAP, and I know that you will try to do so.

Mr F Spratt: I have asked for that to happen.

Mr S Anderson: You touched on a point that I had knowledge of, which is that you and the association were prepared for a staged exit.

Mr F Spratt: That is what I asked for initially.

Mr S Anderson: Why was that not implemented on their behalf?

Mr F Spratt: Because the POA was ignored and isolated. You made that point yourself. The director general of the Northern Ireland Prison Service has never once met me in my capacity as chairman of the Prison Officers' Association. Does that not tell you something? I meet him in the corridors of the place down the hill. I pass him and he says, "Hello, Finlay". I met him in the doorway of the college down there. That is the sum total. Not once has he met me as chairman of the association, not that I really want to meet up. Nevertheless, I thought that, as a courtesy, he would want to talk to the union that represents the majority of staff. All the discussions and negotiations were left to Ronnie Armour. If Ronnie Armour was wrong, I would tell you. So, I make no apologies for saying that he did an excellent job and has held the whole thing together. People need to give him credit for what he did. Look at what happened; look at the mess. The director general has now gone to the Scottish service — not that he was any good anyway, as far as I am concerned. That is what we have got, and we have to deal with it. The people who have to pick up the tab are the men and women of the Northern Ireland Prison Service.

Mr S Anderson: You have not much time to meet up with him, if you want to do so.

Finally, I want to touch on the dissident protest in the prison. Given that the exit scheme is taking place and that new staff are coming in, what is your opinion of the management and control of the prison down there with the level of protests?

Mr F Spratt: For the men and women who have to work there, it is not a very nice environment. As regards what is allocated to dissident republicans or whatever, that is a matter for Government. I belong to a trade union. I do not get involved in what people get or what they are entitled to. However, certainly, it is not very nice for staff who have to work in those conditions. That just shows you the calibre of the prison officer who steps up and does the job. Who else, outside the prison or anywhere, would work in that environment? Everything that we can possibly do to resolve that issue should be done. It is a matter of control.

Mr S Anderson: Do you see a problem with staff leaving, training up staff who are coming in and how quickly that can be done, given that such issues remain unresolved? Do you see a staffing problem that management has not addressed?

Mr F Spratt: There is a staffing problem. That has often been said to me. For example, the money that is being offered to the prison officers of the future is a disgrace. They will all be living on family tax credits; they will not be able to earn enough to purchase property. Whether people like it or not, when you join the Prison Service, whichever community you come from, you no longer reside in that community. You have to get out and move on. We have quite a lot of examples of that with young people who have joined PSNI recently. We will have the same problem. Quite a lot of people do not want to work in that environment. That is something that we have to get on with and do.

Mr Wells: I want to deal with a minor issue first, Finlay. I must say that I was extremely disappointed in the very cold and clinical way in which Mr McConnell rejected pleas for better treatment on the tax issue. He, frankly, could not care less. Indeed, I said, on behalf of the small number of officers who were affected, that they might as well take £2,000 or £3,000 from each officer's compensation package and throw it into the Lagan because that, effectively, is the import of his decision. I was quite taken aback by how uncaring he was about the issue. He was not prepared to negotiate on it at all. Can I assume that we have totally failed to reach any resolution on that issue?

Mr F Spratt: We have not been involved in any of those negotiations. As a trade union, we are quite clear that we do not want any redundancies. However, your point was well made. I made the point

that setting the deadline of 31 March was, in my terminology, a dirty trick, because that is the end of the tax year. That was the most that they could grab from the prison officers. At the end of the tax year, they had no chance to recover it. I believe that it could have been extended into April. In fact, to be fair to the Northern Ireland Prison Service, I have seen correspondence in which the Prison Service said that it would pay it out in March. It stated that in the letters. Our staff expected to get it in March. I am led to believe that HM Revenue and Customs insisted that it should be taxed in the old tax year. It could have been handled very differently. That is effectively what it did.

You talked about Mr McConnell negotiating. Mr McConnell does not negotiate. He does not negotiate with or talk to anybody except those who suit his particular purpose. I never had any discussions or negotiations with Mr McConnell in all the time that he was here.

Mr Wells: That is a major revelation today. It is extraordinary that the trade union leader has not had a formal meeting with the chief executive, as it were.

Mr F Spratt: It is not as though I am losing any sleep over it, Mr Wells. Do not worry about that.

