



Northern Ireland
Assembly

Committee for Justice

**OFFICIAL REPORT
(Hansard)**

Prison Reform: Update

9 February 2012

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Paul Givan (Chairperson)
Mr Raymond McCartney (Deputy Chairperson)
Mr Sydney Anderson
Mr Stewart Dickson
Mr Seán Lynch
Mr Alban Maginness
Ms Jennifer McCann
Mr Basil McCrea
Mr Peter Weir
Mr Jim Wells

Witnesses:

Mr Ronnie Armour	Northern Ireland Prison Service
Mr Colin Bennett	Department of Justice
Mr Colin McConnell	Northern Ireland Prison Service
Mr Max Murray	Northern Ireland Prison Service

The Chairperson: From the Northern Ireland Prison Service, I welcome Colin McConnell, director general; Ronnie Armour, director of HR and organisational development; Max Murray, director of offender services. I also welcome Colin Bennett, organisational change manager. Colin, as this is your first meeting, you are very welcome. I hand over to you, Mr McConnell. I am sure that members will have questions. This session is being reported by Hansard.

Mr Colin McConnell (Northern Ireland Prison Service): Thank you very much. I was going to say that I welcome this opportunity but, having heard the previous session, I am less persuaded of that.
[Laughter.]

When I last briefed the Committee on the delivery of the strategic efficiency and effectiveness (SEE) programme in September 2011, I undertook to return with a progress report in the early part of this year. This is that update report.

As you would expect, there have been a number of important developments along the way, and the related milestones have informed and shaped the direction that we are taking. Perhaps the most significant was the prison review team's expansive and wide-ranging final report, which was published in October last year. As the Minister of Justice acutely noted, that report was a watershed moment for the Northern Ireland Prison Service. It is within that context — of having passed through or over a tipping point — that our strategic efficiency and effectiveness programme now needs to be seen and

considered. It needs to be seen and considered within the context of that expanded and much wider reform agenda.

Much has already been said about the considerable scale and complexity of the change programme within the Northern Ireland Prison Service (NIPS), and it is important that we all share that reality as it informs the pace at which we take change forward and rightly leads us to making careful and considered judgements about what is possible at any given phase of that journey. In making that point and in giving that assurance, I want to make it clear at this stage that solid progress is being made. Mr Chairman, I fully expect that you and your Committee colleagues will want some specific details about that progress, and my colleagues and I are, of course, keen to address any related issues that you may wish to raise.

In reporting progress, it is important that I emphasise that the progress that is being made is, at times, hard fought and is achieved in a challenging environment. It is of course the case that change, in pretty much most situations, can be difficult. However, it may help to better convey the steepness of the mountainside that we are climbing if I take the opportunity to draw out what I think sets NIPS apart. First, I believe that what we are doing is breaking new ground. The need for reform in prisons has long been recognised externally and has been the subject of much commentary, but, significantly, the need for change and the means to deliver it has never before been wholeheartedly accepted, never mind embraced. Both the Owers team and Criminal Justice Inspection Northern Ireland (CJINI) recognised how, in the past, political and security considerations have stood as, or have been perceived to have been, barriers to change, and perhaps even nullifiers of any serious attempts at engagement on the reform of prisons. There is, therefore, no corporate memory of organisational change in the service, which means that managing and responding to the various resistances, positions and views that are held across the service and beyond is, as a matter of course, taxing and consumes much of my and my team's time and energy.

It is also important that the Committee supports me and my team in the knowledge that we are simultaneously moving forward with our reform programme and grappling with the day-to-day challenges of running a highly pressured operational service. Notwithstanding those challenges, and since I last briefed the Committee, NIPS has taken forward a significant body of work and has begun to realise some successes in improved performance. That is despite the fact that we continue to operate in an environment in which staff sickness levels remain stubbornly high and staff training continues to fall short of our targets. As we previously discussed, those issues go to the very heart of why we need to press forward in reshaping our structures and culture.

The paper that we have provided to the Committee sets out a comprehensive list of key developments and milestones, some of which you will be familiar with. Those include the appointment of an organisational change manager, Colin Bennett, who is here today. He will be central to translating the detail of our change programme into reality on the ground. His taking up post and increasing the change management capacity within the business are crucial, given, as I have already explained, the twin pressures of running a problematic operational service and driving forward the reform agenda.

We have conducted a number of service reviews that are helping to shape future operational delivery and that will contribute to NIPS becoming a smaller, more focused and more cost-effective organisation. That includes reviews of catering, corporate services, estate management and maintenance, and our dog section.

We have put in place arrangements for the transfer of healthcare staff to the South Eastern Health and Social Care Trust. That will take place on 1 April, and it will ensure that, for the first time, there is appropriate governance and accountability for healthcare provision.

Significantly, we have developed, negotiated and launched our staff exit scheme. Committee members are aware of the pivotal role that that scheme has to play in the reform of our service. We are currently waiting to assess what the impact of the scheme will be, with eligible staff required to indicate their intention to participate by or on 17 February.

