

imb Independent
Monitoring
Board

MAGHABERRY PRISON

Independent Monitoring Board's Annual Report for 2009/10

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Mission Statement

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

Statement of Purpose

Members of the Independent Monitoring Board for HMP Maghaberry were appointed by the Secretary of State¹ under Section 3 of the Treatment of Offenders Act (NI) 1968 and under the Prison Act (NI) 1953. The Board is required to:

- visit HMP Maghaberry 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.

1. Following devolution on 12 April 2010 members will be appointed by the Justice Minister

Chairperson's Introduction

I am pleased to introduce the report covering the period April 2009 - March 2010 for the Independent Monitoring Board (IMB) for HMP Maghaberry.

This is my first year as Chair and I owe a debt of gratitude to my predecessor, James McAllister, who served as chair for three years and who has bequeathed me a sound, working Board. Two valuable and long-serving members completed their maximum term during the year and our thanks go to them for their effectiveness as Board members. We wish them all the best for the future. The reporting period commenced with 14 members and completed with 10 members. I am proud to be Chair of such a dedicated and focused Board.

The members of the IMB for HMP Maghaberry consist of people from all across Northern Ireland. Working on a voluntary basis, they bring to the prison a wide and diverse range of skills, with knowledge and experience from all walks of life; both from the private and public sector. I thank them for their time and positive approach to the monitoring task which demands diligence and a positive approach to the on-going commitment.

During the reporting period the Board responded to 225 complaints from prisoners and discussed with them and tried to resolve the indicated problems. Board members regularly visited the Special Supervision Unit (SSU), to speak to prisoners being held under Rule 32 and also attended the associated case conferences. At the same time, the opportunity was taken to talk to prisoners being held in the SSU on cellular confinement following formal action being taken against them for proven indiscipline. Board members also observed adjudications held in the SSU during the reporting period to ensure that due process was followed.

During the reporting period there unfortunately has been two deaths in custody and one death whilst a prisoner was on a pre-release programme outside the prison. John Deery died on 28 August 2009 in the Royal Victoria Hospital, after being found the previous day in his cell with a ligature round his neck and Charles Devine died on 30 August 2009 in Lagan Valley Hospital after being taken ill three days earlier. Both deaths are subject to an investigation by the Prisoner Ombudsman. John Brady was on Phase 2 in the Prisoner Assessment Unit (PAU) at Crumlin Road in Belfast when he died in a PSNI station in Londonderry on 3 October 2009. His death is subject to an investigation by the Police Ombudsman. Our thoughts are with all families concerned.

Although the Governing Governor and his senior staff team have attempted to move forward over the past year, the overall governance and control of the prison has been very disjointed. This has been very difficult for all concerned and has hindered any progress in the management of the prison.

The Governing Governor and his deputy were transferred in June 2009 following the implementation of a recommendation in the Prisoner Ombudsman's report into the circumstances of the death in custody of Colin Bell in 2008. An interim acting Governor was subsequently appointed.

In July 2009 an experienced and high-profile Governor from England was appointed. He brought energy, fresh ideas, a proactive approach and forward thinking to the mammoth task of governing Maghaberry. This ethos was further reinforced by the introduction of the Business Improvement Team (BIT) in September, which was tasked to examine all aspects of the prison. Unfortunately, the new Governor resigned after a short period and returned to England in December 2009. With his departure the Deputy Governor once again assumed the role as acting Governor.

A very unwelcome feature and distraction during the year was the instruction from the Prison Officers' Association (POA) to their members that they work within their terms and conditions – a move which could be interpreted as a "work to rule". Two protracted periods of non-cooperation added to the daily problems and difficulties of trying to manage the prison and sustain the daily regime for all the prisoners. Their actions impacted negatively upon the prisoners which was regrettable and not welcomed.

Finally, Maghaberry has been subjected to a series of reports and inspections over the past year.

As previously mentioned, the Prisoner Ombudsman's Report (POR) into the death of Colin Bell was published in January 2009. A commissioned response to this POR was carried out by the Pearson Review Team and published in June 2009. The review endorsed the POR recommendations and also included a further 36 recommendations covering five areas of specific interest. One of the recommendations was that the progress in responding to the review should be audited six months from receipt. The Audit Team report, which tracked progress against recommendations, was published in March 2010.

The 2008-2009 reporting year saw an unannounced full follow-up inspection by HM Chief Inspector of Prisons (HMCIP) and the Chief Inspector of Criminal Justice in Northern Ireland (CJI) but the associated report was only published in July 2009. This report contained 202 recommendations, which did include examples of good practice.

During this reporting period the CJI also published three other reports - the impact of Section 75 on the criminal justice system in Northern Ireland; the treatment of vulnerable prisoners by the Northern Ireland Prison Service (NIPS); and lastly mental health and the criminal justice system in Northern Ireland.

It is fully appreciated that inspections and reports are essential to investigate, regulate, monitor and improve the standards within prisons. However many of these inspections and reports occurred during a period of constant change within the top level management of Maghaberry. This made the implementation and monitoring of the recommendations very difficult to achieve. It is hoped that a Governing Governor will eventually be appointed, who will remain in post for at least three years, who in liaison with Northern Ireland Prison Service (NIPS) Headquarters, will be able to action all the past reports recommendations and will be able to lead and direct the Maghaberry staff on improving the regime for all the prisoners.

In conclusion I would like to thank the Governing Governor and his staff for supporting the work of the IMB. The Board also appreciates the support provided throughout the year by the Council of Independent Monitoring Boards (CIMBNI).

Finally, the work of the Board would not be possible without the support and daily assistance of the IMB Secretariat. I thank them for their dedication, work and guidance. The staff of the Secretariat has been strengthened by the appointment of the Head of IMB Secretariat. This is most welcome and has enforced greatly the support afforded to all Board members.

Dennis Constable
Chairperson

Overview of Establishment

Maghaberry Prison is a modern high security prison which holds adult male long-term and short-term sentenced and remand prisoners, in both integrated and separated prisoners. 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 prison was opened in 1987 and major structural changes were completed in 2003, when the separated paramilitary prisoners from loyalist and republican backgrounds were placed in Bush and Roe Houses respectively.

