



Northern Ireland
Assembly

COMMITTEE FOR JUSTICE

**OFFICIAL REPORT
(Hansard)**

**Review of the Northern Ireland
Prison Service**

27 October 2011

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR JUSTICE

Review of the Northern Ireland Prison Service

27 October 2011

Members present for all or part of the proceedings:

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

Witnesses:

Ms Clodach McGrory)
Dame Anne Owers) Prison Review Team
Mr Phil Wheatley)

The Chairperson:

I welcome Dame Anne Owers, the head of the prison review team, along with Phil Wheatley and Clodach McGrory, who are members of the team. I invite Dame Anne to outline the report briefly, after which members will have an opportunity to ask questions.

Dame Anne Owers (Prison Review Team):

Thank you very much, Chair. I will give a short introduction on the report because I know that the Committee has a heavy business agenda this afternoon. We will be happy to answer any of your questions.

This report follows the interim report that we published in February 2011. At the beginning of this report, we set out the kind of prison system that we think would work, that Northern Ireland needs and that would help to create a safer society. We have set out 40 recommendations as to how you might get there. We stress, as we said on Monday, the urgent need to tackle some of the fundamental and long-standing problems in the service, which we describe as being “over-expensive and under-effective”. Progress has, so far, been slow, and it is our belief that cross-party political support will be needed to drive forward something that is a whole programme of change and not simply a series of incremental changes or a cherry-picking of one or two of our recommendations.

We think that the programme is possible and doable. Even with the obvious pressures on public expenditure just now, what will still be left in the Northern Ireland Prison Service (NIPS) is well enough to produce a really good service. We realise that the programme will take time, but the next six months will be crucial in putting in place some of the necessary foundations that we identified in our interim report and which are still not there. Chief among those, obviously, is an exit package for those staff who want or need to leave, coupled with a staying-on package for the staff to whom we spoke and who very much want to stay in a differently configured service. That will involve development and training, a new operational model that will allow prisons to run properly but much more efficiently, and a change programme team that will get all the ducks in a row and ensure that everything is done in the right order.

Although we are putting forward what we realise is a challenging programme for the Northern Ireland Prison Service, we are saying that it is not just a task for NIPS or the Department of Justice; it is a task in which all Departments have an interest in ensuring that people can, at best, be prevented from offending and, at worst, do not offend again. We have seen some very good partnerships in place between statutory, voluntary and community organisations that really can deliver results and certainly better results than prisons can deliver on their own.

We have some recommendations about the configuration of the prison estate and some observations on suicide prevention and equality work. We are looking for further progress in healthcare and substance use issues. The two big issues in Northern Ireland around substance use, in addition to illegal drugs, are prescription drugs and alcohol use. We want more work to be done on “desistance” — stopping people from reoffending — through more joint and cross-

departmental work.

Finally, we make recommendations about women and young adults. We have drawn on our very positive experience of the Inspire Women's Project — I urge those members who have not visited it to do so — which is a very good example of work outside prison between the Probation Board and the voluntary and community sector. If we are not careful, our young adults will be the persistent offenders of tomorrow. We really need to do some good work with them to make them better citizens of tomorrow. We have proposals about what should happen at Hydebank Wood and what might happen outside.

That is what we have set out. We are grateful to all those who helped us in this task, within and outside NIPS. We see a real opportunity and a real possibility for change. We hope that the Committee will be involved in the oversight and monitoring of what is going to happen to the Prison Service in Northern Ireland over the next six months and beyond.

The Chairperson:

Thank you for your extensive work. I hope that others will be able to buy in to the report. You said that you did not want people to cherry-pick. It is your wish that that does not happen, and I hear what you are saying, but there are recommendations that I will not support, so it is inevitable that there will be cherry-picking.

With regard to the statutory time limit, the report highlights the number of people on remand. I recognise that that is an issue. The report highlights those who are in the establishment for more than 12 months. You then clarified that you were not saying 12 months and that certain people would not get it. That is not in the report. It is unfortunate that precisely what was being said about statutory time limits is not explicitly clear. Subsequently, you had to clarify that because what you said later is not in the report. That absence of detail leads people only to draw conclusions.

Although it is important — you added your voice to what the youth justice review team said about statutory time limits — is it right that that should be the mechanism by which to make the change that needs to happen? I accept that it needs to happen. However, is it right that we should do that and that people are released from prison as a way to make the system better?

Dame Anne Owers:

Ideally, people would not be released from prison because the system would get itself together to be able to do it within statutory time limits. Of course, there have been statutory time limits in Scotland for quite a long while. I think that what caused the confusion was an unfortunate report in 'The Irish News' that attributed to us something that we had not said at all.

Statutory time limits and their possibility have been around for a long time. I have lost count of the number of reports that I have read from the Criminal Justice Inspection (CJI) and others that said that, unless we get our act together and have those cases properly dealt with, there will have to be statutory time limits. You get the sense that the system is being told to do this "or else", but the "or else" never happens, so the system configures itself around everything being slow. Statutory time limits would concentrate minds wonderfully because people would have to be brought to court within those limits.

It is not ideal. The ideal would be targets that were actually met. Given that targets are not being met and that, at the time of the most recent Criminal Justice Inspection report, delays are getting longer, there has to come a point at which it is said that something needs to be put in place that will make that happen. Clearly, the people to whom it would apply and the length of those time limits are a matter for the Assembly. That is clear. We certainly did not want to stand in the place of the Assembly and say to whom it might apply and what those limits might be. It is worrying that the threat of those time limits has been hanging around for years. Ideally, the system would get itself together and would not need time limits. However, that is not happening.

Mr Weir:

I appreciate what you are saying. I think that everybody would accept that a justice system that delivers more quickly is to everyone's benefit, not only the accused but victims. Nobody would disagree with that.

I still have some concerns about statutory time limits. You mentioned that, for a long period, an "or else" has been hanging over the system but has not been carried out. Perhaps there is a good reason why that "or else" has not been carried out. I appreciate that there is a need for people to get their house in order. However, there are a range of cases. Some of the most severe cases will also be the most complex and will take the most time to go through the courts. I am very worried that, if there is a statutory time limit, which is by definition in legislation, it could

simply become, somewhere down the line, the noose with which we hang ourselves. That is a grave concern. I would like whatever pressure can be applied in the system to try to address that.

I know that the Minister is pushing for some reform. In the preliminary enquiry (PE) and preliminary investigation (PI) system, one in 1,000 cases is thrown out because of a lack of prima facie evidence at that level. Perhaps we need to push even further than the Minister on the issue. If we have statutory time limits, we are setting ourselves up, in some circumstances, for a severe fall. That is my viewpoint. There is good reason why the “or else” has not been carried through.

