



**INDEPENDENT MONITORING BOARD  
ANNUAL REPORT 1 APRIL 2019 - 31 MARCH 2020  
MAGHABERRY PRISON**

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## **MISSION STATEMENT**

To enhance the quality of prison life, by working to ensure fairness and accountability in prison.

### **Statement of Purpose**

Members of the Independent Monitoring Board (IMB) for Maghaberry Prison who have served more than 3 years were appointed by the Justice Minister under Section 10 of the Prison Act (NI) 1953. New members to the Board were appointed by the Permanent Secretary to the Department of Justice.

### **The Board is required to:**

- Visit Maghaberry regularly and report to Justice Minister on the conditions of imprisonment and the treatment of offenders;
- Consider requests and complaints made by prisoners to the Board;
- Report matters of concern to the Governor or, in serious cases, the Justice Minister; and
- Exercise certain powers that are given to the Prison and Young Offenders Rules (NI) 2005.

### **The Prison Rules further require the Board to satisfy itself as to:**

- The treatment of prisoners including provision for their healthcare and other welfare while in prison;
- The facilities available to prisoners to allow them to make purposeful use of their time; and
- The cleanliness and adequacy of prison premises.

To enable the Board to carry out these duties effectively, its members have free access at any time to all prisoners and to all parts of the prison to which they are appointed. In exercising their rights under the Prison Rules, members shall take into consideration the matters referred to in Rule 124 (5) which state, in the exercise of any of its powers, the Board will not:

- undermine the security and good order of the prison;
- prejudice the efficient operation of the prison; or
- prevent the proper treatment of prisoners.

The Board shall also have reasonable access to any of the records of the prison, with the exception of medical records.

## **UK NATIONAL PREVENTIVE MECHANISM**

The IMB is part of the United Kingdom National Preventive Mechanism (UK NPM) as required by the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

## **CHAIRPERSON'S INTRODUCTION**

I am pleased to present the Annual Report of the Independent Monitoring Board for Maghaberry Prison for the period 1 April 2019 - 31 March 2020. (For the purpose of this report, the Independent Monitoring Board shall be referred to as the IMB and 'the Board. shall refer to those members of the Maghaberry Board.)

The continuation of the core day has maintained a more structured approach to education and a focus on reducing the amount of drugs coming into the prison. Whilst we accept there will always be incidents, these are much less frequent than some years ago.

There are 10 fully operational IMB members and what is very encouraging is, the six who were recruited in 2019 are still involved and extremely committed.

I would like to pay tribute to the invaluable contribution made by one IMB member who resigned on 31 December 2019 after over three years in post. This IMB member was an exceptional one and their wise counsel is much missed.

I wish to thank my fellow Board members for their support during the year and acknowledge the time and effort to what can sometimes be a difficult and challenging role.

I would like to thank the Governors and all the staff within Maghaberry for the assistance they give to all IMB members – and for being so readily approachable when members have issues they wish to discuss.

Finally, I would like to thank the IMB Secretariat and staff; they have consistently provided me with much needed support through some difficult times over the year and they continue to provide Board Members with much encouragement, assistance and guidance - often without acknowledgement. They carry out important administrative processes effectively and efficiently and strive to offer as much help and direction as they can. The role of an IMB Chair/member would be a very difficult one to fulfil, without the support of the IMB Secretariat.

*Ian Hackney*

**Ian Hackney**  
**Chairman IMB Maghaberry**

## **BOARD STATEMENT**

During the reporting period 2019/20, the Board became increasingly frustrated with poor and inconsistent communication from the management of the prison, in relation to matters which the Board perceived to be significant. This matter was highlighted but regrettably failed to be resolved which resulted in a letter being submitted to the Permanent Secretary, Peter May. Subsequently, a robust meeting was held between representatives of the Board, the Director General of the Northern Ireland Prison Service (NIPS) and the Maghaberry Governor.

The meeting resulted in a clear understanding of the independent nature of the Board and its determination to confront issues which they believe required to be challenged. The outworking of this has led to a more open and timely communication strategy between the senior management of the prison and the Board - as well as between the Board and prison management - which we welcome.

The Board also challenged and rectified documentation which suggested that the Board were accountable to the Director General of Prisons rather than the Justice Minister. The source of this misinformation was not established however the Board are content that the matter has now been resolved.

## **OVERVIEW OF ESTABLISHMENT**

Maghaberry is a high security Category A prison that has the capacity to accommodate 1935 inmates. It has often been described as the most complex prison in Europe given that any adult male in Northern Ireland, being given a custodial sentence - regardless of the crime or length of sentence, is initially incarcerated in Maghaberry. The type of sentences of those prisoners held in this establishment range from Category A to Category D - as well as a number of separated prisoners from Loyalist and Republican backgrounds (Steele Review, 2003).

There are 12 accommodation units (Houses) which can be utilised as needed. The Board members were most impressed with the new 360-bed Davis House, which was officially opened in November 2019 and the first prisoners moving in, in February 2020.

## **POINTS OF CONCERN / RECOMMENDATIONS**

- It is felt that more work is required in respect of social care delivery in prison. Maghaberry Prison accommodates around half of the older prisoners held across the Northern Ireland prison estate and prison statistics demonstrate that this population is increasing. However some ambiguity remains among staff in respect of the contractual obligations of the partner organisations and it is felt a joint strategy would promote transparency in terms of roles and responsibilities. Furthermore, such a strategy ideally would highlight the responsibilities of other Health and Social Care Trusts within Northern Ireland and ensure that those returning back into the wider community can access social care services upon re-entry.
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- SPAR Evo commenced in February 2019 and was fully rolled out by August 2020. The Board will continue to monitor this.
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- The high prevalence of mental health needs in Maghaberry prison remains of great concern for the Board. Whilst there has been some work in this area aimed at addressing these needs, there are a number of areas which require greater development.
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- The regime continues to be prisoner-focused. The prison regime continues emphasis on prisoners being up and out of their cells and doing something constructive whether that be education, gym, or other work. The Board would like to see an increase to number of opportunities for either work for the number of prisoners wishing to participate.