The majority of the prisoners are accommodated in six residential houses on the main site - Bann (at present closed for refurbishment), Erne, Foyle, Lagan, Bush and Roe. Also on the estate is Glen House - a landing which is used to accommodate vulnerable prisoners and a further landing in Lagan House, the REACH (**R**eaching out to prisoners through **E**ngagement, **A**ssessment, **C**ollaboration working **H**olistic approach) which is used for housing prisoners with poor-coping skills. There is a separate Special Supervision Unit (SSU) and a Healthcare Centre incorporating the prison hospital. Three other houses - Martin, Wilson and Braid (opened early 2010) – are located within the Mourne complex across the road from the main site. Martin and Wilson Houses are used specifically to house life sentenced prisoners who are nearing the end of their sentences and have participated in all the essential programmes. These houses are used as a stepping stone to the Prisoner Assessment Unit (PAU) located at Crumlin Road in Belfast.

Healthcare for all prisoners is provided through the South Eastern Health and Social Care Trust (SEH & SCT). The drug and alcohol service for prisoners who are in need of consultation is provided by ad:ept (alcohol & drugs: empowering people through therapy) in partnership with SEH & SCT and NIPS. Education and training is provided by local services.

Various charitable and voluntary organisations maintain a presence on the site - NIACRO provide guidance through the Jobtrack scheme for prisoners trying to obtain a job on discharge; CRUSE provides invaluable support in dealing with bereavement issues; Barnardo's support prisoners over family issues; and Housing Rights staff brief prisoners on the complexities of obtaining housing, housing benefits and associated grants. Finally, the Ulster Quaker Service is an essential team that welcomes the prisoners' families and visitors to the prison. The Quakers manage the refreshment facilities in two centres and provide the transport between the Visitors Centre and the prison.

The prison is embraced by the Chaplaincy Team headed by a Lead Chaplain and provides an "all faith" cover. The Prison Fellowship also maintains a presence and liaises with the Chaplaincy Team.

There are 832 prison grade staff in post, including 17 governor grades and an additional 139 civilian grades.

The Certified Normal Accommodation (CNA) is 725 and the maximum operational capacity is subject to operational demands. As at the end of March 2010 there were 752 prisoners on the roll. A breakdown of the population is provided at Appendix 1.

Summary of Recommendations

The Board recommends that –

1 Alcohol and Substance Abuse

- a) greater efforts should be made to move towards a drug-free prison including the introduction of increased enhancements for drug-free prisoners and the introduction and maintenance of drug-free landings (Paragraph 2.2)

2 Catering and Kitchen

- a) a new healthier menu be compiled with input from a dietician (Paragraph 3.2)
- b) a selection of cultural dishes should be available in the menu (Paragraph 3.3)
- c) the NIPS examine the ways that prisoners working in the kitchen can receive accredited NVQ training (Paragraph 3.4)
- d) the NIPS should regularly check that all Catering Policies are being implemented (Paragraph 3.5)
- e) the NIPS look actively at ways to see if dedicated dining areas can be provided (Paragraph 3.6)

3 Education

- a) the prison staff continues to improve the punctuality of prisoners attending classes (Paragraph 5.6)

4 Equality and Diversity

- a) diversity training continues to be delivered and that it is available to all staff (Paragraph 6.3)

5 Healthcare and Mental Health

- a) support is given to the Nursing Team in the Healthcare Unit to effectively monitor and support prisoners in the older age range (Paragraph 7.8)
- b) a needs analysis of prisoners with mobility challenges is undertaken and provision made for level access cells (Paragraph 7.9)
- c) a pro-active approach is taken with vulnerable mental health patients and they are allowed some form of distraction where requested (Paragraph 7.11)
- d) the provision of appropriate care for prisoners with severe and enduring mental health issues should remain at the top of the agenda (Paragraph 7.12)

6 Life-Sentenced Prisoners

- a) the issue of lack of constructive work for prisoners in Wilson House is addressed without further delay (Paragraph 9.2)
- b) the structure of the life sentenced prisoners day reflects life as it is for civilians working outside of a prison environment (Paragraph 9.4)

7 Progressive Regime & Earned Privileges Scheme (PREPS)

- a) the PREPS Coordinators continue to educate the Residential Managers and officers in the necessity to apply fairness to all decisions and to assist and encourage the prisoner in not only maintaining his level, but if below Enhanced, also in progressing (Paragraph 11.5)
- b) that prisoners and staff are given clear instruction on the possibility of a PREPS level being affected by the issue which has resulted in adjudication (Paragraph 11.6)

8 Resettlement

- a) only in extreme circumstances are staff redeployed from their resettlement duties to other duties (Paragraph 12.3)

9 Safer Custody

- a) efforts are made to remedy the limitations in the closed regime, so that by default vulnerable prisoners are not prevented from achieving and progressing (Paragraph 13.2)
- b) Glen House should be utilised to its full capacity, so that other like prisoners can benefit from this environment (Paragraph 13.3)
- c) staff identified as having specific caring and nurturing skills and aptitudes should be deployed to work with vulnerable prisoners (Paragraph 13.4)
- d) a wider and more comprehensive range of training opportunities are available to staff including the participation in courses run by Further and Higher Education Colleges (Paragraph 13.5)

10 Special Supervision Unit

- a) staff should receive more specialised training in coping with and understanding the specific needs of certain prisoners held in the SSU (Paragraph 14.3)
- b) a timely forwarding of all Rule 32 paperwork, including HQ comments, to the IMB Secretariat shortly after signing of the Rule or within 24 hours (Paragraph 14.7)

11 Tuck Shop

- a) more healthy snacks and food bars should be available for those not wishing to consume confectionery products (Paragraph 15.1)
- b) every effort is made to price products competitively for customers who are on a very low income and disadvantaged by their location (Paragraph 15.3)

12 Visits

- a) the CCTV cameras in visits should be replaced or upgraded to enable continuous surveillance in real time to be made at all points (Paragraph 16.7)
- b) consideration be given to the re-introduction of child centered visits on Sundays (Paragraph 16.8)