Mr Wells: Yes. However, I could not see that happening in any other organisation. Unfortunately, he is gone, or is about to go. We cannot do much now.

Returning to more practical issues, I accept that we still have a hard core dissident terrorist element in prison, as well as former loyalist paramilitaries. However, my understanding is that they constitute only 4% of the total prison population. Obviously, that 4% requires a level of supervision that is way above that of the ordinary criminal, if we can call him that. How can we then justify the very high staffing levels for other prisoners? Are Northern Ireland's shoplifters, drunk drivers and domestic-violence abusers any different to their colleagues, if I can call them that, in Scotland, England and Wales? Even when that element, which, for decades, justified the fact that we had to have an intensively staffed Prison Service, is stripped out, how do we justify any continuation of that for ordinary criminals, as it were? How could we have done that?

Mr F Spratt: The fact of the matter is, and it is no secret, that through the height of all our difficulties, a lot of the finances from the Prison Service were targeted towards a certain group. We would talk about the ordinary, decent criminals — I am not trying to get drawn in, but that was the expression that was used. They were lacking resources, but we have moved on from that.

You made a point about the staffing levels in the Northern Ireland Prison Service; I fully acknowledge that. That is why we started negotiations. We have no issue with that. The issue that I have is that, if they were going to reduce the staffing level, they should have had a plan. Here is the interesting thing: the target operating model that they brought those people in to implement reduced the staffing level by 200. However, the cut in the budget reduced the staffing level by 360. It is not my job to square that circle; it is somebody else's. We fully acknowledge that our budget was cut. We stepped up to the plate, and we have been in negotiations about it since August.

I understand the point that you are making, Mr Wells, but it depends how people are employed. Quite a lot of our prisons are outdated. Take, for example, the accommodation at Maghaberry, which is very staff-intensive because of the layout of the wings. If you take Magilligan, although we have a new unit there, Halward House, which is a model of difference, the staffing levels in the old blocks are much greater. There is a combination of the accommodation and the regimes. There are 140 establishments in England, and, therefore, they are able to spread quite a lot of their load of a different mix of prisoners. We have three establishments: two for the adult population and one for the young population. We do not have that spread. If we have difficult prisoners, we cannot spread them all over the place, so it is obviously a bit more staff intensive. I have no issue about reducing the number of staff as long as the safety of staff and the prisoners we look after is protected.

Mr Wells: There are several categories of officers who took the severance package. Do you accept that those who got their package and got out when they expected to left relatively content with the way in which they were treated?

Mr F Spratt: I have had no complaints from those who got away on 1 April with their package, even though they were taxed in the old year and paid an extra £2,000 or £3,000. They seem to be quite happy that they have gone.

Mr Wells: So, the actual structure of the package is not the issue. It is quite a large number of men — I think they are all men, are they not?

Mr F Spratt: No, there was a mixture of men and women, Mr Wells. Five hundred and forty four applied out of an eligible total of around 640.

Mr Wells: The problem is not that they are unhappy with the package, it is the fact that an expectation was built up only to be dashed. That is the issue.

Mr F Spratt: That is the problem.

Mr Wells: I have had a lot of correspondence from individual prison officers about this, and none of them have said to me that they are unhappy with the projected sum that they would get, apart from the taxation issue. I think that the package has good elements as well as unfair ones.

Mr F Spratt: As chairman of the association, I am on record as saying quite clearly that the first package that was put out was not acceptable, and I asked the Department to rethink it. When the detail eventually came out, I am on record as saying that I believed that, in the present economic climate, it was a reasonable package. Other people are trying to make an issue out of the big money that prison officers got, but they did not get big money. That was money they had earned. The majority of staff who wanted to leave are not complaining about the package; it is reasonable.

Mr Wells: Do you believe that the Prison Service has gone some way towards revising the second and third list? More men and women — I keep saying "men" because I have had no women approach me at all — have had their concerns addressed by being moved up the list.

Mr F Spratt: Yes. They have moved so many up the list from the number 3 letter to the number 2 letter, and as I said when I was speaking to Ronnie Armour, we are now taking steps. We are bringing in the Prisoner Escort and Court Custody Services (PECCS) group. They are the people who escort prisoners. They are bringing them in now in 2013 rather than 2014, so that will allow movement.

I spoke to Ronnie Armour, as I said to Mr Anderson. We need to find some mechanism so that we can lay down more certainty. I think that we can work around the problem, but the reality is that those staff want to go, and we have to make sure that we have replacements for them. The budget, whether we like it or not, cut 360 staff out of the Northern Ireland Prison Service. We have to live with that.

