



**INDEPENDENT MONITORING BOARD**  
**ANNUAL REPORT 2020/21**  
**MAGHABERRY PRISON**

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## **Mission Statement**

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

## **Statement of Purpose**

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

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

- visit Maghaberry regularly and report to 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 to the Prison and Young Offenders Rules (NI) 2005.

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

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

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

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

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

## **UK National Preventive Mechanism**

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

## Chair's Introduction 2020/21

In March 2020 at the start of my tenure the first signs of the Covid 19 pandemic were emerging. No one could have envisaged the consequences and changes that this would bring to everyday life and in turn to prison regime.

The challenges for management, staff, prisoners, their families, supporting agencies and the Independent Monitoring Board (IMB) have been complex and demanding. The risk of Covid entering the prison was a constant concern and that concern still remains today however the actions and positive attitude of all of the above has minimised the risk. The whole of the prison should be congratulated for the actions taken and indeed this has been recognised as good practise throughout Northern Ireland and beyond.

Prisoners and their families had to endure initial periods of separation to comply with Covid-19 restrictions and this was difficult for all involved. There were issues which the IMB highlighted to management which resulted in a more flexible attitude which brought resolution to some matters and contributed to maintaining as normal a regime as possible to the benefit of everyone and I want to play tribute to the hard work carried out by IMB members.

In the initial uncertain stages of the pandemic the IMB put in place a monitoring process outside the prison with the support of the Governors. Members gave up an enormous amount of time to ensure we complied with the requirement by the National Preventative Mechanism to monitor prisons during the pandemic.

In June 2020 we re-entered the prison dealing with over two hundred requests from prisoners from then until the end of March 2021. We continued to monitor and observe practise and process within the prison and highlighted concerns associated with significant incidents during this period.

I am immensely proud of how the Board members in Maghaberry rose to the challenges of Covid-19 restrictions within the prison, with imaginative thinking and flexibility which resulted in a level of monitoring they should be proud of. I also wish to take this opportunity to thank those members who have, for various reasons, now departed from the Board and wish them all the best for the future.

To the remaining members can I sincerely thank them for their continual and tireless commitment to bringing an independent and balanced approach to monitoring in Maghaberry prison. Your dedication to a difficult, complex, demanding but ultimately rewarding role needs to be recognised as a unique contribution to public service.

On a personal note I have enjoyed my tenure as Chair and would like to thank in particular the vice-chair whose experience and knowledge has been invaluable.

As we move forward there is an urgent need for recruitment which we have highlighted to the Minister. I acknowledge the work undertaken jointly by the Secretariat and the Executive Council to move the campaign forward and hope that suitable enthusiastic recruits can be sourced.

John Denvir

**Chairperson**

**Independent Monitoring Board**

**HMP Maghaberry**

## Overview of Maghaberry Prison

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

- ❖ Category A prisoners are those that would pose the most threat to the public, police or national security should they escape. Security conditions in category A prisons are designed to make escape impossible for these prisoners.
- ❖ Category B prisoners do not need to be held in the highest security conditions but, for category B prisoners, the escape should be made very difficult.
- ❖ Category C prisoners cannot be trusted in open conditions but are considered unlikely to make a determined escape attempt.
- ❖ Category D prisoners can be trusted in open conditions.
- ❖ Un-sentenced prisoners or prisoners on remand awaiting trial are generally housed in category B accommodation unless they have been provisionally classified as category A.

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

## Safer Custody

The importance of creating and maintaining an environment which is free from intimidation, fear, drugs and structured in a way that encourages those who are vulnerable to step forward and highlight concerns is a challenge for everyone in the prison surroundings.

Prison can on occasions be a very hostile abode for individuals. The prison service are charged with ensuring the safety of those they have responsibility for. The overall position which has been monitored by the IMB is that there is a high emphasis put on this by the management of the prison.

Management have zero tolerance in relation to bullying and intimidation within Maghaberry. Throughout the establishment there is signage which emphasises the message and encourages an open approach to the reporting of any incidents or actions which would cause an individual to feel unsafe.

The prison challenges unacceptable behaviour usually by the issuing of adverse reports or disciplinary action if there is an escalation of the behaviour. In 2020/21 there were 25 incidents of prisoner on staff assaults and 20 of prisoner on prisoner assaults which shows a significant reduction on the previous year.

