



**INDEPENDENT MONITORING BOARD**  
**ANNUAL REPORT 2015 - 2016**  
**MAGHABERRY PRISON**

## **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 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 Prison regularly and report to the 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 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 of the records of the prison.

## **UK NATIONAL PREVENTATIVE MECHANISM**

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

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## **Chairperson's Introduction**

This is my first year as Chair and I am pleased to introduce the IMB Annual Report for the year ended 31 March 2016.

The Board started this year with seven members but after a recruitment campaign towards the end of 2015 we finished the year with an additional four new members currently in training and a further new member due to start early in the next reporting year. Thankfully the dedicated nucleus of IMB members worked through the period to fulfil their sometimes trying obligations from within the prison and from external associated pressures. To all the Board members I wish to express thanks and appreciation for their resounding work, professionalism and diligence in all aspects of their role.

Sadly during the year NIPS have had to deal with the murder of their colleague Prison Officer Adrian Ismay. Although not a member of Maghaberry staff he was a longstanding officer who was held in high regard by his fellow officers. We wish to extend our deepest sympathy to his family, friends and work colleagues.

There have also been two deaths in custody during this reporting period, to their family and friends we also express our sympathy.

It has been on occasions a frustrating year as an IMB member with many lows, and occasional highs, compounded with ever changing management structures and personnel. The serious fire in Erne House in April followed by the critical inspection report in May have led to major management changes within the prison. The Board have consistently raised the issue of staffing throughout the year up to and including the Justice Minister. The shortfall in staffing levels compounded with high sickness levels have, in our opinion, been responsible for the situation at time of inspection, and this is an issue which we as a board have raised in several previous reports. Despite staff returning to work and staff having been transferred from other establishments the Board is still of the opinion that the prison is understaffed in many areas, leading to some landings being closed and the excellent facility of Donard Centre being under utilised. We have been assured by Senior Management that staffing is being addressed and we eagerly await the result of this.

Healthcare has again been one of our major concerns during the year, with lack of staff being a major factor due both to problems recruiting and poor retention. Constant discussions with healthcare show that staff shortages are having an effect on the way the service is delivered, in particular with regard to prisoners with mental health issues. Like all my fellow board members and prison staff, I am convinced that Maghaberry is an unsuitable location for the increasing number of prisoners who have severe mental health problems, and who should be cared for in suitable secure hospital accommodation where their mental health issues will be addressed and treated.

During the year we have constantly highlighted the issues within the Care and Supervision Unit (CSU), including the temporary move to Foyle House to allow for refurbishment of the existing facility. The Board would like to see an improvement both in the system under which prisoners are sent to CSU and the conditions when they are there.

On the plus side the Board welcomes the establishment of the 'core day' which is still a 'work in progress', as this will have a positive effect giving prisoners a better opportunity for education and work increasing their chances of gaining employment when they leave prison. There is also an excellent new staff cafe which is run by both staff and prisoners.

In January, following the publication of the highly critical inspection report into Maghaberry, the vice chair and I were invited to appear before the Justice Committee where we had a valuable opportunity to present the challenges and difficulties within the prison from an IMB perspective, and also, to answer questions from committee members. I feel it was a mark of how interested the Justice Committee were in our viewpoint that we were given double the allocated time and that we received very positive feedback from them.

In closing I would like to thank the IMB Secretariat for all their support throughout the year.

**Patrick McGonagle**

**Chairperson**

## OVERVIEW OF ESTABLISHMENT

Maghaberry Prison is a relatively modern high security prison which holds adult male long-term and short-term sentenced and remand prisoners in both integrated and separated units. The regime in the prison is intended to focus on the balance between appropriate levels of security and the Healthy Prison Agenda – safety, respect, constructive activity and resettlement – of which addressing offending behaviour is an important element.

The majority of the prisoners are accommodated in seven residential houses on the main site. Bann, one of the 'square houses' accommodates mainly committal and prisoners on induction. Bush and Roe houses accommodate separated prisoners on two landings each, with the other two landings used for general prison population. Two of the three other original 'square houses' Lagan and Erne hold a mix of sentenced and remand prisoners. A new house – Quoile – was opened three years ago. This modern purpose-built house accommodates mainly a drugs-free landing, and Donard landing. There is also the new Shimna House which was built as a Witness Protection Unit, but given the rising population within the prison this new house now accommodates the workers landing which was previously based in Quoile. There is a separate Care and Supervision Unit (CSU) which is currently housed in the remaining 'square house', Foyle, while the former CSU undergoes a major programme of refurbishment. While IMB welcomes this long overdue refurbishment, the conditions in Foyle House are cause for concern and the Board would hope that work on the newly refurbished CSU will be completed sooner rather than later. The former Healthcare Unit is now renamed Moyola and is a normal landing within the prison. Martin, Wilson and Braid are located in the Mourne complex across the road from the main site. Braid houses mainly life sentenced prisoners and Wilson is used to house prisoners who are nearing the end of life sentences and have participated in and completed all relevant programmes. Martin House houses the Witness Protection Unit. Glen House is at end of this reporting year still unoccupied. Burren House (formerly the PAU- Prisoner Assessment Unit) on Crumlin Road re-opened two years ago and houses life sentence prisoners who are on final phase of their sentence prior to release.

There are also plans for a new 'house' which should be completed in approximately two years.

Healthcare for all prisoners is provided by South Eastern Health and Social Care Trust (the Trust). The drug and alcohol service for prisoners who are in need of consultation is provided by Ad;ept (Alcohol and Drugs; Empowering People through Therapy) in partnership with the Trust and NIPS. Education and training is provided by Belfast Metropolitan College (BMC).

Various charitable and voluntary organisations maintain a presence on site although at end of reporting year it was disappointing that some will no longer be available due to lack of funding. NIACRO previously provided guidance through the Jobtrack scheme for prisoners trying to obtain a job on release, but this is no longer available although they do try and obtain work placements for prisoners with varying degrees of success. CRUSE Bereavement Care continue to provide support for prisoners dealing with bereavement issues, however this is now organised from their Belfast office as, due to funding cuts, they no longer have someone based on site. Barnardos support prisoners with family issues, and Housing Rights and Benefits Advice staff support prisoners in obtaining housing, benefits and grants when they leave prison. It is very disappointing that Quaker Service no longer have the contract for the Visitor Centre, which has been awarded to People Plus NI last year. This has had a huge impact for prisoners' families as it has meant there are no longer hot meals available for families who may have travelled a long distance, often several hours, just sandwiches, snacks and tea or coffee. The bus from the Centre to Visitors Reception is no longer in place which causes difficulties for visitors with mobility problems, mothers with young children and elderly visitors especially in wet or cold weather. There are no longer childcare facilities at the Visitor Centre which can have a huge impact if not all the children that arrive have been booked on a visit; this may entail the visit having to be cancelled causing upset to both family and prisoner. Staff in the past ran seasonal events for the children and the budget for this has been drastically reduced. Advice for families is still available, and crèche facilities and the tea bar is still running in the main visits area. Quaker Connections continue to run their befriending service for prisoners who have no visits.

Spiritual and religious matters are the remit of the prison Chaplaincy team who try to facilitate the practice of all faiths within the prison community and provide great support to prisoners and their families. Additional help is provided by the Prison Fellowship and also by St Vincent de Paul.

## **SUMMARY OF RECOMMENDATIONS**

The Board recommends that:

### **1 ACCOMMODATION**

- a) Square houses should be replaced with more modern accommodation (para 1.1)
- b) A rolling programme of maintenance and redecoration put in place in the meantime (para 1.1)
- c) Some form of purposeful activity put in place for prisoners on Moyola landing (para 1.5)

### **2 ALCOHOL AND SUBSTANCE ABUSE**

- a) The Trust review the addictions service to ensure that it is capable of working with the numbers of individuals requiring the service (para 2.8)
- b) The Trust and NIPS review the whole issue of 'In Possession' medication including the safe storage and 'spot checks' (para 2.10)
- c) NIPS and SET jointly review the Drug Recovery Programme with a view to sourcing funding to establish a rolling recovery programme (para 2.12)

### **3 CATERING AND KITCHENS**

- a) The number of prisoners undertaking an NVQ Qualification be increased in order to facilitate employment on release (para 3.3)
- b) The practice of prisoners eating in cramped shared cells is reviewed (para 3.8)



#### **4 CHAPLAINCY**

- a) The Chaplaincy service is reviewed and hours increased to former level (para 4.4)
- b) The Chaplaincy are included in discussions regarding temporary compassionate leave (para 4.5)

#### **5 EDUCATION AND TRAINING**

- a) That the service agreement with BMC is reviewed as matter of urgency (para 5.1)
- b) Staff from training and education to visit the individual landings to encourage prisoners to participate in available courses (para 5.2)
- c) That steps are taken to ensure prisoners participate in workshops with a view to achieving NVQs or some accredited qualification (para 5.3)
- d) Review of the education and workshops available in the Mourne complex (para 5.4)
- e) Consideration is given to selling art, crafts, garden furniture, plants etc. produced by prisoners (para 5.5)
- f) An outlet is found for food grown in the garden (para 5.5)