Mr Wells: You expressed concern about the level of salary for the new intake, but there were 50,000 applications.

The Chairperson: Five thousand.

Mr F Spratt: There were 4,931.

Mr Wells: Sorry. There were 5,000 applications. Does that level not indicate that those people were obviously aware of the package when they applied? Does that not indicate that the package was attractive to a lot of folk? I accept that, compared to what the outgoing officers were on, it is considerably lower. However, 5,000 people felt that it was a good package and were very happy to apply.

Mr F Spratt: You are very lucky, Mr Wells, that you are not on the unemployment register. Today, people would queue up for any job that would pay £150 a week. That is not the problem. The problem will come when people come into this job. I have no doubt that that number will include a lot of well-educated young people who have nothing else to do, having come out of university with degrees and one thing and another. They are going to get a rude awakening when they come into the Prison

Service. That is the point that I am making. This is being done by an outside agency. There is no interview process; it is an aptitude test and all that. Yes, 4,900-odd people were interested, but that is because there is no other work out there. There is just no other work — end of story. A lot of the young people who are applying will be using the Prison Service as a stopgap. The Prison Service will reap the benefit of that in years to come. I will probably not be around, but, in my view, that is what will happen.

Mr Wells: Given normal promotion, how long would it take one of those 5,000 people, if appointed, to get up to the level they would have been at had they been on the old prison officer scale?

Mr F Spratt: We had two scales: one of £31,000 and the old one of £38,000. These young officers will never get to that. The maximum pay in their scale, if they get to an offender supervisor position, is going to be £27,000. To then get to a senior officer position might get them another couple of thousand pounds extra, and that will take them anything up to maybe 15 or 17 years. There are no promotion prospects in the Northern Ireland Prison Service. The SEE programme has done away with that.

Mr Wells: So, they will never get to £38,000, no matter what happens?

Mr F Spratt: No, never. It is not going to happen.

Mr McCartney: Thank you very much for your presentation. My party has already met you in relation to this. We can accept that there will be no meeting of minds around our experience and your experience.

Mr F Spratt: I would not expect there to be, Mr McCartney.

Mr McCartney: No, I accept that. However, I am struck by one of your comments, and we might find some agreement. In many ways, we might not even be having this conversation today, if not for, as you said, the people who bring English solutions to an Irish problem. Possibly, if that was taken in a wider context, we might not even be having this meeting today.

Mr F Spratt: I have no wish to get into the political arena.

Mr McCartney: You seem to do all right, let me tell you. That is just an observation.

It is obvious that you will come here and reflect your membership and your experience. Obviously, we have a different view. However, if there is to be an independent voice in this, why was it that, time after time, the Criminal Justice Inspection's reports into the Prison Service come out with comments such as customs and practices exist which should not exist in prison establishments, there is a need for radical reform and the POA were part of the problem. All parties that signed the Hillsborough agreement agreed that there was a need for a radical review into the management and detention of prisoners. Is everybody in this instance wrong and the POA right?

Mr F Spratt: No. That is not what I said.

Mr McCartney: It is not right, then?

Mr F Spratt: When I wrote to the Department in August, I said that we fully support a reform of the Northern Ireland Prison Service. We fully accepted that that was needed. I do not set much against what Criminal Justice Inspection says, because it is just a quango that was produced by direct rule Ministers. It is very easy to criticise. I could have come in here today and criticised all of you people for different reasons. It is very easy to criticise the POA. It is very handy for management to abdicate its responsibility and blame the POA. The POA said, "Fine, get on with it.", and you only have to look at the mess that has been created. The association has represented prison officers for 36 years, and I have been the head of the organisation for 26 years. I have always taken the opinion that it is management's job to get on and manage.

When we agreed the framework agreement in 1994, which was amended in 1997, the POA bailed management out. It was very handy for Criminal Justice Inspection and the review team to blame the POA. The POA was not the problem; the problem was that the people who were paid to manage the organisation did not manage it. It is very handy to blame the POA. We deliberately stepped back, and we see what the mess is.

Mr McCartney: I am sure that you are aware that we have been and are very critical of the management and the Ministers who were in charge of the prisons. I am very clearly of the view — I have said it here today — that the POA was part of the problem. If you feel that you are not part of the problem, the possibilities of trying to resolve this in the future are diminished. This sort of —

Mr F Spratt: Well, Mr McCartney —

Mr McCartney: Go ahead.