We have also developed a new targeted operating model that we plan to launch on 1 April, and we will follow that with a phased roll-out. That model will allow us to work efficiently with an emerging, right-

sized workforce. Of course, the new model will naturally take time to be fully rolled out and bedded in. We have plans in place to launch a recruitment campaign for custody officers on 16 February. We anticipate the first of the new recruits being deployed and operational by the end of the year. We have also brought forward new job roles for staff remaining within NIPS, and are well on the way to putting in place a range of training courses designed to properly equip our staff with the necessary skills and behaviours and, looking to the future, to be able to offer continuing professional development for our future leaders as a means to encourage high-quality recruitment and retention, increased performance and service delivery and, ultimately, lead to a reformed and thoroughly professionalised Prison Service.

The Committee will also be aware that the Minister of Justice has appointed an oversight group, in line with the review team report, which will oversee the implementation and impact of the reform programme across the wider justice system as it moves forward. Progress has been and continues to be made, broadly in line with our initial plans and expectations. However, as I have said, it would be a mistake to underestimate the scale and challenge of the reform agenda set out by the prison review team. As I said earlier, we are climbing a very steep mountainside.

On previous occasions when I have briefed the Committee, I explained that, in developing plans for the SEE programme, NIPS worked closely with Dame Anne Owers and her team to develop an appreciation of the likely impact of her recommendations on NIPS and to ensure that our own SEE programme would be generally aligned to her, at that stage, emerging vision. However, it is only now that we are meaningfully able to consider and appreciate the full implications of the Owers report and her call for wide-ranging reform in the shape of realignment and reorganisation across the criminal justice system and beyond. That is having a major alignment impact on our plans under the SEE programme.

To be clear, this is not just about the end-to-end reform of the Northern Ireland Prison Service within a silo environment. Rather, it is about the end-to-end reform of NIPS as it exists within and relates to a wider criminal justice and health and social care system, which, together, need to embrace, support and inform the prison reform agenda. As such, we need to take the necessary time and care and give the necessary attention to ensuring that we fully understand and plan for the complex interrelationships that most likely do not exist now, but must in the future. If I might use a mechanical analogy, we need to not only identify the necessary cogs, wheels, gears and levers, but how they best work together to ensure that the solutions that we identify and put in place now do, in fact, mesh, so that, like gears, they turn in a complementary way, driving the whole machine forward. We simply cannot afford to build something that causes things to clash at a later stage. It is important that we get the chronology of change right. Otherwise, there is a risk that we could move too fast in implementing certain elements at this stage without fully understanding the interdependencies, and potentially jam the machinery of change at a later stage. That work, to draw out the timeline of change, to analyse the issues and interdependencies, to engage with the relevant partners and to begin to define how to address specific issues, is ongoing within the Department of Justice. For example, this week, we held the first of a series of strategic workshops. However, it will be some months before we are in a position to begin to move towards the implementation of some of the larger-scale departmental and interdepartmental issues.

There are other factors that will impact on the chronology of change. I have already mentioned the exit scheme. Details of the uptake of that scheme will become known later this month, and will subsequently inform the way in which we take forward our plans. The Committee is also aware that NIPS is currently engaged in discussions with its staff associations on elements of the reform programme, including the replacement framework. Clearly, the outcome of those discussions will also have an impact on our plans. I make the observation here that those discussions are at a very sensitive stage, and many of the core elements of reform are now being ground out. Reaching agreement seems to be a reasonable prospect. It is, I judge, reasonable and necessary for me to ask that the Committee members respect the sensitivity of our engagements with our trade union partners, and perhaps agree with me that it could be counterproductive if I and my colleagues were overly pressed in this setting to reveal details of those confidential discussions at this crucial stage.

The outworkings of all those elements will need to shape our actions as we move forward and, therefore, it is important to recognise that, as a consequence, our plans and responses need to be flexible and adaptable. As such, some of the changes that we may have planned and signalled for early implementation may ultimately benefit from taking place at a later stage, in order that those changes can act as enablers and not as blockers. Given all those factors, I hope that the Committee

will appreciate why we have not been in a position to provide a detailed project plan at this stage but have, instead, outlined a high-level plan and mapped out how our existing work streams under the SEE programme align with the review team's recommendations. In due course, our business plan for the 2012-13 business year will set out all of the key deliverables, and I will ensure that it is made available to the Justice Committee.

You may have a number of questions for us, and we will do our best to provide as full answers as possible. Where we are unable to do that, I will be happy to arrange for written responses to follow if that proves necessary.

I want to make the point again that progress is being made across the service, not only with ongoing reform work streams, but with improvements on the ground. I am very sensitive to the fact that we cannot deliver reform on the basis of a tick-box series of actions and that we perform our reviews and the way that we conduct them properly, but, ultimately, the measure of our success will be how we improve outcomes for offenders in custody, which will lead to the measured reduction in the risk of reoffending.

As I have said, I am clear that the scale of the challenge is considerable and some of these outcomes will be a long way off, but the evidence of change and improvement is already to hand. The Learning and Skills Donard Centre at Maghaberry is transforming front line services for offenders in need and at risk. Changes in how we detail and deploy our staff have already led to a more predictable and consistent prison regime, and the renewed focus on governance arrangements, which is delivering improvements to our corporate governance framework, and which the Committee is due to be briefed on next month, is helping to create a culture of accountability across the service and a focus on getting the basics right.

