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**INDEPENDENT MONITORING BOARD**

**ANNUAL REPORT 2021-22**

**MAGHABERRY PRISON**

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## **MAGHABERRY PRISON IMB ANNUAL REPORT 2021/22**

### **MISSION STATEMENT**

The Independent Monitoring Board is a member of the UK National Preventive Mechanism (UK NPM) set up under the UN Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), to monitor the treatment received by those detained in custody to confirm that it is fair, just and humane.

### **STATEMENT OF PURPOSE**

Members of the Independent Monitoring Board for Maghaberry Prison are appointed by the Justice Minister under Section 3 of the Treatment of Offenders Act (NI) 1968 and under the prison Act (NI) 1953. The Board is required to:

- visit Maghaberry regularly and report to the Justice Minister on the conditions of imprisonment and 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 under the Prison and Young Offender Centre 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. The Board shall also have reasonable access to any records of the prison.

## **STATEMENT OF CONCERN FROM THE EXECUTIVE COUNCIL OF THE INDEPENDENT MONITORING BOARD**

The statutory role of the Independent Monitoring Board (IMB) is to give assurance to the Minister for Justice, and by extension to the General Public, of the compliance by the Northern Ireland Prison Service with relevant rules and standards of decency within prisons and the humane treatment of those held in custody.

To carry out this nationally and internationally recognised “voluntary duty” and to fulfil the requirement of the role description as determined by the Department of three-to-four-day commitment per month, IMB Boards would require a combined membership of thirty-six active members across all three establishments i.e. Hydebank, Maghaberry & Magilligan Prisons.

As we write this statement of concern, the present situation is that there are twenty voluntary members across all three establishments, with a significant number unable to give the full level of commitment as outlined in the Departmental requirements. The Executive Council (EC) has been highlighting the issues around membership and excessive workloads to the Department for a considerable period of time. In response, the Department have carried out two recruitment campaigns (2021/22 and 2022/23) with very limited success in relation to numbers of new members and their subsequent retention.

This has resulted in a crisis in relation to numbers and availability of Board members and the outworking's of this has meant a significant increase in workload for everyone.

The EC have made various attempts to both highlight and put forward workable solutions to the Department of Justice in relation to the crisis IMB's are faced with. However, there has been a disappointing almost indifferent response from the Department.

The implied result of this could suggest that the Department (either consciously or unconsciously) has limited interest in its statutory commitment to ensure the humane

treatment of those held in custody. As a consequence it could appear that the human rights of these individuals do not warrant any significant consideration from the Department.

It is therefore reasonable to ask if the voluntary work carried out by IMB members, on behalf of the Minister and the Department, is merely a token gesture designed to simply comply with the legislation rather than a profound attempt to improve the conditions and the rehabilitation of those held in custody.

The EC will continue to highlight the difficulties and challenges around membership and the excessive and unrealistic workloads of voluntary IMB members across all three establishments.

The IMB hope the Sponsoring Body/Department will take on board the grave concerns outlined above, and through appropriate and meaningful engagement, will look to provide innovative and workable solutions which will underpin the rights of those held in custody and the long-term sustainability of the IMB.

## **CHAIR'S INTRODUCTION**

I am pleased to introduce the IMB Annual Report for 2021/22.

The ability of the Board, with reduced numbers, to undertake all the monitoring it would have liked in order to provide a comprehensive account of all activities has been an issue during this reporting year and is reflected in this report.

The need to ensure that Covid was prevented, as far as possible, from entering Maghaberry prison has been an ongoing battle and the actions of prison management to ensure the safety of everyone has to be commended.

As we came to the end of the reporting year there has been an increase in "face to face" visits, educational activities and a gradual feeling of relative normality returning to within the prison which I am hopeful will continue.

There have been a number of monitoring issues which the IMB have raised with Prison Management - some of which have been resolved others however, will require a further period of monitoring to ensure the IMB is content with outcomes.

The general picture is of a stable positive regime which is beneficial to all; however we are always aware that stability is a fragile commodity which can be de-stabilised quickly if not managed correctly.

Over the reporting year there has been a major review carried out by the Criminal Justice Inspectorate Northern Ireland into the Care and Supervision Units (CSU) across all prison establishments which was commissioned by the Minister of Justice. For a number of years, the IMB has expressed concerns about aspects of the CSU regime. I welcomed the review and fully support and endorse the recommendations made by the Criminal Justice Inspectorate. The IMB will continue to monitor the outcomes of the report at a strategic and operational level providing scrutiny of policies and procedures in order to ensure the best outcome for all.