13 Workshops

- a) steps are taken to incentivise prisoners and make them more aware of the valuable contribution that working can make to their successful re-integration on release (Paragraph 17.3)



1 | Accommodation

- 1.1** Residential accommodation in Maghaberry Prison is made up of the original “square houses” of Bann, Erne, Foyle and Lagan. Each house is made up of six units with 18 cells in each. Although originally planned for single accommodation the cells now normally accommodate two prisoners owing to the ever-increasing prisoner population.
- 1.2** Two linear houses were built in 1993 - Bush and Roe - each with single cell accommodation for 96 prisoners. The loyalist and republican prisoners are located in respective wings on the far side of each house. Glen House providing accommodation for 15 prisoners is also located within the main prison block. In addition to the cellular accommodation the main prison has a gymnasium, chapel, laundry, hospital, visits centre, kitchen, reception, a prison shop, administration, video link and education block.
- 1.3** Martin and Wilson Houses are now operational in the Mourne complex (formerly the women’s prison). Martin House was taken over by Security in 2009 and is now used by that department as a unit for holding some prisoners in secure accommodation. The 12 cell spaces available in Martin House were relocated to Wilson House, which now holds up to 33 prisoners. Braid House was also opened during the reporting year with accommodation for 120 prisoners the first of which have already moved across from the main prison. The new build had some initial teething problems however these were quickly corrected by the works contractor and this helped to ensure that the house was suitable for use. The gradual movement of prisoners from Erne House did give rise to a number of complaints from the new prisoners in the house. Most of these complaints were in relation to visits and purposeful activity as being separated from the main prison site created difficulties for prisoners and staff alike.
- 1.4** The Board appreciates that with any such moves there will be ongoing difficulties to overcome and will continue to monitor the regimes, visits etc, as they affect prisoners in the new accommodation.

2 | Alcohol and Substance Abuse

- 2.1** There is no denying that Maghaberry, as with many other prisons, faces a huge challenge from drug and alcohol abuse within its walls. Previous IMB reports have repeatedly highlighted the attendant problems faced by both staff and prisoners.
- 2.2** While the Board fully acknowledges the efforts made by prison management and staff at all levels to cope with these problems it recommends that greater efforts should be made to moving towards a drug-free prison including the introduction of increased enhancements for drug-free prisoners and the introduction and maintenance of drug-free landings.

3 | Catering and Kitchens

- 3.1** A new purpose-built kitchen capable of catering for 800 prisoners is now fully operational.
- 3.2** Numerous studies have highlighted the link between behaviour patterns and diet and although the majority of food produced is “home cooked” freshly made items, unfortunately, some menu items are still ready-prepared, processed foods which are high in salt, fat and additives. The Board recommends that a new healthier menu be compiled with input from a dietician.
- 3.3** While annual statistics show an increase in the number of foreign national prisoners, they still make up a relatively small number of the population. Within Maghaberry there is a broad range of ethnic groups and the kitchen staff is catering for the religious needs of prisoners they are being made aware of. However the Board recommends that more is done to ensure menu planning caters for all cultural and religious needs.
- 3.4** Prisoners working in the catering unit cannot obtain accredited NVQ training for these further education skills as NVQ training was suspended because of staff and resource shortages. However, with resettlement at the main core of prison aims the Board recommends that NVQ training should be reinstated so prisoners working in the kitchen can receive accredited NVQ training.
- 3.5** While the Board has been advised that NIPS has a comprehensive Food Safety & Catering Manual which contains catering policies directly related to food, it would welcome a more proactive approach to ensure that these policies are being adhered to. The Board recommends that the NIPS should regularly check that all Catering Policies are being implemented.
- 3.6** The situation in which prisoners have to eat in their cell, which also houses a toilet area, is an unnatural environment in which to consume food. The Board recommends that the NIPS look actively at ways to see if dedicated dining areas can be provided.

4 | Chaplaincy

- 4.1** The role of a Chaplain is essential to any prison establishment and Maghaberry has been strengthened by the introduction of a Lead Chaplain who coordinates the chaplaincy team. The chaplaincy team consists of all faiths - Church of Ireland, Free Presbyterian, Methodist, Muslim, Presbyterian and Roman Catholic.

- 4.2** With the ever-increasing prison population, the demands on the prison chaplains are constant and increasing. Because of the unique nature of Maghaberry, religious services are held in Bush and Roe Houses, where the separated prisoners are housed, as well as in the prison chapel and in the Healthcare Centre. Because Braid, Wilson and Martin Houses are sited across the road from the main prison complex it is impractical for prisoners to attend services in the prison chapel. Prisoners can also request to see their own minister and meet them in the Visits area. The duty chaplain visits the induction landing every day to see newly-convicted prisoners and those on remand whose self-esteem is at its lowest and fear and risk of self-harm are at their peak.
- 4.3** The Board recognises and commends the chaplains for the essential role that they play in offering pastoral care, assisting the prisoners to cope with their confinement and in maintaining the prisoners' self worth and dignity.

5 | Education and Training

- 5.1** Education is an important part of many prisoners' daily routine and a structured curriculum has been set up to deliver a comprehensive range of activities. The main focus is to raise basic literacy and numeracy standards. Academic, cultural, recreational and social courses are provided to appeal to as many prisoners as possible. This is part of their overall resettlement programme and has been designed to break the spiral of habitual reoffending.
- 5.2** NIPS target is to test every prisoner for essential skills and deficiencies on arrival and every prisoner is encouraged to participate in improvement classes. The target is to get 100% of those who enroll on the essential skills course to advance one level from their initial assessment within one year.
- 5.3** An atmosphere of enthusiasm and fellowship is immediately evident upon entry to this department. Each week a total of 180 classes are available to prisoners throughout the establishment. The classes are held in the Education block and also in the various houses. Staffing of the department consists of one Head of Learning and Skills, three Senior Teachers, seven full-time teachers, seven permanent part-time staff and around 10 temporary part-time staff.
- 5.4** The Essential Skills Curriculum for Northern Ireland has been running for some time now and embraces adult literacy, numeracy, English for Speakers of Other Languages and information technology. This Northern Ireland curriculum aims to ensure that any prisoner leaving prison can slot into a college environment. Diagnostic Testing ensures that prisoners' specific deficits are addressed. There are six levels ranging from below entry to Level 2. Twenty students are currently taking third-level courses and eight are studying for GCSE. The Unit Award Scheme is an excellent system that enables teachers to give their own internal accreditation of prisoners' progress which is then accredited by AQA (Assessment and Qualification Alliance). Last year 179 prisoners were accredited and a similar result is expected this year.