Some of that could be a consequence of the pandemic, however the work carried out within the prison to reduce the risk of violence should be acknowledged. The Board continue to monitor good practise around anger management and dispute resolution which has been instigated by members of staff and management which we believe has contributed to the reduction in assaults.

A number of prisoners have reported occasions where they have been treated unfairly by prison officers and have felt they cannot go through the normal complaints procedure to have matters dealt with. The Board have raised relevant issues with prison Management, pointing out instances of poor practise and misuse of authority but these have in the main been the exception rather than the rule. The discussions around these matters have been forthright and robust on occasions but the Board are of the opinion that issues we have raised have been dealt with fairly by the prison.

Covid restrictions have resulted in a major reduction in illegal substances entering the prison during 2020/21, and this has resulted in a much safer prison environment. However some quantities of drugs have still entered the prison and the IMB would be concerned this will increase post Covid.

The IMB would again call for the introduction by the department of Full Body Scanners within the prison to minimise this problem and reduce associated risks. Having highlighted the issue up to ministerial level, we are disappointed that there seems to be no clear direction on this matter. It had been indicated at one point that there was no barrier to the introduction of body scanners and that the matter was being progressed. Disappointingly however other factors such as finance, licencing and safety have since been introduced as barriers to their introduction. However the IMB are aware that scanners are used in a number of other UK prisons and would believe with a common sense of purpose this could be achieved. The IMB believe that the introduction of such technology can only enhance the safety of prisoners and should be progressed without delay.

There have been three deaths in custody over the reporting year and the Board pass on their sympathies to the families. As much as possible, IMB members have attended the incident debriefings and have asked relevant questions in support of the families affected and the aftercare of officers involved.

Board members with appropriate experience have discussed with management the effect such incidents have on both prisoners and prison staff which we hope has contributed in some way to an additional understanding of the stress these incidents can cause. Management provide support and continue to seek to enhance the support given to all which is welcomed.

There have been a number of incidents of a serious nature which have occurred during the reporting year and the IMB have questioned the effective use of Body Worn Cameras. Incidents have occurred where footage has not been recorded for a variety of reasons from failure to deploy/ activation by staff, equipment not charged, or failure to recognise the importance of deployment of equipment in a dynamic situation.

Whilst the Board recognise the instantaneous and unpredictable nature of incidents the need for staff to understand the value and importance of such footage for the benefit of both the prisoner and prison officer needs to be stressed.

We are aware that management have recognised the issue and have delivered clear instruction on the use of cameras, however the guidance and policy associated with deployment is in our opinion overtly based on the discretion of the officer and fails to give examples of incidents where this should be set aside. There may also be a need for a different type of training to be considered around camera usage in relation in particular to control and restraint.

In relation to the healthcare of individuals who are housed in the Care and Support Unit (CSU), because of their behaviour or mental health issues, the IMB continue to highlight the need for a different type of accommodation to be made available to better serve the needs of these particular individuals. We acknowledge there are no easy options for the Department of Justice because of logistics, staffing and year on year financial implications, but we feel the possibility should be further explored by stakeholders.

The Board recognises the tremendous work done by individual Governors and staff to keep individuals safe both from others and themselves. The recognition at an early stage that an individual is showing signs of being on a spectrum, early intervention by prison staff and targeted work by mental health personnel have also been observed and should be commended.

However, there have been a number of occasions where prison staff have engaged with prisoners and been unable to recognise the signs of their mental or emotional state which have not been handled appropriately, leaving potentially vulnerable prisoners feeling unduly anxious and unsafe. Prison management (through the department) should consider further training to enable all officers to recognise indicators which would identify an individual with particular needs so they can interact accordingly and flag potential issues to relevant agencies.

#### Monitoring Observations:

- ❖ Board welcomes the continued reduction of illegal drugs into the prison and the efforts made by the management to reduce the entry into prison of illicit items (albeit that this year's results will be affected by the Covid crisis)
- ❖ The introduction of Full Body Scanners for the prison should be made a priority by the Department
- ❖ The Board note with concern incidents where adequate footage was unavailable due to shortcomings in procedures and processes. Whilst recognising that work has been done to minimise these types of occurrences the Board will continue to monitor incidents going forward whilst engaging with NIPS at a high level to highlight our concerns
- ❖ In the reporting year the prison regime provided in the main a stable and safe environment but this is a fragile balance which can be easily undermined by the actions of either prisoners or on isolated occasions by prison staff
- ❖ The Board wishes to highlight the work carried out by Governors and staff in early recognition of prisoners with specific behavioural issues and the action plans put in place to assist those individuals
- ❖ The department should consider if further training to recognise individual vulnerabilities should be developed within the prison on a wider scale