During the reporting period, there have unfortunately been three deaths in custody. The IMB Board extends its sympathies to the families of those involved and

recognises the efforts of prison and healthcare staff in trying to prevent the loss of life within the prison.

I would like to acknowledge the work of Prison Staff in relation to autism recognition and rehabilitation - particularly in the kitchens. This work - and the people involved, have deservedly been recognised by the Butler Trust and in the Queens Honours List. Additionally a member of the Healthcare Team has also deservedly been recognised for their leadership qualities and contribution within the South Eastern Trust.

I believe that the work the IMB have carried out over the year has underpinned our value as independent voices within the prison system and anecdotal evidence would suggest our efforts have not gone unnoticed both by the prison authorities and maybe more importantly, by the prisoners. However I am only too aware that levels of credibility can be lost or challenged at any point, and as we move into a new reporting year we will make every effort to maintain that high level of independence.

IMB Board Members continued to provide a confidential, impartial and independent platform for both prisoners and indeed prison staff to access at any time. I would like to take this opportunity to thank all the members for their high level of service, continued hard work and commitment over the past year, especially given the increased workload and pressure as a consequence of our diminished numbers. As volunteers who are freely giving their time, it is a huge ask to balance work and family life with the demand associated with monitoring a highly complex prison. Their dedication greatly benefits prisoners and those charged with ensuring their safety and rehabilitation.

Towards the end of the reporting year the IMB Secretariat, supported by the IMB Executive Council, recruited a number of new members to join the Board at Maghaberry. I would like to welcome those new members to a rewarding and fulfilling role. I would however urge the Secretariat and the Minister to progress the process of further recruitment, to ensure the effective continuation of the Board and its work.

I would extend my sincere thanks to the Secretariat for their continued support and I have welcomed the improved working relationships and more effective collaborative approach during this reporting year.

I would also acknowledge the open door policy of prison management which has resulted in better communication and understanding.

Lastly, our deepest sympathies are extended to the family and friends of Martin Dummigan, a former Member of the IMB Board who sadly passed away. Martin was only with the Board for a short time but his incite, wisdom and wit will be missed by everyone.

*John Denvir*

John Denvir  
IMB Maghaberry



## **OVERVIEW OF MAGHABERRY PRISON**

Maghaberry is a modern high security category A prison, with the capacity to hold 1935 prisoners in shared cells. All adult males regardless of their crime or length of sentence are initially housed within Maghaberry. The prison holds individuals from category A to D:

- Category A prisoners are those that would pose the most threat to the public, police or national security should they escape. Security conditions in category A prisons are designed to make escape impossible for these prisoners.
- Category B prisoners do not need to be held in the highest security conditions but, for category B prisoners, the escape should be made very difficult.
- Category C prisoners cannot be trusted in open conditions but are considered unlikely to make a determined escape attempt.
- Category D prisoners can be trusted in open conditions.

Un-sentenced prisoners or prisoners on remand awaiting trial, are generally housed in category B accommodation unless they have been provisionally classified as category A.

The prison also holds Republican and Loyalist prisoners under a separated regime as defined under the Steele Report 2003.

## **SUMMARY OF MAIN JUDGEMENTS, MONITORING OBSERVATIONS**

### **SAFER CUSTODY**

#### Monitoring Observations & Actions:

- Continue to monitor the prisons commitment to their Anti-bullying strategy.
- Encourage the use of 'listeners', especially in relation to vulnerable prisoners.
- Continue to monitor the impact of 'in possession' drug allocations.
- Monitor the use of body worn cameras.
- Highlight concerns in relation to the current policy for the transfer of personal monetary funds.
- The IMB recognise and commend the efforts of prison staff to prevent potential suicide and self-harm.

### **CARE AND SUPERVISION UNIT**

- Monitoring Observations & Actions:
- Consideration should be given to an alternative means of holding prisoners with complex needs
- Staff should be commended for their professional approach and compassion and recognition for their work should be explored
- There should be a more consistent approach from Governors in relation to Rule 32 application
- IMB will continue to monitor the outworking's of the CJINI report

### **HEALTHCARE**

#### Monitoring Observations & Actions:

- The IMB continue to have significant concerns about the self-administration of prescription drugs and will continue to monitor the situation.
- It appears from the evidence available to the IMB that the level of care provided within the prison is equivalent to that provided in the community.
- The IMB continue to have concerns around a number of specific individuals, where significant improvement in their mental well-being has not been evident and we would have concerns about their outcome in the long term

## **SEPARATED PRISONERS**

### Monitoring Observations & Actions:

- IMB will continue to monitor matters around education and catering.
- Continue to engage with separated prisoners to provide assurance to them of the independence of the Board

## **ADJUDICATIONS**

### Monitoring Observations & Actions:

- Board members were unable to attend adjudications but we are hopeful this will change in the near future.
- IMB intend in the future to interpret information in relation to adjudications and to increase our assurance and monitoring around equality and fairness.