- 5.5** Two prisoners in particular must be commended for achieving excellent results - one gained a distinction in a degree course in Media Studies as well as first place in the Autobiography class and third prize in the Short Story class at the Listowel Writing Awards while another achieved first prize in the Short Story Class and second in the Autobiography class at the same event.
- 5.6** Unfortunately during the first few months of this report attendance at classes was seriously disrupted due to industrial action by members of the Prison Officers' Association (POA). This led to delays in respect of the movement of prisoners between various houses and the Education Department. The Board recommends that the prison staff continues to improve the punctuality of prisoners attending classes.
- 5.7** Additional teaching accommodation has been acquired in each house and can be utilised when the need arises. However this will not fully overcome all the problems that can arise in these situations, especially with the requirement for organised movement of prisoners from their individual houses to the education block.
- 5.8** A recent report by Her Majesty's Chief Inspector of Prisons (HMIP) has made several recommendations in respect of this department. Two of these are for the provision of a generally wider choice of courses and the provision of additional classes for remand prisoners. It is a challenge for the department, as classes must of necessity be kept small in order to provide a realistic and meaningful learning period for individuals who may have had little recent opportunity or desire to study.
- 5.9** Plans have been prepared for a new Education block and work was expected to be completed during the current period. However, although facilities for both staff and prisoners are to be enhanced, there will be little additional classroom space.
- 5.10** The new Braid House facility opened in the latter part of 2009 and has presented challenges regarding the movement and management of prisoners who wish to attend classes. Due to its remoteness from the main Education facility, it has been necessary to provide a full-time computer teacher plus literacy, numeracy and Braille classes in-house.

6 | Equality and Diversity

- 6.1** The increase in the number of Foreign National Prisoners (FNP) committed to Maghaberry Prison has continued over the past year. In many ways, this reflects the larger societal picture of inward migration to Northern Ireland. Although the majority of FNP in Maghaberry at present are on remand the likelihood is that an increasing number of them will serve their sentences in the prison. This situation presents the authorities with unfamiliar challenges and statutory requirements. The Board also recognises its own duties and concerns in being accessible and relevant to these prisoners who have special access needs by virtue of their nationality.

- 6.2** Maghaberry has an Equality and Diversity committee which had its first meeting in 2008 and a member of the Board also attends. The prison appears committed to taking forward the action plan laid out by the NIPS and to achieving the set goals within the timeframe that has been structured.
- 6.3** The Board is aware that Diversity training has been identified as an underpinning requirement of the strategy and recommends that this training continues to be delivered and is available to all staff.
- 6.4** The area of diversity includes many other areas of inclusion and equality of access and opportunity. The Board notes that at most times there are members of the travelling community in the prison and will continue to monitor the sensitive issues that arise with regard to these prisoners.
- 6.5** The Board recognises the challenges that are presented by the dynamic and fluid situation of an increasing foreign national population. For this reason it commends the authorities for devising a strategy for dealing with the many and complex issues that are arising, is committed to engaging with the authorities on the FNP sub-committee and looks forward to the implementation of the proposed action plan.

7 | Healthcare and Mental Health

- 7.1** The long awaited transfer of the management of healthcare to the Primary Healthcare Trust (PHT) provided by the South Eastern Health and Social Care Trust (SEH & SCT) took place in 2008. Although still in the early stages the ultimate outcome of this transfer should be the provision of a more joined-up approach to health issues, with better services for those in prison which continue in the community following release. A significant feature of the management of Healthcare by the (PHT) will be the improved clinical governance that will allow staff to work in a more enabling and supportive environment.
- 7.2** Many prisoners committed to Maghaberry have pre-existing poor health with either diagnosed or non-diagnosed illnesses and / or severe addiction to illegal or prescription drugs or alcohol. Broadly speaking, health issues can be classified as either physical or mental, and within each of these categories there are multiple areas of challenge.
- 7.3** There can be little debate or argument that the provision of healthcare in a prison environment is a hugely challenging and complex area. Previous IMB reports have continued to highlight the serious difficulties faced by both prisoners and staff in providing and accessing adequate treatment and facilities. In July 2009 the patient Healthcare Unit was transferred to Bush House in order that the original Healthcare facility could be refurbished. This proved to be a difficult working environment for the staff but they faced and overcame the challenge with initiative and forethought.