#### **6 EQUALITY AND DIVERSITY**

- a) The Trust provide their definition of disability (para 6.2)

## **7 HEALTHCARE AND MENTAL HEALTH**

- a) The Trust prioritises the recruitment and retention of staff during year 2016/17 (para 7.4)
- b) All standards relating to the management of medicines are complied with by the Trust, and supported by NIPS (para 7.6)
- c) A mechanism be put in place to try and ascertain the number of prisoners who live with a disability. We acknowledge the complexities involved and view this recommendation as an aspiration for the future (para 7.9)
- d) The Department of Health and the Department of Justice include the issue of social care provision within the Prison population into the joint Healthcare and Justice Strategy (para 7.10)
- e) Consideration be given to a Patient Forum on healthcare (para 7.13)

## **8 LIBRARY**

No recommendations

## **9 LIFE SENTENCED PRISONERS**

- a) Courses should be available for life sentenced prisoners from commencement of sentence (para 9.2)
- b) More work is made available specifically for life sentence prisoners (para 9.5)
- c) That consideration is given to maintaining the family links for life sentenced prisoners (para 9.5)

## **10 PRISON REGIMES & ENHANCED PRIVILEGES SCHEME (PREPS)**

- a) Reports are updated in a timely manner (para 10.3)

## **11 RECEPTION AND INDUCTION**

- a) There are sufficient staff detailed to work in Bann House to ensure the safety of prisoners and staff (para 11.2)
- b) First time prisoners should not share a cell with an “experienced” prisoner (para 11.3)
- c) New staff get specific training to work in induction (para 11.5)
- d) All induction staff are trained in Applied Suicide Intervention Skills Training (ASIST) (para 11.6)

## **12 RESETTLEMENT**

No recommendations

## **13 SAFER CUSTODY**

- a) The matter of provision of social care for aging prisoners be resolved (para 13.5)
- b) The funding for CRUSE is reinstated as a matter of urgency (para 13.11)
- c) Funding is sought for the Drug Recovery Programme to run on a rolling basis (para 13.15)

## **14 SEGREGATION – CARE AND SUPERVISION UNIT (CSU)**

- a) The CSU does not become the ‘normal’ location for prisoners with complex mental health issues (para 14.2)

- b) The prison does not compromise on maintaining set staffing of the CSU because of the special skills and knowledge required by those looking after highly vulnerable and volatile prisoners (para 14.3)
- c) All prisoners entering CSU are given an exit plan (para 14.4)
- d) Adjudication process reviewed with view to reducing volume (para 14.5)
- e) The number of Governors hearing adjudications is reduced and regular reviews are conducted to address inconsistency in both awards and procedure (para 14.7)

## **15 SEPARATED PRISONERS**

No recommendations

## **16 SPORT AND RECREATION**

No recommendations

## **17 TUCK SHOP**

- a) NVQ accredited training is made available to those working in the tuck shop (para 17.3)
- b) All products are competitively priced (para 17.4)
- c) The distribution of tuck shop on the landings is reviewed (para 17.5)

## **18 VISITS**

- a) The process of transferring items left at visits reception is reviewed to lessen the delay in reaching the prisoner (para 18.3)
- b) Review of the service formerly provided by Quaker Service (para 18.6)

## Section 1 – ACCOMMODATION

1.1 Several previous reports recommended that the square houses of Bann, Erne, Foyle and Lagan be replaced, but unfortunately due to the present economic climate and reductions in budget the Board realises this is unlikely to happen. The decrease in the prison population this current reporting year, in part due to dispute over Legal Aid, has meant that the numbers in each house had been reduced by end of reporting year. Overcrowding impacts negatively on prisoners as there is little privacy in shared cells - particularly when there are lengthy periods of lock down. However, the Legal Aid dispute has been resolved since February, and it is expected that the numbers will rise significantly once the courts begin to clear the backlog of outstanding cases.

**Recommendation: While the Board continues to see these houses as unfit for purpose and recommends they be replaced, in the meantime it once again recommends a rolling programme of maintenance and redecoration until such times as this happens.**

1.2 The two linear houses Roe and Bush accommodate (in respective houses, in specific wings) separated Republican and Loyalist prisoners. The two other landings in each of these houses accommodate normal prison population.

1.3 The Board welcomed the opening of two new houses in 2013 – Shimna and Quoile. Quoile House is a modern purpose-built house which can accommodate 120 prisoners in excellent conditions. Prisoners and staff have given very positive feedback on the modern facilities which are available. Shimna is now being utilised as accommodation for ‘workers’ which eases pressure on other areas of the prison.

1.4 Martin House in the Mourne complex was refurbished three years ago and became the Vulnerable Prisoner Unit (VPU) with prisoners previously accommodated in Glen House moving there. The refurbishment had created a relatively spacious unit which provided excellent accommodation and a much better regime with access to the garden. However in last reporting year, Martin House has once again become the Witness Protection Unit, resulting in prisoners from the VPU being housed mainly in Moyola (formerly healthcare) or in other locations throughout the prison.

1.5 As previously stated the Healthcare facility is now being used as another landing (Moyola) within the prison, with mainly prisoners who have been transferred from VPU

or older prisoners often with age related issues, e.g. mobility and personal care. Unfortunately given the small numbers that this landing can accommodate, and the wide range of ages there is very little for the prisoners to do, and the Board feels more effort should be made to provide purposeful activity for this group of prisoners and have raised this issue on numerous occasions to no avail.

**Recommendation: The Board recommends that there is some form of purposeful activity for the prisoners housed in Moyola.**

1.6 Glen House remains un-occupied at end of this reporting year.

1.7 Most people would not expect a Category A prison to include in its environs an Area of Special Scientific Interest: beautifully mown green areas, hanging baskets, flower troughs, well-tended gardens, poly-tunnels and vegetable growing areas. At Maghaberry a lot of care and attention has gone in to creating areas of beauty in an otherwise drab and utilitarian site. The Area of Special Scientific Interest relates to an area of perimeter grasslands which are 'home' to around 30 pairs of breeding lapwings. These birds are becoming very rare in Northern Ireland thus Maghaberry is a very important breeding site. The NIPS must be given credit for recognising the importance of making the outdoor areas as pleasant as possible. Credit also has to go to the instructors, staff and prisoners who carry out the work and tend to the various outdoor areas. It is very heartening to see so many prisoners undertaking outdoor duties, from grass-cutting, to planting. Also the signage which is in place makes the prison estate much more user friendly.

## **Section 2 - ALCOHOL AND SUBSTANCE ABUSE**

2.1 "Prison does not just contain addiction, it creates it "(Centre for Social Justice, 2015 – 'Drugs in Prison')

2.2 Prescription drugs are a necessary part of prison healthcare. They can play an important role in treating illnesses such as depression and addiction. However, it is crucial that they are used responsibly; many are highly addictive and can have significant negative side effects.

2.3 Illegal substances are a continuing problem both in society in general and

within the prison population. Many prisoners have used illegal substances for so long that it has become, for them, the norm. Others are introduced to substance misuse when they enter prisons; whilst some who have had their legitimately prescribed medication reduced on committal will go on to purchase this illicitly.

2.4 IMB members are aware that prescription drugs continue to be 'diverted' onto a 'black market', and misused. Individuals are often bullied for their legitimately prescribed medication.

2.5 It is disappointing to yet again have to report that there is still a proliferation of drugs (both illegal and prescribed) within the Maghaberry site.

2.6 It is, however, pleasing to note that there have been substantial seizures of illegal substances by prison staff. The Security Committee has been re-established and greater attention is being paid to the drugs issue. This would appear to have had positive results in the number of drugs seizures, be they as a result of intelligence led searches, routine searches on return from outside leave, or observation during visits for example.

2.7 Drug testing continues, and it is interesting that there has been a change in the most 'common' drug that has been showing up in the tests i.e. prescription medication (as opposed to cannabinoids which previously would have accounted for the most common). It is disturbing to note the high risks taken by prisoners in secreting large amounts of illegal substances on their person. Ingenious methods of secreting substances can often make it difficult to detect. Whilst it is still not an uncommon sight for IMB members to witness prisoners who are quite clearly under the influence of 'something', we feel that there has been a change in how staff view such occurrences. There is less of an 'acceptance' that this is just part and parcel of prison life, and more of a realisation that this is a problem.

2.8 Some Board members have talked to prisoners who have very serious addiction problems and who would be keen to get onto the Addictions Team Substitute Therapy programme. Unfortunately, at the time of writing, only those already on the programme, and individuals at committal stage who are already on the substitution programme prior to committal, are being offered this service. As a result,

some prisoners have told us, quite frankly and honestly, that they will obtain their drug of choice, illegally. We have concerns about the risks that such individuals take to their health when sourcing illegal substances.