## **ACCOMMODATION**

### Monitoring Observations & Actions:

- Continue to monitor issues around the availability of telephone communication.
- CSU improvements as outlined in the CIJNI report will be monitored.

## **RECEPTION AND INDUCTION**

### Monitoring Observations & Actions:

- Recognition that periods of isolation were difficult for both prisoners and staff.
- Process and policies in relation to telephone usage was ad-hoc on occasions and required to be improved

## **CHAPLAINCY**

### Monitoring Observations & Actions:

- The lack of a permanent Governor to oversee Chaplaincy functions should be addressed.

## **PHYSICAL ACTIVITIES**

Monitoring Observations and actions:

- The Board wish to recognise the work undertaken by staff to maintain as normal a regime as possible
- Physical, mental health & wellbeing and ultimately the rehabilitations of prisoners through physical activity also contributes to a safer and stable environment
- The Board would encourage management to minimise the redeployment of gym staff to other activities as far as possible.

## **CATERING**

Monitoring Observations & Actions:

- Continue to monitor cleanliness & general hygiene within the kitchen.
- Monitor the provision of hot food on Landings.
- Encourage the prison service to develop a more sustainable and environmentally friendly way of delivery of food.

## **TUCKSHOP**

Monitoring Observations & Actions:

- The IMB welcomes the introduction of an online ordering system. However this service needs to be provided to all prisoners and the system needs to be robust with improved contingency plans in place.

## **PRISONER ESCORT COURT CUSTODIAL SERVICES**

Monitoring Observations and actions:

- The IMB will continue to monitor the safety of prisoners being transported from Court to Prison.

## **SAFER CUSTODY**

It is the 'duty of care' for a prison to provide an environment where those housed are held in a safe and secure environment, free from bullying and intimidation from either fellow prisoners or prison staff.

The prison continues to promote and enforce a bully free environment and for the most part this has been successful. In terms of physical altercations during the reporting year there has been 31 incidents of prisoner on prisoner assaults and 47 prisoner on staff assaults.

There have unfortunately been 3 deaths in custody and there have been other incidents where the intervention of prison staff may well have prevented that number being higher. Staff identifying the signs of potential self-harm and those who have had to physically intervene to prevent loss of life should be highly commended for their efforts.

The use of 'listeners' within the prison, especially for those who are new to the prison regime has proven to be a worthwhile initiative and the continued commitment to this project by both prison management and prisoners is encouraged by the IMB.

There continues to be a significant amount of illegal substances making its way into the prison. Covid and the actions of prison staff have reduced the amounts of drugs and other illicit items coming in, but the IMB continue to believe that the introduction of full body scanners could be a gateway to enhance prisoner and staff safety in relation to reducing the flow of items coming into the prison. The IMB have been encouraged that in talks with Senior Prison Officials it appears the prison service is moving towards that position. We would encourage all involved to progress this issue as a matter of high priority.

The IMB have continued and will continue to raise concerns on the use of "in possession" drug allocation. Our concern remains around the potential for prisoners to place themselves in danger by the misuse of prescription drugs. Whilst we acknowledge that risk assessments are carried out by the Trust to give assurance this will not happen, we continue to be concerned about the potential for vulnerable

prisoners to be bullied or coerced into handing over their prescription drugs to others.

In previous reports we have raised concerns over the use, or lack of use, of body worn cameras and the policies and procedures around their use. Whilst there is anecdotal evidence that there has been an improvement, we are still not completely satisfied that this is as efficient or effective as it could be for the protection of prisoners and indeed prison officers.

During the year the IMB became aware of an issue around the ability of prisoners to place funds into their prison accounts. Why should this monetary issue be in the safety section of our report you may ask? The IMB highlighted to prison management that the stringent implementation of their policy could potentially lead to circumstances where prisoners who had no ability to place funds into their prison accounts could find themselves in a vulnerable position and could be exploited by other prisoners. Whilst the prison initially argued this was simply a return to a fundamental policy position they did recognise that the implementation of the policy needed to be carried out in a supportive way. The IMB will continue to monitor outcomes of the policy implementation on individuals.