Mr Spratt: Sorry for interrupting you.

Mr McCartney: No; go ahead.

Mr F Spratt: That may be your view. You are entitled to your view, and I would not wish to take that away. I am chairman of the association, and I have been around for quite a number of years. How is the POA the problem? The POA is a trade union that represents its members. Guidelines are set down and agreements are made. In my 26 years as chairman of the association, never once have I dishonoured an agreement. When there were disputes between management and the POA, it was because management would not live up to the agreements that it made. We, as a trade union, unfortunately, have to get involved. We do not want to. I have to stand by what I agree. I have always said that my word is my bond; you do not need it in writing. However, some of the boys who we have dealt with down through the years really needed it stamped on my head. It did not matter what agreement we made; they changed it and put their own interpretation on it. In fact, we had a carry on the other day in Maghaberry about the new agreement. Some of the local management interpreted it in their own way. I had to get on the phone to Ronnie Armour, and he then had to get on the phone. That is what went on. If management had abided by all the agreements, everything would have run fine. What am I to do as a trade union? I try to talk to them and try to make them see common sense. If management is going to ride roughshod over the top of you, I have no alternative but to defend our position. That has always been the case.

Mr McCartney: Defending your position is one thing, but our task, and the task of everybody, should be to have a Prison Service that serves the people, not one that serves the interests of any particular section or group.

Mr F Spratt: No. I think that you are picking that up wrong, Mr McCartney.

Mr McCartney: You may feel that I am picking it up wrong, but Criminal Justice Inspection and people of experience tell you that shift patterns, rates of pay and customs and practices are all skewed towards the benefit of a particular group of people to the detriment of another group of people. That is the living experience. You agree with the need for reform. The prison cat knows that everything was not perfect. I did not hear anybody calling for reform until it was politically articulated.

Mr F Spratt: Mr McCartney, I never said that everything was perfect. I have fully acknowledged that the Prison Service needed to reform. You spoke about shift patterns and stuff. It was up to local management to agree the local shift patterns or whatever with the POA committee. Local management should have said no to the local POA committee.

Mr McCartney: The Criminal Justice Inspection can be dismissed as a quango, which is fine, but it is an independent voice with no axe to grind. You have your experience and I have mine, which people may say colour our views or make them sectional, and that is fine.

Mr F Spratt: Yes.

Mr McCartney: Criminal Justice Inspection came in and gave an independent view. It said that the lines between management and staff were blurred around the creation of custom and practice and the conditions that led to the shift pattern and the rate of pay, because many of the people who made the decisions were acting up — they were part of the staff — and all these things built up. You said it yourself. You called it a bail out. So you might agree that each time there was a bail out many of the people who benefited most were those you represent.

Mr F Spratt: That may be your view.

Mr McCartney: What is the reality?

Mr F Spratt: After all, as a trade union official, my job is to obtain the most benefits, however —

Mr McCartney: You are accepting it, then?

Mr F Spratt: Well, if you —

Mr McCartney: So, if you get an opportunity —

Mr F Spratt: If you let me go on — no. Will you let me go on?

Mr McCartney: OK.

Mr F Spratt: That is my job as a trade union official. However, there are certain parameters. Do not forget that this is not a trade union that works on a factory floor. We have to take into account that we work with human beings. The point that I am trying to make to you is that all those agreements and processes were in place to ensure that the people we work with were treated properly and looked after properly. If management had done its job and said, "I'm sorry, that's not what's agreed" and stuck by the centralised agreements that we had, we would not have the problems that you describe.

By the way, I am not sitting here saying that some things did not happen in prisons — things that should not have happened — because I am not.

Mr McCartney: I would agree you on this point: if management had done its job, some of these things would not have happened.

Mr F Spratt: Absolutely.

Mr McCartney: But it is our job to call it, and we are saying that some of the things that were allowed to happen, and are happening, cannot continue to happen.

Mr F Spratt: I am not disputing that with you.

Mr McCartney: Therefore, that is why this reform is needed. So, your argument that you have not enough staff does not stand up.