**Recommendation: That the Trust review the addictions service to ensure that it is capable of working with the number of individuals requiring the service.**

2.9 There are long waiting lists for the services of Alcohol and Drugs: Empowering People through Therapy (Ad:ept). Although prisoners can be visited initially by an Ad:ept counsellor, there can be a long wait between the initial assessment and getting onto a programme of support.

2.10 Prisoners can be subjected to bullying in relation to debts which they incur through their drug misuse. This can, as stated in previous reports, have repercussions on families. Bullying of prisoners to bring in illegal substances from home visits, or other external visits, is also an issue. Prisoners on legally prescribed medication can be bullied to hand over their supply, if they are not on 'supervised swallow'. The availability of prescription medication in Maghaberry stems, in the main, from medication dispensed as 'supervised swallow' being diverted – in some cases through bullying, and in others as a trade-off. There is clearly too much prescribed medication falling into the wrong hands and for this reason we feel that the whole area of 'in possession' medication requires reviewed. Whilst we acknowledge that in society in general, individuals are prescribed medication for them to take as prescribed, within a prison medication is seen as a 'tradable commodity' and for this reason there needs to be a higher level of control of such substances. We are aware that NIPS are currently running a pilot scheme where stronger medication boxes are placed in cell, and we await the outcome of the pilot.

**Recommendation: That SET and NIPS review the whole area of In Possession medication, including its safe storage, and spot checks.**

2.11 It was very disappointing to the Board that the last Drugs Strategy meeting was held in February 2015. It concerns us that so little importance was given during the last reporting year to a subject that causes so many problems within the Prison. However, we do note that the Security Committee have extended their remit to include



the Drugs element.

2.12 Unfortunately, as at last report, despite a very positive evaluation, the Drugs Recovery Unit (Glen House), only ever ran one programme. The Board feel that this was a programme which worked, which was evaluated as having been successful, and which the participants valued. The staff were specifically trained, and with the lack of other services for those with substance misuse issues, we feel that this is an opportunity missed. We would hope that a joint effort between NIPS and the Trust could review this programme.

**Recommendation: That NIPS and the Trust jointly review this programme with a view to sourcing funding to establish a rolling Recovery programme**

2.13 In common with most other Prisons, Maghaberry has seen Legal Highs added to the list of drugs of choice. It is difficult to identify these substances as there is no specific test to establish what substance an individual has taken. This is due to the fact that as soon as one 'named' legal high is banned, there is a slight change in its constituents and it is 'rebranded'.

### **Section 3 – CATERING AND KITCHENS**

3.1 The catering facility at the prison is a recent build of approximately six years old. The quality of the food served is reasonable and every effort is made with the menus to try and accommodate all diverse cultural and religious needs. Prisoners have an opportunity through meetings of the Prisoner Forum to address comments or complaints with the Catering Manager.

3.2 Staffing in the unit includes 30 prisoners who are drawn from across the population and reflect the various cultures in the prison. Prisoners clearly 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 selected inmates who are given permission to work unaccompanied and this is working well.

3.3 The Board is pleased to note that a training programme is in operation where prisoners can avail of accredited training in Food Safety and Hygiene. The Board is

pleased to note that this reporting year five prisoners are availing of the opportunity to avail of NVQ Qualification which will provide them with the skills to secure employment on release. Prisoners who attend the Donard Centre are enjoying the opportunity to take lessons in cooking and learn about healthy diet and food choices as part of their Learning and Skills educational courses. Also three prisoners from Donard help most days to prepare the breakfast packs.

**Recommendation: The Board recommends that number of prisoners undertaking NVQ qualifications should be increased in order to facilitate employment on release.**

3.4 As reported many times previously, the timing of meals in the prison, especially the evening meal, can be very early and do not reflect normal meal times. It was hoped that when the NIPS established the new core day for staff this would be rectified and Board are pleased that the timing of the evening meal is now later.

3.5 Towards the end of the last reporting year prisoners were given a 'breakfast pack' when the evening meal is being served. This is to enable them to have breakfast at a reasonable time in the morning as due to staff shortages breakfast was often delayed. This resulted in prisoners being late for classes, medical appointments and visits, often having to make a choice between breakfast and other activities. Since November prisoners are now being issued with a cold lunch pack with hot meal still being served in the evening.

3.6 This reporting year also saw the opening of Staff Canteen which was long overdue and which opens from 7.30am to 2.30pm Monday to Friday and from 9.00am to 2.30pm at the weekends. This is again staffed by prisoners and kitchen staff and is a great opportunity for prisoners to train for catering jobs on release. There is a good selection of hot and cold food available at reasonable prices.

3.7 Prisoners also make traybakes for sale in the canteen with the proceeds going to a charity of their choice. To date they have raised over £1000 for Transplant Fund and current charity is NI Chest Heart and Stroke.

3.8 The NIPS are to be applauded for including communal dining areas in refurbished houses and in all new builds but members regularly observe that prisoners are still taking their meals in their cells. The Board is aware that the prison

is overcrowded and space is limited in the dining areas but find it unacceptable that prisoners have to eat in a confined space that also holds their toilet and washing facilities.

**Recommendation: That the practice of prisoners eating in cramped shared cells is reviewed.**

## **Section 4 – CHAPLAINCY**

4.1 The Chaplaincy team in Maghaberry is made up of the main faiths represented in the broader Northern Ireland community: Church of Ireland, Roman Catholic, Presbyterian, Methodist, Free Presbyterian and Muslim. To facilitate the ever increasing number of foreign national prisoners, additional assistance is available with a monthly mass in Polish and visits from an East Timorese couple. Religious literature is available in eight languages.

4.2 Due to the complex nature of the prison and the various levels of security, Mass and weekly Services have to be held, not only in the prison chapel but also in Moyola (formally Healthcare), Bush and Roe House and in the Mourne complex.

4.3 As the prison population has risen over the years so also do the demands placed upon the work of the chaplains. Every prisoner, on committal, will have an opportunity to meet a member of the chaplaincy team and “register” with the chaplain of his desired denomination. This is a most important service because of the vulnerability of prisoners at this point.

4.4 The IMB firmly believe that to cut back the hours in the chaplaincy is to misunderstand and underestimate the importance of their role. They form a vital link in the life of the jail, speaking to vulnerable and needy prisoners, keeping regular contact with the staff and Prison Service management as well as other agencies involved with the welfare of prisoners. In addition to this they assist in the maintenance of family links and are used by the Prison Service to accompany prisoners on temporary release for funerals and other necessary occasions. They can also help defuse situations that arise on a regular basis and quietly sort out complaints and issues that prisoners may have. In practice if chaplains were to stop attending case conferences

and meetings where their input is most vital, and simply concentrate their efforts on one to one contact with the prisoner then the Prison Service will be losing out on an extremely important contribution to the welfare and wellbeing of prisoners. The Board already see the impact of reduction in chaplaincy hours in attendance at case conferences where chaplains' knowledge of the prisoners' family can be vital. They also provide help and support to the prison staff themselves.

4.5 Chaplaincy staff are often able to accompany prisoners to funerals and hospital visits to seriously or terminally ill close family in areas where prison staff would be at risk. As such their input should be included more when compassionate temporary release is being discussed and decided.

**Recommendation: The Board recommends that the Chaplaincy hours are reviewed and increased to former level.**

**Recommendation: That the Chaplaincy are included in discussions regarding compassionate temporary leave.**

## **Section 5 - EDUCATION AND TRAINING**

5.1 Education is based in the new Learning and Skills Centre and since September 2015 is under the control of Belfast Metropolitan College (BMC). Their aim is to bring a much more structured and academic atmosphere to the learning and skills unit. The more 'social' aspects of learning and skills have been removed such as movement between classrooms and the removal of tea and coffee availability except during proper break times. Management believe this more structured atmosphere will also deter the use of drugs and drug dealing. However, the service level agreement between NIPS and BMC has limited the resources of the BMC and appears to be causing some frustration with providing education services.

**Recommendation: That service agreement is reviewed as a matter of urgency.**

5.2 The main focus is to provide a range of courses in areas such as literacy, numeracy and practical skills development. Each prisoner is tested on arrival for essential skills and deficiencies and is encouraged to participate in improvement classes as part of their overall resettlement programme. The Essential Skills course

has been reduced to a more compact ten week course. Some of the more popular classes e.g. art, have long waiting lists. It is disappointing to note the poor attendance at some of the classes given the excellent facilities that are available in the new centre.

**Recommendation: Once again the Board recommends that staff from Training and Education visit the individual landings and encourage prisoners to participate in available courses.**

5.3 Maghaberry workshops provide a range of work and vocational training which can lead to nationally recognised qualifications, such as NVQs. Furniture-making and gardening are very popular but in the main non-attendance at workshops still causes some concern. Participation in workshops can make a valuable contribution to successful reintegration on release by giving prisoners the skills to enable them to seek employment.