## **Health Care**

All prisoners entering HMP Maghaberry have engagement with the Healthcare Unit of the prison which is provided by the South Eastern Health and Social Care Trust (SEHSCT). This initial meeting is used to identify any underlying issues or matters of concern in relation to either medical or mental health conditions which have the potential to result in self-harm or suicidal actions or which may adversely impact on staff or other prisoners. Relevant information is sought from a prisoners General Practitioner, if that is available, to establish a holistic picture for the health care professionals.

During the ongoing pandemic the care given to prisoners has involved an extensive cleaning and sanitation programme carried out by healthcare staff to ensure the safety of all.

It was clear at an early stage that “normal” processing of prisoners during Covid could not be achieved under current restrictions and there required to be an innovative approach from both the prison service and the Trust.

Normal processes of interview, taking blood pressure, temperature and other close contact examinations had to be rethought and the staff of the trust and the prison service should be recognised for their efforts to minimise the negative effects for prisoners.

An isolation unit was put in place by the prison for new committals, where they remained for fourteen days to minimise the risk of Covid being introduced into the prison. During this time they were visited by healthcare staff on a regular basis. The IMB raised some concerns and continue to have concerns about the mental health impact of this isolation whilst recognising the need. We will continue to monitor the situation moving forward.

In relation to healthcare in the pre-Covid prison regime the IMB have for some time been monitoring anecdotal complaints around waiting times for appointments and procedures. In October 2020 we meet with the Head of Healthcare Provision for Prisons who in response to our concerns indicated that waiting lists were within normal and expected timelines. The IMB will continue to monitor this matter moving forward, post Covid.

We also queried mental health provision within the prison and had raised concerns in relation to availability of healthcare professionals. The trust advised that each committal will have a mental health assessment within two weeks of entering the prison and this would be a similar timeframe to that expected within the community, our concern however remains in relation to sustained longer term treatment. We again will continue to monitor the situation. In other areas such as physiotherapy, dietitian, music therapy etc. the timelines were, on occasions, much better in the prison in comparison to in the community.

As part of our meeting we again raised the issue of “in procession” drugs distribution and the issues associated with the practise. In procession is where prescription drugs are issued to a prisoner who is then given the responsibility of self-medicating. The IMB have concerns about why this practise is being used and the potential consequences. The IMB believe that on occasion’s staff shortages have resulted in more self-medicating practises, particularly over holiday periods.

The IMB would support completion of a substantial risk assessment which takes a holistic approach, which should include the likelihood of intimidation, peer pressure or potential for conscious or unconscious self-harm on sometimes vulnerable prisoners.

The SEHSCT point out that this is normal practise within the community and whilst we accept that as accurate we believe that equating prison regime to normal society is potentially dangerous and we would continue to urge caution around this matter.

The Board is yet to be convinced that the arrangements in place are adequate to ensure the safety of prisoners and will continue to monitor the situation and would urge the trust to revisit risk assessments in relation to in procession drug distribution.

In relation to prisoners with addiction issues the Board recognise the work being carried out by the Trust and partner agencies to help individuals. The Trust provide an injection facility to help those who genuinely wish to fight addiction. The uptake has been limited as this therapy does not provide individuals with the ability to trade in prescription drugs to other inmates which tends to separate those who are serious about rehabilitation and those less so.

It would be recognised by the Board that there seems to be a good working relationship between the Maghaberry management and the SEHSCT which can only be beneficial to everyone.

The introduction of an Engagement Lead Person for the Trust who engages with prisoners has proven to be very successful and alongside focus groups has given rise to a reduction in complaints from a healthcare perspective.

### Monitoring Observations:

- ❖ Board continues to be concerned about in procession drug policy
- ❖ Acknowledges good practise in relation to Covid prevention systems
- ❖ Recognises the work being carried out to provide a platform for rehabilitation
- ❖ Engagement Lead and Focus groups are contributing to a better understanding of healthcare among prisoners
- ❖ Recognise the staff within Healthcare who provide a high level of care and empathy to prisoners who on occasions can be challenging

## **Care and Supervision Unit**

The Care and Supervision Unit (CSU) is a specialised facility within the prison.