## **1. SAFETY**

Safer custody is an area of monitoring where the IMB seek to confirm an environment which is free from physical and/or mental bullying, victimisation or intimidation. This includes prisoner on prisoner, staff on prisoner and prisoner on staff. Prisons are a concentrated reflection of society and so to believe that all the above could be fully eradicated from prison when we cannot eradicate it from 'normal' society, is a formidable challenge for prison management. However, the Board continues to monitor the processes and policies management put in place in order to achieve this objective.

As well as the issues highlighted above, safer custody also includes the treatment of individuals who present at prison with different physical and mental addictive behaviours and traits. The Board monitor and observe how prison staff in conjunction with other stakeholders deal with these individuals who present with - on occasion - very complex issues.

When prisoners arrive at Reception, the process of assessment begins, looking at whether individuals have needs or issues that need to be addressed immediately, or in the long term. These include drug and alcohol addictions (AD-EPT), medical issues (South Eastern Health and Social Care Trust), or mental health or behavioural issues (Mental Health Team).

Many of those placed in prisons have had some experience of institutional premises previously, but there is a significant number for whom this is their first time in the custodial system. Some individuals, especially where English is not their first language, can find the process confusing, stressful and on occasions, frightening. Most of the staff are very experienced, understand what individuals are feeling and are responsive to that. The use of aids such as 'The Big Word' or 'Google Translate' have been useful in reducing confusion between prisoners and staff. There is however, still room for improvement.

During this reporting year, the Board became aware of an incident where an individual was assaulted on arrival into prison custody by fellow inmates. This may have been linked to the nature of his offence or his background. The Board was concerned that a robust risk assessment had not been completed. On querying this matter with management, it became apparent there was no formal process of risk assessment; it seemed to be based on the subjective opinion or experience of prison officers. Senior management at Maghaberry took cognisance of our concerns and whilst the Board acknowledges the experience and professionalism of staff, there was recognition of the need for a more auditable framework,

which would protect the rights of the individual - and the reputation of the Prison Service. A revised process has been introduced and the Board will continue to monitor the situation.

The Prisoner Safety and Support Team (PSST) within Maghaberry continues to provide a high level of care and support for offenders. Regular weekly and monthly strategic meetings are held to discuss the needs of individuals and what appropriate actions need to be taken - the aim being to stabilise and improve the rehabilitation of prisoners who require positive intervention. This may be intervention by staff, social workers, health professionals, members of the chaplaincy or family members. This approach focuses relevant stakeholders on the needs of an individual and provides a forum that alerts management to any areas of concern at an early stage. PSST officers hold Supporting Prisoners at Risk (SPAR) meetings on a regular basis. The Board has noted a notable number of SPAR meeting in the first part of the year. Whilst it is recognised some prisoners may be 'playing the system', resulting in more SPARs, it is also recognised that the high level of SPARs may be an indication of an underlying issue within the prison regime, the Board will continue to keep this under review.

During the middle part of the 2019/2020 reporting year, a more targeted approach to SPAR review was incrementally introduced - recognising a wider range of indicators from internal and external sources. This approach has seen a reduction in the overall number of SPAR reviews taking place and the introduction of a designated area in Donard House to hold these reviews, has proven to be very successful.

The Prison Service and its staff should be recognised for the effective work being carried out in this regard. The table below demonstrates a largely positive reduction in serious incidents which is likely to have been influenced by this approach to the welfare of prisoners:

Table 1: Number of Incidents occurring during 2018 and 2019 and percentage change year over year.

			%
Table 1	2018	2019	Change
Number of drug tests	2553	2199	-14%
Self-harm incidents	160	129	-19%
Assault prisoner on staff	45	33	-27%
Assault prisoner on prisoner	44	48	9%

The Board has observed and continues to have concerns around 'in possession' drug distribution and the potential detrimental effect on a safe prison environment. The practice involves prisoners being given an allocation of prescribed drugs for their own use, covering a period of time, where the South Eastern Health and Social Care Trust (The Trust) may have a limited staff presence within the prison. The Board acknowledges this is an accepted practice beyond a prison environment in the wider community, but has the potential to cause significant difficulties for the Northern Ireland Prison Service (NIPS) and as such, cannot be compared on a like for like basis. The potential for individuals to be bullied or threatened into handing over such drugs is high and cannot be overlooked. The Board would urge the Trust - in partnership with NIPS - to look at alternative arrangements which do not have the potential to compromise the stability of the prison regime.

The continued entry of illegal drugs into the prison regime remains an ongoing concern. There have been a number of reports of significant incidents within Houses related directly to illegal drugs. Some have resulted in the removal of individuals under 'blue light' conditions to an external hospital. The reality remains however that drugs continue to make their way into the prison. Xanax, Pregabalin, cannabis, heroin and other psychoactive drugs, have been present in the prison at different times throughout the reporting year. Prisoners continue to place themselves and others at risk by bringing these drugs into prison - either voluntarily or through coercion. Whilst there is substantial financial benefit to be gained by individuals who secrete drugs or related items upon themselves, there is a substantial and potentially fatal risk to the individual if anything were to go wrong.

Maghaberry has limited - and many would argue outdated - methods of identifying individuals carrying drugs or related items. The use of 'dry cells' or invasive searches as an indicator of the presence of drugs needs to be reviewed. The introduction of appropriate technology needs to be considered by DOJ. The Board would urge all those with influence - including the DOJ, to look at potential solutions such as full body scanners to ensure the protection of both staff and offenders from the dangerous repercussions of illicit drug use in prisons.