**Recommendation: The Board recommends that steps are taken to ensure that prisoners participate in workshops with a view to achieving NVQs or some accredited qualification.**

5.4 The Mourne complex offers wheelchair and bicycle refurbishment workshops as well as having a Braille unit which teaches a very specialised and rare skill. We are pleased to note that a light engineering workshop is also due to start shortly. The Board commends the NIPS for setting this up, but there is very little other work and a reduced academic range of courses for the prisoners in the Mourne complex. A small kitchen has been suggested to facilitate cooking classes but is not yet in place. Given that most of these are life sentenced prisoners this is an area that needs to be looked in greater depth.

**Recommendation: The Board recommends a review of the education and workshops available in the Mourne complex.**

5.5 The garden area in Maghaberry has always been run by very dedicated members of staff, and is an area which prisoners really enjoy working in, and seem to get a great deal of satisfaction from growing not only plants but also vegetables. However, it is very disappointing that often these vegetables are not used, and the board have raised the possibility that if this food not going to be used within the prison, then it

should be donated to either homeless charities or to some of the many food banks that are now in existence. It is very frustrating to see perfectly good food being 'dumped'.

**Recommendation: That an outlet is found for food grown in the garden.**

5.6 The Board has suggested on many occasions that there should be an outlet where the goods as crafts, garden furniture and plants produced by prisoners could be sold to generate money for the Governor's Fund. The reception centre for visitors is an obvious choice given the large numbers that use the facilities there over the course of a year.

**Recommendation: The Board again recommends that an outlet where crafts, garden furniture and plants can be sold should be considered.**

## **Section 6 - EQUALITY AND DIVERSITY**

6.1 The Equality and Diversity group continues to meet on a monthly basis. Prisoner representation on the committee has been strengthened with Chinese, Polish, Lithuanian, Irish traveller, Portuguese, disabled and older prisoners all now represented. All prisoner representatives receive appropriate equality and diversity training. Data on complaints adjudications, prisoner status, home leave, segregation, drug testing and use of force is collected and reviewed at the meetings and any statistical significant deviations are highlighted and are discussed to determine areas for improvement.

6.2 Those who enter custody are given the opportunity to disclose if they feel they have a disability as defined in the Disability Discrimination Act 1995 and the Disability Discrimination order 2006. These disclosures are referred to healthcare for verification. However, it is disappointing to note that despite several meetings with the Trust no progress has been made in relation to the Trust providing their definition of disability thus making it difficult for NIPS to plan effectively for the needs of this particular client group.

**Recommendation: That the Trust provide their definition of disability.**

6.3 In previous reports the Board has continually raised with the appropriate authorities the fact that a noticeable majority of adjudication charges were laid against the Catholic/Nationalist Population, compared to the total of charges laid against other religions. Subsequently NIPS commissioned an independent research project into this issue, and further examination across all three prison establishments produced no evidence to support this. The Board will continue to monitor this process.

6.4 Foreign national prisoners continue to represent a significant proportion of the prisoner population. By the end of the reporting period they represented around 12% of the total population and consisted of 25 different nationalities with, Lithuanian, Chinese, Romanian and Portuguese highest in terms of numbers.

6.5 An event to mark the Chinese New year was held in Maghaberry on the 8th February 2016. A traditional Chinese meal was prepared by the prisoners for the group and their guests from the Chinese Welfare Association, NIPS and the Prisoner Ombudsman. This was then followed by an open forum.

6.6 All foreign national prisoners entering prison now have an opportunity at committal to indicate if they will require interpretation and translation services to allow them to participate in prison life. All key prisoner documents including job vacancies have been translated in six foreign languages. There has been a significant increase in the usage of the Big Word Translation Service due to the increase in foreign national prisoners. It has been identified that while most foreign national prisoners have some English they can experience difficulties in group session work, which can have a detrimental effect on essential courses they need to partake in as part of their sentence and also in a healthcare setting. In general foreign national prisoners have reported that they are content with the service. At the time of reporting, 35 prisoners required day to day assistance and the office is aware of these.

6.7 The Board welcomes the re-establishment of the prisoner forums within the prison with food, residential and education forums now being held bi-monthly. At the time of reporting an overall residential forum was being planned and the minutes will be displayed on the landing notice boards.

6.8 During the reporting year a review of the educational and workplace activities for older and vulnerable prisoners was carried out, and a prospectus is currently being developed outlining the courses and vocational training offered by the Belfast Metropolitan College. The prospectus will also be translated for foreign national prisoners. On 19<sup>th</sup> November 2015 The Belfast Metropolitan College held an open day to encourage prisoners to get involved in education. The immediate focus was on ensuring that all prisoners were brought up to a sufficient standard of education to enable them to comply with their sentence plans etc. Prisoners are assessed within five days of committal and individual action plans are available within 30 days.

6.9 In conclusion the work of the Equality & Diversity Committee is taken very seriously and the regime should be commended for its genuine efforts to ensure that fairness is afforded to all prisoners.

## **Section 7 - HEALTHCARE AND MENTAL HEALTH**

7.1 'Enjoyment of the highest attainable standard of physical and mental health is a fundamental human right. Prisoners, therefore, should have the same standard of medical care as people living in the community. The healthy prison concept reinforces the idea that the health and wellbeing of prisoners is not the sole responsibility of those providing healthcare in a prison, but is also dependent upon the regime and ethos of each establishment.' (WHO - World Health Organisation).

7.2 Additionally, to quote the National Offender Management Service (NOMS) 'Helping offenders to recover from addictions and illness can significantly reduce reoffending and cut crime in local areas. It also helps to tackle some of the most significant health inequalities in communities as offenders are more likely to smoke, misuse drugs and/or alcohol, suffer mental health problems, report having a disability, self-harm, attempt suicide and die prematurely compared to the general population'.

7.3 The IMBs were established to monitor the welfare of prisoners to ensure that they are properly cared for whilst in custody. This extends to all areas of the prison estate including the healthcare aspect. It is worth pointing out that the IMB are not inspectors, their role is to monitor the day to day standards in the Prison.



7.4 This has been a year full of challenges for all areas of Maghaberry Prison, and Healthcare is no exception. It is very disappointing to have to report, yet again, that there are very significant problems in the retention of staff. Whereas in the last reporting year the problems of staff recruitment and retention affected mainly (but not exclusively) the general nursing team, this reporting period has seen an increase in the number of experienced mental health nursing staff who have left the service. This is of great concern to the IMB, as it impacts on waiting lists and on the care afforded to some very vulnerable and needy individuals. We would commend the healthcare staff, in general, for their commitment over the past year and we do recognise that there is a shortage of nurses in many areas of the National Health Service. However, nursing within the Prison environment does not appear an attractive option for nurses. There is continuing reliance on the use of Agency nursing staff, and although many of these staff are 'regulars', it is not an ideal long term solution to the staff retention issues. We are aware that S.E.T. have implemented an action plan against the objective of 'Stabilising the Workforce', during the reporting year 2015/16. We would be interested to see the outcome of the action plan in the next reporting year.

**Recommendation: That the Trust prioritises the recruitment and retention of staff during year 2016/17.**

7.5 Constant short staffing has meant that nurses are prioritising, for example, medication distribution, and there has been some reduction in the number of SPAR reviews that healthcare staff have attended recently. We are aware, however, that nursing staff will attend as and when possible. SPAR reviews are often held on an 'ad hoc' or 'opportunistic' manner to suit the staffing requirements of the various houses and this affects both the Trust staff and IMB, who also have difficulty in attending. This subject will be addressed with NIPS. There has been attendance at Rule 32 reviews by mental health nursing staff if they have concerns about individuals being held in the CSU. We acknowledge the input given by the mental health nurses to the weekly Prisoner Safety and Support meeting and highlight this as a good example of 'joined up working' for the good of vulnerable prisoners.

7.6 IMB have been made aware of instances where prisoners on supervised

swallow, were given their medication in an envelope for self- administration and the recording sheets did not reflect this. We are also aware that prisoners who, for example, should have had medication at spaced intervals during the day have been given all their medication at the one time thus negating the effects of such medication. We understand that the Criminal Justice Inspectorate for Northern Ireland (CJINI) were also aware of this practice and have highlighted this in their latest report dated November 2015. A prisoner reported that he had to resort to involving his Solicitor to acquire his medication, following it 'running out'. This is unacceptable. From speaking to prisoners during our rota visits, it is clear to Board members that medication is still the biggest form of 'currency' in the prison. We have been advised that a pilot scheme to introduce new strong medication boxes for cellular use is in place but to date we have not received any feedback on how viable these have been.