Thank you for your time. My colleagues and I are happy to take any questions that you may have.

The Chairperson: Thank you very much, Colin. Your point about the negotiations that are taking place with the union is well made. Does it suffice to say that there is full and constructive engagement with the union?

Mr McConnell: Ronnie will give you the details, but it is fair to say that it would be churlish of me to make criticism of any of our trade union partners at this stage. It is a credit to all concerned that they have remained stable through very difficult negotiations and discussions, which led to my comment that I am hopeful that a deal can be brokered.

The Chairperson: I have just couple of points, then I will bring in the members. Is every member of the change management team now in post? I know that the change manager is here, but are all the individuals appointed to that body and now working?

Mr McConnell: Despite our best efforts, we made progress but then slipped back. We thought that we had all the chess pieces on the board and ready to move, but unfortunately, at the final hour, one of the appointees decided to take another job offer. So we still remain light, but are back out to recruitment to fill that position.

The Chairperson: With regard to the estates review, an oral briefing is to be made at the end of March. Is that the first sight we will have of the draft estates review? When is it likely to be published?

Mr McConnell: The estates review, as you can imagine, has turned out to be a somewhat complex piece of work. I think it is important that, as the estates review progresses, we make absolutely the best use of the evidence that is available to us. The estates review has still to progress through our own internal approvals approach. That should go to the Minister towards the end of February and beginning of March. I would have thought, therefore, that the earliest that we would get that to the Committee would be after the Minister has agreed it.

The Chairperson: Recommendation 32 in the document is on the new director-level post, expertise and working with other statutory, voluntary, community and private-sector employers. Where do you see

that review bringing in the private sector? Is the role that it might have even being discussed? We talked about market testing. Is it being considered in any other areas?

Mr McConnell: Are you referring to the reform programme or the estates strategy?

The Chairperson: Probably both.

Mr McConnell: OK. Again, it is, probably, not a matter simply for the Northern Ireland Prison Service. It needs to be considered in the round. That will, probably, occur at departmental and, perhaps, interdepartmental level with regard to which other form of delivery could be considered suitable. At present, it is not something that we have settled on particularly.

The Chairperson: OK. I probably should have declared an interest at the start of the discussion. I do so now.

Mr Wells: I wish you well in your recruitment exercise. I confidently predict that you will receive the highest number of applications for any recruitment exercise ever recorded in Northern Ireland given the criteria of what has been established, difficulties in the labour market and the fact that it will now, probably, attract a much broader spectrum of society due the changed circumstances that we are in. Therefore, I would say that your postman will be very busy. I do not think that you will have any problem filling the posts.

I had a range of questions. You, very cleverly, put me on the wrong foot because you mentioned the fact that you did not want to answer any questions that might put you in a difficult position with the unions. If any of my questions do that, simply raise your eyebrow and I will move on to the next subject. I understand the position that you are in.

Can you be more specific on numbers with regard to the exit package and where you have got to?

Mr Ronnie Armour (Northern Ireland Prison Service): Yes. The closing date for applications is 17 February 2012. As of today, we have 371 applications.

Mr Wells: You had an indication of interest of something like 99%.

Mr Armour: That is right. We had an eligible pool of around 640. The vast majority of those individuals asked for an estimate, and we would have expected them to do that. In our business case for the exit scheme, we built the package with a view to attracting at least 360 people. That was our plan. We have surpassed that at this stage. I would expect that figure to grow a little more, although not significantly, over the next week.

Mr Wells: Therefore, you will hit your target. However, clearly, you will have to disappoint some officers. You will have to note the criteria that were outlined at the previous meeting as to the desirability of some people going and some not. However, clearly, in the numbers that you have so far, you will find that 360.

Mr Armour: Absolutely. We have always made it clear that we want to let as many officers go as is operationally possible. Obviously, we will not be able to let them all go at the same time, for operational reasons. Our objective is to try to let as many of those folk who want to go do so.

Mr Wells: I presume, therefore, that the prospect of a second exit package for younger officers is no longer required.

Mr Armour: A decision has not yet been taken on that. In our initial documentation, we indicated that we would wait and see what the numbers were and make a decision at that stage. Neither the director general nor the Minister has reflected on that point. Therefore, I would not close the door on it. However, I would not give any guarantees either at this stage.

Mr Wells: At the previous meeting, we had a long discussion about the technicalities and financing of the package. Certainly, in my opinion, it was much better handled than the issue of the part-time

police Reserve. How that was dealt with was flawed from start to finish. You have, obviously, learned from that. What about the issue of taxation? That was discussed at the previous meeting. There was concern that people would get a package and then be clobbered with a high tax bill. Has that been sorted out?

