

imb Independent
Monitoring
Board

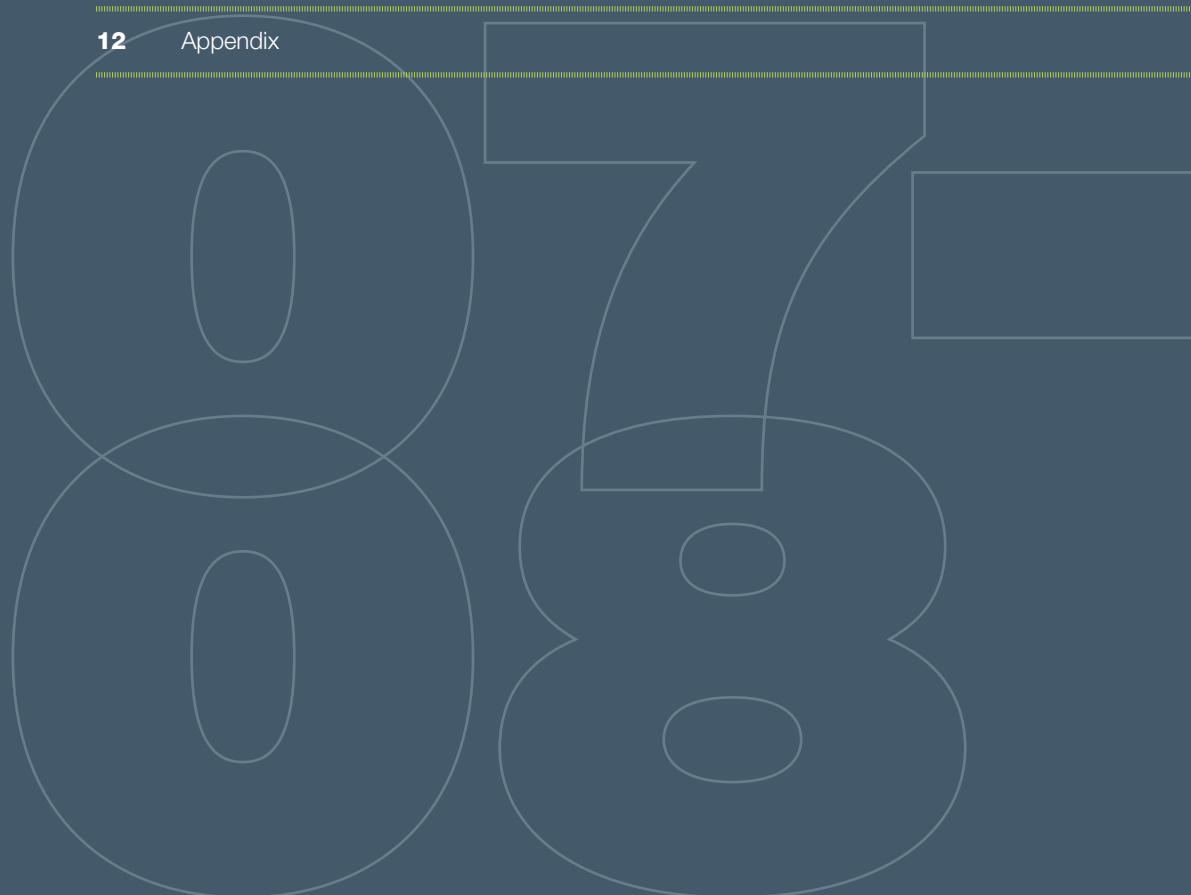
MAGHABERRY PRISON

Independent Monitoring Board's Annual Report for 2007/08

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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 Maghaberry Prison are appointed by the Secretary of State under Section 3 of the Treatment of Offenders Act (NI) 1968 and under the Prison Act (NI) 1953. The Board is required to:

- visit Maghaberry regularly and report to the Secretary of State 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 Secretary of State; 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.

1 | Chairperson's Introduction

This Annual Report to the Secretary of State covers the activities and observations of the Independent Monitoring Board for H.M.P. Maghaberry for the period 1 April 2007 to 31 March 2008.