**Recommendation: All standards relating to the management of medicines are complied with by SEHSCT, and supported by NIPS.**

7.7 As highlighted in previous reports, medication issues would be one of the main reasons why prisoners request to speak to IMB. Virtually all complaints that relate to medication lie in the area of reduction. We do understand that the Trust have a policy of reducing the amount of certain medications prescribed. We acknowledge that there has been historic over prescribing in the community in general, of a range of medications which were intended for short term use. However, many prisoners come to Maghaberry having been prescribed a high level of medication and cannot understand why something which their own GP has prescribed is being reduced on committal. This causes anxiety in a number of individuals. Unfortunately, despite the Trust policy of medication reduction it is an ironic fact that on release many individuals go back to their own GPs and are immediately prescribed their previous higher dosage. This is a difficult issue and we do acknowledge that the Trust have a policy to follow, but unfortunately prisoners who are dependent on a level of medication to 'keep going' will inevitably find alternative sources. We are aware of the Trust's view that the management of prescribed medications is led by the Trust, while the issue of illicit medications is an issue for NIPS.

7.8 Many of the issues raised by prisoners to the IMB relate to medication.

Unfortunately due to issues of patient confidentiality we cannot discuss individual cases with the medical staff. The IMB have directed prisoners with complaints relating to healthcare to the Patient Client Council. Prisoners are very open about the fact that they will obtain any medication that they think they require, by illicit means, thus establishing a lucrative black market in prescribed medication. From speaking to various prisoners who have had their medication reduced, from their perspective there is little by way of a planned medication reduction, or explanation as to why it is deemed necessary to reduce the dosage. Some prisoners have told us that they have simply been told very early on in their committal that their medication is being reduced as it is the Trust policy. If this is the case, then it is at a time when prisoners are at their most vulnerable. The evidence we have is anecdotal but has been a theme or some considerable time. We have been advised by the Trust that medication reduction is carried out as per NICE standards.

7.9 Unfortunately there are quite a number of prisoners whom we in IMB would view as living with a disability. However, there is some discrepancy in the numbers recorded officially as disabled (by the Trust) and what we see on a day and daily basis on the various wings. We acknowledge that the area of Learning Disability is complex and hard to define. Nevertheless, IMB feel it would be of benefit to have a more realistic number of individuals who live with some type of disability.

**Recommendation: That a mechanism be put in place to try and ascertain the number of prisoners who live with a disability. We acknowledge the complexities involved and view this recommendation as an aspiration for the future.**

7.10 There is, at present, a number of what we would term as 'elderly' prisoners in Maghaberry. It is anticipated that this number will rise over the next few years with a number of historic cases to come before the Courts. It is very unfortunate that no provision for social care was agreed when the Trust took over the healthcare element of the NIPS. This has now led to a position where neither the NIPS nor the Trust have budgeted for this. At present the Trust has outsourced some domiciliary care for one prisoner, but the long term provision would need to be clarified. Prisoners have been acting as 'carers' (not, we would point out, carrying out any personal care), for some of the more severely disabled, or disorientated prisoners. IMB will

monitor this aspect to ensure that the prisoners are not being asked to carry out tasks for which they are untrained, or fall into what could be regarded as personal care.

**Recommendation: That the Department of Health and the Department of Justice include the issue of social care provision within the Prison population into the joint Healthcare and Justice Strategy**

7.11 Prisoners have also complained to us in regard to waiting lists to see the GP, the dentist and podiatrist. We are aware that there is a shortage of GPs and this impacts on waiting lists. However, this is not the responsibility of the prisoners, but rather the service provider. We have been advised by the Trust that their statistics show that 89% of patients were seen by a GP within 14 days, and 11% within 20 days. Complaints have been made in relation to the length of time prisoners have to wait to see the dentist. We will continue to monitor the waiting times. We do, however, acknowledge that prisoners sometimes cancel appointments and then find themselves at the back of the queue to be seen. We are aware that there was long term sick leave in the Dental team.

7.12 We have had a number of complaints from prisoners regarding the lack of podiatry services. In one case, we were advised that a prisoner with mobility problems had not seen the podiatrist for 11 months. We are aware that individuals who have diabetes are prioritised when it comes to podiatry, but a wait of 11 months cannot be accepted. Although the Trust advise us that the longest wait for podiatry is 6 months, we are aware of the aforementioned case in which IMB were involved. Other complaints relate to the lack of input from Dietetics; Physiotherapy; and occupational therapy (aids and adaptations).

7.13 In view of the numbers of complaints received in relation to healthcare issues, we would suggest that a Patient Forum be considered. We are aware that a Patient Forum operates in other prisons.

**Recommendation: We would recommend that consideration be given to a Patient Forum on Healthcare.**

7.14 Finally, we would like to report that during this reporting period we have established a closer working relationship with the Trust. The local operational Nurse

Manager attends our monthly Board meeting and provides updates to the Board about what is going on in healthcare. We can also bring any ongoing issues to the table. As previously reported, the input from the mental health team is of great benefit to the Prisoner Safety and Support meetings. We acknowledge the high degree of commitment shown by the nursing staff during this very challenging reporting year. There have been several very serious incidents during this past year at Maghaberry and the Trust staff have responded in a professional and caring manner and this is acknowledged by the Board.

## **Section 8 - LIBRARY**

8.1 The library is a well-stocked facility with books supplied by NI Libraries where prisoners are made to feel at ease and relaxed. It provides a choice of several thousand books and magazines in a wide range of languages to meet the needs of all prisoners, e.g. Russian, Polish, Lithuanian, Spanish, French, Chinese and Hungarian. Approximately 600 prisoners use the facility every month. The library also stocks Law Reference Books which enable prisoners to look up information regarding their own cases. A comprehensive stock of over 500 CD's is also available.

8.2 The library is situated on two sites, one in the main part of the prison which is open six days per week, and the other one in the Mourne Education Block which is open one day per week. Both carry a similar amount of material. The library also supplies books to Moyola, CSU, separated prisoners in Bush and for new committals in Bann House.

8.3 The library is also the centre of the Book and Tape Club. This enables fathers in prison to record stories to send to their children and is very important in maintaining family links for young children. These can then either be posted out or collected. This facility is used by approximately 30 prisoners per month.

8.4 The staff also print out information and designs on handicrafts for prisoners, pictures for art classes and for ceramics classes, information for Open University courses and also look up prices of items if necessary. They can also print out legal information if any prisoner requires this.

8.5 The Board remains impressed with the library and commends the people who staff it.

## **Section 9 - LIFE SENTENCED PRISONERS**

9.1 There are currently approximately 150 life sentenced prisoners in Maghaberry with some others on various pre-release schemes. The largest number is located in Braid and Wilson with the majority of Cat A prisoners located in Erne House, however most other houses have at least one life sentenced prisoner. Burren House – formerly known as the PAU - re-opened last reporting year and houses approximately twenty prisoners on the final phase of their sentence prior to release. This unit operates very well. Those prisoners who have the freedom to go to work or to hostels at the weekend are still closely monitored by the staff, with frequent checks made to ensure they are adhering to their agreed terms and conditions. Most are employed by Extern at their recycling plant with others working for various charities.

9.2 While in prison there are several programmes to help those prisoners serving a life sentence, to address issues regarding alcohol and drug abuse. Building Skills for Recover (BSR) and the Sex Offender Treatment Programme while available are not currently running as at end of this reporting year. One programme that is running is Building Better Relationships which is centred on the subject of domestic violence. Unfortunately most of these courses only start within 3 years of release as this is when life sentence prisoners are first reviewed for possible release on parole.

**Recommendation: The Board recommends that there should be courses for life sentenced prisoners from commencement of their sentence.**

9.3 A large number of life sentence prisoners have quite low levels of numeracy and literacy skills and all are encouraged to avail of the education facilities available. The Essential Skills Curriculum covers basic educational levels to the equivalent of GCSE and prisoners can study to degree level. There is also a special Duke of Edinburgh award which is specifically designed to be delivered in prison. However, as the majority of life sentenced prisoners are located in the Mourne Complex the opportunities for education are limited.

9.4 Given the large numbers of life sentence prisoners it would be beneficial if there was more work available. Of nearly 300 jobs available in the prison, there are only around 40 available to the life sentenced prisoners, so it can be difficult for them

to use their lengthy sentences in a constructive manner. However, there is a new light engineering workshop starting in the Mourne Complex, making fire pits for barbeques. This is in addition to wheelchair/bicycle refurbishment, working groups to maintain gardens and grounds, and a cookery class which is run by Extern three or four days a week when prisoners cook for all of Wilson House. There is also an excellent Braille Unit which deserves recognition for the great work they do. Not only have they translated the Bible and Hymn Books into Braille but they have created maps for some towns and also a great selection of children's books.

9.5 Following the reprofiling of the prison it is intended that more life sentenced prisoners will be moved to Magilligan where there are more programmes and work opportunities available. While the greater opportunities are to be welcomed, it can also make it more difficult for family contact to be maintained given the location of Magilligan.

**Recommendation: The Board recommends yet again that more work is made available specifically for life sentenced prisoners.**

**Recommendation: The Board recommends that consideration is given to maintaining the family links for life sentenced prisoners.**

## **Section 10 - PREPS**

10.1 The NIPS introduced the Progressive and Earned Privileges Scheme(PREPS) a decade ago. It aims to provide incentives for prisoners which are earned through good behaviour.