Mr Armour: There is concern about that. When we were last at the Committee, I believe that you asked whether people would be taxed in the current financial year or the next financial year. On that occasion, one of the officials indicated that it would be in the next financial year. We have had further advice from the tax office on that point that, and, despite the fact that payments will not be made until the end of April, if people leave the organisation at the end of March, they will be eligible for taxation payments at the higher rate during the current financial year. We are working through that issue, and we have a little bit of work to do with our staff to help them to understand that a bit more. However, if they are paid at the higher tax rate in this current financial year, that will have less of an impact in the next financial year when, for example, they get their pension. The issue is not as clear-cut as one might think.

Mr Wells: The problem is that, as they have been working throughout tax year 2011-12, they will have eaten up all their allowances, and if you pay them in the last week of March, most of it will be hit with 40%. If they take it a week later in 2012-13, they can then use a new set of allowances and defray tax.

Mr Armour: That is correct; yes.

Mr Wells: So the obvious thing would be to let them all go on 5 April. Is that too clever? What is wrong with that suggestion?

Mr Armour: I am sure that the tax office would have comments to make on that.

Mr Wells: It is tax avoidance rather than tax evasion.

Mr Weir: Ask Harry Redknapp.

Mr Armour: I accept that. There is an issue with the funding of the scheme, and the Department and NIPS have the money to fund the scheme in this current financial year. So we really need to make the payments in the current financial year. We are looking at a range of options available to us and are talking at the moment to the tax office about how we will work through all this. From our perspective, it is not as simple as saying, "We will hold you all back a week and your tax arrangements will be different."

Mr Wells: That would be a simple solution to the problem because a lot of those men — they are mostly men — will be disappointed to find that they will lose national insurance — you made it clear that they had to pay that the last time — and about 40% tax for the vast bulk of them. So, the tax-free lump sum, which is a quarter of their pension value, remains OK but, for the rest of it, they will get an awful surprise when they get the slip.

Mr McConnell: We absolutely get all the points that you have made, and we understand the potential difficulties and complexities. As Ronnie has said, it is not where we want to be as an organisation, and a considerable amount of work and reflection is going on as to how we might take that forward. We will not be able to give you anything like an answer that will satisfy you today, but I assure the Committee and, of course, others in due course, that we are taking every bit of advice and consideration that we can to take this forward.

Mr Wells: The other issue is that most of them will have to fill in a tax return for the first time because, at the minute, they are straight PAYE employees. Has provision been made to give financial advice on how to fill in the forms? I do not mean financial advice on where to put all the money, but financial advice on how to fill in a tax return as an employee.

Mr Armour: No. The issue was confirmed by the tax office to officials only last week, so no provision has been made for that at this stage. We have consistently said to staff that we will give them advice,

but it really is for you, as individuals, to seek your advice on taxation issues. That is not the role of NIPS. I will come back next month to brief the Committee about the exit scheme in more detail, and I hope to be in a better position at that point to answer some of your questions. We will maybe have some resolution to some of them by that stage, but, at the moment, there has been no advice.

Mr Wells: Finally, roughly 630 people expressed an interest, but only 371 came forward. Do you have any indication as to why there was such a gap between those two figures?

Mr Armour: I do not know specifically, but I suspect that people in their early 50s, for example, received their figures, looked at them and thought, "This is not for me." They may still have children at university or yet to go through university or they may be looking outside the organisation at their prospects of getting other employment at that age. There is probably a range of factors.

Mr Wells: I will ask a very devilish question that you do not have to answer. Is there any prospect of anybody taking a package and coming back on a consultancy basis?

Mr Armour: No.

Mr Wells: So there will not be any controversy such as may have arisen elsewhere?

Mr Armour: As we said, we will launch the recruitment campaign for custody officers next week, but that will be a process of appointment on merit. However, there is no prospect of people coming back on a consultancy or agency basis.

Mr Wells: Of course, they are not eligible to apply to come back in the new intake. That is taken as read.

Mr Armour: We could not stop people from applying if they wanted. It is an open competition with appointment on merit.

Mr Wells: So you could take the £100,000 and £18,000 a year pension and come straight back into the service?

Mr McConnell: We have to be careful not to get into too much hypothesis. At the end of the day, it is an open competition and individuals will decide to apply regardless of whether they are ex-staff. A procedure is being set out and we will transparently and fairly apply that procedure.

The Chairperson: It is a different job, of course, to what people are leaving, so it is not like a police officer returning to be a police officer.

Mr Lynch: Colin, you used words such as "solid progress", "success" and "improved performance". If you are not careful, you may get a job in the Department of Justice. Recommendation 24 concerns the new operating model, which states that the development of the target operating model (TOM), as you call it, is well advanced and on track. Will you elaborate on that?

Mr McConnell: Yes, of course. The target operating model is an umbrella description effectively of the work that needs to get done in prisons, how that work is organised, how many staff we need to do it and how those staff attend work through attendance systems. All that work has been done for each of the prisons. It has been quality assured and it is out for consultation with our trade union partners.

Mr McCartney: I have a number of questions. In relation to recruitment, is there not a clause that they cannot apply for the job for a number of years?

Mr Armour: No. Obviously, there are issues around abatement, and so forth, and what pension they may have but people are not prohibited from applying.

Mr McCartney: If they applied, would they still hold on to their enhanced package?