Mr F Spratt: I said that, as far as I was concerned, at this time, we do not have enough staff. Look at what Dolores Kelly said the other day about the amount of stuff that is being found in prisons. We can only do so much. The point that I am trying to flag up is that the review team said that it was working on the same basis as other jurisdictions. Our staffing levels in the Northern Ireland Prison Service are based on those in other jurisdictions — right? That is what the review said.

Mr McCartney: You see they should not —

Mr F Spratt: No, I am not saying —

Mr McCartney: The basic point that I am making to you is that prisons here are overstuffed and the people in post are overpaid.

Mr F Spratt: They are not overpaid.

Mr McCartney: I do not accept that.

Mr F Spratt: No; they are not overpaid.

Mr McCartney: At £38,000 a year, many people say that your officers are overpaid.

Mr F Spratt: That may be people's opinion, but speaking as a prison officer and on behalf of the people who I represent, we are not overpaid at £38,000. I could name, Raymond, a lot of other people who are definitely well overpaid, but I will not go down that road.

Mr McCartney: And I might agree with you. *[Laughter.]* At the end of the day, I might agree with you, but it does not detract from the core point that we are trying to address, which is that practices that should not have happened were put in place through arrangement by management and staff. We are saying here that, to take this forward, they will not happen again.

Mr F Spratt: I do not accept your point that things were put in place between the POA and management. The POA struck an agreement with management. It was up to management to police that agreement. The only time that the POA was in dispute with management was when management decided to do its own thing, irrespective of the agreement. In my 26 years as POA chairman, I think that every dispute that I have dealt with arose from management not complying.

Coming back to staffing levels, I said at the outset that we are not going to have the same number of staff because, irrespective of anything else, the budget will cut the staffing level in the Northern Ireland Prison Service by 360. We have to get on and work to that. I gave the example of Dolores Kelly shouting the other day about the number of illegal articles found in the prisons. The point I am trying to make is that that is going to get worse. In England, whose system this is all based on, there are 143 prisons. Therefore, if you have elements of disruption in any particular prison, you can shift prisoners all over the country. We cannot do that. We have to keep them in that location. Therefore, we need the staffing levels to control and supervise them. In England, you can lift them out. The terminology they use, Mr McCartney, is "ghosting". We cannot do that. That is the point.

Mr McCartney: Sometimes ghosting is not a very good practice either.

Mr F Spratt: That is what they use. I am not saying that it is right or wrong.

Mr McCartney: But you should not be saying that it is one of the things you feel you have not got —

Mr F Spratt: No, we do not have the facility to move people around among 140 prisons. They use the terminology —

Mr McCartney: — because it is a bad practice. Ghosting is a bad practice.

Mr F Spratt: That is their terminology.

Mr McCartney: I think you have accepted that it is a bad practice.

Mr F Spratt: Yes, because families of prisoners in establishments expect to be able to visit, and before they know it, they are away down in Cornwall or somewhere.

Mr McCartney: Exactly.

Mr F Spratt: I am not condoning that.

Mr McCartney: That is why I am saying that it is a bad practice. And nor should you be advocating it as something that is needed here.

Mr F Spratt: I am not advocating that. I am trying to explain to you.

Mr McCartney: I go back to the need for reform. How do you think that that should have been taken forward? What role could you play in the reform?

Mr F Spratt: What do you mean?

Mr McCartney: You said that you feel there is a need for reform. Could you outline some of your vision for that reform?

Mr F Spratt: I believe that the reform of the Northern Ireland Prison Service should have been done by people from Northern Ireland who knew what we were talking about and what we were doing. You cannot take an English system and impose it on the Northern Ireland Prison Service, which is a totally different culture and environment. When I wrote to them, I said that I fully supported a reform of the Northern Ireland Prison Service and fully acknowledged that our budget had been cut by £17.6 million. I believe that, if the reform had been done locally by people who knew the environment, we could have had a much better package. However, we still cannot get over the fact that our budget was cut. It does not matter what we do.

Mr McCartney: Can I ask you one last question? Why should it have been reformed?

Mr F Spratt: Because, Raymond, the practices in the Northern Ireland Prison Service have been around for quite a number of years. The world is moving on, and we all have to look at new practices and different ways of doing things. That is why it needs to be reformed.

Mr McCartney: Some of the messages coming from your organisation send signals that you do not want to move on.

Mr F Spratt: No. I am the head of this organisation. There are many people who have a different opinion from me. That is healthy. I am sure that, in your organisation, there are quite a lot of people with a different opinion from you. That is everybody's right. But I am the head of the union, and we work on the principle of democracy. In working up the policy, the majority said that they want to move on and reform. We are not going to allow ourselves to be dragged back by those who do not want to go forward. I can be no plainer than that.