Mr A Maginness:

It is important to remember that everybody is entitled to bail. The starting point in court is that people are entitled to bail, and all the other issues come in after that. The fact that people get bail does not mean that they will walk away, and the charges continue.

Mr Weir:

To be fair, Alban, no one is suggesting that. However, certain people, because of the nature of their offences, need to be remanded, and a lot of work needs to be done to improve the speed of delivery in the system. A statutory time limit will mean that, at some stage, certain people who should not be released will get bail. A rule that is as hard and fast as that is the essential problem with making it statutory.

Dame Anne Owers:

There is always the possibility of having an override in any statutory provision so that the attorney or someone else could override on the grounds of public safety and public security. There are all kinds of ways to do that, and it does not mean that, in a very serious case, someone will simply be able to walk. Countries that have statutory time limits very often have that kind of overriding presumption of public safety, which becomes a presumption that has to be proved and shown.

The Chairperson:

Why do it then? If the purpose of a statutory limit is to focus minds because of the potential that someone could get out, why have a clause to allow someone to override that?

Dame Anne Owers:

It would be applicable only in cases in which risk could be shown. At present, minor summary cases are taking months to get to court. As I said, it would be a matter for the Assembly to decide which cases to include. However, my concern is not so much the “or else”; I am concerned that, without an “or else”, no one will meet the targets that they promised to meet anyway.

Mr Weir:

Dame Anne, with respect, it will be very rare for somebody to be remanded in custody for a long period of time on a minor summary case.

Dame Anne Owers:

Yes, but there are long periods of remand for relatively minor offences. I take your point that it is not just about the fact that prisons get full — one in three of your prisoners is on remand compared with one in 10 in England and Wales — but about what it does to the victims of crime. If someone has been subject to a particularly awful crime, he or she might have to relive it 18 months later when memories are starting to fade a bit, and, during that entire time, it is not known whether the person will be convicted. So it is in everybody’s interest to —

Mr Weir:

I understand that. The difference is not in achieving the end objective but —

Dame Anne Owers:

It is how we do it.

Mr Weir:

Some of us have concerns about the method that is being proposed.

Dame Anne Owers:

That is a fair point.

The Chairperson:

I want to pick up on recommendation 8, which is about full body searching. That issue has already been to court, and the Prison Service won the case. Although you recommend that the service should continue to seek a less intrusive method, there is obviously a reason why that

exists and has been upheld by the courts. So why is there a continual pursuit for that to be changed in the form of this recommendation?

Dame Anne Owers:

If there is a technological solution that can do that without the intrusive process of people having to strip off, it would clearly be a good idea to use it generally. Full body searching is currently not used for women in Northern Ireland, England or Wales. Technology is moving on all the time, and, for example, the type of technology that is now available in airports is way ahead of anything that was available when we first began to worry about what people might be smuggling on aeroplanes. As technology moves on, we are asking the Prison Service to keep an eye out for anything that could give it the level of security that it needs. The courts found that, at the moment, full body searching is the only way to be sure that people are not smuggling in contraband. There is no other way to do it.

The Chairperson:

And explosives. It is not just contraband or drugs.

Dame Anne Owers:

By contraband, I mean anything illegal.

Mr Phil Wheatley (Prison Review Team):

Some of the latest high-tech methods are more effective than strip searching and look as though they may even detect things that are hidden internally — not just metal but drugs and explosives. It would be foolish not to use the best methods and say that we must strip search. It is a case of keeping an eye on what is out there and making sure that we use the latest and most effective way of searching. If that is less intrusive physically, that is fine. However, if it gives a better result, I would have thought that the Committee would be pleased.

The Chairperson:

Whatever the best method is, absolutely use it. However, these are not people walking through airport scanners. If they are intent on hiding material, they will make it difficult to detect.

Mr Wheatley:

Some of the latest methods look as though they may be very effective. I say “look” because we

always want to check manufacturers' claims. There are also issues about the methods that they use, which involve some use of X-rays, and there are questions about levels of extra exposure. Some very clever methods, which could be much better than those we see at airports, may be available. Were I still running a high-security prison, I would be interested in those methods and would be trying to get money for them.

The Chairperson:

I agree that the Probation Board has a role in the joint work plan. I am curious about your views on the reduction in funding faced by the Probation Board. That is not in your report. If the board's direction is to do greater work in the criminal justice system but its funding is reduced, how does that sit with your recommendation for it to be able to do such work?

Dame Anne Owers:

Which recommendation are you looking at?

The Chairperson:

Recommendation 31 states:

“The Northern Ireland Prison Service and the Probation Board for Northern Ireland should undertake joint work to plan and deliver integrated services”.

Dame Anne Owers:

There are two points to be made about that recommendation. We were not conducting a review of the Probation Board, so my knowledge of that is not as great as, I am sure, yours is and as it would need to be. However, one of the reasons for that recommendation is that the Prison Service and the Probation Board could exercise some economies of scale if they did things together. We point, for example, to the possibility of joint psychology services. In two relatively small services, joint work can also be more efficient work.

Mr S Anderson:

I want to focus on a different element about which the report says little, which is the crucial issue of staffing. You talk about an “exit package”, which is something that causes me great concern. The report does and states many things, but on the issue of staffing, we have individuals sitting in the system. In talking about an exit package, you, and others in the past, use that great word “dignity”. I want to find out how you interpret dignity. I raise that issue in light of

correspondence, phone messages, and so forth, I have received. Please bear with me while I relay some such comments, Chair.

The Chairperson:

I declare an interest in this item of discussion.

Mr S Anderson:

One handwritten letter states: “We feel let down and isolated. The management are trying to get rid of us on the cheap, without any real recognition of our contribution throughout the Troubles. Of late, the only comments from management were negative and derogatory, highlighting mistakes and totally ignoring the good work that has been, and is continuing to be, done.”

Another person states: “Everyone, including us, accepts that change needs to occur in our prison system. I accept that. As an officer who is now in my 28th year of service, I have seen and experienced many things in the Maze prison, Belfast prison, Maghaberry prison and Hydebank Wood, which other services have never experienced. Several of my friends and colleagues have been shot, blown up, severely injured, and intimidated. But many more have succumbed to alcoholism, broken marriages, mental illness and even suicide as a result of the difficult and dangerous job they did, and continue to do, in our deeply divided society.”

It tugs at the heart strings when you read the like of that coming from an officer with 28 years’ experience in the Northern Ireland Prison Service.

Finally — and I will not bore you, because I have many like this — another letter states, “I have never seen my colleagues so demoralised, and meanwhile the threat to our lives from dissidents is ongoing.”