10.2 There are three levels in the scheme (basic, standard and enhanced) and prisoners can be promoted or demoted based on their behaviour. The scheme enables prisoners to achieve greater privileges including additional telephone credit, more sessions in the gym and increased number of visits.

10.3 A key stated objective of PREPS during its introduction was 'a mechanism for building up self-esteem and self worth rather than as a mechanism for punishing bad behaviour'. There remains a concern that PREPS could in effect operate as a secondary punishment system rather than as a scheme to encourage and reward

good behaviour. A number of prisoners have reported to IMB that they have received a 'double punishment' in the event that they receive punishment at adjudication and also then demotion in the PREPS regime. A prisoner can be reduced from enhanced to standard if they receive two adverse reports in an eight week period, one failed or refused drugs test or failure to engage in Personal Development Plan. To progress from Standard to Enhanced a prisoner needs to have three successful monthly reports, no adverse reports or guilty verdicts in adjudications in a twelve week period, be fully engaged in Personal Development Plan and have clear drug test. However IMB members have found on occasions that these reports are not being updated in time which can have an impact on the prisoners status and resulting 'perks'.

**Recommendation: Reports are updated in a timely manner**

10.4 While figures would seem to suggest Roman Catholic prisoners are over-represented on basic and standard and under-represented on enhanced, an independent research project found no evidence of discrimination.

10.5 There is currently a review of the PREPS scheme taking place. Prior to Christmas 2014 the NIPS instigated a de facto amnesty which reset the categorisation of all prisoners on Basic regime to Standard regime. The IMB welcomed this development which enabled basic prisoners make a fresh start to 2015 and would like to see it used again if and when the new scheme commences.

**Section 11 – RECEPTION AND INDUCTION**

11.1 The Reception area is where the prisoners arrive at the prison. Those arriving for the first time can be nervous and apprehensive so the Board commends the reception staff for their calm and professional manner which helps put the new arrivals at ease. Prisoners are initially interviewed by staff at reception, searched and reviewed by a member of healthcare staff.

11.2 When prisoners leave the reception area they are taken to Bann House for induction which usually lasts a few weeks. For those in prison for the first time this can be a very vulnerable time, so staff need to be alert to these vulnerabilities and observe whether a prisoner leaves his cell and mixes with other prisoners or stays



behind the door. However, staff also need to have time to talk to new prisoners but increasingly Board members have seen that the reduction in staff numbers means they are just too busy and do not have time to speak to all those who may want to share concerns, or just want a listening ear. For this reason it is essential that Bann House should always be adequately staffed. As the population of this house is constantly changing staff need to be very vigilant as they do not have the time to get to know a prisoner in the way staff in the more 'settled' houses do. For first time prisoners, there are a lot of questions about everything from visits, phone, showers etc. and staff are constantly under pressure to answer a multitude of questions or sort out issues. As staff cuts become ever more stringent this is causing visible signs of stress to staff, and the Board are increasingly being approached by staff who are concerned they will miss something serious with a prisoner, which can in extreme circumstances lead to death of a prisoner/ serious incident and place staff careers in jeopardy.

**Recommendation: The Board recommends that there are sufficient staff detailed to work in Bann House to ensure the safety of prisoners and staff.**

11.3 Where possible the Board also recommends that first time prisoners are not doubled up to share a cell with an "experienced" prisoner. Those who have been inside before know the system and this can lead to a new prisoners getting into trouble with landing staff or to an increased likelihood of being bullied.

**Recommendation; The Board recommends that where possible first time prisoners are not doubled up with repeat offenders.**

11.4 The Board has concerns about the number of prisoners that are on SPAR (Supporting Prisoners at Risk) in Bann House. This takes up a large amount of staff time checking prisoner and associated paperwork to ensure the process is completed effectively. If there are several prisoners on SPAR at any one time it can fully occupy one member of staff, leaving insufficient staff to cover remainder of work on the landing, and can lead to a quiet vulnerable prisoner being overlooked as staff are so busy.

11.5 Experienced staff are desirable in this environment but with the arrival of new inexperienced staff it is now inevitable that many will be sent to Bann. For this reason the Board recommend that new staff get specific training to work in Bann. As so many

of the experienced staff continue to leave under the recent severance package it is quite common to see that the most experienced person on the landing has only a few years' experience. This puts undue pressure on new staff that are being constantly faced with new situations with no-one to whom they can immediately refer.

**Recommendation: The Board recommends that staff get specific training to work in Bann**

11.6 At end of this reporting year the Board recognises that prisoner numbers are well reduced from this time last year, and as at end of reporting year two landings in Bann have been closed, in order to keep Bann solely an induction house and also because of staff shortages. However, this is likely to change in the near future when courts are fully operational again and the Board would have concerns as to how these two landings will be staffed in the event of large numbers of committals.

**Recommendation: The Board also again recommends that all induction staff are trained in Applied Suicide Intervention Skills Training (ASIST).**

11.7 Despite the problems raised above the Board commend the staff who work in Bann. Every new committal presents a challenge in a busy house with a lot of different demands and their professional manner is appreciated.

## **Section 12 - RESETTLEMENT**

12.1 A successful and efficient resettlement programme minimises the risk of a prisoner reoffending on release. With no supportive network in place on release prisoners with poor coping skills frequently reoffend in order to return to prison which they regard as a 'safe' option or environment. The Resettlement team in Maghaberry work with various groups within the prison, but also rely heavily on working in partnership with many outside agencies. The Board acknowledges the support given by all the associated agencies in trying to provide a focused and detailed resettlement package for prisoners.

12.2 The team works with both sentenced and remand prisoners, but given the number of prisoners currently held, spaces on programmes are limited. The increase in lockdowns because of staff shortages reduce the time available to carry out these

programmes, and with yet further staff reductions due in the coming year, the Board hopes the time will not decrease even further.

12.3 Family support is essential to successful resettlement, so child-centred visits and the family work undertaken by the Family Liaison Team and the Quakers are invaluable. The Board commends the work done by the NIPS in setting up Family Focus, which this year was moved from Quoile to Braid. Prisoners on this landing get longer visits with their children in the Donard Centre and the prisoners can prepare food for their family. These visits are very informal and are an excellent opportunity for children to spend time with their father in a more relaxed surrounding than the normal prison visit. Other support staff are on hand to talk to and support partners / wives.

### **Section 13 - SAFER CUSTODY**

13.1 The Justice Minister has written of Safe, Secure and Decent Custody, an aim shared by us, as members of the IMB.

13.2 The IMB recognizes that Maghaberry Prison, as a high security Category A prison, will have the security of the establishment as its major priority. However, with the increasing number of prisoners presenting with multiple needs and challenges, the Safer Custody side of the NIPS is becoming increasingly relevant.

13.3 Mirroring society in general, addictions, and in particular drug addiction (be it illegal drugs or prescription medication) are a major issue within the Prison. The issue of drugs and the abuse of prescription medication will be reported on separately in this Report. However, the impact on those individuals involved in the taking of such illegal substances is not restricted to the effects of the substances themselves, but it can often lead to bullying in order to acquire, for example, the prescribed medication of another, drug debts and prisoners requesting a move from a specific location to avoid paying their debts. It is a disturbing fact that approximately 80% of prisoners in Maghaberry were on prescription medication during part of the reporting period.

13.4 A very high proportion of prisoners in Maghaberry suffer from mental health

problems, substance misuse problems, and very often both. Such statistics place a heavy burden on support services such as Healthcare and the Prison Safety and Support Team (PSST). Prisoners with Personality Disorders pose challenges to the Prison Service particularly in relation to the often impulsive and risk taking elements of their behaviour.

13.5 Add to the mix the increasing number of 'elderly' prisoners i.e. prisoners entering the prison system in advanced years and with increasing health and mobility problems; prisoners who have a range of learning disabilities, prisoners with physical health problems, and prisoners who are vulnerable due to the nature of their offence, and it is clear that the safety and support of such a wide variety of individuals is a challenge for both NIPS and the Trust. We, as a Board, have raised the issue with NIPS of the future provision of social care staff to give physical support to the small number of prisoners who may need a higher degree of 'care' than is currently available. However, it would seem that there is an unresolved issue between NIPS and the Trust in relation to the provision of the social care element of healthcare.

**Recommendation: that this matter of provision of social care for aging prisoners be resolved.**

13.6 Although the prison role is lower than it has been in a few years, prisoner numbers remain high and there is substantial overcrowding. NIPS are endeavoring to ensure that all houses are capped at a maximum of 130 prisoners. With the reduction in staffing levels and ongoing high levels of staff sick absence, lockdowns are a regular occurrence. In some instances, particularly with remand prisoners, there are occasions when prisoners are locked down for 23 hours a day and this impacts on the, often poor, mental health of prisoners. In addition it is obvious to IMB members when they walk the various landings and talk to prisoners, that there is a significant degree of frustration about lack of time out of their cells, lack of work or recreational opportunities and a general lack of stimulation. We acknowledge the work done by the Senior Officers and staff on the landings who have managed numerous situations during the reporting period and it is to their credit that so many prisoners were kept safe.