Mr McCartney: I have one final point.

Mr F Spratt: I thought you were finished. *[Laughter.]*

Mr McCartney: I have one final point. As you say, we are entitled to our opinion. Just for the record, as regards the SEE programme, we have said to the Committee and to the prison department that, the longer you lock prisoners up in a regime, the more stupid —

Mr F Spratt: You have just signed up to the SEE programme.

Mr McCartney: No, we did not sign up to it. You can do things and have reservations. We signed up to a parallel approach: the SEE programme and the wider reform. At the core of the wider reform is a better regime for prisoners. Speaking from experience, I have to say to you that, in the past, the people who sometimes curtailed the regime in prisons were yourselves.

Mr F Spratt: Me?

Mr McCartney: The POA.

Mr F Spratt: That is your opinion. I am not going to take that away from you. By the way, I was not there, so I do not know.

Mr McCartney: I am talking generally. The reason prisoners are locked up is, in the main, down to shift patterns.

Mr F Spratt: Well, you could be right, to a point, but that is not always the case.

Mr McCartney: At least we are getting close to saying that I am right. *[Laughter.]*

Mr F Spratt: Do you think me and you will agree some day?

Mr McCartney: Possibly. We will agree on this: there should not be English solutions to Irish problems.

Mr F Spratt: Exactly.

Mr McCartney: OK. Thank you very much.

Mr F Spratt: At least we have agreed on something.

Mr A Maginness: Well, after that, I am not sure whether there are any more questions to ask.

Mr F Spratt: Mr Maginness, I am surprised at you, because I have come here today ready for you.

Mr McCartney: You need to watch the time; it is nearly lock-up.

Mr F Spratt: You would know that, Raymond. *[Laughter.]*

Mr A Maginness: You have very robustly put your point of view on the reform that the Prison Service is carrying out. Effectively, you are saying that this reform will create more problems than it will solve. I sense that that is what you are telling the Committee. Is that right?

Mr F Spratt: As I said from the outset, the reform of the Northern Ireland Prison Service is necessary. Times are changing; the world is changing and we all have to move on. This whole thing has been trumpeted as the SEE programme, and my point was that the SEE programme was not the answer. It was an English solution to an Irish problem. We should have sat down around the table and sorted out the problem in our own jurisdiction. What happened is that a crowd of people came in, gave you all this wonderful advice and took all your money; now they are all away and we are left with a handlin. That is the reality of life.

We want reform to work; I make no bones about that. That is why we have come to an agreement with the Northern Ireland Prison Service on the reform, and we will hold up our side. However, the difficulty we find, and have found for quite a number of years, is the management of the Northern Ireland Prison Service. People further down the line have their own ideas. I can sit at the Northern Ireland Prison Service headquarters and make an agreement, but some person down the line will decide that it does not matter about that agreement and that he is going to go ahead and do this or that. That is what causes the problems. They all need to be singing from the same hymn sheet.

Mr A Maginness: I remember particularly that the Minister of Justice said in the Assembly that the POA and management have reached an agreement within the context of the SEE programme. He said that it was a good and very positive step forward.

Mr F Spratt: Absolutely.

Mr A Maginness: You accept that that is positive.

Mr F Spratt: Yes.

Mr A Maginness: Where do we go from there? If you are saying that this English solution is not really that good and will not ultimately work, where do we go from here? That is what I am trying to understand. I understand what you are saying about the fact that there should have been more discussions and that a more local solution should perhaps have been worked out, but we have reached this agreement and we need to move forward. How do we move forward?

Mr F Spratt: Again, it is not my job to tell the Northern Ireland Prison Service how it should move forward. All I can tell you is that we will play our part. I have reached an agreement with the Northern Ireland Prison Service and, while I am the chair of this organisation, we will honour that agreement. The point I am trying to make is that I am not so sure that management will be able to live up to that agreement because of people in the organisation, and not necessarily those at headquarters. Management of the Prison Service is a long chain, and there are a lot of people in that organisation. They do not know themselves what the difference is from one day to another. That is why I spoke to Ronnie Armour yesterday and asked whether we could find some way of putting together a mechanism that can give some certainty to people as to when they can leave. He has undertaken to do that, so that is us working —

Mr A Maginness: I know that there was discussion about this with, I think, Mr McConnell and some of his colleagues —

Mr F Spratt: Did he talk to somebody?