The Board have monitored over the reporting year an upsurge in complaints from normally settled prisoners, across a number of houses, in relation to their treatment by prison staff. Whilst we always need to ensure a balanced approach to any such allegations there has been sufficient concern amongst IMB members to raise matters with prison management whilst signposting individuals to legal or procedural avenues to progress any complaints.

There has been clear evidence of prison staff intervention in relation to prisoners who may attempt suicide or inflict self-harm which has improved the safety and wellbeing of prisoners. The IMB would acknowledge the excellent work carried out by staff in this regard to ensure the safety of prisoners, especially those who have been identified as being vulnerable.

The continued improvement of the prison establishment in terms of prison buildings has certainly contributed to an increased feeling of safety and security with the prison.

**Monitoring Observations & Actions:**

- Continue to monitor the prisons commitment to their Anti-bullying strategy.
- Encourage the use of 'listeners', especially in relation to vulnerable prisoners.
- Continue to monitor the impact of 'in possession' drug allocations.
- Monitor the use of body worn cameras.
- Highlight concerns in relation to the current policy for the transfer of personal monetary funds.
- The IMB recognise and commend the efforts of prison staff to prevent potential suicide and self-harm.

**CARE AND SUPERVISION UNIT**

The IMB continue to have concerns about the Care and Supervision Unit (CSU) in Maghaberry Prison and welcome the request by the Minister for an inspection of CSU facilities across Northern Ireland to be conducted.

A prisoner can be segregated in the CSU for their own safety or the safety of others, for breaking prison rules or because they are suspected of having drugs or other illicit items in their possession. Some people held in CSU have severe mental disorders vulnerabilities or complex needs that make them particularly challenging for staff to care for.

Regardless of the reason why someone is placed in the CSU all are subject to the same regime. The IMB would question why when someone placed in this unit for their own safety are treated in the same way as someone who has broken prison rules, which on occasion can be a violent assault on staff or another inmates.

We also have concerns that some individuals are being housed for long periods of time for matters relating to their mental wellbeing which is unlikely in our opinion to be conducive with the likelihood of sustained improvement for the individual.

It is also in our opinion that it is unfair and unsustainable for prison staff to be asked to deal with these challenging individuals. We can however report that our

observations of staff interaction with these individuals has been both professional and compassionate.

IMB would endorse consideration being given to a dedicated unit to accommodate those who are removed from normal prison population for their own safety.

Another concern around individuals being held within the CSU is that it is not always apparent that Governors chairing Rule 32 case conferences (internal discipline procedure) are fully familiar with the principles of the Mandela Rules or take into account The United Nation Standard for retaining people in a solitary environment with little or no meaningful contact. Whilst we understand the need for internal prison discipline Governors should be looking to give the minimum amount of restricted association as possible.

In February 2022 an inspection into the care and supervision unit at Maghaberry was undertaken by the Criminal Justice Inspection Northern Ireland (CJINI) as part of a wider investigation into CSU facilities across all prisons in Northern Ireland.

The report concluded:

- That regimes did not meet the UN Standard Minimum Rules with prisoners spending too long in their cells without meaningful human contact and their regime amounted to solitary confinement.
- There was a lack of oversight by senior management that had contributed to an inconsistent approach to prisoner care and treatment.
- Some prisoners with severe mental disorders were living in the CSU.
- There is limited facilities and opportunities for purposeful activities in the CSU not helped of course by the COVID-19 pandemic.
- CIJNI like the IMB recognised the impressive and committed staff who on many occasions have gone above and beyond what is expected of them to help individuals. It was recognised that appropriate staff training and selection should be considered to support these officers.

The report made three strategic and 11 operational recommendations which the IMB would fully endorse including:



- A NIPS strategy and action plan in the operation of the CSU to deliver better services and achieve the UN Standard
- Arrangements to ensure prisoners suffering from severe mental health issues are cared for and treated in a secure in-patient health or learning disability hospital
- Provision of purposeful activity for those held in CSU including education and training opportunities as well as physical activities
- Improvement to the CSU environment and facilities
- An IT solution that supports better record keeping and information sharing.

The IMB will monitor the recommendations outlined in the CJINI report and believe that a full implementation will have a significant positive outcome for both prisoners and staff within the CSU environment.