Mr Armour: If somebody applied and was successful, we would not be taking money back from them. I do not think that would be the plan. I would need to check the detail on that. I will come back to you on the detail of that.

Mr McCartney: Please do. I know that you are coming back to brief us and that may be an appropriate time to do that.

Mr Armour: Yes, I am indeed.

Mr McCartney: With regard to the briefing document, Colin, you said that you are a member down in relation to the project plan team. Are all the other members in place?

Mr McConnell: Yes.

Mr McCartney: Is it publicly acknowledged who they are?

Mr McConnell: I can write to you and give you that information.

Mr McCartney: The Committee, and certainly myself, have raised the issue of the implementation plan, which the briefing document talks about. Have we any timescale for when that will be completed?

Mr McConnell: As I said in my briefing, Raymond, because of the sheer complexity and the need for flexibility and adaptability, we are going to set out in our 2012-13 business plan the key deliverables for the Prison Service. So, in a sense, you are seeing that we are transforming from having a business plan and a change plan that are separate, because it makes sense for the future of the Prison Service that those two things become one. Essentially, the change programme has become 80% of our key deliverables over the next three to four years, so we are amalgamating the two approaches, and we will deliver and publish a single business plan.

Mr McCartney: When you made the earlier part of your presentation, you talked about the alignment between the SEE programme and the Anne Owers report. Again, is that part of that fit?

Mr McConnell: Yes, if you are referring to the briefing pack that we provided, the alignment and the schematic at the back set that out. Work is ongoing on that. That is beyond the 40 recommendations, and it is about ensuring that all of that work ties in. I used the analogy of cogs in a machine meshing. If we are to get traction on the ground and make this work and deliver, it is very important that all of those cogs mesh. That is why we are taking that bit of care to ensure that it goes forward.

Mr McCartney: Part of ensuring that the gears mesh is to have a manual. If the gears do not mesh, you can go back to the manual to find out why one is going at a different speed.

Mr McConnell: That is the work that is in hand.

Mr McCartney: That is for us to see so that people can measure progress.

Mr McConnell: We will produce a business plan, which will be a detailed account of what we are looking to deliver. You will have that and be able to hold a yardstick to it.

Mr McCartney: The Chair already mentioned this issue: what are the key issues in the negotiations with the unions? I would appreciate some detail on that.

Mr Armour: In August last year, we outlined our position to the unions on what we would require from them as part of the change agenda. Since last August, we have been talking with the unions weekly, developing our thinking and working through the framework document, which needs to be removed and replaced. We have made good progress with all of that. Last week, I outlined for the unions a set of proposals on how management felt that we could move forward. The Prison Officers' Association (POA) has been reflecting on that, and, this morning, we had a three-hour meeting. It sought further clarification on a number of issues. It is probably fair to say that there are concerns around the implementation of the new target operating models in areas such as shift patterns, where we are

making fundamental change. There are concerns around the removal of the framework document, which has been a central document for the Prison Service over the past 20-plus years. There are concerns about job titles and so forth. We had a positive meeting today. The POA has put a number of points to us, which we will now reflect on, and we will meet again early next week with a view to continuing the intense negotiations that we are having with it.

Mr McCartney: Is it a short-term process? I know that it is always too difficult to set a deadline.

Mr Armour: I have not been keen to put deadlines on it, but both the POA and management are of the view that we need to bring this set of negotiations to a conclusion quickly. I am hopeful that we can do that over the next couple of weeks.

Mr McCartney: Can we have an update on recommendation 8, which is on full body searches?

Mr McConnell: As you will know, the Minister was keen, contingent on the recommendations in the Owers report, that we continue to look for alternatives to the current approach to full body searching. We are still reviewing what technology is currently available in the market and that which is emergent. We have identified potential technological innovations that we could apply, but, unfortunately, the approach that we would prefer to use is not yet licensed for use anywhere in the UK.

A prison in England, Holme House, is leading the way on that and has a business case already under consideration. We are working alongside Holme House to keep track of how that is progressing. The Minister has committed to piloting the technology at the appropriate time, when approval is given. As far as our initial evaluation is concerned, that certainly has the potential to enhance the approach we wish to take. However, until such time as a licence is issued, we cannot use it.

Mr McCartney: Is that something that you are keen to pursue?

Mr McConnell: Yes.

Mr S Anderson: Thank you for your presentation, Colin. Mr Wells has addressed a number of my points, so I will not focus on them, other than to say that I will maybe get him to do my tax return. *[Laughter.]*

Mr Weir: I am sure that he would do it for a small fee.

Mr S Anderson: Knowing Mr Wells, he would probably want a big fee. Sorry, Jim.

Jim spoke about the officers who are leaving the service. I will focus a bit on those remaining in the service. Your report states that significant progress is being made on developing new roles. I am just wondering how far that has been developed, in respect of new training, and so on, bearing in mind — picking up on what you said — that the service still has high sickness levels. I do not know in which areas that is coming across, but will those sickness levels impact on and slow down the upskilling and training for the new roles of the officers who are left, and, of course, the new ones who are coming in?