Mr A Maginness: Pardon?

Mr F Spratt: Did Mr McConnell talk to somebody?

Mr A Maginness: He talked to us.

Mr F Spratt: Youse must be something special. *[Laughter.]*

Mr A Maginness: He indicated that there should be a way forward and that they would work towards a way forward on the outstanding issues of staff leaving the service. One of the arguments put forward was that you cannot give them a specific date because it would muck up the terms of the notice. Legally, that is not possible, but they could give indicative dates, and I suggested that —

Mr F Spratt: Mr Maginness, you know that there is more than one way to skin a cat.

Mr A Maginness: Yes, the ubiquitous prison cat. *[Laughter.]*

Mr F Spratt: Ask Mr McCartney; he could answer the question. *[Laughter.]*

Mr A Maginness: Another area is education and skills, which you mentioned in your introduction. It seems that education and skills are vital ingredients of any good prison regime. Provision is not really as good as it should be, certainly according to the Criminal Justice Inspection report. How can that be improved? How can we enhance that?

Mr F Spratt: For a start, the previous Prison Service management ran down the skills and learning. We, as a trade union, fully support as much skills and learning as we can. In fact, I shouted for a number of years about prisoners not getting an education. We have people coming into our prisons who cannot even read and write. This goes back many years, to the days when prisoners used to sew jumpers and stuff. I said that that was ridiculous and that they would be far better getting an education. I shouted

about the education that was available. Nobody listened to me, but because this quango, which is what Mr McCartney referred to the Criminal Justice Inspection as —

Mr McCartney: No, you referred to it as that. Excuse me. *[Laughter.]*

Mr A Maginness: Do not be putting words into his mouth.

Mr F Spratt: He is a Derry man; he —

Mr Eastwood: You are crossing a line.

Mr F Spratt: The POA fully supports a good training and education programme for our prisoner population. We do not have that. The point that I made at the outset was that we do not have places for the amount of prisoners in our prisoner population. All that we are doing is paying lip service to the problem. We need to really get to grips with this. We should be educating prisoners, and we, as a trade union, fully support that and will support that. The difficulty is that, in the past, management let the skills and learning run down and did not replace people. We have many prison officers who are instructors, and they do an excellent job. They can be a combination of both, but the organisation is not content; it needs to pay out thousands of pounds to a consultant to get the answer that it already knows. It is quite simple: we need to provide the spaces for the prison population, but we do not have them. Those are the facts of life; there is no point in skirting around them.

Mr A Maginness: I agree with you: it is absolutely essential. That should be central to any reform.

Mr F Spratt: They are on about reoffending. The reality is that we are bringing prisoners into prison and we do not have places for them. Rather than just opening the door and letting them go, we should have places for them, and we should train them and follow up on their progress on the outside to make sure that they get job placements. That is all about reform, but the reality is that that never happened in the Prison Service. Here is another thing that I used to shout about: somebody in doing 10 years used to be given a week's home leave to pick up 10 years of his life. Nobody listened. From a POA perspective, we are fully committed to teaching the skills that we can, but the Prison Service management needs to provide the places and the tools to do the job.

Mr A Maginness: There is a serious problem with remand prisoners. I know that the Department and the Prison Service have tried to put in place measures to reduce the numbers and deal with that problem. Do you have any suggestions in that regard?

Mr F Spratt: No. As I said, Mr Maginness, I do not get involved in the politics or the mechanisms of the Northern Ireland Prison Service. We have people coming into prisons on remand. They are blocking up the system, and we cannot get on with dealing with the people who do need help. If we are talking about tackling reoffending, we need to address the remand issue. There are too many remand prisoners, and they are about for too long. The process takes too long. It is a whole system that I have no control over.

Mr A Maginness: That chokes up the system.

Mr F Spratt: Absolutely.

The Chairperson: We have been at this for an hour now, so we will try to bring it to a close.

Mr A Maginness: That is only the warm-up. *[Laughter.]*

The Chairperson: We are on to round 13 now.

Ms J McCann: I will be very brief because my colleague Raymond has covered most of the stuff. We are not going to have a meeting of minds on this. We have also met you as a party. You were very clear that you are not opposed to reform of the Prison Service. As regards education and skills and

everything else, I know from experience that most of the classes that I and other people in prison missed were missed because of the practices of the POA, such as work to rule and the lack of escorts and everything else; it was not down to the management. I just want to make that point because it is important.