The unit is used to house prisoners who cannot be held within the normal prison population for a variety of reasons from concealment of unauthorised materials/equipment, breaches of good order and discipline or for their safety or the safety of others.

Some offences will see the prisoner returned to the prison population in 48 hours or less.

Other offences and suspected concealment can see the prisoner confined for longer periods following a Rule 32 conference.

During the reporting period the Board were aware of prisoners who were suspected of concealment of items being held for long periods without any subsequent finds being made. The Board have raised concerns around the percentages of confinement in relation to the finding of illegal substances.

The Board in some cases were of the opinion that these long periods of confinement were in breach of the Mandela Rules of solitary confinement which include confinement for a period of 22 hours a day without meaningful human contact for more than 15 consecutive days.

The Board have made their views known to both the Minister of Justice and NIPS suggesting that the use of body scanners would reduce the need for prisoners to be held for long periods on suspicion of holding contraband.

We continue to be concerned about the health and wellbeing of prisoners held for long periods in the CSU due to the behaviour they display which may be attributed to a mental health issue. These individuals are held in the CSU as there is nowhere else for them to be placed. The Board have been concerned about these individuals for some period of time and would urge the Minister to revisit this issue as a matter of urgency.

The Board recognises and acknowledges the work officers in the CSU have done to help these individuals and would commend them for their efforts.

The Board feel that there is a necessity for an outside independent assessment of prisoners who may potentially fall into this category and the introduction of a specialist unit with trained staff should be considered.

A CSU oversight group was formed to focus on exit pathways for individuals housed in the CSU. The Board has been an advocate of this for some time and recognise the work carried out by the management on this matter.

Chaired by a Governor and with relevant stakeholders the aim was to have a more strategic view of exit plans, especially for those whose behaviour has resulted in long periods being housed within the CSU. An IMB Board member attends this meeting to give assurance to the Board that individual cases are reviewed and appropriate action is taken by the prison. During the reporting year this has been disrupted with only one meeting being held. This will hopefully improve as we move out of Covid restrictions and we will continue to monitor the situation.

### Monitoring Observations

- ❖ The Board continues to be concerned about the length of time some prisoners are being held in the CSU.
- ❖ The Board would again recommend the introduction of full body scanners.

- ❖ The Board will continue to raise concerns in relation to individuals who may potentially have mental health issues while being housed in CSU.
- ❖ The Board believe the health and well-being of such individuals will not improve within the confines of the CSU and would recommend a review of process and procedures.
- ❖ The Board recognises and would commend the work of the CSU Officers in dealing with prisoners who present as difficult and challenging individuals.

## **Separated Prisoners**

Maghaberry has a separated prisoner's regime following the Steele Review in 2003.

The outcomes from the Steele review were accepted by the government, this resulted in Republican and Loyalist prisoners with paramilitary affiliations being housed separately from each other, in wings that had no interaction with other prisoners.

To be admitted to these wings incoming prisoners have to meet a criteria before they are housed accordingly.

The numbers in each house has fluctuated over the reporting period but in general has reduced.

Over the past year the Board have visited the wings to ensure the National Prevented Mechanism (NPM) and the Operational Protocol to the Convention against Torture (OPCAT) regulations are being adhered to in a fair and equitable way.

Members have interacted with both sets of prisoners on a regular basis and have discussed problems and matters that were causing concern to the groups including, education, crafts, food and visits.

The uniqueness of the separated regimes has at times made it difficult for the IMB to deal with some requests. Problems and queries that have fallen outside the remit of the IMB have been brought to the attention of appropriate authorities.

Both groups are respectful and cordial in their interactions with the IMB and understand the independence of the Board. The groups appear to have a preference to engage directly with the IMB rather than use common place protocols. Consequently the IMB have made themselves accessible by making regular visits to both wings.

### Monitoring Observations

- ❖ Both groups have a better understanding of the independent nature of the IMB and consequently are engaging more.
- ❖ The Board have raised a number of issues relating to education and visits with prison authorities and will continue to monitor the situation.

## **Adjudications**

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

For period 2019/20 there were 814 inmates and 2373 adjudications/charges.

For period 2020/21 there were 489 inmates and 1004 adjudications/charges.