13.7 During this reporting year, some prisoners occupying the Vulnerable Prisoner

Unit have been moved into the general population, and although some of those involved are very happy with their current accommodation, others have found it more difficult to adjust.

13.8 There has been a (slight) rise in the number of SPARS during the 2015 year, according to the Maghaberry PSST Safer Custody Report. Due to pressures on other agencies working within the Prison Service, often the only attendees at a SPAR review are the Senior Officer, the prisoner and a member of the healthcare staff (where possible). The Safer Custody team has developed a new method of capturing and presenting statistics which can give a rolling comparison over the previous 12 months. In relation to the monitoring of prisoners under the SPAR process, IMB members have expressed concern at the low staff numbers on some landings. We have observed two staff, on occasions, running an entire wing and in addition to their other work, carrying out a number of 15 and 30 minute observations with all the associated recording. We would view such low staff numbers as a safety risk to both prisoners, and indeed staff. Our concerns have been brought to the highest level in the DOJ, including the Minister.

13.9 Members of the IMB been present at a number of the Strategic Safer Custody meetings. Whilst there is a very good reporting format demonstrated by the statistical information available, the attendance has not been as high as desirable. A representative from IMB has tried to attend as many of the weekly PSST meetings as possible, and has reported an enhanced input from Healthcare, particularly with an identified staff member attending weekly. In addition, the input from landing staff is more comprehensive and the meeting is more outcomes focused. Chaplaincy attend, when they can, and there is normally a representative from Ad:ept. However, other disciplines rarely attend, although on occasions there are written submissions. It would be remiss of us as independent observers not to highlight both the lack of input and attendance from other disciplines. It is clear that the NIPS staff are taking the 'lead' role in working with prisoners who challenge services. CJINI has suggested that perhaps joint chairing of PSST meetings would be advantageous and we see merit in this.

13.10 The Donard Centre has provided a range of programmes in addition to the daily 'drop in' type facility. Courses have included Relaxation, Well Man Group, and

Anger Management. The Centre is well run and the relationships among attendees and staff from all disciplines are good. The Senior Officer in charge of the Donard Centre has a good sense of the dynamics within the attendee group, and is an integral part of the PSST meetings. We are concerned that funding cuts have ended the work of the art therapist in the Donard Centre, however, at the time of writing this report, efforts are being made to seek alternative funding for this very valuable asset to the Centre.

13.11 The Board is also very concerned that reductions in funding have resulted in the CRUSE coordinator's post being abolished in Maghaberry. Whilst CRUSE is trying to provide a service from their headquarters, we would have concerns about the viability of this. There are a number of prisoners who are undergoing counselling and a further waiting list. It is unclear at the time of writing what will happen to these individuals. In addition, NIACRO have also lost substantial funding resulting in some of the workshops closing and thus depriving prisoners of time out of their cells and off the landings.

**Recommendation: We would recommend that funding for CRUSE be reinstated as a matter of urgency**

13.12 There have been two deaths in custody (in one case the individual passed away in an outside hospital) during the reporting period, and also death of a prisoner who was released under special rules as he was terminally ill. IMB attended cold debriefs in both cases of deaths in custody. In addition, there have been a number of 'near misses' during the reporting period and several individuals died post release. As all of the cases are subject to an investigation by the Prisoner Ombudsman, we cannot comment further. IMB members are aware of the impact of deaths in custody on the families of the individuals concerned, fellow prisoners and staff members. During our visits to the establishment, IMB members have brought several safety issues to the attention of the Governor and we are confident that these have been addressed.

13.13 IMB members have also attended a number of Serious Case Reviews during the reporting period and have been impressed by the information sharing and the commitment by all present to support the individuals under review.

13.14 The Listener Programme is working well. The Listeners (all prisoners) are trained by the Samaritans and are a valuable asset to the Prison. At the time of writing there are 12 listeners, nine on the main site and three on the Mourne site.

13.15 The Drug Recovery Programme (a pilot programme with the aims of tackling and addressing problematic substance misuse while promoting goals for recovery, thereby reducing offending behaviour), was initiated in August 2014. This programme was very successful and has been evaluated and found to have achieved its aims. Unfortunately a second programme has not been put in place at the time of writing which is very disappointing both for the prisoners who would benefit from undertaking the programme, and the staff, all of whom were specially trained to work in the unit.

**Recommendation: that funding is sought for the Drug Recovery Programme to run on a rolling basis.**

13.16 During the reporting period, we have become concerned at the short staffing in Healthcare. We have brought our concerns to the Trust directorate, and raised the matter at Board level. At the time of writing, we have been made aware that nurses employed as Mental Health nurses, are being deployed to general nursing to cover gaps in the service. This, in our opinion, reduces the service to vulnerable prisoners who benefit greatly from the input of the mental health staff.

13.17 Bullying unfortunately has always played a part in prison life. However, the bullying of individuals in relation to prescription medication and other substances is of concern. Prisoners have quite openly discussed the issue of 'being asked to hand over their prescription medication'. Most will not make any sort of complaint or identify the bullies due to fear of repercussions. Part of the weekly PSST meeting is devoted to discussing bullying incidents and the Bullying Incident Report (BIR) booklet being checked to ensure that staff have updated this. The Board will continue to closely monitor this element of Safer Custody.

13.18 As a Board we would commend the work done by the dedicated staff who form the Prisoner Safety and Support Team. We have been able to observe the

skills of the PSST when dealing with highly troubled individuals. It is heartening to see the profile of PSST being raised in all areas of the Prison. We acknowledge the personal input of the team members and are aware that their case load is an ever increasing one.

13.19 As independent monitors we can see on a regular basis, the effects of short staffing, large numbers of prisoners in shared accommodation and the frustration that long periods of lockdown cause. The lack of stimulation increases low mood in prisoners and we are unhappy with prisoners having to eat all their meals in their cells - usually two in a cell - where there is a toilet. Prisoners have brought this issue to us, and have raised the question of hygiene. In addition, the question of showering has been frequently raised i.e. some prisoners have stated (and staff have confirmed) that they have only been allowed one shower a week. When this has been queried with staff, the IMB have been advised that Prison Rules state that this is all that is required. We will keep monitoring this issue, particularly coming into the summer period.

#### **Section 14 – SEGREGATION – CARE AND SUPERVISION UNIT (CSU)**

14.1 The Care and Supervision Unit (CSU) exists to hold prisoners apart from their normal location within the prison. This can be for a number of reasons; the placement under Prison Rule 32 (generally for the good order and discipline within the prison or for a prisoner's own safety based on security information) or for a period of cellular confinement awarded through the adjudication process. In addition to the cellular confinement accommodation within the unit, adjudications and case conferences are also held there. There are also dry cells where a prisoner may be held for a number of hours to "cool off". The CSU is always at full capacity. This year the Board have continued to notice an increasing number of prisoners who partake in a "dirty protest" for no apparent reason leaving staff to work in almost constant unhygienic surroundings and which also has an impact on other prisoners in the unit.

14.2 The existing CSU unit was closed for long overdue and much needed refurbishment at end of 2015 and was moved to Foyle House as a temporary measure. However, while the accommodation there may have sufficed for a short



period it is not acceptable over a longer period. Prisoners are being housed in very poor conditions and because it is a larger unit than the former CSU, it is holding increasing numbers of prisoners with very complex mental health needs, who cannot be safely housed in normal locations. This puts strain on staff that are not adequately trained to cope with severe mental health issues and also for prisoners who are housed in CSU, long term, for their own safety.

**Recommendation: That CSU does not become the 'normal' location for prisoners with complex mental health issues**

14.3 The regular officers working in the unit continue to exercise extreme professionalism, especially as they are constantly dealing with some of the most challenging prisoners in the prison. The Board seldom receive complaints about staff from the prisoners. However, like other houses in the prison, in recent times, there have been occasions when officers are sent to the unit for a shift to make up shortfalls in staffing. As this is a unit with particular needs the prison management must not allow the culture of casual staffing to become the norm. However during the year like other areas in the prison CSU has suffered from a reduction in staffing levels which is putting an increasing strain on staff especially as so many have been injured in the course of their work.

**Recommendation: The Board recommends that the prison does not compromise on maintaining set staffing of the CSU because of the special skills and knowledge required by those looking after highly vulnerable and volatile prisoners.**

14.4 The regime in the CSU is extremely restricted with only limited association given to the prisoners who are there for long periods. The Board has always insisted that, because of this restricted regime, prisoners should have an exit plan shortly after their arrival as it is not a house that is conducive to the good mental wellbeing of the prisoners therein. It is unfortunate that management including representatives from NIPS Headquarters, whilst they may agree, continue to hold prisoners for long periods in the CSU, as it has become increasingly difficult to find alternative accommodation elsewhere in the prison estate.