Those are just some of the comments that I bring to the Committee today. As the officers say, they are not against change. However, I wonder what is being offered to those who are being pushed out the gate. I asked the Minister a question about the exit package on Monday past. The reply was:

“I do not think that either Mr Anderson or the members of the Prison Officers’ Association know the detail of the package, which is being discussed by DOJ and DFP.” — *[Official Report, Vol 68, No 1, p10, col 2]*.

My information is that the association may not know the detail, but it has a fairly good idea. The

officers are really concerned that, after so many years' service, they are being pushed out the gate and on to the scrap heap. They see no future for themselves or their families, despite what went on in the past. Could you, Dame Anne, give me your definition of that great word "dignity"? It has been used by the hierarchy of the Prison Service, and it has been used by you, the Committee, me and others. What does "dignity" mean to those officers? I think that they would be greatly interested in that.

Dame Anne Owers:

I think that it means a number of different things for different people. We have certainly spoken to staff with long service who want to stay in the prison service. We have also talked to others who want to leave.

The backdrop is that the service has not recruited to a main grade officer since 1994. As you say, a number of people have been through a lot and had to be prison officers in a very different and extremely difficult service. The service will now be doing a different task. For that reason, and also because services need refreshing, it is good to be able to have a turnaround of staff. What is on the table — this is my understanding; I have no more knowledge of the detail than you do — is a voluntary package that people can choose to take or not. Of course, it was part of the refreshing of the Police Service in Northern Ireland to have an opportunity for officers who had been through a great deal to be able to leave, feel good about their service and about leaving and allow others to come in. That is what is needed. However, we need to be very clear that what is needed from the service is a different model of working from that to which those officers had been, and became, accustomed. What is needed is a much tighter and more efficient model of working; one that involves engaging with prisoners as opposed to what you had to do during the Troubles, which was to keep your distance from them.

It is a great shame that the exit package is taking so long. That is entrenching that very sense in officers that they do not know what is going on and that nobody cares. This also applies to the staying-on package, in that they do not know the good messages about what is in it for them if they stay, including the training and support that they will be given. All of this has not been developed. Everyone is focusing on the door, which is not a good place for a service to be.

Mr Wheatley:

I agree entirely. The crude facts are that your service is probably about twice as expensive as you

would expect it to be compared to the service in Scotland or that in England and Wales. It is twice as expensive because you have a lot more staff than they have per prisoner. You have one-to-one marking; you have more officers than you have prisoners at the moment, as opposed to the other way around. One would normally expect there to be at least twice as many prisoners as officers. As an Assembly, you could say that no one should ever leave the service, there is no retirement age, people can stay as long as they wish to stay, and that you will bankroll it. You could possibly afford to do that by not doing other things. Alternatively, you could run a cheaper service, and that means that you would have to have fewer staff, because most of the service's money is spent on staff. Something like 80% of the costs are staff-related.

It is a difficult one for you, as the people who have more influence than me on how big the service's budget is and where the country chooses to spend its money. Do you spend it on roads, schools, care for older people or on prisons? You are currently spending a lot on prisons — more than any other country in the UK is choosing to do — per head of the prison population. There does not appear to be a logical explanation for that, other than that the service was set up to deal with a different set of people, with different ways of operating, which are no longer appropriate for the bulk of prisoners. They are appropriate for some prisoners, and no doubt you will continue to have to look after some dangerous prisoners who are members of organisations using violence for political ends, but they do not make up the bulk of the prison population as they once did.

Mr S Anderson:

Touching on the last point; the officers presently in the system did not bring the service to this point. The situation developed over 30 years of the Troubles. The officers now see themselves being, more or less, pushed out the door for as cheap a package as can be offered to them, with little or no recognition for what they and their families did and had to endure over 30 years of the Troubles. They are still enduring those things, because let us realise that there are still people out there who would carry our violent and disturbing acts against prison officers. That has been going on. We have this report, but behind it there is still the scenario that the officers' issues need to be dealt with. My understanding is that, although there is little or no detail of the package, there has been communication between the Prison Officers' Association and management. That does not appear to be progressing very well, or we would be at a better stage. I am fearful that we will get to the situation where we will be asking whether anything will move forward because of that particular issue.

The way things sit at the moment, 400 or 500 staff are being asked to leave. It will be interesting to see whether that number do so on a voluntary basis. Following a presentation to this Committee earlier by prison management, they would then look at making it compulsory, which is a big fear factor for the officers as well. If they do not go voluntarily, will they then be shoved out the gate? It leaves the officers with a very poor taste in their mouths. They seem to be left out of the whole system, for want of moving to a better system. They are not being brought wholeheartedly into the equation. I believe that they are crucial. There has to be some sort of a satisfactory package, perhaps similar to what went before. We are in different times and financial difficulties, and I think that officers probably realise that, but there will have to be something more on offer than what they believe is on offer at the moment.

Let us face it, we can all say that we do not know this or that. Different figures have been published in the press, and I think we all have a good idea about where things sit in relation to that. I hope that, at the very forefront of any new system, officers who are going out the gate voluntarily or on a compulsory basis will be shown dignity — we have all used the word, but we should use it in the true sense — and respect. We should respect the job that had to do in very difficult and trying times throughout the 30 years of our Troubles. I will leave that issue at the moment. I look forward to better terms for the officers in that regard.

The Patten reforms were implemented over 10 years. Major changes in the policing service took place over that time, but, in this case, we are trying to rush through something in a much shorter timescale, and we will lose officers who have a lot of experience. When you multiply 500 officers by 30 years' experience, it is a lot of years of experience that will be lost. We are intending to bring in a new batch of officers and upskill them in a short period — from governor grade down. I was told that governors can go, so you are looking at the management side and everything else. Dame Anne, do you believe that this can be achieved in the timescale, and have you considered the cost? We talk about finance and costing. What will it cost to upskill and bring forward management and officer skills in that specific timescale?

Dame Anne Owers:

As we said in the report, the next six months will be crucial for putting in place the foundations for that change. Clearly, the whole of the change will take longer, which is why it is crucial that there should be a dedicated change management team. It is disappointing that that has not

happened already. As you said, managing change on this scale is a complex matter. It means that you have to be sure of where all of the dependencies are, what your priorities are, what depends on what and what you need to do in what order.

We expressed our view in the interim report and in this report that it is not realistic to expect the director general of the Prison Service, his senior staff and the governors of prisons, as good as they are, to be able to do that at the same time as running a highly operational service and one that is currently operating under a lot of pressure. You need that to be in place and you are right to say that you need to ensure that everything follows in the right order.