During the current reporting period, the IMB were unable to attend adjudications due to Covid restrictions. There was also a significant period where adjudications did not take place and the Governor encouraged a light touch approach in some instances which normally would have required formal intervention. The Board noted a

significant decrease in awards being issued during the reporting period but an increase in cellular confinement which would be expected.

#### Monitoring Observations:

- ❖ During the reporting year the Board were unable to attend adjudications but moving forward we are hopeful this will change
- ❖ There is a need for the IMB to further interpret information supplied in relation to adjudications. Structures are to be put in place to increase our assurance around equality and fairness

### **Equality and Diversity**

The Northern Ireland Prison Service (NIPS) following consultation with The Equality Commission for Northern Ireland in 2010 agreed a group of measures that would meet the requirements of section 75 of The Northern Ireland Act 1998.

The areas for monitoring and comparison were religion, ethnicity and age.

A comprehensive set of monitoring processes were established that attracted compliments from Equality Commission Northern Ireland (ECNI), Criminal Justice Inspectorate Northern Ireland (CIJNI) and The Human Rights Commission for Northern Ireland (HRCNI).

The monitoring data examined the religion, ethnicity and age of those placed within the Progressive Regimes and Enhanced Privileges (PREPS) scheme which determines whether a prisoner is on a Basic, Standard or Enhanced regimes. The privileges rise with the higher level of alignment.

The above outcome areas were also examined against removal from general population (Rule 32), incidents of use of force, application for home leave, number of searches, number of drug tests and the number of complaints

In 2010 a dedicated unit was established with a NIPS Headquarter lead and an officer of rank within each of Northern Irelands three prisons.

The purpose of this unit was to impose a scrutiny of the monitoring data which was produced monthly and to question managers at all levels to account for any disparities. There was a significant change in the approach to E&D within NIPS when in 2011 a revised constitution was developed which required all E&D meetings to be at least chaired at Deputy Governor level and there would be a prisoner presence at the meetings.

All prisoners were given the opportunity to express an interest and those who became members of the E&D committee were given appropriate training and were provided with the same monitoring data as management.

Where possible prisoner E&D representatives were from across the section 75 categories.

All that has been described above had been taking place with the exception of monthly meetings until December 2020.

At present there is no Equality and Diversity co-ordinator, no monitoring of data consequently no mechanism for identifying a disparity.

The IMB are fully aware that Prison Management are experiencing difficult times given the circumstances of the past year and the majority of what were normal processes have had to be put on a back burner but we recommend that a process be developed that would identify any complaints that could be classified as section 75 related.

#### Monitoring Observations:

- ❖ The Board are encouraged by how seriously the issue of equality and diversity is being taken by senior management
- ❖ We will continue to monitor the progress of the arranged meetings and data provided and offer observations on any disparity which is identified
- ❖ The involvement of prisoners is a positive initiative and we would encourage full participation from individuals who are identified as having a particular interest.

## **Education & Other Purposeful Activity**

Belfast Metropolitan College continues to provide Education within Maghaberry through the Learning and Skills unit. This year has shown a steady up take of prisoners engaging with the Education Department. There is continued focus to assist all prisoners, providing opportunities to learn new skills and attain new qualifications to support their progress of rehabilitation.

The Learning and Skills Unit provides an assessment of educational needs through the essential skill level in literacy and numeracy. Each new committal is encouraged to partake in the range of courses being offered through Belfast Metropolitan College. Around one third of the prisons population have the equivalents of Primary 1 and Primary 2 level literacy and numeracy skills.

As with many prison activities, education, training and work were affected by Covid. The Board acknowledges the effect Covid has had on the ability for Belfast Metropolitan College to provide learning opportunities for students on registered courses.

We noted that the College provided education packs for students and these were provided to individuals on their landings. When the packs were completed they were assessed by the College and feedback was provided to students.

Virtual Classes were set up which allowed students to have adequate face to face times with lecturers who were able to provide teaching opportunities and support the students with their learning needs.

Covid restrictions continue to provide a challenge to the delivery of a full compliment of courses. The Board acknowledges the challenging times and are aware of the commitment of the College to maintaining a positive learning environment for its students. Consequently there have been no award ceremonies. We will encourage Belfast Metropolitan College to re-commence this celebration of achievements as soon as practicable.

### Monitoring Observations

- ❖ The Board welcomes the news that students who transfer between establishments are now able to maintain their progress in learning and can maintain their qualification which was not the case in the last reporting year.