Members of the Independent Monitoring Board (IMB) are appointed by the Secretary of State under the Prison Act (Northern Ireland) 1953 and are required to:

- visit the prison regularly and report on the conditions of imprisonment and the treatment of prisoners;
- consider the requests and complaints made by prisoners to the Board; and
- report on matters of concern to the Governor, or in serious cases, to the Secretary of State.

The Independent Monitoring Board for H.M.P. Maghaberry consists of nineteen people from across Northern Ireland. Working on a voluntary basis, they bring to the prison a wide and diverse range of skills, knowledge and experience.

Maghaberry Prison is a highly complex institution housing all categories of prisoners from remand to life sentenced prisoners and all categories in between. While acknowledging the difficulties in managing such a diverse range of prisoners and running a demanding establishment, the I.M.B.'s role is to monitor, support and challenge, when necessary, issues which arise within the day to day running of the prison.

It is with great sadness that the Board must report the deaths in custody of four prisoners during the past year, while a number of staff at the prison also passed away. The Board cannot comment on the deaths but does however wish to extend its thoughts and sympathy to the families, loved ones and colleagues of the deceased.

The working of the Board would not be possible without the support and assistance of the Secretariat. I want to thank them for their help and guidance. The Board is also supported by the Council of Independent Monitoring Boards (CIMB) made up from the Chairs, Vice Chairs and elected members of each of the Boards of the three prison establishments in Northern Ireland.

Board members never fail to be amazed by the skills and talent displayed by prisoners through their art and craft work. A sample of this work has been chosen for inclusion in this report and is shown in the overview.

In conclusion, I wish to thank each of the Board members for their selflessness, effort and dedication in carrying out their duties over the past year. I want to thank them for the support given to me as Chair. I wish to extend my heartfelt gratitude to my outgoing Vice Chair and acknowledge the tremendous commitment she has made in her work as Vice Chair and editor of this report.

Once again I look forward to working with each member of the Board in the coming year. It is my privilege to serve such a dedicated team as their Chair.