However, in all organisations, there is, at some point, the need for a step change that is not simply business as usual, plus a bit. It is about saying that this is a different kind of service and that you will run it in a different kind of way, but you need to have support mechanisms and training mechanisms in place for your staff to do it.

Mr S Anderson:

The report made what could be called a thinly-veiled accusation with reference to sectarianism in the Prison Service. For example, it states that there are more Catholic prisoners on the basic regime. Can you expand on and explain that?

Dame Anne Owers:

I certainly can. You will not find the word “sectarianism” having passed my lips or occurring in the report.

Mr S Anderson:

I am not saying that it is your fault. It is a veiled accusation. That is coming from me.

Dame Anne Owers:

What we found — and it was puzzling for us that the Northern Ireland Prison Service had not spotted it — was that based on figures that NIPS collected, there were a disproportionate number of Catholic prisoners to their percentage in the prison population who were on a basic level of privileges, who had been subject to adjudications or who had been in segregation. We collated those figures and have produced them in the appendix to the report. Neither we nor the Prison Service know why that is.

I would expect that the service to have an alert system that, month-by-month or on collated figures, would signal when there appears to be disproportionalities on religion, race, nationality or anything else. That having been signalled, managers would be tasked with finding out why that was. Until you ask those “why?” questions, you do not know why something is happening. You do not know whether there is a reason for it that is sustainable, whether something unconscious is happening or what is going on. We have not said that the figures prove discrimination but that worrying discrepancies that were highlighted three years ago in a previous report are continuing. It is right that the Prison Service should find out why that is and monitor it much more closely.

Mr S Anderson:

There is no problem with monitoring anything that shows up in the system, no matter what it is. However, it was an issue that was brought to my attention and that, in some way, might be going back to something that took place in the service for which there was no evidence, other than it happens to be because you have broken the statistics down. There may have been a perfectly legitimate reason for it. However, it caused me concern when it was brought to my attention.

Dame Anne Owers:

The evidence is so strong and clear that it puzzles us why it was not picked up before, and we want it to be looked at. From the statistics, the evidence is very clear. It is true that it is happening, and we need to find out why it is happening.

Mr S Anderson:

It may be that some prisoners adapt to prison life better than others, and they may conform to prison life better than others. We do not know. However, from history, we know how some prisoners accepted or did not accept the prison system or regime, whether that was the wearing of a prison uniform or conforming to prison rules and regulations. There may be something in there that tends to kick in for those particular reasons. However, at this stage, we do not really know.

Dame Anne Owers:

Those arguments used to be used, and I heard them used some time ago around race issues in the English prison system. I was unconvinced by them. However, the statistics speak for themselves. It is something that ought to be looked at.

The Chairperson:

When it is put into the report, it leads people to draw their own conclusions because you have not done so. The statistics are there, but no reason is given as to why that was the case. There needs to be an investigation as to why. Given the work that your review team has done, if it was going to put those figures in, you really should have done the work yourselves. It will draw conclusions, and the conclusions of those officers will be that your team is suggesting that there is an inherent bias within the staff complement, and that is why those figures are there.

Dame Anne Owers:

I can understand that the figures are uncomfortable for some people, but they are the truth and they are there.

The Chairperson:

But with no explanation, and that is the point.

Dame Anne Owers:

To be fair, we are not running the prison system: we are reviewing it, and we have reviewed a number of things. We have reviewed the way that suicide prevention is carried out, and we have reviewed healthcare. It is for others to move on what we have found. Our very clear recommendation is that there is a need for a better monitoring system that alerts staff. Staff are not being alerted to that at the moment. It came as a surprise when we looked at the figures that the Prison Service holds. Our very clear recommendation, particularly in an area which, as you say, is as sensitive as this, is that the Prison Service needs to be able to monitor it effectively to see whether something seems to be going on, to investigate it and, if necessary, to take remedial action. On a situation as sensitive as this, that seems to me to be the proper role for this review.

The Chairperson:

I am going to move on —

Mr S Anderson:

Chair, I just —

The Chairperson:

Sydney, I will let you come back if others miss out. You have had over 20 minutes, so I am

going to move on.

Mr McCartney:

Thank you for your report, which is very welcome. It fits well with the interim report, although there are some worrying aspects about your comments. Your report and the interim report run to over 100 pages. I could go through the recommendations and say that I think certain aspects could have been stronger, but I do not want to do that today. However, a number of things strike me. You have said that it was neither an inspection nor an investigation, but that it was a once-in-a-generation review. That is the way that we should take this forward. With regard to the commentary that you present, there is a sense that, not only are you looking at where we are with regard to providing a pathway, you have given a sense of where we need to be, and that is very important as we take this forward.

One thing that strikes me about your report, in the context of other reports and investigations, is that the recommendations which flowed from those did not seem to have oversight or implementation plans. In recommendations 22 and 23, you give a sense of that. I invite you to give us an insight into whether you feel that there should be an implementation plan, which would allow those of us who take this forward — and I mean “us” collectively — a timeline. Do you feel that there should be an implementation plan that provides a basis, or framework, whereby we feel that in six months’ time we should be at a certain point, in a year at another, in eighteen months at a third and so on for three or four years. Have you observations on that?

Dame Anne Owers:

It is a two-stage process, and you rightly point to those two recommendations. Recommendation 22 is about the internal processes that we would expect to see in the Prison Service, and that is the change management team and process reporting to the director general. That would largely be developed through the strategic efficiency and effectiveness programme that the director general has already put in place. That is the internal bit. There needs to be an internal programme that is monitoring and driving forward, getting all the ducks in the right row, as I said earlier, in this complex change programme.

The next recommendation is about higher-level, political, oversight. We suggest is that it should be a ministerial group with external input from a non-executive member of the Prisons Board and Criminal Justice Inspection Northern Ireland, which can monitor externally what is

happening. One of the problems is that all organisations — and the Northern Ireland Prison Service is not alone in this — tend to want to pass good news up to Ministers, and Ministers tend to want to hear it. If you are not careful, you can get a very effective charcoal filter whereby all the impurities are mysteriously removed before the reports go up to those in charge. So, some external validation is important. We also think that this Committee has a key role in asking for reports at regular intervals from the external monitors and the Prison Service about what is happening and why it is happening or not happening.

Mr McCartney:

The reason why I asked that question is as follows. The Minister and the Department will respond and so will other Departments. Quite correctly, you see this as not the sole responsibility of a single Department. As to the status of this document, do you envisage the Minister saying that this is the blueprint on which we will be tested in a year or two years' time?