## **Resettlement**

A core function of the prison Service is to reduce reoffending and provide resettlement services for prisoners being released back into the community. NIPS cannot deliver resettlement alone they require other stakeholders to play their part.

The Probation Board for Northern Ireland, the SEHSCT addiction services and other social, voluntary and community organisations work together to help prisoners address problems such as drug and alcohol addictions mental health / behavioural issues and those with chaotic lifestyles.

Following the publication of The Prison Review Team (PRT) report in 2011 a process was developed and implemented. This process involved two steps;

1. A Prisoner Development (PDM) model would be established for sentenced prisoners.

This was a structured framework and provided the individual prisoner focus, to identify and assess risks, needs and strengths. The PDM was a comprehensive process which covered the prisoner's journey from committal to release.

2. The next step was for each individual to have a personal development plan (PDP).

This was developed with the prisoner to support his needs for resettlement back into the community, taking into account their risk of self-harm, their likelihood of reoffending and preparing them for return to the community.

During the reporting period the IMB have been restricted in any monitoring of the above as the partner organisations, especially those from the Voluntary and Community Sector have not had access to the prison.

Once again given the circumstances of the past 12 months it is difficult to measure outcomes as many staff who were dedicated to the resettlement processes have had through necessity been deployed to front line duties.

#### Monitoring Observations:

- ❖ The IMB recognise the PDM and PDP, when utilised to their full potential and with the commitment of partner organisations, as a significant way forward.

### **Accommodation**

Maghaberry Prison has the capacity to accommodate 1940 male prisoners in shared cells. A new and modern 360 block accommodation, known as Davis House, was opened in February 2020. This House is being utilised to its full potential bringing a much improved and fit for purpose accommodation onto the estate.

Some of the older style square house accommodation is gradually being phased out as Prisoners are being moved into Davis House where up to date technology is available. This includes a securely placed phone in each cell where the prisoner has Freephone telephony access to support agencies such as the Samaritans as well as authorised numbers on their phone cards. Shower and bathroom facilities are also available in each cell. This reduces the amount of time and resources used by NIPS staff to supervise these types of activities allowing for more meaningful use of personnel.

During 20/21 Maghaberry Prison had to adjust their accommodation and ways of working to deal with the impact of Covid. This saw Foyle House being utilised as the House where all prisoners entering the establishment for the first time, or returning to prison, had to self-isolate for 14 days.

On occasions the IMB have had concerns regarding the cleanliness of Foyle House and the isolation associated with the 14 day period where prisoners were unable to

leave their cells, albeit we recognise that the period of isolation is part of the Public Health Authority recommendations

The isolation periods saw prisoners under 23 hour daily lock up, with 1 hour assigned for a shower and limited exercise. IMB concerns were around the number of showers each prisoner could avail of within the 14 day isolation period.

There was also the concern that CCTV was not available in Foyle House and reliance was placed on Prison Officer's body cameras, this has been highlighted in the Safety Section of this report. Whilst the Board accept that the house was earmarked for either mothballing or demolition there was an understandable lack of appreciation from us all of how long the isolation of individuals was likely to continue. However the dependence on body cameras requires a strong adherence to policy and procedure which on occasions we found to be inadequate.

The Board would acknowledge that processes put in place have contributed to minimising Covid spread within the prison whilst dealing with accommodation not designed for that purpose.

The high number of committals to the prison on occasions required the opening of Lagan House for overspill which again was a house not in use and for those with positive tests Glenn House was opened as a clinical care facility.

The IMB acknowledge the quick actions of the prison service on the setting up of hand sanitising systems for staff and visitors to the prison at the outset of Covid, which we have no doubt contributed to keeping the prison relatively Covid free.

Overall the Board would once again comment positively on how the grounds of the estate are maintained to a high standard, being kept clean and tidy in all areas.

#### Monitoring Observations:

- ❖ The opening of Davis House has improved the standard of accommodation on site
- ❖ The quick action on the introduction of sanitation systems undoubtedly contributed to low Covid incidents
- ❖ The overall estate portfolio is maintained to a high level

- ❖ Issues around the standard cleanliness of Foyle House need to be addressed

## **Reception and Induction**

The Reception area is the first port of call on arrival from Courts or Police Custody, under normal circumstances. Since the Covid-19 pandemic occurred in March 2020, the processing of new prisoners arriving at the prison has changed in order to accommodate Covid restrictions.