James J. McAllister

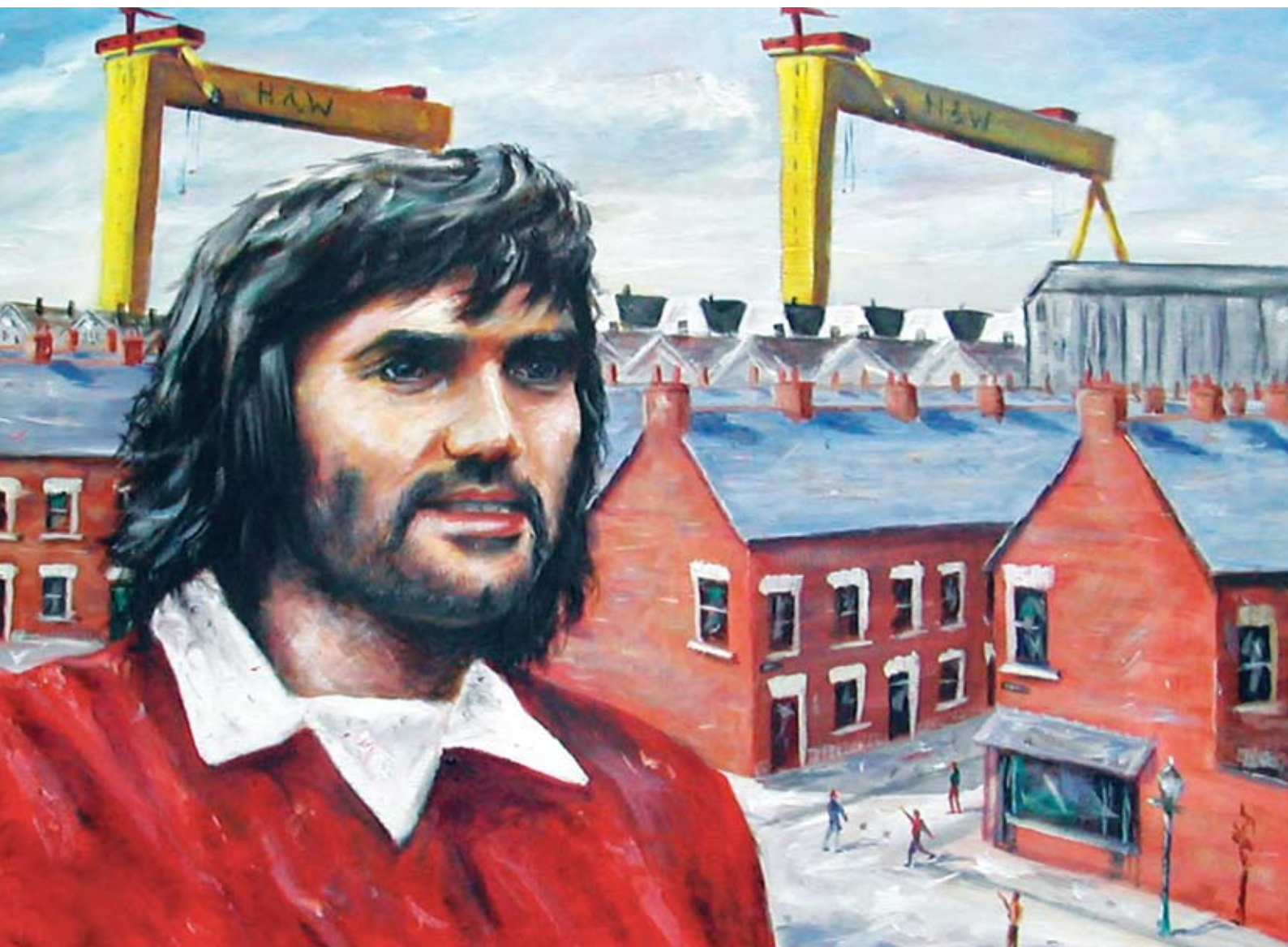
2 | Overview

- 2.1** During this reporting year the prison has continued to house in excess of 800 prisoners in accommodation built for around 500. It does this in accommodation made up of four “square” houses; Bann, Erne, Foyle and Lagan, two linear houses; Bush and Roe, Martin and Wilson houses within the Mourne complex, Glen House, the prison hospital and the Prisoner Assessment Unit (PAU) located close to the site of the old Belfast prison. The Board looks forward to the completion of the new Ready to Use unit under construction within the Mourne complex which should alleviate the overcrowding in the short term.
- 2.2** The Board welcomed the opening of Wilson House in April 2007 for life sentenced prisoners. This has not only freed up space in the main prison but also allowed the prison to work with prisoners towards their eventual release.
- 2.3** One of the major challenges facing the Prison during this reporting year was the introduction of the no smoking policy. To date there have been very few difficulties.

The Work of the Board

- 2.4** During the reporting period there were 353 attendances by members of the Independent Monitoring Board to the prison. This equates to an average of 20 attendances per member of the IMB for the year.
- 2.5** The IMB office in the prison received 123 requests by prisoners to be interviewed by a member of the IMB and these were all actioned. In addition, a further 39 prisoners were interviewed. This was due to members liaising with Prison Officers in the Houses and being advised by them that a prisoner wished to be interviewed by an IMB member. This demonstrates the benefit of IMB members regularly visiting the Houses and all the other 31 units in the prison.
- 2.6** As well as making rota visits to all areas of the prison on a regular basis, members also visit the Prisoner Assessment Unit (PAU) situated in Belfast. Members also attend the monthly Board meeting which provides an opportunity for members to note and question the Governor’s monthly report and to discuss with him a range of arising issues and concerns. On a practical level it also affords both Governor and members an opportunity to update each other on developments and areas of interest.
- 2.7** Members also continue to be involved with the specialist working groups including the Suicide Awareness Group, the Drug Strategy Group and sound liaison with the Chaplains. In addition, there is also attendance at the newly formed Foreign National Strategy Group. Members also attend and monitor adjudications wherein charges are laid against prisoners for various internal breaches of discipline.

- 2.8** Members also made visits to other prison establishments throughout the year. Namely, HMP Elmley, a category C prison in Kent and HMP East Sutton Park, an open prison for females, also situated in Kent. Two members also visited the maximum-security forensic Carstairs State Hospital situated in rural Lanarkshire. This hospital is only one of 4 secure hospitals in the UK. This was followed by attendance at a Forensic Conference in Glasgow. The Chairman of the board, at the request of the House of Commons Northern Ireland Affairs Committee, appeared before the committee to give evidence into the inquiry into the Northern Ireland Prison Service.
- 2.9** Five of our members also sit on the Council of Independent Monitoring Boards and attend quarterly meetings with representatives of the other establishments in Northern Ireland.
- 2.10** Throughout the year board members were involved in continuous professional development by attending various training events covering relevant topics and keeping abreast of the ever changing and challenging environment within the prison. The board is grateful to the training committee for organising these events.