**Monitoring Observations & Actions:**

- Consideration should be given to an alternative means of holding prisoners with complex needs
- Staff should be commended for their professional approach and compassion and recognition for their work should be explored
- There should be a more consistent approach from Governors in relation to Rule 32 application
- IMB will continue to monitor the outworking's of the CJINI report

**HEALTHCARE**

The South Eastern Trust continues to provide a very professional and dedicated service within Maghaberry. At the heart of their provision of healthcare, there is an aim to ensure equality of care to everyone in the prison and to provide a comparable level of service with that provided in the community.

During the reporting year, we held a meeting with Healthcare representatives to get assurance on the range and level of physical and mental wellbeing service provisions and the level of uptake within the prison.

The Trust was able to confirm it was encouraged by the participation of people in custody in a number of initiatives. The Trust was able to confirm that the recruitment

of new staff is a priority and that it is hoped that all vacant positions within the healthcare team would be filled by the end of the calendar year.

There are always discussions around comparable waiting times for services between the community and those held within prisons. The issue of course is that it is not a direct like-for-like comparison. In a non-prison environment individuals have the ability to avail of pain relief for example by going to the local chemist or supermarket, which is not the case within the prison. This means that when an ache or pain does arise the need for formal medical intervention is likely to be the outcome. What we have observed is that waiting times and medical intervention seems to be equivalent to what is occurring within the community.

On arriving at prison, individuals are assessed physically and mentally with a full face-to-face mental health triage taking place within a target period of 7 days, but usually within 5 days.

There is emergency medical intervention within the prison on a 24/7 basis, with access to a GP 'Out of Hours' service. However, people in custody especially those being committed later in the working week have found that healthcare staff on occasions, have difficulty accessing a person's clinical history and prescribed medication due to the person's healthcare information not being available at the time of committal. The IMB have highlighted this matter to the Healthcare Unit.

People in custody can, after risk assessment be subject to either direct administered medication by healthcare staff or self-administered medication. The IMB have previously raised their unease that people in custody could be put in vulnerable and compromising positions in relation to this policy but the Trust are confident with the correct risk assessment, they can manage the situation appropriately. The IMB will continue to monitor the situation.

It has been well established that there are large numbers of people in custody with mental health and behavioural challenges within Maghaberry. The Mental Health Team continue to provide a high level of professional care for all the prisoners, however, the IMB have questioned the treatment of a number of prisoners within the

prison, where it has not been clear to Board Members that the level of intervention has had a positive effect on individual prisoners or indeed that it has helped to assist prison officers dealing with these prisoners. Those individuals still remain within the system and the Board will continue to monitor their situation.

**Monitoring Observations & Actions:**

- The IMB continue to have significant concerns about the self-administration of prescription drugs and will continue to monitor the situation.
- It appears from the evidence available to the IMB that the level of care provided within the prison is equivalent to that provided in the community.
- The IMB continue to have concerns around a number of specific individuals, where significant improvement in their mental well-being has not been evident and we would have concerns about their outcome in the long term

**SEPARATED PRISONERS**

Maghaberry has sections of the prison which are allocated for separated prisoners, those categories being Loyalist and Republican and these areas are managed by Northern Ireland Prison Service (NIPS) - the Northern Ireland Office (NIO) have oversight in relation to qualifying criteria. Republican prisoners are held in Roe House while Loyalist prisoners are held in Bush House. Prisoners are placed in these houses via a qualifying system with a set criteria

Both houses have their own gym and exercise yard. Prisoners within both houses are catered for from the general kitchen with the same menu as other prisoners.

During this monitoring period, we received some complaints in relation to food being delivered to the houses which was cold and there were allegations that food trollies were left sitting in other areas for long periods. The IMB highlighted this matter to prison management and it appears to have been resolved. The IMB will continue to monitor the situation.

Separated prisoners raised concerns about virtual visits and the potential return of face-to-face visits as Covid restrictions were being eased in the community, as they were concerned this change was not being reflected within the prison regime. The IMB raised these concerns with prison management. Prison management gave

assurance that Public Health Agency (PHA) guidance was being followed. The IMB will continue to monitor the situation.

Education within both houses appears to be a major concern for the prisoners. A lack of tutors taking up teaching positions in these houses has been highlighted as an issue. There has however from November been an introduction of a learning and skills centre which the IMB will elevate some issues brought to our attention. The IMB will continue to monitor progress.