Mr Wheatley:

I expect that in the SEE programme, when fully worked-up, and when they have brought someone in who really knows what he is doing to manage change, there will be, in effect, an elaborate blueprint or plan, just like you get for constructing a building. That plan will set out when things will be done; when items will be renegotiated; when decisions on the package will be taken; what will be done if those decisions do not go where you expected them to go; and what your contingency plans will be. Most of it should be made public, and it should be possible to see that and monitor against it. There will be key points at which major change will happen: new routines and new staff systems will come in, training will be delivered, fresh promotions, or whatever it will happen to be, will take place — and you should be able to see whether they are happening. Some things will be resisted; some people will not want change to happen for a variety of reasons, and there will be a tendency to want to fudge some of that.

Our view is that, in the long run, if you want to make change happen, you will have to do it as a coherent package because that will hang together. You must make sure that you drive through some of the resistance in order to get to a better place and not constantly back off, so that you can build — and I am using the building analogy again — a properly intact building that does the job properly. We expect that the Committee will want to know that that is happening and we expect there to be external scrutiny of the process, so that people do not just say that they are building a wonderful building but that when you go and poke it you find it is not built properly.

Mr McCartney:

It is to try and understand that. I have no doubt that the Minister will come to the Committee within the next couple of weeks in relation to the report. My party's opinion is that the Committee should make up its own mind, but we need the Minister to provide us with the blueprint. I do not want him to say that the SEE programme is the way forward. The last thing we need is somebody on the outside saying in one or two years' time that that was a great report, but we did not do enough to make it work. The Criminal Justice Inspection has done excellent work, but who will brief it about what it will have to report on in a year or 18 months' time? It may report on the SEE programme, but it may not report on your report. What I am leading to is, as part of the external oversight, do you feel that your team has any further role to play in how this works out?

Dame Anne Owers:

No, not in terms of the oversight process. In order to be able to say with confidence whether something has or has not happened and how effective it is, you would have to do another review. What we cannot do is just turn up in a year's time, parachute in, talk to a few people and then say that that is fine or not fine. That is why we have suggested that the chief inspector of criminal justice, who is already here and in place, and his team are given more resources. They could take those recommendations — not the SEE programme — assuming that they agree with them, and be the eyes and ears of the review team and check whether or not it is happening because that is what it will need. It will need people going there, sniffing the air and seeing what is actually happening, as opposed to what is being promised. As a review team, we cannot do that, and we would not want to pretend that we could. We could do more harm than good if we came back in a year's time and gave a skimmed version of what might or might not be going on.

From the point of view of all of us who spent a long time doing this review, it would be good if there were a report in a year's time on what had and had not been achieved. Personally, I would like to see that, and I would like to know that it has all been worthwhile. However, we cannot have a hands-on role in oversight because we would not be effective at it.

Mr McCartney:

I have a final point. In the introduction in the summary, which is perhaps the worrying part, it says:

“little has changed in practice in the succeeding eight months ... endemic and systemic problems identified in the interim report remain unresolved, and public money is being wasted.”

As we take this forward, what should we be looking to ensure that the endemic and systemic problems are not only identified but rectified?

Dame Anne Owers:

Phil will probably want to say more about what those problems are and how they manifest themselves, but our view is that, over the next six months, we expect there to be clarity around the exit package and the recruitment process that will follow, a fully worked out programme of support and training for those who will remain or who will be recruited, and a new operational model, which will provide for the effective use of staff doing the kind of positive work that we have described in this report, which needs to be done for the sake of everyone sitting around this table and outside.

Therefore, those are the locks to change, and those locks need to be broken very quickly to get a sense of impetus and momentum, because, the longer it goes on, the more people think that it is not going to happen or resistance builds up. Understandably, people will be worried about a different way of running prisons. That is not surprising, particularly given the history, but the sooner it actually happens and you learn that it can work, the sooner we will get some real movement.

Mr Wheatley:

There are some practical things that you should see change. Let us use Maghaberry as the biggest and most crucial of the prisons because of its multiple roles. On an ordinary wing, not dealing with separated prisoners, you have roughly one officer to just over eight prisoners to unlock the wing with the agreed staffing. In a similar sort of wing that I was used to in the system that I ran, I would expect a ratio of 1:16. You should see those equations change. Ordinary routine unlock should use less staff than you currently do, which is way over anything else that anybody is doing and is driving the costs. You cannot sort that out without sorting out things such as how many staff we need. I would expect that to change.

You would expect to see staff with prisoners. Currently at Maghaberry, prisoners on association are watched by cameras. Staff are not out there with them. I walked around talking to staff who said they knew that prisoners out in the yard were dealing drugs and bullying each

other, and they could not intervene because they were on the other side of a secure perimeter. I spent most of my career in prisons making sure we did not have no-go areas in which there were prisoners but no staff. Once you put prisoners in a relatively unsupervised situation with nobody listening to them and nobody immediately there, the chances are they are speaking about drugs, crime and all the things you do not want them to do with regard to reducing their risk.

If I went back to Maghaberry in a year's time, I would expect to find that that is no longer happening, and that staff are where prisoners are so that the staff follow the prisoners and actively supervise them. You do not really supervise people effectively through a camera. You cannot stop anybody from doing something; you cannot intervene. You would expect those practical things to change.

I would expect to find staff much more involved in dealing with prisoners. The way that they operate at the moment means that staff supervise the movement of the prisoners. That is a very short burst of activity, and then they do not see them until they come back in from the yard and the association room. I would expect to find that there were not endless electric locks. A member of staff who was ex-English service told me that he reckoned he spent an hour a day standing at a gate waiting for it to be unlocked on the electric system. He said that that was just wasting his time compared with what he was used to in a system where he carried keys and could move quickly through gates.

There is a series of very practical things that should change. If all you are told is that there are plans and a strategy, but you go to the prison and find that those things are still happening, then you are not seeing real change.

The Chairperson:

That picture you paint of prisoners on association: by that, do you mean in a separated set-up?

Mr Wheatley:

No, that is the ordinary wings associating in the exercise yard or association room without staff present. They move off the landings and into an area where they are watched by camera but with the staff not out there. I have tried to avoid that happening, even in high-security prisons, because you lose intelligence. You cannot intervene or stop something happening because you can see that something is building up. You cannot hear what is happening, and prisoners think it is a bit

like treating them like dangerous lions. They think you are a bit frightened of them because you do it that way.

At one point, you probably had to be frightened of them. I am not at all unaware of what went on in the previous world. However, you should not be doing that for the vast majority of non-politically motivated offenders. You should be treating them like offenders in other jurisdictions: you normally put staff with them. That makes it safer, gives you better intelligence, and what you are really saying to them is: “This is our prison that you are in,” not “We have you caged and are a bit frightened of you and move you around with great care.” That eventually changes the balance of power in the staff’s favour.