In relation to the safety of prisoners, the Board was made aware anecdotally of two incidents within the prison which had the potential to have a direct or indirect effect on the welfare of prisoners. One of the incidents relates to a serious breach of security, which allowed a substantial amount of illegal drugs to be present in a house which led to the hospitalisation of prisoners. The second incident relates to a serious breach of discipline, which led to a riot situation and a number of prisoners being placed in the Care & Supervision Unit (CSU). Our

disappointment was not only with the occurrence of both incidents, but also that the IMB were not informed about it until after the incident. This matter was raised with senior management in the prison and the Board will continue to monitor the sharing of information.

## **2. EQUALITY AND FAIRNESS**

During the reporting period, an IMB member continued to attend the Equality and Diversity meetings which were held in accordance with the agreed constitution. The Board is very grateful to the Establishment co-ordinator for inviting the IMB member to attend these meetings and consequently, provide the necessary statistical background information to facilitate the monitoring process.

It is encouraging that the Equality and Diversity co-ordinator reported that no complaint raised under the banner of Equality and Diversity (Section75) was upheld. However at present, the IMB are not provided with any evidence which suggests thorough scrutiny of the longitudinal data is undertaken and this work could help identify important trends. The Board is content that sufficient processes are in place to meet the requirements of Section 75 of the Northern Ireland Act 1998.

It is encouraging that during the reporting period, foreign national and older prisoner forums were held on a quarterly basis. However, there could be greater analysis and transparency around the successes of these forums and how they promote diversity and inclusion within Maghaberry Prison. It is also noted that Borders Agency officials are still visiting the prison on an ad hoc basis, to speak with foreign national prisoners.

## **3. PROGRESSIVE AND EARNED PRIVILEGES SCHEME (PREPS)**

The original Progressive & Earned Privileges Scheme (PREPS) was introduced to NIPS in 2000 and has undergone a number of reviews and amendments since - the most recent being in 2012. A major review is due to take place later in 2020 - beyond this reporting period.

There are three key aims for the scheme:

- To encourage and reward a prisoner's commitment to the completion of their Offender Management Plan;
- To encourage pro-social behaviour within the prison and to contribute to a better controlled, safer and healthier environment for everyone; and
- To prepare prisoners for release and to reduce the potential for further offending.

The PREPS operates on three regime levels; Standard, Enhanced and Basic. All inmates join the scheme at the standard level and promotion or demotion is based on patterns of

behaviour. An appeal process is available but it should be noted that for a sentenced prisoner to progress to enhanced they must fully accept responsibility for their offending behaviour. However, there is a perception within the prison population that on occasion PREPS operates as a secondary punishment system rather than a scheme to encourage and reward good behaviour. It is anticipated that the review scheduled for introduction late 2020 will address these concerns. The IMB will continue to monitor this area and note the continued disparities highlighted in the Equality and Diversity reports.

#### **4. CARE & SUPERVISION UNIT**

##### **Segregation**

The Care & Supervision Unit (CSU) exists to hold prisoners outside their normal location - within the prison - for a number of reasons. Placing a prisoner into the CSU is mainly to facilitate the good order and discipline within the prison, for the person's own safety, or if there is a suspicion of them holding illegal items - which can be based on either security intelligence or dog led. The decision to move a prisoner to the CSU will be reviewed at a (Rule 32) case conference within 72 hours. These conferences are chaired by a Governor, attended by an IMB member and at times, a member of the Chaplaincy team. IMB members have and will continue to challenge any extension if they believe it not to be warranted. During the reporting period, there was an IMB presence at 506 case conferences and in the few instances when an IMB member could not attend, the paperwork relating to the case was checked at the first available opportunity.

The CSU Oversight Group which looks in detail at prisoners who have been held in the CSU for long periods, continued to meet on a monthly basis with a purpose of developing exit strategies for those being discussed. This initiative which started in 2017, has been commended by the International Red Cross. Meetings are attended by a member of IMB along with representatives from the Prisoner Development Unit and Prison Healthcare. Problems commented upon last year relating to the availability of records have been resolved. The IMB have achieved a 100% weekly visit rate to prisoners in the CSU; each prisoner is seen, cells are observed and the individuals are asked if they have any issues they wish to discuss with the Board member carrying out the check.

The Board continues to be concerned about the mental health of prisoners housed within the CSU - in surroundings which are unlikely to be conducive with an improvement in the prisoners' condition.

Over this reporting year, the Board has also raised concerns in relation to prisoners who have had the duration of their restrictions extended for protracted periods of time.

The Board continues to monitor the percentage of prisoners placed in the CSU under suspicion of holding illegal items, versus the actual substantiated finds.

The Board acknowledges that all adjudicators are trained to the same level however, members have raised concerns regarding some inconsistencies surrounding adjudications and Rule 32 outcomes. The Board recognises that each case will be different but is of the opinion that variances in relation to outcomes, need to be minimised.

The Board has raised concerns over the potential for a conflict of interest during the Rule 32 process. This has occurred were Security Department personnel are providing evidence to the adjudicating Governor, who is also the Security Department Head. The Board would be concerned that the *perception* might be that this Governor will not robustly challenge evidence provided by personnel from his/her own Department and should not be placed in that position. This has the potential to create a *perceived* risk to the fairness of the adjudication. Management have failed to recognise our concerns on this matter.

The Board wishes to recognise and acknowledge the hard work and achievements of staff in the CSU in dealing with individuals who present with challenging and disruptive behaviour. On occasions, Board members have observed staff going above and beyond what would normally be expected of them in order to break the cycle some prisoners find themselves locked into. On occasions, staff have built up a level of understanding and rapport, which many prisoners have not experienced before. The Board wish to give justifiable recognition to the dedication of staff who have engaged with those individuals.

**Action Points:**

The Board believes that NIPS - along with other partner agencies, should consider the provision of alternative facilities for those long-term prisoners, identified with mental or behavioural issues, which would better serve their needs.