**Monitoring Observations & Actions:**

- IMB will continue to monitor matters around education and catering.
- Continue to engage with separated prisoners to provide assurance to them of the independence of the Board

**ADJUDICATIONS**

Adjudications are part of the prison disciplinary system. Any prisoner who is alleged to have broken a prison rule, will be taken to a disciplinary hearing, heard by an adjudication Governor. If proven guilty, an award will be issued through the internal disciplinary system. A full list of offences is contained within Rule 38 of the Prison Rules.

For period 2020/2021 there were 489 inmates and 1004 adjudications/charges.

For period 2021/2022 there were 813 inmates and 1551 adjudications/charges.

<b>ADJUDICATION VERDICT</b>	<b>NUMBER OF ADJUDICATIONS</b>	<b>NUMBER OF INMATES</b>
Dismissed	1	1
Guilty	188	145
Not Guilty	6	6
Withdrawn	1194	546
	162	115

During the reporting period, the IMB were unable to attend adjudications due to Covid restrictions. There was a significant number of adjudications that did not take place and were timed out as they were unable to be conducted within the 9 weeks period from the persons being charged and the hearing taking place.

### **Monitoring Observations & Actions:**

- Board members were unable to attend adjudications but we are hopeful this will change in the near future.
- IMB intend in the future to interpret information in relation to adjudications and to increase our assurance and monitoring around equality and fairness.

### **EQUALITY AND DIVERSITY**

No monitoring was carried out in relation to equality and diversity due to Covid restrictions and insufficient resources in terms of Board Member numbers

### **EDUCATION & OTHER PURPOSEFUL ACTIVITY**

No monitoring was carried out in relation to equality and diversity due to Covid restrictions and insufficient resources in terms of Board Member numbers.

### **RESETTLEMENT**

No monitoring was carried out in relation to equality and diversity due to Covid restrictions and insufficient resources in terms of Board Member numbers.

### **ACCOMMODATION**

Maghaberry prison has an operational capacity to hold 1,415 male prisoners in single and shared cells with the most modern accommodation being provided in Davis and Quoile Houses. The older square houses continue to be phased out as the more modern accommodation is utilised.

Both Quoile and Davis Houses are modernised with securely placed phones in each cell where prisoners have Freephone access to support agencies such as the Samaritans as well as authorised numbers on their phone cards. There were a small number of incidents reported throughout the year where telephone lines were unavailable for Prisoner use in both houses and there were computer issues within Davis, both matters were taken forward by the IMB.

As part of the CIJNI report (February 2022) a recommendation was made that there needed to be an improvement to the environment and facilities within the Care and

Supervision Unit (CSU), including the availability of an exercise yard in Maghaberry Prison, this work is expected to take place within 6 months of the published report. The 21/22 year continued to see restrictions in place due to Covid where restrictions impacted on gym and library availability and caused disruption to Church services. Foyle House continued to be used for Prisoners entering the establishment for the first time, or returning to Prison and who had to isolate for the required period within Public Health Authority guidance. The IMB continued to have some concerns regarding the standard of accommodation within Foyle during this year particularly around lack of furniture and non-working showers, and the impacts on Prisoners due to Covid restrictions particularly 23 hour lock ups.

The prison does however need commended for the measures they put in place to keep Covid out of Maghaberry and on the small number of occasions where an outbreak did occur the relevant areas were locked down and Glenn House was availed of when required for the protection of Prisoners and staff. Covid restrictions within the Prison have started to lift from April 2022.

The Board would again comment on the estate within Maghaberry being maintained to a good standard, there are always areas with some work required but the general cleanliness and tidy presentation of the grounds should be recognised. The work carried out by prisoners in the gardens and other areas which presents a very striking array of colour throughout the prison should be acknowledged.

#### **Monitoring Observations & Actions:**

- Continue to monitor issues around the availability of telephone communication.
- CSU improvements as outlined in the CIJNI report will be monitored.

#### **RECEPTION AND INDUCTION**

The Reception area is the first point of call on arrival from Courts or Police Custody, under normal circumstances. Since Covid-19 pandemic occurred in March 2020, the process of new prisoners arriving has changed in order to keep everyone safe.

New prisoners arriving are now taken directly to Foyle House which has become the Quarantine house for all new arrivals and prisoners will stay in single cells on their

own for 14 days. Foyle house and cells are disinfected and cleaned before and after every prisoners stay. Each Prisoner is fully searched by the Search Team, their property is searched and kept safely for them.