New prisoners arriving are now taken directly to Foyle House which has become the quarantining house for all new arrivals. Prisoners stay in single cells on their own for 14 days. Foyle House and cells are disinfected and cleaned before and after every prisoners stay. Each prisoner and their property is searched on arrival.

Foreign prisoners arriving with English not as their first language are accommodated by staff using the Big Word, and a translation tablet. The IMB have observed the process and have noted on these occasions that prisoners are dealt with sensitively and are put at ease and treated with respect by Reception staff.

All prisoners are assessed on arrival to establish any potential vulnerabilities or medical issues. They are also permitted to make an authorised personal phone call from reception.

An induction pack is provided including essentials such as toothbrush and toothpaste, as well as documentation explaining the rules of the prison. The Induction pack is now provided in Foyle House for all new prisoners.

### Monitoring Observations:

- ❖ Only limited monitoring has taken place due to the pandemic, however the IMB regularly visit Foyle House to monitor the general cleanliness of the reception area and we have reported some instances to management which have been acted upon by staff.

## **Chaplaincy**

The Chaplaincy continues to play a vital role within the prison. During the pandemic period there has been a reduction in the availability of ecclesiastical personnel due to the imposed restrictions which led to a reduction in the services that could be provided. The Chaplaincy however has maintained a presence across all denominations to provide pastoral care and support when needed.

The much needed administrative help (which was highlighted in last year's report) has yet to be realised again because of the pandemic, however as soon as normality is resumed it is expected that an administrative assistance will be in place.

In a very practical way the Chaplaincy and the St Vincent De Paul (SVP) have spent a huge amount of time, effort and finances in the provision of clothing for prisoners. SVP had an increase of expenditure of over 800% on their normal monthly outlay which placed a huge burden on the charity. Their efforts to assist prisoners regardless of their faith background should be recognised and applauded.

The collaborative working of all dominations within the prison for the pastoral care for those of faith and indeed for those of no faith is an example for us all and they should be recognised and acknowledged for the service they provide.

### Monitoring Observations:

- ❖ The Chaplaincy continues to provide an important pastoral role to prisoners and prison staff
- ❖ The work of SVP should be recognised and acknowledged
- ❖ Administrative assistance should be introduced as soon as practicable in order to further support the important work being carried out

## **Physical Activities**

Physical activity is widely recognised for the physical, mental health and wellbeing benefits. Within the prison environment this is even more important, however the pandemic has made this more difficult within Maghaberry Prison. Restrictions around the opening of the gym and the necessity to maintain social distancing has curtailed the valuable work carried out by staff.

In previous years staff provided targeted and tailored programmes for prisoners to assist in their rehabilitation, prisoners also had the benefit of support from the IFA, GAA and Ulster Rugby. During the Covid period it has not been possible for these stakeholders to enter the prison, however prison staff have demonstrated willingness and flexibility to adapt to restrictions and have continued to provide support by focusing on the provision of bespoke training programmes for individuals or small groups within their respective Houses.

The Board would wish to recognise the efforts and work carried out by staff within the unit to maintain as normal a regime as possible.

The Board, during the reporting year were made aware that normal weekend activities were subject to significant disruption due to manning issues elsewhere in the prison, resulting in sports staff being redeployed to other activities. Whilst the Board recognise this may have been necessary during the extraordinary Covid period, having reviewed the situation the IMB were able to establish that there had been significant gym closures pre-Covid.

Whilst recognising the need to maintain security and normal activities as a priority the Board would have some concern that those prisoners who actively participate in positive prison activities during the week could as a consequence potentially be disadvantaged in comparison with those who do not.

The Board will continue to monitor the situation.

#### Monitoring Observations:

- ❖ The Board wish to recognise the work undertaken by staff to maintain as normal a regime as possible

- ❖ Physical, mental health & wellbeing and ultimately the rehabilitations of prisoners through physical activity also contributes to a safer and stable environment

## **Catering**

The kitchen complex within Maghaberry provides 3 meals a day to an average of 945 prisoners.

The kitchen is an industrial set up and provides meaningful employment for a number of prisoners.

The machinery and equipment are well maintained and adequate for the jobs they are designed for. There is a high hygiene level within the kitchens and that has continued during the Covid pandemic. We will continue to monitor this to ensure a high standard is maintained.