The Board would encourage management to ensure that prisoners spend the minimum amount of time in the CSU and to that end, the Board believes the introduction of new technology such as Body Scanners, would reduce both the period of time prisoners are likely to spend in the CSU and also the number of prisoners likely to be sent there.

## **Separated Prisoners**

Since the Steel Review of 2003, Maghaberry Prison has allocated areas where Loyalist and Republic groupings are housed. Prisoners in each of these areas are there on a voluntary basis and apply for this upon their remand. If the criteria is met, the individual is housed in either Roe or Bush House depending on the grouping affiliation. These areas are self-contained and have most prison facilities within their Houses. The IMB visit each of these Houses on a regular basis and act on any issue required. In comparison to the rest of the prison, the prisoners held in these Houses do not engage with the IMB in everyday issues often but will consult with NIPS directly, or via the Prisoner Ombudsman's office. As monitors, we have followed up on education issues, gym equipment and food issues.

## **5. HEALTHCARE (Including Mental Health and Social Care)**

### **Introduction**

Healthcare within Maghaberry Prison experienced some substantial challenges during the latter part of the 2019/2020 accounting period due to the outbreak of the Covid-19 global pandemic. This is because a highly populated environment such as a prison, where the inhabitants reside in close proximity with each other, risk exponential spread of the virus throughout that environment. Furthermore, research has demonstrated that individuals in prison, often experience worse health than those living in the community and as such, those held in prison may have been at a heightened risk of developing more severe symptoms of the virus.

During March 2020, there was significant work carried out by the NIPS in partnership with the Trust and Public Health Agency to minimise the spread of the virus within all three prisons across Northern Ireland. The roll out of this work occurred during the onset of the 2020/2021 accounting period, and thus will form a substantial part of the subsequent IMB Annual Report. Nevertheless, the Board would like to note the excellent collaborative working by all of the stakeholder organisations and commend their ability to respond quickly and effectively during an unprecedented situation.

### **Governance and collaborative working**

The Trust holds responsibility for all healthcare provision within the Northern Ireland prisons. A key aim is to provide a healthcare service which is equivalent to that currently provided in the wider Northern Ireland population. Since the outsourcing of healthcare services from the NIPS to the Trust, there has been particular focus on the effectiveness of joint working between these stakeholder organisations. People held in prison often have complex health and wellbeing needs, many of which are not met whilst living in the community. This can

impact upon offending patterns and thus prison can offer an opportunity to address these needs. Therefore, a working partnership between the key stakeholder organisations and the effective delivery of healthcare in prison, not only promotes the principle of equivalence of care, but also plays a role in reducing reoffending within the community. The Board can report some positive steps undertaken during this accounting period to promote joint working between the organisations. These include the implementation of regular monthly meetings between the Assistant Director of Prison Healthcare and the Prison Senior Management, also weekly meetings held between the Public Health Agency (PHA), the Health and Social Care Board (HSCB), the NIPS and the Trust.

In addition to these meetings, a number of collaborative strategies have been put in place including SPAR Evolution and a joint Substance Misuse Strategy. Whilst these initiatives are welcomed by the Board, it is felt that more work is required in respect of social care delivery in prison. Maghaberry Prison accommodates around half of the older prisoners held across the Northern Ireland prison estate and prison statistics demonstrate this population is increasing. Some ambiguity remains among staff in respect of the contractual obligations of the partner organisations and it is felt a joint strategy would promote transparency in terms of roles and responsibilities. Furthermore, such a strategy would ideally highlight the responsibilities of other Health and Social Care Trusts within Northern Ireland and ensure that those returning back into the wider community, can access social care services upon re-entry.

Historically this has been a challenging area for prison personnel who are tasked with organising such services. This is because some Health and Social Care Trust's (external to the Trust) at times have refused to engage proactively to ensure services are arranged in advance of a person leaving prison. It has been suggested by the Prison Senior Management team that the appointment of a liaison officer within each of the Health and Social Care Trusts in Northern Ireland, would enable improved accessibility to health and social services for those leaving prison. The Board feel that this would be a positive step in promoting the health and wellbeing needs of individuals in prison as they transition back into the wider community. In addition to this, the Board notes that much of the content included within the Partnership Agreement, now appears outdated and it is felt an opportunity exists to review and renew this. This could address the limitation of the original agreement and incorporate aspects of health and social care which were not initially addressed - such as the provision for social care within prisons.

### **Waiting times for services**

Toward the end of this reporting period, the Board identified some gaps in the mechanisms available for the monitoring of waiting times for health and social care services in Maghaberry Prison. Whilst the Board would like a more detailed analysis of waiting times for non-emergency services - such as GP appointments, mental health services, addiction services and dentistry - an assurance was provided by Prison Healthcare, that waiting times were in line with community standards for 2019/2020. However going forward into the 2020/2021 reporting year, a representative from Prison Healthcare has agreed to attend the IMB meetings on a quarterly basis and provide a detailed update on healthcare delivery - including waiting times. It is felt this will promote more effective monitoring throughout the year. The Board welcomes this engagement and the commitment demonstrated by Prison Healthcare to promote transparency in respect of healthcare delivery in prison.

### **Staffing and services**

During the 2018/2019 accounting period, there were some positive steps taken to improve the staffing profile for healthcare delivery in prison. This began with a review by the Trust and the subsequent re-profiling of healthcare roles within prison to ensure staff were suitably qualified for the roles they were in. This led to the identification of a number of new roles including the appointment of a Health Development Lead and a Health Engagement Lead. The post holder responsible for Health Engagement has undertaken one to one interviews and group forums with people in prison to ensure patient views are heard. The Trust reports that the establishment of this role has led to a reduction in healthcare complaints. The Board welcomes this engagement and commitment shown by the Trust in ensuring the views of patients within prisons are heard.