Mr McConnell: The answer is that we plan for that not to have an impact. Again, I think that it is important that we give you an assurance on the back of the previous question about the target operating model. Staff sickness has been high in the Prison Service over a number of years. It has ebbed and flowed a bit, but it is generally high. One of the difficulties is that a resource buffer has not been built in to help us deal with that. In respect of the new target operating model, we have been absolutely scrupulous in building in an allowance, sadly, for a relatively high staff absence level in relation to sickness. As you know, what we intend to do, as the new service begins to evolve, is to invest heavily in the training and development of staff. I think that we will see the sickness rates drop off as a result, but it will take some time. That should give us a real boost in efficiency and effectiveness, as the additional staff can be put on the front line to deliver additional and better services.

Mr Armour: The sickness absence rate currently stands at 14.6 days, in comparison with 13.5 days for the same period last year. Our target, of course, is 11 days, so we are overshooting the runway by

some considerable distance. Our focus has been on preparing training for the new people coming into the organisation. We have a very detailed training plan for those who are amalgamating from the support grade roles into the custody officer roles. We will shortly go out to tender for some external support for the latter parts of that training in respect of the certificate of competence through universities, and so forth. I think that good progress has been made. I have to make this clear to the Committee: we will not be able to train everybody as quickly as we would like; there is a capacity issue. However, the focus will be on getting the basics the right, in respect of the custody officer role, and then rolling out the rest of the training over time. I am happy that we are making good progress with it, but it is a big issue for us.

Mr S Anderson: We have to realise — I know that you do — that a vast amount of experience is being lost from the service and that a large amount of resources will, therefore, have to be put in to retrain existing officers and the new ones coming in. I take your point, Colin, that you maybe had a lot built into your budget — it is not an exact science — to allow for that. Maybe it is something that would catch up if you had that allowance. I am pleased to hear that. I would not want to see a situation in which training would have to be set aside just to go through with the exit scheme. Upskilling has always been a concern of mine, and it was a question that I asked at one of the first presentations. I am pleased to hear that that has been taken on board.

I am also pleased to hear your comment that the working relationship you have with the unions is quite a good one at present, and you are quite confident that everything will be successfully concluded. To start off, things were maybe a wee bit rocky. I do not know where it sits now, and I know that you do not want to talk too much about that, but, hopefully, that will come to a successful conclusion. I think that you are quite confident of that.

Ms J McCann: I want to tease out some issues on recommendations 24 to 27, which deal with the development of staff and refer to the new operating model that you talked about. You say that that is well advanced and you give a little bit of detail. Given the need for a total cultural change in the Prison Service to deliver the type of service that everyone wants to see in the future, do you feel that enough progress is being made on the framework document and new operating model that you want to roll out?

Mr McConnell: Do I think that sufficient progress is being made? Certainly. I want to give the Committee assurance on that.

I will reflect on the comments that Ronnie just made. I ask the Committee not to think that everything is going to happen on day one. It will not. We are structuring our approach to deal with the priority issues, as we see them, rolling out, particularly over the next year as we build up the new operating model. However, Ronnie and his team have already covered a tremendous amount of ground on the design of the new training package for custody officers. I can advise the Committee that wide consultation has taken place and advice has been taken from professionals and experts, not just here but in other jurisdictions. I am very confident that what Ronnie and his team are producing is, I think, something approaching the gold standard for the training of initial recruits in the Prison Service.

Mr Armour: A lot of work is going on in training, and I am very encouraged by that at this stage.

You made a comment about the framework document. It is our intention to replace the framework document with a new staff deployment agreement. We have been working through that document with the POA over the past number of months. I do not want to overplay this, but, at the same time, we are talking about very significant change. That is very difficult for staff, and it is very difficult for the POA to contemplate the scale of what we are talking about. However, we have made good progress with that document. We have not finalised it yet, but I am very hopeful that, over the next couple of weeks, we can reach an agreement with the POA and can finalise the document, which will be part of that agreement.

Ms J McCann: I have one more quick question. Recommendation 10 is on the equality and diversity reports. I remember that there were signals that it was clear that there were differential outcomes, particularly in relation to religion and race. You say that that was due at the beginning of February. I am wondering whether that first report has been released. Do you have any update on that?

Mr McConnell: On the back of Dame Anne's observations, we have made significant progress. In just a minute, I will ask Max to give you an indication of what that has involved. Taking that full on, Dame Anne identified for us that we were generating information within the organisation that, really, we were not putting to any use or making any management judgements on the back of. So we have, in a sense, grasped that nettle and put in place some hard-edged management processes to get on top of it. I will ask Max to make some comments on that.

Mr Max Murray (Northern Ireland Prison Service): I am meeting directly with the governors, and there is a further meeting on Monday at which I will challenge them to say what steps and actions they are taking in the improvement plans in their prisons to look at equality.

Separately, the equality champion is attending each of the equality and diversity committees in those establishments. Those committees, on Colin's instructions, are now chaired by the governor or deputy governor. The equality champion, working with the local equality officers, issues questions to key business areas where differentials have been identified, and representatives of those areas come to the committee with clear explanations as to why the differentials are as they are. That requires reviewing paperwork and dip-sampling to find out what is happening to people impacted by the decisions that are taken. So a lot of work is being done. Brendan McGuigan, from CJINI, is attending the meetings. I do not think he will return to Magilligan or Hydebank. He is content to continue to attend at Maghaberry, where the work is ongoing. I am confident that we are taking that work forward in the way intended by the recommendations.