Mr F Spratt: I think it is only right —

Ms J McCann: I want to ask a question anyway —

Mr F Spratt: Well, in fairness, I need to address the point. You said that it was down to the POA. The POA does not provide the staff; management's job is to provide the staff. If you missed your class or whatever the case may be, I do not know; I was not there —

Ms J McCann: It was the work practices —

Mr F Spratt: — but it is important to say that it is management's job to provide the staff.

Ms J McCann: Well, it was the work practices of the Prison Service, and they were directed by the POA.

Anyway, that is not the question that I would like to ask. I want to ask about prison reform. Mention was made of some of the prisoners who are on protest in Roe House in Maghaberry. One of the reasons for that protest is the practice of strip-searching. As you know, it has been used in the past in prisons, and it is still being used today. In my view, it is used to humiliate and degrade prisoners. You might have another view, but that is my view.

Mr F Spratt: You will be surprised by my view.

Ms J McCann: Well, I am going to ask you about your view. There has been some talk of an electronic facility to replace the current strip-searching procedure. What is your view of strip-searching being replaced by that in respect of the overall reform that is needed in prisons?

Mr F Spratt: Ms McCann, let us not beat about the bush. I have no doubt that you are aware of my view on strip-searching because I made it quite clear to you a few weeks ago. I will tell you the reason for my view. For many years, prison officers have been blamed for what goes on in the Northern Ireland Prison Service. I want to make sure that prison officers do not get the blame for what is going on in Maghaberry. I have said quite clearly that, if a machine, or whatever you would like to call it, is available and does the same job, it should be brought in and used. I make no bones about that. I want to be clear so that people do not blame prison officers. I am well aware that 29 of my colleagues were murdered during the Troubles because they got the blame for policies that were made. People went out and shot them. I wanted to make sure that I clearly showed where we stood. If there are facilities, let us get them in and use them. I, as a prison officer, do not want to have to go through the business of stripping anybody. To me, never mind the prisoner, that is degrading. That is where I am coming from. If the Prison Service brings in new technology, that is fine. There is no issue with that.

Mr Lynch: I am also someone who has experienced lock-ups. In the last number of years that I was there, there were no lock-ups; it was 24-hour unlock. My view is that prisoners should not be locked up if the prison is secure anyway. You sit there and say that the POA was not an obstacle. When less meaningful change was being brought in in the late 1980s, I was there — I represented most of the prisoners in Long Kesh at the time — and there were obstacles. The POA resisted everything at every weave and turn, so I find it hard to believe that it would not have the same agenda today. I will say one thing for you; for the past 26 years, you have represented your men very well, but it has very often impeded any fundamental change.

Mr F Spratt: No; as chairman of the association, I certainly have not impeded any change. I was not in the Maze, so I cannot answer for everything that happened.

Mr Lynch: But you represent the people who were there.

Mr F Spratt: I cannot answer for everything that happened, because I do not know what you are talking about. All I can tell you is that we have never impeded anything. Management liked to put the blame on the POA to cover up their own incompetence. That is what I am trying to tell you. This has been going on for years. That is why, a few weeks ago, I came out with my comments on this carry-on about strip-searching at Maghaberry. People knew exactly where the problem was, but unfortunately, that is what management did through the years, and the POA got the blame.

I am always quite clear about where I am coming from. I head up a trade union. It is not my job to get involved in political decisions, and I have never got involved in political decisions. I am here today representing prison officers. We have stepped up to the plate as a trade union and we are doing our job. I still have the right to represent my members, but I cannot answer your question, Seán, because I was not there. I was not in the Maze. I was head of the POA; I accept that.

Mr Lynch: Management were not blameless either, but the POA was the obstacle.

Mr F Spratt: Not that I am aware of, let me put it that way.

Mr Lynch: As you said to Raymond, we have a difference of opinion.

Mr F Spratt: This is what happens, Seán. It is the same old story. You appeared in the Saturday newspaper and blamed the POA for stopping drug searches and drug and alcohol testing in prisons. I produced a letter when I met you that showed that the POA did not do that; we actually approved it. It just shows you that there is misinformation.

The Chairperson: Finlay, thank you very much for coming along today.

Mr F Spratt: Thank you very much. I enjoyed that. *[Laughter.]*