Ms J McCann:

I want to make a supplementary point on what Mr Anderson was talking about. First of all, I welcome the report. It is very helpful and highlights and illustrates some worrying aspects of what is going on in prisons.

Returning to the point raised by Mr Anderson, in the report you basically say that there are a disproportionate number of Catholics in prison and that once they are in prison they become disproportionately represented in matters relating to prison discipline, adjudication, use of force and segregation. How can we move that on? That is still happening in prisons in 2011.

Recommendation 10 in your report talks about equality and diversity reports. Can something not be done now? This is a very worrying trend. In terms of equality and all those issues, is there something that could be done now to ensure, of first of all to look into why it is happening? That needs to happen to ensure that everyone who goes into prison is treated equally. People should be treated equally no matter what their religion or race, or where they come from.

My second point is about the women’s prison, and recommendations 35 and 36 towards the end of the report relate to women prisoners. You also mentioned the Inspire project, and I think that that is a very good project. The Committee has spoken to the Probation Board about that, and it seems to be working.

Another issue, which has been brought up in the Committee before, is the report on fine default. The majority of women who are in prison are there because of non-payment of fines. Is

there some way that we can explore this? You talk about a new women's facility, but again you are probably talking about the long term. Is there some way that you can see that getting taken forward? Could the Inspire project be developed more and rolled out, particularly for some of the young male prisoners in Hydebank Wood? Some sort of scheme could be brought in there. The Committee is also looking at the youth justice review. Young males are being locked up, and they need activities.

There are very worrying issues that are coming through in this report and other reports on prisons. This is still happening in 2011, and we need to be taking it really seriously.

Dame Anne Owers:

On your first point, and as I think I said before, it seems to us that the first stage in doing anything is to have a better monitoring system that alerts you, in real time, to things that are happening that may be concerning and that you need to have a look at. My understanding is that the Minister has made it clear to the governors of all the prisons that these are their statistics and they should be digging into them to find out what is going on. After you have answered the "why" question, you can then start to find out what the right remedy might be, whatever that looks like. As you say, it is important to state that there is a problem, and that is very clear from the statistics. However, the important thing now is that people take the information that we have provided and run with it.

Ms Clodagh McGrory (Prison Review Team):

We have highlighted the good work that has been done by the Inspire project, because it has been so successful as an alternative to custody for women. We recommended that it should be looked at for other prisoner groups. The reason why it works so well is that we have a very strong voluntary and community sector. The women's network, in particular, is very strong and able to provide that support. There are also lots of other strengths that we can draw on in the community and voluntary sector. Those links can be made, and work can be done. If there are any alternatives to prison, we urge the Committee to look at what is going on and what the possibilities are, not just as what is going on within prisons. The Inspire project is a very good example of what can be done.

Ms J McCann:

I just want to add a comment to that. This will be another report that sits on the shelf unless it is driven and implemented and somebody seriously looks at the situation in the prisons here. People

are all talking here about everybody wanting change and everybody wanting to see that moving forward. We really need to monitor things to make sure that the process is there and that it actually happens this time.

Mr A Maginness:

I welcome the report; it is very good. It is well signposted — in the interim report, anyway — and I am very pleased that it is so forthright and readable. I fear that, like previous reports — and none have been quite as definitive as this one — it may end up in the treacle of intransigence, because I do not detect —

Mr Wells:

Good one. That will be used many times by folk and by me. *[Laughter.]* The treacle of intransigence.

Mr A Maginness:

I do not detect any political consensus around this issue. I think that it will just be kicked into the long grass, and, sadly, I do not think we will move much further on in six months, 12 months or even the rest of the term here.

One central issue is that of industrial relations within prisons. We have round about 2,000 prison officers or thereabouts —

Dame Anne Owers:

There are 1,800 uniformed staff.

Mr Wheatley:

There were 1,848 uniformed staff in the last annual report.

Mr A Maginness:

In your opinion, what is the right balance between prisoners and prison officers? You talk — or there has been talk — of reducing the number of officers by 500, 600 or thereabouts, but even at that, there would still be around 1,300 officers, which seems to me to be a ridiculously high number.

Mr Wheatley:

There is no straightforward answer to that. It depends on what Northern Ireland wants its prisons to do. I am not suggesting for a minute that what I had to settle for in England and Wales by way of the amount of time we could afford to do useful things with prisoners that reduced reoffending and the amount of time that we had for security is necessarily what you want to replicate here.

To some extent, it is a question of what money you want to put in. You have an issue about whether you want to put a lot of money into prisons or less money into prisons and what else you would like to do with it as a country. What I am quite sure you cannot justify is the current system, which, if I was being complimentary, I would say is doing about half as much work as I would have expected to see done with prisoners, even though there is roughly twice the number of staff I am used to. If we could look at Maghaberry, which has twice the number of staff you might expect to see, and say that it was the very best prison there ever was and that there was some really excellent work being done with prisoners, that would be different, but at the moment, it is not. Nobody can say that it is, and you have got a succession of reports that says that that is not true.

I think you need to decide how much money you need to take out of the prison service to put elsewhere to do other things. You could certainly run a decent prison service equivalent to the one that we run in Scotland, England and Wales for probably about half the money that is currently going in. If you choose to put more money in, you should expect more. We have given you a description of what a really good prison should look like. It would have a lot more than the four hours' contact time that the current regime allows in practical terms for those who are doing education and offending behaviour courses. I would very much like to see officers being part of that.

I am enthusiastic about having officers who work on offending behaviour courses, and who do not just do security or policing. They are often able to persuade prisoners to give up crime. You really get people out of crime by convincing them that they can be different, and you do that by having believable, solid people whom they respect, not people who are nice to them and say "yes" to them all the time. They need to have people who understand them and who they respect, who can persuade them that they can be different, that they can really do something about themselves and that they can get out of the crime that they are persisting in.

Most of your offenders are persistent criminals. They are not in prison for their first offence, and many of them have been in several times. Getting that group out of crime requires good people who are persuasive. They do not necessarily need to have an enormous number of degrees and qualifications. That needs to be backed up with some really good practical help for people, because it is difficult to get out of crime when you have no cash and you have had a pretty awful life. There has to be practical help and follow-through outside, while all the time trying to persuade them that they could make a difference and that it is worth making the change.