The Board identified the development of the SPAR Evolution Strategy (SPAR Evo) as a positive step in collaborative working between the partner organisations (the Trust and NIPS). The SPAR Evo is aimed at creating a more person-centred approach to managing the health and wellbeing needs of those who experience poor mental health within prison. Whilst the strategy may be in its infancy, the reform of the SPAR process has led to improved outcomes for prisoners within some of the other prison establishments in Northern Ireland. Therefore, it is disappointing that during this reporting period (2019/2020) this strategy hasn't been rolled out in Maghaberry Prison. The Board has been advised that staffing issues - and the onset of the pandemic - have impacted upon the ability to roll out this initiative within Maghaberry. The Board feels this should be addressed as a matter of urgency and that consideration needs to

be given to how the effectiveness of this work is measured, particularly in respect of improved outcomes for those who are vulnerable in prison.

The high prevalence of mental health needs in Maghaberry Prison remains of great concern for the Board. Whilst there has been some work in this area aimed at addressing these needs, including the expansion of psychiatry services and the use of the Donard Centre within Maghaberry, there are a number of areas which require greater development. In particular, the lack of a residential healthcare facilities across the prison estate, has resulted in the use of solitary confinement for some of the most vulnerable people held in prison. This practice has received much criticism both inside and outside of the Northern Ireland context by Human Rights Organisations.

The Board notes the work conducted by the Trust to improve the transfer process for these individuals. However, the scarcity of specialist places available within the jurisdictions, undoubtedly results in vulnerable individuals being held within an environment that is not suitable for these needs. Elsewhere within this report, the Board positively commented on the work of the CSU staff. Whilst not detracting from their positive role, it is important to note that the CSU staff are no substitute for specialist mental health practitioners. Furthermore the CSU environment does not constitute the therapeutic environment appropriate for those experiencing significant mental illness.

## **6. ALCOHOL AND SUBSTANCE ABUSE**

Alcohol & Drugs: enabling people through therapy (AD: EPT) is a service delivered by Start 360, and a therapeutic service funded by the Trust. The service supports individuals in custody who have issues with drugs and/or alcohol. Services delivered include:

- Core Harm Reduction Session - This is carried out as part of the prison's induction programme; it explains and advises how to reduce the risk of harm caused by substances while in custody. It explains what support is available from AD: EPT within prison. If you are getting bail, they can provide you with information on services in the community.
- One-to-one Counselling - Over a number of sessions a counsellor will engage with you on ways to change behaviour and address issues around drugs and alcohol.
- Casework - The caseworker will engage with your agreement over a number of sessions. They will focus on your current situation and work towards where you want to be in relation to drug and alcohol use. They will help you decide what you wish to change and assist in setting goals for a safer, healthier and happier life.

- Pre-release - This session is aimed at clients who are due for release, looking at how to reduce risk when released from custody. They will provide information and advice on drugs and alcohol use and help formulate plans for reintegration in the community.

Drugs remain a constant problem despite NIPS's success in its detection and cessation of certain drug routes. Prisoners will admit to being asked to bring illicit materials back from home leave or compassionate bail and consequently, some prisoners often make the decision not to take their home leave visits. During the reporting year, a number of prisoners have been admitted to external hospitals following packages of drugs (secreted internally) starting to leak and leading to potentially serious medical problems. The overall number of drugs-related incidents has fallen, which has resulted in a more stable environment; incidents in general have diminished, as have instances of bullying. Bullying over drugs tends to be in relation to debts which are incurred through drug misuse and prisoners on legally prescribed medication being bullied to hand over their supply if they are not on 'supervised swallow'.

As a Board, we believe that the prison is now a safer and more stable environment than previously. There are focus and information groups for all prisoners in Maghaberry, set up specifically to raise prisoners' awareness of drug dangers. AD: EPT) run a SMART Recovery Course (closed groups) which consists of 12 prisoners in a Monday (am) group and 12 prisoners in a Friday (am) group. This course is run in a similar manner as Alcohol Anonymous but differs because prisoners are given two chances; it is a 'roll on, roll off' system and they can be there as long as they want to be there and can come back anytime. AD: EPT also host meetings every few weeks to discuss any changes or patterns in drugs that are readily available. AD: EPT run Building Skills for Recovery (BSR) which is a Home Office approved course. There is also Naloxone training to which prisoners can be referred to and this is ongoing. Alcoholics Anonymous come into the prison every Monday, Wednesday and Friday and prisoners are allowed to attend as many sessions as they want. They are never turned away.

The Board notes an improvement in the reduction in waiting time lists for the services of AD: EPT. From referral to assessment, the wait has been reduced to approximately four weeks. The assessment to allocation for casework, is now between one and two weeks. This has not changed much from the previous reporting year. There are currently eight members of staff in AD: EPT: one counsellor and seven case workers - each case worker takes on about 15 cases each. This will change on a weekly basis as it is dependent on staffing levels, what is happening in the community and quantity of inductions. Each prisoner - whether sentenced to

six weeks or 25 years - is treated the exact same by AD: EPT. The shorter sentenced prisoner will be offered a pre-release package, whereby a case worker will make referrals on their behalf. This can include harm-reduction or tolerance levels, whatever they see fit. There is Naxolone training and with this injection - while working with Healthcare and through Healthcare - prisoners are given First Aid Training in how to administer this. When they are released, this is part of their release package when they are going home. The First Aid training is open to anyone not just prisoners.

## **7. ACCOMMODATION**

Maghaberry Prison has the capacity to accommodate 1935 male prisoners; the population as of 31 March 2020 was 916. The 19/20 year brought change to the available accommodation available within the prison site with the opening of Davis House on 17th October 2019. The majority of prisoners are accommodated in the main site in a mix of old 'square houses' - Bann, Lagan and Erne as well as the more modern Bush, Roe, Quoile and Shimna houses. The Moyola wing, Healthcare and the CSU are also located in this part of the complex whilst the Mourne complex has two newer accommodation units, Wilson and Braid. With the new and modern Davis House 360 block accommodation available from 24th February 2020, prisoners from Quoile, Shimna and Erne houses commenced their move into Davis House from this date. A rollout plan was in place to move prisoners across from the remaining square houses on a phased basis, however this has been slightly delayed due to the impact of the Covid-19 pandemic.