In relation to foreign nationals arriving with a lack of understanding of the English language, staff can communicate with them using the “Big Word”, and a translation tablet. All such prisoners are dealt with sensitively and are put at ease and treated with respect by Reception staff on arrival.

Most prisoners are accommodated in a single cell, but if prisoners are required to share a double cell, their allocation for example can be looked at on a smoker or non-smoker basis but there are other criteria which will be taken into consideration. During the reporting year there were no periods of doubling up within the prison.

Prisoners on arrival are assessed as potentially vulnerable or suicidal individuals and are processed accordingly. Each prisoner is allowed a phone call whilst in the Reception process; NIPS will ensure that the other party is willing or allowed to speak to the prisoner before the call is permitted.

An Induction pack is now provided in Foyle House for all new Prisoners.

Over the past year it has been reported that prisoners have had issues with telephones, e.g. no communication with their family for 4 to 5 days after arriving into Prison. The IMB have raised this issue with prison management on numerous occasions and continue to pursue the matter.

The IMB noted issues relating to isolation periods around Covid restrictions which were detrimental to the mental well-being of a number of prisoners e.g. a prisoner put into initial isolation for 14 days on arrival at the prison may be required to attend court on day 7 and on their return to the prison have to recommence the initial 14 day isolation period again. The IMB acknowledged this was in line with PHA guidance but were acutely aware of the adverse impact and raised concerns with prison management.

In Foyle House the IMB concentrated on the cleanliness of the cells for prisoners on arrival and found them in the main to be of an adequate standard. However as we moved through this reporting period we recognised the IMB should be giving greater consideration to the mental well-being of new prisoners. It is not possible for the IMB to meet with every new prisoner due to numbers. There are a number of different Landings within Foyle House, so the IMB have undertaken to complete checks on cleanliness and prisoner mental well-being in one section of the House on a rotational basis. The IMB observed staff in the main acting in a very professional way identifying vulnerable prisoners at an early stage and providing support to the prisoner through a difficult period. The IMB did however receive complaints about showering, food allocation and telephone usage which was raised at the time and prison management did address them at the time, however some issues still continue.

**Monitoring Observations & Actions:**

- Recognition that periods of isolation were difficult for both prisoners and staff.
- Process and policies in relation to telephone usage was ad-hoc on occasions and required to be improved.

**CHAPLAINCY**

Covid restrictions continued to be in place during this reporting period. During this time members of the Chaplaincy continued to provide a high level of pastoral care to all of those prisoners who wished to avail of their services.

The Chaplaincy provides a vital link between prisoners and their families, sometimes in very difficult and challenging circumstances. The ability of Chaplains to provide support, comfort and empathy to prisoners has on many occasions played a vital part in the mental wellbeing of individuals and their families.

There has of course been a reduction in the programmes and events for prisoners due to the impact of Covid restrictions, but as we moved towards the end of the reporting year that situation improved on a daily basis.

It is well recognised at all levels within the prison management the important and vital role that the Chaplaincy provide and we would urge management to provide a



more permanent and structured approach to the overseeing of the Chaplaincy function which will be beneficial to everyone.

**Monitoring Observations & Actions:**

- The lack of a permanent Governor to oversee Chaplaincy functions should be addressed.

**PHYSICAL ACTIVITIES**

The restriction around physical activities due to the Covid pandemic continues to have a knock on effect for prisoners and staff. Physical and mental well-being is inextricably linked and the inability of some prisoners to access activities has in our opinion had a detrimental impact. There has been some disquiet among prisoners and indeed prison staff that planned gym activities were being cancelled at short notice due to the lack of resources which had required the redeployment of officers. The IMB are aware that due to sickness, Covid isolation and the requirements of annual leave that there will be occasions where staff may need to be redeployed from physical activities but we would encourage that these be kept to a minimum as much as possible as the benefits to the regime of regular structured exercise is immeasurable. Staff continued to provide tailored but limited activities within houses and they should be recognised for their efforts.

As we moved through the year we are pleased to report that some restrictions have been eased and there is a feeling that the prison is getting back to near normal activities with the gym reopening and IFA /GAA and other outside bodies returning in the not too distant future to restart programmes for prisoners.

**Monitoring Observations and actions:**

- The Board wish to recognise the work undertaken by staff to maintain as normal a regime as possible
- Physical, mental health & wellbeing and ultimately the rehabilitations of prisoners through physical activity also contributes to a safer and stable environment
- The Board would encourage management to minimise the redeployment of gym staff to other activities as far as possible

## **CATERING**

Maghberry meals are prepared in a large industrial style kitchen. There are on average 3000 meals per day provided to prisoners. Food preparation is carried out by kitchen staff and prisoners who want to learn or develop new cooking skills and some prisoners will work towards certification in various aspects of food preparation and cooking.