Once you have got into crime, getting out of it is like giving up any other bad habit, really. We know that that is difficult; a number of you will have tried to give up bad habits and found it awkward. This bad habit is particularly well-entrenched in a number of people and it is quite dangerous for everybody else. It requires persistent working. You have got to decide how much money to put down, and that will dictate the number of staff. However, you should see staff who engage and are capable of persuading people to get out of crime, not staff who stand back and are judgemental about prisoners who, in some cases, are not up for this change because they have been through some horrendous experiences. It is very difficult for them.

Mr A Maginness:

There has been a lot of talk about an exit package. To my mind, the exit package has to be linked to a transformation or radical change in industrial relations, otherwise it is useless. Do you agree?

Mr Wheatley:

Absolutely.

Mr A Maginness:

But if there is no agreement on the exit package, what is the alternative?

Dame Anne Owers:

The exit package is not the only thing that needs to happen. Exit package or not, you are going to have to transform the service that remains and the people in it, so getting a different operating model for prisons is important in itself. That is obviously one of the things that those deciding whether to leave or not will be looking at — is this the kind of service that I think I can work in? That has to be part of it.

As I said earlier, I think that focusing solely on an exit package is very negative. I would much prefer there to be a focus on the kind of Prison Service that Northern Ireland needs and that we think we can deliver. As Phil said, if you have more staff than might be the case in other services, that could mean that you can deliver a better service than those other services. I certainly did not want to come here a year ago and say, “What you really need to do is to have a Prison Service that is exactly like the one in England and Wales.” I have spent the previous nine years telling the Prison Service in England and Wales what it was not doing well enough, as well as what it was doing well enough. There is no way that that should be a template for the greatest Prison Service you would want to run. You could run a much better service.

You need more staff during a period of change and transformation, because you need to be able to release staff for training while, at the same, continuing to run some pretty heavily populated prisons. During that period of transformation, you would expect to have more staff than you will eventually need to run the service. Even with the kind of cuts that I know David Ford has to look for, you have got the resources here to run a really good service. That really should be the aim.

Mr B McCrea:

Just to start off, on page 5, you mention that you are disappointed and disturbed that there has been little change in eight months and that there is still no change manager in place and no dedicated team to oversee the complex programme. Why do you think that that is the case? Do you think that there will be change in the foreseeable future to allow you to meet the six-month challenge?

Dame Anne Owers:

In answer to your second question, I very much hope so. There are a number of reasons why there has been little change, and we point to some of those in the introduction. The fact of the Assembly elections happening when they did meant that there were some political changes. People were in election mode, not “we must get on with things” mode in respect of the prison population and so on. I think that there have been some issues with procurement and taking on new staff, which seemed to take a long time to resolve, as indeed did the finances of the exit package, which, of course, is a matter not just for the Department of Justice but the Department of Finance and Personnel. So —

Mr B McCrea:

But you made a particular point about the complexity of the issue meaning that there needs to be some form of external expert to be able to deal with that. That is the point that I am getting at.

Dame Anne Owers:

Yes, that is critical. You would need to ask others about the reason for the delay; it has been a considerable frustration for us. We would like to have issued the report by saying, "These are the things in the interim report, and this is the move that has happened since." It has taken a long time to get it.

Mr B McCrea:

And you are not going to venture any further on why it has taken so long?

Dame Anne Owers:

As I say, the only reasons that I can think of are the ones that I described, namely the problems with procurement and the length of time that that has taken, the political hiatus over the election period, and the fact that the director and his senior staff are very heavily occupied with running a service that is running at hot but is still not running well enough. When you have a service that is not running well and the systems that you need and the ways of working that you want are not there, you have to spend an awful lot of your time firefighting. That is what we mean by cross-party support for the changes. It will be a change, and it will need to be driven through. It will need support across not just parties but Departments for the financing and the other support that will be needed to get this through. However, it will be worth it in the end.

Mr B McCrea:

I want to come on to the bit about cross-party support. I went through this methodically. There are continued references on pages 6, 36, 49 and 51 to things like, on page 51:

"That resistance is clearly still there, and will need to be confronted."

What do you believe should happen if there is continued resistance to change and we cannot get any agreement on revised staffing levels or working practices?

Dame Anne Owers:

That is a difficult question for the Prison Service and the Department. I want to start upstream from that and say that there needs to be a really good communication system and a really good

effort at persuasion. That is why it worries me that there is so much effort on the exit scheme. The bit about validating staff and leading staff to a different place is not happening so much.

Resistance is inevitable. People say that they are up for change, but actually, if, in practice, change means doing things that you are uncomfortable with or have never done before, no one likes change. Everyone has a comfort zone, and it is difficult to get people out of their comfort zone —

Mr B McCrea:

I agree with that. The question was what happens if we cannot achieve the necessary changes. What then?

Mr Wheatley:

It is worth thinking that through. There are things that must be negotiated. For example, if you want to change the terms and conditions of staff contracts, that has to be negotiated. There are things that you can consult on; the number of staff that you have on a landing, for example, should not be something that you negotiate. I am not saying that prisons are like supermarkets, but, if new tills are installed at Sainsbury's, you do not expect there to be a negotiation about how many people run the tills. That does not happen elsewhere.

The odd thing about prison is that the reach of unions in a number of prison services, certainly here and in England and Wales, has been to try to negotiate and get things that they feel the union has control of, whereas elsewhere they would be management decisions. We probably need to be clearer about what is a management issue and what is a term and condition that is properly negotiable. In law, prison officers cannot actually take industrial action. Interestingly, except on one occasion, no one here has ever tried to use that law to restrain a series of actions taken collectively by prison officers that look to me very much like industrial action.

There is an issue about how much you, as a country, want to use your legal powers to restrain attempts to prevent change if that change is well thought through. We want well-thought-through change that is supported politically. My guess is that, once change is supported politically, you as politicians will want it to happen. Otherwise, you will be allowing your democratic accountability to be undermined by the power of a sectional group, whoever that may be — in this case, prison officers.

Mr B McCrea:

There are two points on that, which Mr Maginness touched on. First, when asked about the alternatives to the exit plan, you can say that there could be retraining. However, that seems difficult in the absence of a plan, a package or funding for training. Have you any observations about why there is no plan?

Mr Wheatley:

In effect, the training funding is tied up in the staffing levels. Currently, the service manages to run — it is running and managed to get through a difficult summer, a high leave period — by deploying all of its staff to front line duties, with little training taking place.

Mr B McCrea:

I accept that that is the total pot, but you state in the report that:

“this ‘exit package’ has become the focus of staff and management attention, at the expense of proper attention to a ‘staying on’ package and the development of training, recruitment and retention plans”.

That seems to be the other side of it. You outlined where the money comes from, but you should still work out how much money is needed — what it is that you want to do and how much it would cost. Why do you think that that is not happening?