Ms J McCann: Can we have a copy of that first quarterly update when it comes out in February?

Mr Murray: The quarterly update should be with the Minister next week. We will advise the Minister that the Justice Committee wishes to see a copy.

Mr B McCrea: As I listen, some very interesting pieces come out in dialogue. There is significant complexity in the system that you are bringing forward. I have to, more or less, just leave it to you; I guess you know what you are doing. There is a lot of detail. In the middle of all that, let me just freewheel. You make certain statements that make me think, "Hold on a tick; how does that work?" I am intrigued by a couple of things. Earlier on, Colin commented on Dame Anne Owers's challenge to you that NIPS should be reconfigured to cope with all this, rather than just to change the internal workings of the prisons. For instance, you must align yourself with the Health Department and various other bodies. What exactly does that mean?

Mr McConnell: In a sense, it is just a reflection of moving forward through time. As you will recall, the SEE programme existed before Dame Anne Owers produced her reports. It was a programme of internal change, essentially generated initially by Dr Maguire's governance review of 2010. The initial seed corn of the SEE programme emerged from the CJINI review, so we were building up to transform the Prison Service. Dame Anne Owers, curiously enough, has been challenged with reviewing the Prison Service, but has produced a report that says that if you want a modern and effective Prison Service you must review it in the context of the other agents that have a part to play in the offender journey. Where we are now is a holistic recognition of the message that she was communicating, namely that you must take a whole-system approach to offender management if you are serious about reducing the rate of reoffending. To return to the point, Basil, we are taking that SEE programme approach, which is reforming the Prison Service, but making sure that it connects with all the other inputs necessary to make that offender journey work.

Mr B McCrea: I thought that that was where you were going. It is quite a profound statement. Given that you are so focused on the SEE programme, the change, and all those things, I am not sure that it is fully understood what that means. Ronnie came out with an interesting throwaway line — one of those statements when I said to myself, "Hold on a tick" — to the effect that it is a challenge for the POA to understand the profound nature of the changes. I think I heard you correctly, Ronnie. You were being sympathetic in the way that you put it across. Nevertheless, you were saying that there are still huge changes and that we need to communicate to stakeholders what is expected of them.

I was very grateful that the governor of Maghaberry prison took me on a tour, but, just by chance, I came across some people who had been involved in self-harming. I was completely shocked by that

episode; I will not go into it in detail, because it affects an individual. I am not sure that people understand the links between self-harm, its psychological impact not only on the individual concerned but on the prison officers, and how that links with the health issues. That is a huge bit of the picture that is not yet fully appreciated. I wonder how you are going to manage that.

Do not take this the wrong way, but given that you are putting forward a very competent explanation of the way in which you are managing the process, it is almost as if it is a case of, "You do it, and we will see at the end whether you do what you say you are going to do." I cannot second-guess you. However, this is moving things to another level; you need to engage with people to say that certain things have not yet been dealt with because you are so focused on other areas.

Mr Colin Bennett (Department of Justice): First, I thank the Chairperson and the Committee for their warm welcome. I am very pleased to be here.

The Chairperson: Honeymoon periods are very short in this place. *[Laughter.]*

Mr Bennett: Clearly, change is already taking place above and beneath me, and that is great to hear. It is also great to hear that credit is being given where progress has been made. You are right; there is a very significant programme ahead, and there will be very significant challenges and, indeed, setbacks, and we have to prepare ourselves for both. I am truly looking forward to that challenge.

To answer the question that you have just posed, the point that I wanted to bring to the Committee today is that my role has been developing, even in the short time that I have been here. I will share a few points with the Committee for the record that I hope will be helpful.

First, to be clear, the Northern Ireland Prison Service and the Department of Justice properly remain accountable for the implementation of the Owers report. My role is to support and enable the delivery of that change programme, and I report to the permanent secretary, since the Owers report has implications beyond the Northern Ireland Prison Service. My support role extends to assisting the Department of Justice Board in responding to the Owers report recommendations. I will have the opportunity, though, through the oversight mechanism, to raise issues further, should that be necessary. However, the primary focus of my role, on a day-to-day basis, is in assisting the director general and his colleagues in delivering change in prisons.

Having arrived and begun to familiarise myself with the issues, and in discussion with the director general and the permanent secretary, among others, it has become clear, to address Mr McCrea's point, that it is not sensible to split responsibility for the delivery of the reform programme away from the operational leadership of NIPS. The majority of its business is the reform of the day-to-day operation, which will dominate and underpin the corporate and business plan. That underpinning project plan is dominated by the Owers report. The board, in fact, are first to own it, and its management will have to deliver it and be held accountable by the board and the oversight group, at least. The corporate plan, as we have heard, has been approved by the Minister of Justice until 2015. The 2012-13 business plan will go before the Minister this spring. It has to integrate and operationalise both Owers and non-Owers elements. As the director general set out, the early workings of that are still sensitive, flexible and adaptable due to the staff exit programme and the new operating model progressing through our unions.