3 | Summary of Recommendations

3.1 The Board recommends:-

- that the Prison Service accords higher priority to the important area of Drug, alcohol and substance abuse so that knowledge and expertise can be developed;
- that special services and treatment for those with alcohol addictions should be developed;
- that staff and prisoners receive appropriate personal support following trauma and upset;
- that some other cell facility should be provided which could better withstand and contain multiplicity of behaviours such as self-harming and anti-social behaviours;
- that “tester sessions” i.e. short term classes be introduced so that the prisoners can be given the opportunity to establish which skill they would be able to take to a higher level;
- that Construction Skills Register (CSR) training should be included in the one day Health and Safety course in order to provide a basic knowledge for entry into construction work;
- since it is of great importance to ensure that the training provided and work carried out in prison are relevant to life outside the prison walls, the Board recommends that the prison develops partnerships with organisations and businesses who require a service or product which can be produced in the workshops on an enterprise basis;
- that a foolproof scheme be introduced for recording child visitors in and out of the prison;
- that enclosed walkways should be provided so that visitors are not subjected to the elements at any stage of their visit;
- that the tea shop facility be improved;
- an investigation into the possible isolation of prisoners, especially foreign nationals, who do not receive any visits;
- that the practice of housing short term prisoners and life sentenced prisoners in the same house should cease as soon as is practically possible;
- that initiatives be put in place to enable life sentenced prisoners who are dispersed throughout several houses to spend additional time in a more productive manner;
- that the kitchens in both Wilson House and Martin House are used as training units where the prisoners can be instructed in catering skills;
- that prisoners who have been taught skills in the building trade, or who already have those skills, be given the opportunity, if at all possible, to work on building contracts within the prison;

- that a unit be set up containing a small number of farm animals, which would enable prisoners to take responsibility for their care and lead to a sense of purpose and commitment to the ongoing daily task;
- that an open prison-style facility is established similar to those existing in open prisons in England and Wales where prisoners can stay for three years prior to release. This would allow the prisoners to be tested in a more realistic setting in preparation for their release. This would, we hope, increase the likelihood of a better preparation for the real world;
- that the current system of prisoners who require medical treatment being transported from PAU to Maghaberry should cease. Sometimes a prisoner requires medical treatment on a daily basis over a period. This return to Maghaberry for treatment is not acceptable as it breaks the chain of preparation for the prisoner prior to his release back into society. Use of local medical facilities close to the PAU should be sought, thus creating a significant efficiency saving in the budget of the N.I. Prison Service;
- that all catering staff be trained and developed to the required level. Specialized training in cultural awareness issues would be an advantage when catering for foreign nationals;
- that a Food Policy for Prisons be written and implemented as this would be recognized as a model of good practice by the NIPS;
- again, that a Risk Assessment be carried out on food deliveries transported from the loading bay to the main kitchen;
- that prisoners in Martin House be allowed to purchase the ingredients for the meals they cook, and that prisoners at the Prisoner Assessment Unit be allowed to cook their own meals;
- that every effort is made to price products competitively for customers who are on a very low "income" and are disadvantaged by their location;
- that the practice of closing the prison shop at set holiday times be reviewed;
- a proactive approach to assisting prisoners who have been on basic regime for more than four weeks to move up to standard;
- the appointment of Personal Officers who will establish a relationship with specific prisoners and assist them in modifying their behaviour and moving up to the next level of the regime;
- the provision of guidance on the recording of information and how this is imparted to prisoners;
- that all prisoners, including those on the basic level of the regime, are allowed to have a television;

- Implementation of the recommendation of further reviews of the Separated Regime;
- bearing in mind that Resettlement underpins the entire work of the prison, the Board strongly recommends that prison management places greater emphasis upon supporting this work and allocates the necessary (and ring-fenced) resources;
- that proposals to downgrade the security ratings of many prisoners should be implemented as soon as possible;
- again, that short-sentenced prisoners and remands should be enabled to participate in some resettlement activities;
- again, strongly recommends that more resources are put into drug and alcohol counselling; and
- that the Diversity Training identified as an underpinning requirement of the NIPS strategy is delivered without undue delay.