Prisoners are issued with menus on a regular basis from which they select their meals, this allows the kitchens to plan and prepare in advance so they operate efficiently.

Specific menus to allow for religious beliefs, different cultures and dietary requirements are catered for. Vegan meals have also recently been introduced.

With the closing of some of the older square house accommodation the delivery of meals is now more efficient as the distance between the kitchen and the houses has been reduced. The IMB have noted that some of the older style heated trollies have now been replaced.

Food provided is inspected and checked for quality on a regular basis.

The IMB have received a small number of complaints about the standard of food provided and portion sizes. The Board would be of the opinion that in general the food is of a reasonable and adequate standard, but will continue to monitor the situation.

### Monitoring Observations

- ❖ The Board acknowledges the provision of new catering equipment
- ❖ The Board will continue to monitor the standard of food provided

## **Tuckshop**

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

All residential areas are issued Tuck Shop order forms (apart from inmates that have access to the internal on line Portal).

Davis Prisoners have access to the prisoner portal system where they can place orders on Saturday and Sunday of each week. This reduces the delay on receiving goods.

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

### Monitoring Observations:

- ❖ IMB have received complaints made on the cost of some items, but as contracts are sourced centrally, it is outside the control of prison staff, we will however continue to monitor the situation
- ❖ Prisoners who have access to the prisoner portal have a higher satisfaction rating than those who use order forms, as these prisoners know when ordering if an item is out-of-stock. If internal on line facilities can be extended to all prisoners in the future this would be welcomed.

## **Prisoner Escort Court Custodial Services**

PECCS have the responsibility to look after the safety of the prisoner from the time he/ she is sentenced and leaves court until they are delivered to a prison establishment, they not part of the Northern Ireland Prison Service.

PECCS staff deal with all categories of prisoners, across all 17 custody suites. Their role is to ensure the safe transport of prisoners and they have a duty of care to make sure that prisoners are treated in a humane and fair way.

There are a suite of vehicles which are used to provide secure transportation. The IMB became aware during the reporting year of an incident where a prisoner caused himself harm whilst in a cell in one of the vehicles while traveling from the court to the prison.

The IMB discussed the suitability of mobile cells with PECCS and the potential to provide a secure cell where individuals with for example, behavioural issues, could be safely housed was raised. It was acknowledged further consideration may need to be given to the matter of safer cells.

The Board will continue to monitor the situation.

There was also anecdotal evidence from some prisoners that they had to endure extended periods of time in the vehicles with some prisoners describing poor sanitary conditions and lack of water. It is difficult for the Board to verify these allegations but we will continue to monitor and seek assurances from PECCS management that the highest level of care is being provided.

#### Monitoring Observations:

- ❖ The provision of some level of “safer” cell to prevent potential self-harm should be considered as part of PECCS risk assessment
- ❖ The length of time a prisoner is confined within a mobile cell should continue to be kept to a minimum with appropriate arrangements put in place to ensure prisoners have access to water and toilet facilities

## **Burren House**

The IMB also visit Burren House which is an Open Prison in the grounds of the old Crumlin Road Prison in Belfast. It has room for more than 20 inmates, most of whom are life sentence prisoners nearing the end of their prison term. They are

allowed to attend daily work placements out in the community and can be permitted to visit family and friends.

Renovations in Burren House to update the plumbing and electrics commenced in early 2020. As a result of the Covid-19 pandemic the House was closed and prisoners returned to Wilson House in Maghaberry.

In normal circumstances, pre Covid, drug and alcohol testing was carried out on prisoners returning from work in the community.

Monitoring Observations:

- ❖ No monitoring was completed during the reporting year due to the House closure as a result of the Covid-19 pandemic.

## MAGHABERRY PRISON BOARD MEMBERS

1 APRIL 2020 - 31 MARCH 2021

IMB Member	Status	Appointed	Notes
Aubrey Domer	Member	01/04/19	
Ian Hackney	Member	01/04/16	
John Denvir	Chair	01/04/16	
Karen Crawford	Member	01/04/19	
Lynn Nevin	Member	01/04/13	
Martin Dummigan	Member	01/04/19	Resigned 10/02/21
Patrick McGonagle	Vice-Chair	20/05/13	
Sarah Lawrence	Member	01/04/19	
Tom Logue	Member	01/04/19	
Wesley Mitchell	Member	01/04/19	