As Basil pointed out, it has been unclear that important aspects of the vision of the Owers review have to be delivered outside of NIPS and by the wider Department of Justice family. Those aspects include, for example, the reduction of offending and the creation of safer communities. During the past few weeks, with my wider background skills, I have assisted in the strategic partnership process that was part of the preparation for the forthcoming ministerial oversight group. I have also assisted NIPS in working with the wider Department of Justice family, including probation and health, in that necessary strategic development of the Owers review. We are working on a second front with a very strong and central NIPS input. I hope that that gives you a flavour of the magnitude of what is ahead for us.

Mr B McCrea: Colin, I am grateful to you, and it is good that you have had the opportunity to set things out. Following on from that, the key for me is that the complexity of the challenge defeats most people unless they are intimately involved in it. That is why I have to confess that much of this seems to be

outside what I expected. I had expected that you and your colleagues would have dealt with 90% of it. I have come across certain statements, including just one statement in a whole speech, that are quite profound.

The last thing that I wanted to pick up on — I do not know whether it fits here — is that Mr McConnell spoke about information being collected but not utilised. It struck me how many of the people in Maghaberry were known to the system for quite some time and had previously been in Hydebank or elsewhere. Are we sufficiently broad in our change management that we will try to find information systems that link in with all of that? Has that been planned, costed and made part of it?

Mr Bennett: That is the size of the programme and what Dame Owers and her team set out. The establishment and costing of that programme is what really needs to come before you and the others who will scrutinise it. It is a very profound and large-scale series of measures that goes way beyond the current prison estate.

Mr B McCrea: I imagine that such a thing will be costly. When or how will the budget for that be derived? Where does that sit?

Mr Bennett: There are two things to say on that. One of the thrusts of the earlier SEE programme was to ensure that we drove forward efficiencies and effective operating. I have no doubt that we will need to invest in our people and in our estate. As the director general pointed out, when we come properly and formally to the business planning cycle — I think it will be before us in the spring — we will have to set that out. That will have to become clear not only inside NIPS but across the whole Department of Justice.

The Chairperson: Thank you. I just want to establish exactly what your status is, Colin; I was a little intrigued by some of your comments. My question is for the director general. Correct me if I am wrong, but my understanding is that you have an organisational change team at the various levels that are directly beneath you. That is made up of the various directors, one of whom is Colin Bennett. What is the connection with their reporting to the permanent secretary, rather than to you?

Mr McConnell: I think that it is a recognition that this discourse has moved on and of the scope and scale of the whole change programme, as it flows out of the Dame Anne Owers report. In Colin, we have somebody with considerable horsepower in the business, if I can use that term. I would say that his horsepower is sufficient to support us in the Northern Ireland Prison Service. Evidence of that is the fact that we are making considerable progress. That applies particularly to me and to taking the change programme forward. He also, of course, has used his wide skills and experience to the benefit of the whole Department.

From my perspective, this is a real sort of power-up — an enabler — particularly if Colin is able to help us to, and I will now go back to my levers, gears and wheels, make sure that the whole thing meshes together and gives us real benefit of delivery, not just across the Prison Service, but, in due course, the whole Department.

The Chairperson: I appreciate that explanation. I want to avoid circumstances that leave people wondering who they are negotiating with.

Mr McConnell: Absolutely.

The Chairperson: My understanding is that the authority for decisions on operational matters in NIPS lies with you.

Mr McConnell: It is me. Yes.

The Chairperson: I do not want people to come to me and say that they are negotiating with the change-management team as opposed to the decision-makers.

Mr McConnell: You can rest assured, Mr Chairman, that if things go wrong, the director general's position is very clear. If things go right, I am sure that success will have many fathers.

The Chairperson: So are you ultimately accountable?

Mr McConnell: Indeed.

The Chairperson: Not consultants.

Mr A Maginness: The change-management team will obviously have a very considerable and significant input in reporting to the oversight group. Is that team in place? Is it fully operational or is it too early to say?

Mr Bennett: Are we speaking about the change-management team?

Mr A Maginness: No. I am talking about the oversight team and your relationship with that group.

Mr Bennett: We are due to meet next week for the first time, and I am here today to meet all of you for the first time. I will meet that group, with my colleagues, next week. That will be the next stage of exploration of where we are going on this.

Mr A Maginness: OK. Thanks, Chair, I just wanted clarification on that.

Mr Wells: I have a final point. During earlier discussions on the Owers reforms, it was suggested that there may be a change in the names of prisons, the badge and uniforms, to remove the crown. That idea was floated. There was not a huge degree of public support on any side. I do not see any mention of that in the latest proposals. Has that issue been settled and set aside?

Mr McConnell: It is not something that we are taking forward. The Minister's position is clear: if such issues arise, they will have to be considered, probably at Executive level. It is not something that we are pushing from a Prison Service perspective at this stage.

Mr Wells: That is good news.

The Chairperson: Gentlemen, thank you very much. We appreciate it.