- 7.4** In October 2009, following issues highlighted in a preliminary review by the Prisoner Ombudsman into the death of John Deery in the Healthcare landing in Bush House earlier in the year, the NIPS and the Healthcare Trust took the decision to suspend several members of the medical staff from duty. As a result those medical staff remaining struggled to maintain a reasonable standard of service. The situation has since stabilized but it took a great deal of effort by the PHT to recruit suitable cover to ensure that all the essential medical services continued to be provided to the prisoners.
- 7.5** In the area of physical health and well being, the two main areas of concern to the Board are provision of healthcare for existing illnesses as well as the promotion of positive health. Maghaberry has 10 GPs who attend the prison on a weekly basis ranging from one to five sessions. It appears that this level of medical intervention is sometimes not seen to be adequate but the Board appreciates that the situation is continually under review. Each house also has an assigned Nursing Officer (NO) or Health Care Officer (HCO) to deal with all the immediate health needs of the prisoners and to triage prisoners in advance of the weekly 'sick parade'.
- 7.6** There are many areas of good practice in the prison but these are not often recognised because of pressure on the nursing staff. Of the 750-plus prisoners in Maghaberry, almost 650 of them receive daily medication and some prisoners are allowed to maintain up to a months supply of medication based on continuing assessment for self administration. This places a great burden on the medical staff to monitor and deliver medical supplies to prisoners.
- 7.7** In the Healthcare Unit, there are numerous clinics run for the benefit of men. An effort is made to promote 'Well Man' care and clinics are run for those with asthma, diabetes and other chronic illnesses. Unfortunately, because of the move to temporary accommodation these clinics have not been held on a continuous basis. A podiatrist is in attendance daily, as is a dentist and dental assistant. There is also a palliative care team in the prison to assist those with severe mobility issues or a terminal illness.
- 7.8** Of growing concern in Maghaberry is the growing population of older male prisoners. There are now 25 men who are over 65 years old and their health will need to be monitored more closely than those in a younger age cohort. Healthcare conditions in prisons do not resemble those in the community in any way and cognisance has to be taken of this fact. Exercise is limited as is access to fresh air and other forms of mental stimulation and as a result the ageing process can be accelerated and conditions such as arthritis, dementia and heart disease are more prevalent and more pronounced. The Board recommends that support is given to the nursing team in the Healthcare Unit to effectively monitor and support prisoners in the older age range.
- 7.9** There are only two disabled cells including the one in healthcare. All other cells are up two flights of stairs so are inaccessible to prisoners with zimmer frames or wheelchairs. The Board recommends that a needs-analysis of prisoners with mobility challenges is undertaken and provision is made for level access cells.

- 7.10** Prisoners with more serious mental health issues such as schizophrenia continue to pose a custody problem for the NIPS. As the Board has noted in the past, there is no high-security facility in Northern Ireland for prisoners with severe and enduring mental health problems. Carstairs State Hospital in Scotland provides this level of care but is not geographically suitable for family visits and it is well recognised that family links are critical in the stability of such prisoners.
- 7.11** Being detained in prison can be a distressing time for many prisoners, and there are significant numbers who will attempt self-harm and indeed carry through to suicide while in prison. A further section of this report will look more closely at Prisoners at Risk, but we feel that some efforts should be made to provide some elements of distraction for those at risk. Ironically, it is often the prisoner who has poor coping skills that will have his television or radio removed, thereby further excluding and isolating him and potentially increasing the risk of harm. The Board recommends that a proactive approach is taken with vulnerable mental-health patients and that they are allowed some form of distraction where requested.
- 7.12** The Board appreciates that the timeframe for the implementation of the Bamford Review (2007) may be up to ten years, but recommends that the provision of appropriate care for prisoners with severe and enduring mental issues should remain at the top of the agenda.

8 | Library

- 8.1** The library tries to cater for all nationalities in its choice of popular reading material and prisoners are made to feel at ease there. On average 22 prisoners visit the library each day where a choice of several thousand books is available. There are also over 500 CD's and more than 350 DVD's available.
- 8.2** The library is the centre for the Book and Tape Club. This facilitates fathers who are in prison in recording the reading of stories which are then sent to their children. Story and tape facilities are excellent and a software package can add background music etc to enhance the appeal to the listener.
- 8.3** To meet the needs of Foreign National Prisoners, books, magazines and newspapers in various languages are also provided. To meet any unforeseen demand items from overseas, newspapers can be downloaded from the Internet by library staff when necessary.

9 | Life Sentenced Prisoners

- 9.1** Maghaberry prison is the only Category A high-security prison in Northern Ireland. All life sentenced prisoners are held in different house blocks throughout the prison complex. A small number of life sentenced prisoners who are coming to the end of their sentence are housed in the Prisoner Assessment Unit (PAU) located at the Crumlin Road in Belfast.

- 9.2** The Board remains concerned at the lack of constructive work for prisoners in Wilson. This was highlighted in last year's report and if anything the position has deteriorated in this reporting year. The absence of sustained work programmes and training leaves a gap in progressing life sentenced prisoners to hopefully lead a normal life in society. The Board recommends that the issue of lack of constructive work for prisoners in Wilson House is addressed without further delay.
- 9.3** The practice of housing short terms prisoners has largely been addressed with the opening of Braid House and its role as a lifer house. Great effort is being made to manage lifers away from the short-term population.
- 9.4** The Board recommends that the structure of the life sentenced prisoners day should reflect life as it is for the general public working outside of a prison environment. It is clearly not customary in wider society that lunch time is a two hour break with prisoners going back to bed at this time as they have been used doing in the main prison complex.

10 | Prisoner Assessment Unit (PAU)

- 10.1** The 19th century Russian author Fyodor Dostoevsky once said that "the degree of civilisation in a society is revealed by entering its prisons". If this assessment is used in respect of life sentenced prisoners in Maghaberry during this reporting year, the structures in place to help adjust prisoners for life outside prison would reflect poorly on our society as regrettably the Board must once again report on the suspension / return to prison of an average of one life sentenced prisoner per month from the Prisoner Assessment Unit (PAU).
- 10.2** The Board notes that an improved regression process was introduced in September 2009, whereby a breach of rules may result in regression of a phase in the release scheme rather than recall to prison but while seven life sentenced prisoners were released on licence within the reporting period, five were taken back into custody.
- 10.3** The Board accepts that great effort is made to assist the resettlement of life sentenced prisoners with the process being managed and monitored by both NIPS and the Probation Board (PBNI). It also recognises that prisoners are made to address their index offence and work to reduce their risk of re-offending through participation in mandatory programmes. However the Board is still concerned by the high number of prisoners being returned to the prison system.
- 10.4** A detailed review initiated by Prison Service Management Board (PSMB) of the suspensions from the PAU was undertaken by Psychology (with strategic discussions led by the Director of Operations) and was completed in December 2009. The Board welcomes this initiative by PSMB and trusts that the review will be used to examine and action any outstanding work that is necessary to lower the high number of life sentenced prisoners returning to Maghaberry.