Dame Anne Owers:

Our firmly expressed view is that it is not happening because there is not a dedicated change management team. To do that, we need to have someone who is thinking about nothing else; who is not thinking, “How am I going to fit an increasing number of prisoners into the same space?” or “What am I going to do about the latest problem that's emerging in this prison or that prison?” You need someone with experience of managing big change to lead on that and do nothing else, someone who is working out what needs to be in place and when and where. To us, that seems to be absolutely crucial.

Mr B McCrea:

I have one or two other quick points to make to wrap this up. We have talked about political will and support a number of times. The report's recommendations are pretty far-reaching and will shock some people, which is not necessarily a bad thing. You state on page 64 that:

“‘Justice reinvestment’ requires a cross-departmental safer society strategy”
and that that:

“will require active engagement and support from departments”
including Justice, Health, Employment and Learning and “other parts of the Executive.”

I am not sure that that support is there, because a concerted political will is needed to challenge these issues. How do you envisage a cross-departmental approach or the full support of the Executive? How would that happen to make this work?

Dame Anne Owers:

That needs to happen. However, we were conscious that we were not hired to reinvent the entire justice system in Northern Ireland or the entire reducing reoffending scheme. We understand that a reducing reoffending review will happen next year, and this is very much something that we put into its court. Because you are right: how you do it needs to be thought about. For example, would it be done through the Assembly Committees, with this Committee perhaps taking a lead and inviting discussions with other Committees around the kind of things that ought and need to be happening for the work that you are overseeing to be done properly? Whether that could be done at the Assembly level is one of the questions that we discussed. Clearly, things also need to happen at ministerial and Executive level. But the Assembly could play a key role in this, because you as Committee members have a lot of knowledge about what is going on in your different areas.

There are already partnerships with Health, and I think that the partnership with Employment and Learning is being looked at more closely. You will recognise that we have recommended that NIPS employs someone at director level who is focused outwardly on partnerships, and, obviously, partnerships within Departments will be one of those areas. We kind of deliberately did not develop that in more detail, because it was not bang within our remit and there is a reducing reoffending review next year, but we wanted that to be the focus of how that review will think about things.

Mr B McCrea:

On matters that were in your remit, you talk in the report about supervised activity orders. They seem to be fairly fundamental if you are going to be changing the population. I note from the report that there is evidence that they are highly successful in other parts of the UK. However, I am not sure how much of that message has got through to people. There are issues, and having one pilot scheme in Craigavon seems to me to be somewhat limited.

Dame Anne Owers:

That is our view also. We were expressing, at that point, some impatience, as we did at the beginning of today's session, about the length of remands. We were impatient that something should be done as opposed to doing a little bit and seeing what happens. I do not think that there can be any argument, and hopefully not in this Committee, that fine defaults should not be having the effect that they do on the prison system. They do not achieve anything; it means that you are paying for people to be in prison because they do not pay fines. That seems to me to be a bit of a lose-lose situation. We have argued very strongly for the supervised activity order programme to be extended very rapidly to areas of greater population and to be, within two or three years, the usual model for dealing with people who fail to pay fines.

Mr B McCrea:

You used the phrase "lose-lose situation". What would happen were we to proceed with the exit of 500 prison officers, having dealt with that particular package, but did not make any of the other reforms?

Dame Anne Owers:

Well, you would have spent a lot of public money to not very good effect. You would have fewer prison officers, but you would still not have a good prison system.

Mr B McCrea:

It strikes me that that is where we are heading. I have no doubt that there will be a package, and that some people will leave the service, but you will not have changed any working practices —

Mr A Maginness:

You cannot have a package without the changes.

Mr B McCrea:

I am telling you that there will be a package, and that some people will leave, because they have said that they are fed up and are going to go. There is no plan for recruitment, retraining, changing of the offenders coming in, change of regime or change of anything. You are going to end up with a prison service that is run largely the same way but completely undermanned. I am sorry; I am in danger of answering my own question, so I am going to ask you.

Dame Anne Owers:

That is precisely why we say that this is a programme, as such. There may be one or two recommendations that are not germane to the way in which you run prisons and which people may want to query, but the recommendations on how to run good prisons need to be taken together. If you just take one or two of them, or cherry-pick an exit package, you will not get a better prison system.

Mr Wheatley:

You need new staffing systems and new training and preparation for staff to do a different job in a different way if you are going to take 500 prison officers out and run a better service. You can do it, but it needs doing in order: as staff leave, you have to have everything ready. The system must not fall over because the staff leave before the other things are ready. That is the point that we are making about this being a change programme. It is like building; you do not build the second floor before you build the first.

Dame Anne Owers:

The other issues, among the many things that we say need to be happening in prisons but are not just now, have to do with better education and training, and better training for employability, because we know that employment tends to stop people from offending. That kind of work would require inward investment from, perhaps, other Departments, employers and outside voluntary agencies. They are expressing considerable impatience; they will say that if they put their resources in, the service cannot deliver because it cannot make sure that enough prisoners will avail themselves of those services or get them to come for long enough. They are saying that unless the service gets its house in order, they will not put their resources, either people or money, into a system that, plainly, is not delivering. That is why the whole thing has to hang together.

Mr Lynch:

I will be brief, Chairperson. I know that we have a big agenda. The report covers more about life in prisons than it does the wider aspects of imprisonment and rehabilitation. That is just an observation. I want to ask about recommendations 12 and 13, which deal with healthcare. What changes would you like to see in the area of healthcare?

Dame Anne Owers:

There has already been change. We have pointed to the progress that has been and is being made since the South Eastern Health and Social Care Trust took over responsibility for providing healthcare and the Health and Social Care Board took over responsibility for commissioning. There have been changes. There are some key issues that need to happen, such as the transfer of staff who are still employed by the Prison Service and not by the trust.

In addition, the governance structures are a bit unwieldy and we would like to see more involvement of senior health personnel in the prisons board, and clear governance on the other side. There are some issues. Mental health is a big issue and is not really a matter for us. However, we have referenced the Bamford review and the need to provide better and more mental health facilities outside prisons because here, as in the rest of the UK, you tend to use prisons as a default setting for people who are mentally ill and need to be looked after somewhere else. Finally, there is a big issue with substance abuse, which I mentioned before, and the over-prescribing of prescription drugs such as benzodiazepines in the community. That reflects immediately back into prison and will continue to be a problem. So, you need to look at all those issues.

The Chairperson:

Thank you all for coming along.

Dame Anne Owers:

Thank you for having us; I hope that there will be support for the package as a whole.

The Chairperson:

We will see how things progress.