Prisoners get three meals a day, often from a four-week rolling menu; they can choose what they eat from several options including halal, vegan and vegetarian food. Fruit and vegetables are offered to encourage prisoners to avail of better dietary options.

Each prisoner receives a breakfast pack that is issued the evening before for use the next morning. This includes breakfast cereal, milk, tea bags, coffee whitener, sugar, brown or white bread, jam and margarine or butter type spread. They will also receive a weekly allowance of teabags and sugar. Prisoners have access hot water on each landing and many use a thermos flasks to keep water warm.

All food is checked for nutritional value and must meet the standards for a healthy lifestyle.

Food is served on occasions in disposable polystyrene containers in a limited number of houses mainly due to the pandemic and periods of isolation. The IMB would encourage the prison to look at a more sustainable and environmentally friendly way of delivering food notwithstanding the need for separation due to Covid.

The 3 main matters raised with the IMB:

- food not being warm when it arrives;
- the breakfast pack being insufficient; and
- the portion size in relation to main meals.

### **Monitoring Observations & Actions:**

- Continue to monitor cleanliness & general hygiene within the kitchen.
- Monitor the provision of hot food on Landings.

- Encourage the prison service to develop a more sustainable and environmentally friendly way of delivery of food.

## **TUCKSHOP**

The tuckshop is staffed by prison staff, with assistance from prisoners. It provides a wide range of items that prisoners can avail of from sweets, soft drinks and tobacco, up to and including some authorised electrical items.

The prison recognises the need for prisoners to keep in touch with families and friends and will have products such as cards for birthdays, father/mother's day, Christmas etc. available.

There have been operational problems with the online portal system in Davis House, affecting approximately 360 prisoners. Prisoners have had to revert back to manual order forms, resulting in prisoners receiving incomplete/incorrect orders. This has led to an increase in prison staff workload which impacts their role in purposeful engagement with prisoners. This situation has been exacerbated by delays in repairing the system by external contractors. Online facilities have not been rolled out to other houses which would be welcomed.

There have been limited stocks of foreign national food items due to supplier/supply issues. The IMB continue to monitor the situation.

### **Monitoring Observations & Actions:**

- The IMB welcomes the introduction of an online ordering system. However this service needs to be provided to all prisoners and the system needs to be robust with improved contingency plans in place.

## **PRISONER ESCORT COURT CUSTODIAL SERVICES**

Prisoner Escort and Court Custodial Service (PECCS), look after the safety of a prisoner from time they are sentenced and leave court until their arrival at prison. PECCS deal with all categories of prisoners.

In last year's Report we highlighted the possibility of safer cells in prison transport after an incident occurred with a prisoner self-harming in a prison van coming from court to prison. There were no secure cells in the vans to deal with this type of situation, this has been considered in relation to the new vehicles moving forward

### **Monitoring Observations and actions:**

- The IMB will continue to monitor the safety of prisoners being transported from Court to Prison.

## **BURREN HOUSE**

Burren House is an Open Prison which is in the grounds of the old Crumlin Road Prison in Belfast. It has room for more than 20 prisoners most of who are life sentence prisoners nearing the end of their jail terms. They are allowed to attend daily work placements and can have weekend overnight visits to family and friends as part of their pre-release testing.

Renovations began at the beginning of 2020 to update the plumbing and electrics in the house, these renovations have now been completed.

There are currently 10 prisoners being housed in Burren house. The majority of these prisoners are working in a Braille Unit 3 days a week.

Strict testing is carried out when the prisoners return from work, this includes Covid testing and tests to identify drug and alcohol usage.

Essential key workers for example Probation and Psychology now have access to engage with prisoners as Covid restrictions reduce.

Staff members have on occasion advised they feel undervalued, this has been noted and raised with prison management.

### **Monitoring Observations & Actions:**

- The IMB will continue to engage with staff members to ensure the best outcome for prisoners.

## **MAGHABERRY PRISON IMB MEMBERS 2021/22**

Karen Crawford

John Denvir

Aubrey Domer

Ian Hackney

Tom Logue

Patsy McGonagle

Wesley Mitchell

Lynn Nevin

Sarah Lawrence      Resigned 31 March 2022