There is a continual maintenance programme in place with the aim to enhance the site with ongoing painting and decorating. This includes murals in the area known as the 'Wembley Tunnel' as well the maintenance of the attractive gardens situated in the Mourne complex, and well-stocked and tended planters are placed throughout the entire Maghaberry site. The Board would once again comment positively on the outside area in Moyola. As well as the large polytunnel which produces a fantastic selection of vegetables and strawberries, there are raised vegetable and flower beds, and a very pleasant seating area where shelter is provided which allows for people to sit outside in the cooler/wet weather.

## **8. CATERING AND KITCHENS**

The Maghaberry kitchens are modern food preparing units and work within all food preparation legislation. They train and qualify prisoners in many of the aspects of catering preparation hygiene and health and safety. The kitchens cater for approx. 900 inmates per day providing a broad variation of meals. The menu is issued to each individual prisoner and is rotated on a

set rotation of prison food on a budget of under £3 per day and this gives to a repletion of food types dressed in various manners. With approximately 900 people to feed, it is hard to please everyone but on our checks and observations, we found the food to be wholesome. The IMB has done various monitors on the workings of the kitchens, food and delivery to prisoners. We have questioned timings and the weekend allocation of meals, but have found no real cause for complaint in the quality of food based on the budget allocated. We would have reservations about the delivery mechanisms of meals and the antiquated heating trolleys used. From this, we would request an increase in the food budget and an investment in better heated delivery trucks (i.e., battery powered).

## **9. VISITS**

IMB recognise that Maghaberry Prison goes beyond Prison Rule 68 in relation to the prisoners receiving visits. Visits take place in the Main Visits area. As visitors arrive, they are subject to testing by a passive drug dog and at least three prison officers supervise the area. Visits are held six days a week, with several sessions per day taking place. In total, there are thirty-two tables in integrated visits, which hold a maximum of three adults plus two children per table.

Separated prisoners have their own area and take it in turn - mornings and afternoons for visits. The visitors' arrival area endeavours to present a 'family friendly' image and during the summer holiday period, additional activities are organised for children. There are child-centre visits every Saturday for fathers to spend time with their children.

Visitors can leave money, personal items, etc. at the reception area as they are coming in for their visit. All items being brought in for the prisoner will be taken and searched before they actually reach the prisoner. This seems to be an ongoing problem over the years as there are recurring complaints regarding the time it takes for parcels to get from the Reception area to the prison.

There is still an absence of a shelter for visitors who have to walk from the Visitors' Centre to the prison. We observe young mothers pushing buggies or hand-holding toddlers as well as persons with a disability - and no access to private transport - making this journey in inclement weather.

### **Action Point:**

In previous reports, the Board has recommended a covered walkway for families visiting prisoners in Maghaberry. We would urge NIPS to take this matter forward.

## **10. EDUCATION AND OTHER ACTIVITIES**

### **Education**

Belfast Metropolitan College (BMC) continues to provide education within Maghaberry through the Learning and Skills Unit. This year has shown a stable up take of prisoners engaging with the Education Department; there is continued focus to assist all prisoners with a wide range of opportunities to learning new skills and attain new qualifications to support their progress of rehabilitation.

The Learning and Skills Unit provides an assessment of educational needs through the essential skill level in literacy and numeracy. Each new committal is encouraged to partake in the range of courses being offered through the BMC. Around one third of the prison's population has the equivalents of Primary 1 and Primary 2 level literacy and numeracy skills. There has been an increase in the level of qualifications as accredited by the BMC delivered at City & Guilds Level 3 in Joinery, Barbering and Enterprise and Employability. Other courses provided at Maghaberry include a vast range of subjects such as: Level 2 painting & decorating, plastering & tiling, industrial cleaning, catering, food hygiene, bricklaying, horticulture - along with Essential Skills, some of which are part-funded by the Department for the Economy. Whilst electrical courses are provided in the Mourne Complex, they are not provided in the main prison. This type of course appears to have significant interest which many prisoners would like to partake. Due to operational requirements, prisoners in the main prison are unable to go the Mourne complex to complete the necessary learning needs for electrical courses. Arts and crafts continue to be subjects which prisoners wish to take up. Other courses include catering which provides a total of 14 awards on completion of the various sections - as well as pottery and ceramics which is provided by the Prison Arts Foundation (PAF).

The needs of many prisoners are taken into consideration. With the NIPS and BMC supporting the wider population and providing evening time opportunities supporting those vulnerable prisoners who would otherwise, not be able to attend normal day classes. In recognition of the achievements of the students each quarter, BMC hold an award ceremony. The Board would like to acknowledge the effort and dedication both BMC and NIPS staff put into vocational and educational courses. There has been some 'Introduction of Skills' competitions which include: Maghaberry Bake Off, the Sensory Garden - which achieved a 'Gold' award (Royal Horticultural Society) awarded by the National Trust, along with the 'Battle of the Barbers', where the Grand Master Barber of Ireland awarded top performing learners.

Numerous courses are available from a range of different voluntary agencies as well as the BMC and NIPS, to help sentenced prisoners address issues that may have led to their offending in the first instance. Some of these courses include: Drug and Alcohol Awareness; Gaining Opportunities and Living Skills (GOALS); Resolve (for violent offenders); Alcohol Related Violence (ARV); Horizon (aimed at reducing offending) and Building Better Relationships. Other programmes include a Motivational Enhancement Group and Cognitive Self Change & Enhanced Thinking Skills. The Learning and Skills Unit continues to deliver new initiatives with the Positive Employer Engagement; this saw the hosting of an employability event at Maghaberry, engaging fourteen employers and targeting learners that were due for release within 6 months.