**Recommendation: The Board recommends that there is an exit plan in place for each prisoner entering the CSU be that on a cellular confinement or held under Rule 32.**

14.5 The formal disciplinary process for dealing with alleged misconduct by a prisoner is adjudication. Adjudications are held most mornings in the CSU. Board members attend as many adjudication hearings as possible, and seek to satisfy themselves that due process has been followed and that decisions to restrict association etc. are reasonable and fair. The majority of adjudications are for charges relating to use of drugs, refusing to take a drug test and being in possession of an unauthorised article which is frequently drugs or items like mobile phones. In the last year alone the Adjudication Officer has processed in excess of 3000 adjudications. After a weekend it is not unusual for Adjudication Officer to have to deal with the paperwork for in excess of 40 adjudications. As all prisoners are taken to the CSU to be 'read over' prior to their adjudications this makes CSU exceptionally busy. Members do not attend at the request of or to represent a prisoner.

**Recommendation: The Board recommends that the Adjudication process is reviewed with a view to reducing the numbers.**

14.6 Over the reporting year the reduction in staffing levels has inevitably had an impact on the adjudication process, in that fewer staff are available to attend and read their statements. On most occasions the prisoner accepts the statement being read in the officer's absence, but if he disputes the evidence and wishes to question the officer, then the adjudication has to be adjourned until such time as the officer can attend. The prisoner can also choose to speak with his solicitor regarding his adjudication. This creates a backlog which may delay an adjudication hearing for weeks or even months, by which time a prisoner may even be released. Over the course of a year a significant number of charges are written off not only because prisoner released but because they are outside of the time constraints that are laid down.

14.7 Throughout the year the Board has raised concerns about the consistency of the awards given and the review of the evidence presented. Several different Governors hear adjudications and the scrutiny of evidence and decisions / awards given vary widely across similar charges.

**Recommendation: The Board recommends that the number of Governors hearing adjudications is reduced and regular reviews are conducted to address inconsistency in both awards and procedure.**

## **Section 15 – SEPARATED PRISONERS**

15.1 In 2003 the UK Government accepted the Steele Review recommendation that Republican and Loyalist prisoners with paramilitary affiliations should be accommodated separately from each other, and from the rest of the prisoner population on a voluntary basis within Maghaberry Prison. Throughout this reporting year the numbers of both republican and loyalist prisoners held in ‘separated’ conditions have declined significantly.

15.2 The Board notes that separated republican and loyalist prisoners continue to benefit from a greatly enhanced regime in comparison to the remainder of the prison population. This can understandably cause friction and resentment with other prisoners who may be locked up for increasing periods of time, especially with the staff shortages in the past reporting year in the remainder of the houses. Staffing levels are always maintained in the separated wings often to the detriment of the remainder of the prisoners. It is particularly frustrating for the normal prison population on the other landings in Roe and Bush to see the disparity in the regime in two different sections of the same house.

15.3 The behaviour of the prisoners in Roe House is usually a reflection of or a reaction to what is happening outside of the prison and this can frequently lead to prisoners being verbally abusive and threatening to staff on the landings.

## **Section 16 - SPORT AND RECREATION**

16.1 Over the last year the sport and recreation facilities have continued to be used extensively by all prisoners. The Board commends the increase in these facilities with the building of additional football pitches some time ago. The gym facilities are also very good.

16.2 The Board receive few complaints with regard to sport and recreation. This is due to the high quality of diverse programmes on offer, which are designed to cater for all inmates irrespective of age or fitness level. It is also a testament to the commitment of the PE staff.

## **Section 17 - TUCK SHOP**

17.1 The tuck shop remains a crucial and integral part of the prisons operation. It provides prisoners with extra products of their choosing by way of a weekly delivery. The shop is well managed and carries a good range of stock items which is revised regularly to meet general prisoner requests and the needs of the foreign national prisoners with different religious and cultural needs. Additional seasonal food items are available at Christmas and Easter.

17.2 There is also a small tuck shop facility in Bann House to facilitate new committals. While it does not carry a large stock of goods it has items like flasks, basic additional food items, toiletries and tobacco for prisoners who have just arrived into prison and these items are then charged to them.

17.3 Staffing in the facility includes around 10-12 prisoners who assemble orders. Prisoners employed in the shop enjoy the work and usually stay for a long time. The Board have said over the past few years that these prisoners would benefit from NVQ accredited training which could help them secure retail employment upon release.

**Recommendation: The Board recommends that NVQ accredited training is made available to those working in the tuck shop.**

17.4 As stated in previous reports prisoners feel that tuck shop prices are high and they have had the opportunity to bring this to the Prisoner Forum meetings for discussion. The Board has been advised that prices are subject to contract but continues to monitor the situation.

**Recommendation: The Board recommends that that all goods in the tuck shop are priced competitively.**

17.5 All items are checked as thoroughly as is possible before they leave tuck shop however, one issue that tuck shop staff have brought to attention of the Board, is the significant amount of shortages between goods leaving tuck shop and being distributed on landings. This is an issue that needs to be resolved.

**Recommendation: The Board recommends that distribution of tuck shop on landings is reviewed.**

## **Section 18 – VISITS**

18.1 For those who lose their freedom, family ties are important and many studies have shown the value to prisoners of regular family visits. Several voluntary organisations support families' visits in various ways. Visits are held six days a week with several sessions per day. There are thirty-two tables in integrated visits, which can hold a maximum of three adults plus two children per table if full to capacity. Separated prisoners have their own visits area. This equates to a huge volume of visitors over the year.

18.2 For many coming to visit Maghaberry, transport can be a problem. NIACRO (supported by Probation Board for Northern Ireland) runs a minibus service from several areas of the province charging economical rates.

18.3 Family Support Officers are available at the reception area where families who have concerns or issues about their relative can talk to an officer in private. Visitors can leave in money, cards, clothing etc. at the reception area, but there are times when it takes a considerable amount of time to reach the prisoner they are visiting. The Board has noticed over the past reporting year that there are increased complaints about the time taken for parcels to get from reception to prisoner, and also for personal belongings to get to reception when a prisoner is being released. The officer who should be on duty is often taken off to do other duties but this creates difficulties for prisoners who are frequently left without their own clothes for 5/6 days.

**Recommendation: The Board recommends that the process of items left at reception for prisoners is reviewed to lessen the delay in a prisoner receiving them.**

18.4 All visits in Maghaberry now take place in the main visits area. Prisoners in the Mourne complex have complained about the loss of visits there, and this has also had an impact on staff from the Visitors Centre who were employed to provide catering for visits. The visits areas must strike a balance between facilitating families and the need for security. The Board has noticed an increased number of ‘passes’ of illegal substances being caught over the past year, and recommend the vigilance of staff and also the joint NIPS/PSNI scheme with regard to prisoners and visitors being charged if detected. All visitors are subject to testing by a passive drug dog and at least three prison officers supervise the area. In previous years the Board has recommended that the CCTV system in Visits was upgraded, so were pleased to see that new surveillance cameras had been installed in both the segregated visits area and ordinary visits area. Despite the secure setting the visitors’ arrival area endeavours to present a “family friendly” image and during the summer holiday period additional activities are organised for children. The Board is also aware that there are plans to look at the further at upgrading the visits area in the future.

18.5 Child-centred visits operate throughout the year, enabling fathers and children to play in a supported, supervised manner and bond in a way that is not always possible during a normal visit. Since inception these visits have been jointly delivered by the Quaker Service and prison staff. For prisoners on the Family Focus landing, extended visits with their children are arranged on a monthly basis and held in the Donard Centre. These are made possible by the prison Visits team, Family Officers and the Quakers. This is an example of different organisations working together for the benefit of prisoners and their families and the Board commends these initiatives.

18.6 As detailed earlier in the annual report the Board is disappointed that the excellent support service at the visitor service formerly provided by the Quaker Service is no longer available. This has had a huge impact on visitors to the prison, many of whom have travelled long distances, often with children. Hot food is no longer available, just sandwiches and snacks, and there is no longer transport to main gate which although not a huge distance can impact on the elderly, those with mobility problems and mothers with young children. This is especially noticeable in wet or wintry conditions.

**Recommendation: Review of the service formerly provided by Quakers.**

18.7 While many prisoners receive regular visits from friends and family there are a significant number who serve their sentence with little or no contact with anyone outside. As previously mentioned the Quaker Service operates the “Quaker Connections” which provides visits to these prisoners.

18.8 In conclusion, the NIPS and the agencies and organisations which provide visit services should be commended for the help and support given to visitors on a daily basis.

## MAGHABERRY BOARD MEMBERS 2015-2016

			Appointed
1.	Mr Patrick McGonagle	Chair	20/05/13
2.	Mrs Margaret McCauley	Vice Chair	05/07/10
3.	Mr Phillip Lees	No change	02/07/10
4.	Mrs Valerie McConnell	No change	05/07/10
5.	Mrs Bernadette McCollum	No change	20/07/10
6.	Mrs Lynn Nevin	No change	10/06/13
7.	Mr Andrew Heyes	No change	10/06/13