11 | Progressive Regime & Earned Privileges Scheme (PREPS)

- 11.1** Following a review the NIPS revised the Progressive Regime & Earned Privileges (PREPS) scheme with the revision being implemented in June 2009. The review was necessary to bring the scheme in line with the new Offender Management Model which also includes sentence planning and home leave. With introduction of the new public protection sentences (which replaced automatic 50% remission) prisoners will have to demonstrate that they have worked to address their offending behaviour and the PREPS scheme will feed into this. The starting point for a prisoner will be a compact or voluntary joint agreement between him and the prison, setting out the behaviour and engagement expected and the range of privileges and incentives available in return.
- 11.2** The structure of the regimes remains unchanged. The entry point is still Standard for all prisoners with the opportunity to be promoted to Enhanced or demoted to Basic. Good behaviour and performance is recognised in willingness to engage in relevant programmes, civility, cooperation, fair treatment and support of others, respect and due regard for health and safety of others. To progress in regime all prisoners must take and pass a Progression Drugs Test and agree to voluntary testing thereafter. Demotion in regime level can take place when a prisoner fails to engage fully in the activities outlined in his sentence plan, receives two adverse reports in a three-month period or failure or refusal to take a drugs test.
- 11.3** Residential officers will continue to oversee prisoners' behaviour and make regular reports. Residential Managers will oversee the scheme in their particular area of responsibility and endorse any promotion or demotion. PREPS coordinators have the responsibility of organising case conferences and monitoring standards and decisions made in the interests of fairness.
- 11.4** The Board welcomes the changes in the management of PREPS in so far as it shows more regard for each prisoner's circumstances. The prison staff will have to ensure that prisoners on Basic regime are encouraged to cooperate more fully and progress to Standard. Now that the scheme has an impact on the term of a prisoner's sentence, the Board welcomes the appointment of PREPS coordinators to ensure fairness is applied,
- 11.5** Board members still hear complaints that in all houses personality clashes exist between individual officers and particular prisoners and that adverse reports will unfortunately certainly be guaranteed. Hopefully, with the oversight of Residential Managers and PREPS Coordinators such conflicts should be identified at an early stage and managed accordingly. The Board recommends that the PREPS Coordinators continue to educate the Residential Managers and officers in the necessity to apply fairness to all decisions and to assist and encourage the prisoner in not only maintaining his level, but if below Enhanced, also in progressing.

- 11.6** There is a degree of misunderstanding on the part of prisoners and indeed some prison staff in relation to awards given at adjudications and the loss of privileges and possible reduction in PREPS level. Some prisoners see this as “double jeopardy”- being punished twice for the same incident. Although the framework document states that “PREPS should not be referred to in an adjudication verdict” it should be made clear to the prisoner that the incident or action resulting in the adjudication may have a bearing on his progression report. This could be done either at the adjudication or in the process leading up to the adjudication. If there is to be a reduction then the reason should be made clear to the prisoner along with all the circumstances leading to the decision. The Board recommends that prisoners and staff are given clear instruction on the possibility of a PREPS level being affected by the issue which has resulted in adjudication.

12 | Resettlement

- 12.1** Resettlement underpins the entire work of the prison. It is supported by strategic partnerships in the community with both statutory and voluntary bodies. The entire programme is built upon assessment of prisoner risk so as to minimise the risk of offending on release.
- 12.2** The Maghaberry team has accomplished innovative and ground-breaking work especially in the area of family relationships. However, this excellent and well-thought out system seems to have lost momentum over the past two years. The main reasons for this appear to be the high level of sickness absence of prison staff (the monthly sick absence averaged 6+% over the last year) and the prevailing security-driven system requiring the seemingly endless escorting of prisoners by staff who could be more usefully employed. Child Centre visits were regrettably cancelled during a period of dispute with the POA and this matter has been resolved.
- 12.3** The absence of discipline officers, especially at a time of increasing numbers of prisoners, leads to cancellations of many activities as members of staff engaged in areas such as resettlement are moved over to fill shortfalls in other main areas. There have been occasions when Board members visiting the resettlement department have found that all the resettlement staff had been deployed elsewhere. The Board recommends that only in extreme circumstances should staff be deployed away from their resettlement duties.
- 12.4** The Board has noted that during the reporting period NIPS staff delivered five Alcohol Management Programmes and six Drug Education Programmes. This is a substantial increase on the previous year. With Ad:ept being contracted by the South Eastern Trust (SET) as counselling providers the service has improved considerably and is helping to ease the back log. Finally, the Board is satisfied to note that both resettlement and thru-care programmes are now available to remand and short-sentenced prisoners.

13 | Safer Custody

- 13.1** The humane and therapeutic management of vulnerable prisoners poses one of the most demanding challenges facing the NIPS. To be vulnerable, is to be capable of being physically or emotionally wounded or injured, or to be open to successful attack. Vulnerable prisoners therefore need appropriate help, support and protection. For some prisoners their vulnerability may be short-lived and episodic but sadly, others will require ongoing and consistent intervention. How to provide such support, to make appropriate judgements and to respond therapeutically and compassionately is a mammoth and complex task. Current safer custody provision covers the main houses (including Glen House), the REACH landing, the Healthcare Centre and occasionally the SSU.
- 13.2** Glen House cares primarily for prisoners who need to be segregated from other prisoners for their own safety. Others with enduring and intractable difficulties, linked with a mental health diagnosis, are often accommodated there as well. In general this landing works well, evidencing a happy atmosphere and is manned by staff who display good interpersonal skills. Staff generally appear to engage positively with the prisoners, are reasonably well acquainted with their family backgrounds and circumstances and are usually proactive in noticing, addressing and managing any potential difficulties before they escalate. Most prisoners placed here appear content. Unfortunately, there are limitations in the closed regime which militate against personal progress and development particularly in relation to work and education. The Board recommends that efforts are made to remedy the limitations in the closed regime, so that by default vulnerable prisoners are not prevented from achieving and progressing.
- 13.3** At times, within the last reporting year, Glen House has not always operated at maximum capacity and the Board recommends this house should be utilised to its full capacity, so that other like prisoners can benefit from this environment.
- 13.4** The REACH landing, was planned and aimed at those prisoners described as “poor-copers” or those who demonstrated symptoms commonly associated with personality disorder or other classifiable mental illnesses. Many of the prisoners housed in this landing have fluctuating levels of distress and have poor communication and interpersonal skills. Despite an auspicious start, the REACH landing did not sustain its original ethos, focus and intervention. More aspirational than reality, the programmes of activity and therapy are limited and often do not take place as planned. Whilst prisoners have reported to the Board of the benefits they gained from the yoga classes, gardening opportunities and occupational therapy activities, provision is all too frequently sparse and unimaginative.
- 13.5** Staff on the REACH landing must be highly motivated and display proactive engagement skills which are essential for identifying prisoners’ needs and helping them to articulate their fears, anxieties and worries. Preventative measures must be implemented by staff who are capable of recognising and responding appropriately. The Board recommends that staff identified as having specific caring and nurturing skills and aptitudes should be deployed to work with vulnerable prisoners.