The Board is pleased to report that there are more opportunities for prisoners to participate in education or work. However, it has been raised that when a prisoner transfers between Maghaberry and Magilligan, there is no provision for the prisoner to be able to continue their course needs. This is an area which requires some consideration.

### **Work, Vocational Training and Employment**

Many prisoners have the want and need to avail of meaningful and purposeful work. Opportunities exist across a wide range and variety of work areas - including gardens, kitchens, laundry, recycling, power-washing, wheelchair-refurbishment, valeting of prison vans in Mourne, painting, tuck shop, stores and orderly work. The staff and prisoners in the garden section of Mourne also make bird boxes, feeders and garden furniture that are sold to staff and other organisations. However, there are waiting lists for the popular areas of work and the Board would like to see an increase in the number of work opportunities for those wishing to participate.

An example of good practice is identified in the kitchen area; staffing in the unit includes 30 prisoners who are drawn from across the population and reflect the various cultures in the prison. Prisoners enjoy working in the kitchen and on the serving areas in the houses. Delivery of the meal trolleys from the kitchen to all the houses continues to be carried out by those selected inmates who are given permission to work unaccompanied; this continues to work well. The Board is pleased to note that a training programme is in operation where prisoners can avail of NVQ accredited training in Food Safety and Hygiene. To date, 50 prisoners have achieved these qualifications. The Board is also pleased to note that some former inmates are now working full-time in the catering industry. This year also saw 64

catering students taking part in a very successful 'Maghaberry Bake Off', which was judged by Michael Deane.

A specialised area is the Braille Unit which teaches prisoners a valuable skill that can be used by outside organisations or individuals who want a book translated into Braille. The Unit provides colourful children's books which have both Braille and writing – thus enabling a sighted person to read and a child to follow. In addition, there is a barbering studio in the Education Unit and the prisoners make appointments and attend daily sessions. The garden areas within the prison are run by dedicated members of staff and continue to be a popular working area for prisoners. The IMB continues to recommend that goods and plants produced/grown in Maghaberry should be available for sale - probably in the area of the visitors' centre.

## **11. SPORTS AND RECREATION**

Sports and Recreation facilities continued to be fully utilised by all prisoners over the reporting year. The gym facility provides state of the art equipment to support prisoners with their specific needs, whether it is personal fitness or mental health and well-being. Across many of the Houses - including the new Davis House and Moyola, there is a range of gym equipment for use. The Sport and Recreation Department provides a range of sessions, programmes and courses including resistance training, cardiovascular training, circuit training, indoor cycling, badminton, bowls, indoor tennis, soccer and walking. Programmes include individual health appraisals, an introduction to all aspects of training and, advice to inmates on their nutritional needs and wellbeing. Courses that are provided are Level 2 in Fitness Instructing, Manual Handling and First Aid. During the past year, partnerships have been formed with the Irish Football Association (IFA), Gaelic Athletic Association (GAA), Irish Rugby Football Union (IRFU) and the Belfast Community Sports Development Network (BCSDN) who carry out coaching sessions. The Board would wish to encourage and support continued funding for this activity for the longer term. There have been no complaints about the facilities in regard to Sport and Recreation.

## **12. CHAPLAINCY**

The Chaplaincy at Maghaberry continues to provide a highly effective and professional pastoral care service, which can be accessed by both prisoners and staff. They provide care, compassion and practical assistance for all those of faith - and indeed for those of no faith.

As offenders enter prison, Chaplains - at the point of committal - play an important role in settling prisoners and are a point of contact for families, for whom this may be their first experience of the custodial process. During the year, Alpha and Kairos courses were provided within the prison, whilst excellent work continues to be carried out with Cruse Bereavement Care.

A tangible outcome of this good work has been seen through the 'Memory Tree' project. This initiative was the result of a member of staff observing and recognising that dealing with bereavement within prisons, was difficult for offenders who were unable to participate in the normal societal conventions that surround death. Prisoners were encouraged to put their thoughts and feelings on luggage tags which were then attached to the "Memory Tree" in remembrance of loved ones and friends who had passed away. They were also encouraged to reflect on the pathway which had brought them to this point in their lives. The response has been hugely encouraging and has been well received by all.

Once again, we make special mention of the St Vincent de Paul, who continue to provide a vital and practical role in helping offenders. In addition, we also want to mention a new venture which has seen clothes being recycled; this allows offenders access to clothing they might otherwise not have. The IMB wishes to acknowledge the prisoners and staff involved - and the encouragement given by the Chaplaincy for this project.

In relation to Church Services, the Chaplaincy provides Masses and other Sunday services throughout the year. The Carol Service at Christmas is particularly popular and well received by all. Prisoners and dignitaries enjoy it and are uplifted by the music provided by the Salvation Army Band - accompanied by volunteers and the prison choir. The Board previously raised the issue of prisoners not being able to attend, or not arriving on time for services on a Sunday. The Board believes this came about from a lack of attention around the fundamental issue of the human right of offenders to practise their religion. We are however pleased to report that there has been a substantial improvement and the Chaplaincy are greatly appreciative of the measures taken by management and staff to address the matter. The Board will continue to monitor the situation. In relation to the administrative difficulties experienced by the Chaplaincy in 2019/20, we are pleased to report that a permanent solution has been found and a new staff member will begin in April 2020 to assist with administrative duties; this will greatly benefit the Chaplaincy moving forward.

### **13. RESETTLEMENT**

The Prisoner Development Unit (PDU) is responsible for devising and monitoring a Personal Development Plan (PDP) for every prisoner. This plan will have identified individual needs and sources for the prisoner to address those needs. A prisoner's progress through PREPS can be affected by their compliance with their PDP - which they will have agreed and committed to completing. Support is provided by NIPS and external agencies and indeed, there is a Prison Service Resettlement Unit located at Maghaberry who will identify external agencies who support offenders during their time in prison and when released.

People coming into prison may have a wide range of complex needs. These needs are identified when their PDP is being developed at the outset of their period in custody. The IMB commends the person-centred approach taken by the PDU staff and stresses the importance of such developmental plans being put together as early as possible within a person's sentence - thus ensuring clear and unambiguous goals are set.

The IMB also commends the work done in Wilson and Burren House where life sentence prisoners nearing the end of their sentence, are being tested in a constructive way to assess their suitability for release.

The IMB however is aware that whilst the process of developing PDPs is excellent, they have a concern over whether Maghaberry can always deliver on their side of the agreement.

There is also concern that when a prisoner is being transferred to Magilligan, whether sufficient investigation has been undertaken before the move, to ensure Magilligan Prison has the resources in place to allow the continuation of the individual's agreed PDP. The IMB is still not clear over the transfer procedure from Maghaberry to Magilligan and this question has been put to IMB members several times during the reporting period. We would request a clear definition and selection criteria for the transfer process.

## Maghaberry Prison

### Independent Monitoring Board Members

1 April 2019 - 31 March 2020

IMB Member	Appointed	Status
Aubrey Dormer	01/04/19	~
Ian Hackney (Chair)	01/04/16	~
John Denvir	10/06/13	~
Karen Crawford	01/04/19	~
Lynn Nevin	10/06/13	~
Martin Dummigan	01/04/19	~
Mary McMahan	01/04/16	Resigned 31/12/19
Patsy McGonagle	20/05/13	~
Sarah Lawrence	01/04/19	~
Tom Logue	01/04/19	~
Wesley Mitchell	01/04/19	~

## COMMON ACRONYMS & ABBREVIATIONS

<b>ACE</b>	Assessment, Case Management and Evaluation process
<b>AD:EPT</b>	Alcohol and Drugs: Empowering People through Therapy
<b>BBR</b>	Building Better Relationships
<b>BIR</b>	Bullying Incident Report
<b>C&amp;R</b>	Control and Restraint
<b>CAB</b>	Challenging Anti-social Behaviour
<b>CJINI</b>	Criminal Justice Inspection Northern Ireland
<b>CJO</b>	Criminal Justice Order 2009
<b>CSRA</b>	Cell Sharing Risk Assessment
<b>CSU</b>	Care and Separation Unit
<b>DCS</b>	Determinate Custodial Sentence
<b>DHSSPS</b>	Department of Health Social Services and Public Safety
<b>DOJ</b>	Department of Justice
<b>DST</b>	Dedicated Search Team
<b>ECS</b>	Extended Custodial Sentence
<b>EMIS</b>	Egton Medical Information System (medical computer system)
<b>ESOL</b>	English for Speakers of Other Languages
<b>ETI</b>	Education and Training Inspectorate for Northern Ireland
<b>FNP</b>	Foreign National Prisoners
<b>HBW</b>	Hydebank Wood College & Ash House Women's Prison
<b>HMIP</b>	Her Majesty's Inspectorate of Prisons in England and Wales
<b>HNA</b>	Health Needs Assessment
<b>HSCB</b>	Health and Social Care Board
<b>ICS</b>	Indeterminate Custodial Sentence
<b>ICT</b>	Information and communications technology
<b>IEP</b>	Incentives and earned privileges
<b>IMB</b>	Independent Monitoring Board
<b>IP</b>	In-possession (referring to prescribed medication)
<b>JJC</b>	Juvenile Justice Centre
<b>MAR</b>	Medication Administration Record
<b>MBY</b>	Maghaberry
<b>MDT</b>	Mandatory Drug Test
<b>MGN</b>	Magilligan
<b>NICTS</b>	Northern Ireland Courts and Tribunals Service
<b>NIPS</b>	Northern Ireland Prison Service
<b>NOMS</b>	National Offender Management Service (in England and Wales)
<b>NPM</b>	National Preventive Mechanism
<b>OBP(s)</b>	Offending Behaviour Programme(s)

<b>OMU</b>	Offender Management Unit
<b>OPCAT</b>	Optional Protocol to the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
<b>OPONI</b>	Office of the Police Ombudsman for Northern Ireland
<b>PACE</b>	Police and Criminal Evidence (Act)
<b>PAU</b>	Prisoner Assessment Unit
<b>PBNI</b>	Probation Board for Northern Ireland
<b>PCNI</b>	Parole Commissioners for Northern Ireland
<b>PD</b>	Personality Disorder
<b>PDD</b>	Passive Drug Dog
<b>PDP</b>	Personal Development Plan
<b>PDU</b>	Prisoner Development Unit
<b>PECCS</b>	Prisoner Escorting and Court Custody Services
<b>PONI</b>	Prisoner Ombudsman for Northern Ireland
<b>PPANI</b>	Public Protection Arrangements Northern Ireland
<b>PPS</b>	Public Prosecution Service for Northern Ireland
<b>PREPS</b>	Progressive Regime and Earned Privileges Scheme
<b>PRISM</b>	Prisoner Record Information System Management (computer system used by NIPS)
<b>PRT</b>	Prison Review Team
<b>PSNI</b>	Police Service of Northern Ireland
<b>PSST</b>	Prisoner Safety and Support Team
<b>PST</b>	Post-Sentence Tariff
<b>RQIA</b>	Regulation and Quality Improvement Authority
<b>SAI</b>	Serious Adverse Incident
<b>SEHSCT</b>	South Eastern Health and Social Care Trust / The Trust
<b>SIR</b>	Security Information Report
<b>SLA</b>	Service Level Agreement
<b>SPAR</b>	Supporting Prisoners at Risk
<b>TED</b>	Tariff Expiry Date
<b>UKBA</b>	United Kingdom Border Agency
<b>VCS</b>	Voluntary and Community Sector
<b>WOU</b>	Working Out Unit
<b>YJA</b>	Youth Justice Agency