- 13.6** To work effectively with vulnerable prisoners, who have a limited empathy and whose behaviour and presentation fall outside the norm, can also be emotionally challenging and draining for staff. Thus to work positively and therapeutically with vulnerable prisoners requires robust training, supervision akin to that provided in clinical settings, and the opportunity for reflective practice and debriefing. This can best be achieved by multi-disciplinary training and co-working and by ongoing monitoring and support from experienced and practiced staff members. The Board recommends that a wider and more comprehensive range of training opportunities are available to staff including the participation in courses run by Further and Higher Education Colleges.

14 | Special Supervision Unit (SSU)

- 14.1** Maintenance of good order and discipline is an essential part of prison life and prisoners are transferred to the Special Supervision Unit (SSU) if they behave in a manner which threatens this. One of the primary functions of the SSU is therefore to deal with disciplinary breaches. It accommodates prisoners who have been awarded periods of Cellular Confinement (CC) as a result of adjudication and those who it is hoped will benefit from a “cooling off” period following some altercation. The ethos of the SSU and its regime are designed to act as a deterrent and present a less attractive option to normal prison life. In addition to having a deterrent effect it is hoped that confinement in the SSU provides prisoners with an opportunity to reflect on their negative behaviours and to consider the need to address these on return to wider prison society.
- 14.2** The other principal function of the SSU is to house prisoners who require separation for their own safety and protection or for the protection of others, for example where bullying is involved. Rule 32 of Prison Rules permits the restriction of a prisoner’s association not only ‘for the maintenance of good order or discipline’ but where it is necessary in his own interests. Unfortunately, at times prisoners do not always accept that the confinement is in their own interest. Prisoners held in this way remain in the Progressive Regime and Earned Privileges (PREPS) system and continue to receive weekly reports and may progress or regress as necessary. This is in contrast to those prisoners serving CC or held under Rule 35(4) (which lasts no longer than 48 hours) who do not retain privileges appropriate to their regime level.
- 14.3** There is little doubt that at times SSU staff are presented with extreme and highly challenging behaviours and attitudes. Many prisoners in the SSU are those who find conforming to the usual prison regime more demanding and difficult than most. Indeed, many also display symptoms more commonly associated with personality disorders and specific learning and behavioural difficulties. Being faced with a disproportionate degree of non-compliance and aggression requires staff to balance their duty of care with the need to control and protect. The Board recognises that to handle such individuals properly requires specialised training which goes beyond control and restraint techniques therefore recommends that staff should receive more specialised training in coping with and understanding these prisoners’ needs.

- 14.4** As in past years, the Board continues to make the SSU a priority, with those members on rota duties being obliged to visit on a weekly basis. This gives prisoners a regular opportunity to speak with Board members and have their views and opinions listened to at first hand. Members are also able to closely monitor the living conditions and physical circumstances of prisoners. Feedback from staff is also encouraged.
- 14.5** The SSU is also where adjudications are held. Board members make every effort to 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. Throughout the year members have been impressed with the conduct of adjudications and the care and respect shown by officers to prisoners faced with Rule 32 charges. Board members attend the initial case conferences leading to the signing of Rule 32s and subsequent case conferences where extensions of the Rule 32 are considered. Where it is not possible to attend case conferences as soon as possible thereafter members must satisfy themselves that procedures have been followed and that the application of Rule 32 has been reasonable in the prevailing circumstances.
- 14.6** Overall the Board continues to note improvements and developments in the operation of the SSU both in the physical environment and in the interpersonal exchanges between staff and prisoners.
- 14.7** The Board again recommends the timely notification of all Rule 32s (along with HQ comments) to the IMB Secretariat as soon as possible after signing of the Rule and within 24 hours at the latest.

15 | Tuck Shop

- 15.1** The prison Tuck Shop is an essential and necessary facility for the prisoners. The Board accepts that the Tuck Shop staff tries to source new healthy options and that a questionnaire is circulated annually to assess customer needs but recommends that more healthy snacks and food bars should be available for those not wishing to consume confectionery products.
- 15.2** A new service has recently been introduced whereby prisoners, who have sufficient funds in their account, can order flowers to be sent to friends and family for special occasions.
- 15.3** The tuck shop has a healthy annual turnover and after overheads any profits are returned to the Governor's Fund which is used for the prisoners' welfare. Prices in the shop have remained quite stable over this past year however there is a concern about the mark-up on some key lines remembering that the prisoners / customers are disadvantaged by the nature of their environment. The Board recommends that every effort is made to price products competitively for customers who are on a very low income and disadvantaged by their location.

16 | Visits

- 16.1** For someone who loses his freedom and becomes a prisoner within a penal institution it is essential that an acceptable level of contact / communication with the outside world be maintained. There are various ways in which this can be achieved - through TV, radio and newspapers, through correspondence but much more importantly through direct contact with family and friends. Prison personnel are fully aware of the value of maintaining such meaningful contact and accordingly there is a conscious attempt to facilitate visits in a way that is reasonable and acceptable to prisoners and their visitors, given the security measures which have to be in place at all times.
- 16.2** In dealing with the welfare of prisoners, their families and their friends the NIPS works in close cooperation with NIACRO, the Ulster Quakers Service, the Prison Fellowship, Save the Children and Barnardo's. All of these bodies make a worthwhile and positive contribution to the recognition of the importance of visits in the lives of prisoners and their families.
- 16.3** Within Maghaberry elaborate and complex systems are in place to plan, accommodate and monitor visitor arrangements. The Visits regime comprises five main elements - the booking procedure, visitor reception, the visits area, the video link and the Quakers.
- 16.4** To support and facilitate visits, transport to Maghaberry is provided through NIACRO family links service (supported by the Probation Board) from most areas in Northern Ireland. The Quaker Service also assists families with transport to and from the prison and the Monica Barrett centre which is located in the visitors' car park around 400 yards from the main entrance to the prison. The centre offers a friendly welcome to all visitors. It provides a range of services including information and advice, a café, childcare, a play room, child-centered visits and family-focus weeks. In addition, the Quakers Service provides a tea bar and crèche within the visits area in the prison.
- 16.5** Special efforts are made by the NIPS Family Support Officers and the Quakers Service to enhance visits at Easter, Halloween and Christmas, with themed events such as face-painting, family photographs, gifts for children, free tea / coffee / juice for adults and a carol service. Additional activities for children are organised within the crèche during the summer holiday period. The involvement of Family Support Officers is of great benefit and provides a valuable service in meeting with, advising and assisting visitors with concerns and issues surrounding family matters. There are currently three Family Support Officers in post who are available to deal with visitors in the office or by telephone. Meetings can also be arranged to accommodate family needs or concerns. Information and attractive leaflets have been produced as well as a child-focused DVD.
- 16.6** Visits operate on a sessional basis from Tuesday to Sunday each week and the computerised booking system allows all visits to be pre-booked. No visits may be booked without a unique booking reference so prisoners are provided with reference numbers (for the following two weeks) to give to intended visitors. Prisoners on remand are allowed two visits per week and sentenced prisoners are allowed one visit per week. Prisoners with enhanced status may have one additional visit per month. A visit normally lasts for one hour. There is an upper limit of three adult visitors per prisoner but there is no restriction on the number of children.

- 16.7** The visits area has to strike a balance between facilitating families and the need for security especially with regard to unauthorised items being brought into the prison. All visitors must undergo a passive drug dog test and there are always at least three prison officers supervising the visits hall. There is camera surveillance in place but the existing CCTV system is in urgent need of upgrading or replacement. The Board recommends that the CCTV cameras in visits be replaced or upgraded to enable continuous surveillance in real time to be made at all points.
- 16.8** Of the total 83,772 visits recorded during the reporting period 28,125 of those visits were by children and one of the most positive features within Visits is the child-centered visits. These enable fathers and children to have time together to bond in a way that is not always possible during a normal visit. These visits take place once every month and children up to the age of sixteen years can participate. During the reporting period 519 children and 328 fathers participated in the child-centered visits. The visits originally took place on Saturdays and Sundays but regrettably the Sunday visits had to be discontinued because of staffing difficulties. The Board recommends that consideration be given to the recommencing child-centered visits on Sundays as soon as possible.
- 16.9** Also included in the total were 3101 foreign national visits. In recognition of the growing number of foreign national visitors the Quakers Service has introduced a range of languages to its information booklet.
- 16.10** The Quakers Service has also launched the Quakers Connection project which pilots two strands of a potentially-expanded volunteer scheme - one strand is focused on supporting families on visits within the prison and the other is focused on visiting inmates who have no family or are not in contact with family. The Board welcomes these initiatives.

17 | Workshops

- 17.1** During the reporting year, plastering and painting and decorating have remained the most popular, followed by bricklaying, furniture craft, the kitchen, industrial cleaning, the gardens and gymnasium. Braille production continues, offering translation for hymn books, prayer books, street maps, museum labels, calendars, music sheets. A blind person attends weekly to check the accuracy of the work produced. The Board considers this to be an excellent innovation which facilitates the promotion of best practice. The unit also produces music in Braille, which is a very specialised and rare skill. A book-binding facility completes the services provided in the workshops.

- 17.2** Wheelchair and bicycle refurbishment workshops continue as a community-type project in the Mourne House complex. Unfortunately occasional charity workshops have ceased and the Polish prisoners who mainly carried out this work do not now have the enjoyment of the association it facilitated. Workshops continue to be cancelled at short notice (due to staffing priorities) and this creates apathy, disappointment and pessimism amongst those prisoners involved.
- 17.3** Poor attendance at workshops still causes concern with the main problem being that the prisoners prefer to watch television in their cells. Participation in workshops can make a valuable contribution to successful re-integration on release and involvement in workshops can lead to nationally recognised qualifications such as NVQs. The Board recommends that steps are taken to make prisoners aware of this as to incentivise them to attend.



Appendix 1

Breakdown of Prison Population (March 2010)

Numbers by Location	Bann House (being refurbished)	Nil
	Erne House	128
	Foyle House	157
	Lagan House	148
	Glen Landing	9
	Bush House	83
	Roe House	94
	Braid House	74
	Wilson House	30
	Martin House	3
	Prison Healthcare Unit	17
	Special Supervision Unit	9
	TOTAL	752
% by Status	Sentenced	48
	Remands	52
% by Category	Category A	12
	Category B	19
	Category C	15
	Category D	3
	Unclassified	51

Appendix 2

Maghaberry Board Members 2009-2010

Mr Dennis Constable	(Chair)
Dr Michael Boyle	(Vice Chair)
Mrs Charlotte Beck	
Ms Vicky Boland	
Mr George Bratty	(On sabbatical from November 2009)
Mr Louis Brennan	
Mrs Myrtle Elliott	(Training Officer)
Ms Sheila Fitzgerald	(Resigned November 2009)
Mr Harry Harding	
Mrs Lillian Jennett	(Maximum service completed February 2010)
Mr James McAllister	
Mrs Clare McCarty	(Maximum service completed April 2009)
Mrs Patricia McCusker	(Maximum service completed March 2010)
Mr Noel McKenna	
Mr Jack Walls	



2010