4 | Healthcare

- 4.1** The healthcare of prisoners is a matter of great concern to the board and we feel that it is worth making a few general points before we deal with the situation in Maghaberry:
- prisoners are entitled to have healthcare which is equivalent to what is available in the community;
 - people who become prisoners tend to have much poorer health than the general population because of inadequate diets and other deprived circumstances in their earlier lives and because many of them are addicted to smoking, alcohol and/or illicit and/or prescribed drugs;
 - partly for the above reasons, there are high rates of chronic disease such as diabetes and heart disease;
 - poor dental health is widespread. Board members can testify to the difficulties that prisoners have had in obtaining relief from agonising toothache;
 - people with these serious health problems are often hard to reach in society so having them 'captive' in prison creates a great opportunity to improve the health of a section of a generation provided that a good healthcare system in prison is followed by a sound throughcare system when they return to the community; and
 - if the physical health of prisoners leaves a lot to be desired, their mental health is even more problematic. Maghaberry's Chief Psychiatrist, has said that 90% of prisoners in Northern Ireland suffer from at least one mental disorder. He has pointed out that the prison environment is not conducive to mental health because of the loss of control and the loss of liberty along with the lack of purposeful activity and the potential vulnerability to bullying.
- 4.2** Growing concern about the unsatisfactory nature of prison healthcare has led to a major rethink throughout the UK whose governments have decided to hand over the provision of prison healthcare to the main national health service in each country (in Northern Ireland the Department of Health, Social Services and Public Safety - (DHSSPSNI)).
- 4.3** In last year's report we anticipated that the transfer of healthcare would take place very early in 2007-08 but it has turned out to be 1 April 2008 - just outside the scope of this report. By this time next year we should be able to relate how things have changed. At present, we can only report that:
- healthcare in all our prisons will be run by the South Eastern Health and Social Care Trust;
 - unlike in the rest of the UK, the prison healthcare staff will continue, for the time being, to be employees of the Prison Service and not of the Trust;
 - bed care of prisoners will be provided in outside hospitals and not in the prison; and
 - refurbishment of the healthcare centre has already begun.

- 4.4** The Board is concerned to learn that the shortage of healthcare staff in the prison still persists and the Department is short of seven staff - a situation which has arisen because of the unconscionable time taken to replace staff who leave or retire. This is all the more regrettable in view of the increasing numbers of inmates, the new areas of the prison which have been opened and the fact that there is an ageing population in Maghaberry with increasing health problems.
- 4.5** The Board is pleased to learn that the new Healthcare Manager has a special interest in health promotion and that he has plans to implement new programmes for prisoners which will help them to take more responsibility for their own health in prison and following release. Nurse-led clinics are taking place on, for example, asthma, epilepsy, diabetes and various aspects of mental health.
- 4.6** Healthcare staff are well aware that a high percentage of prisoners have mental health problems such as depression, schizophrenia and bipolar disorder and it is hoped that these conditions will be treated more successfully in future by access to specialist staff in the Trust. Until recently, personality disorder was not recognised as a mental health problem because it was thought to be untreatable but the recent Bamford Review of Mental Health and Learning Disability clearly recommended that DHSSPSNI and the Prison Service should take the lead in developing services for the treatment of all mental disorders including personality disorder. Many people with personality disorder end up in prison because there is nowhere else for them to go so we would recommend again that a secure unit should be opened in Northern Ireland for the treatment of people with personality disorders.
- 4.7** In view of the enormous problem posed by drugs in prisons, the Board is pleased that the Prison Service has made a three-year appointment of a co-ordinator to work across all three prisons to draw up a strategic plan to deal with substance abuse. In Maghaberry we currently have the situation where large numbers of prisoners wish to avail of the drugs and alcohol counselling services but there is a six month waiting list.
- 4.8** It has been shown in many jurisdictions that much can be achieved by a holistic approach, meaning that prisoners who are safe, treated with respect, enabled to engage in purposeful activity and prepared for release, will enjoy better mental health. The responsibility for the health of prisoners is still largely in the hands of the Prison Service.

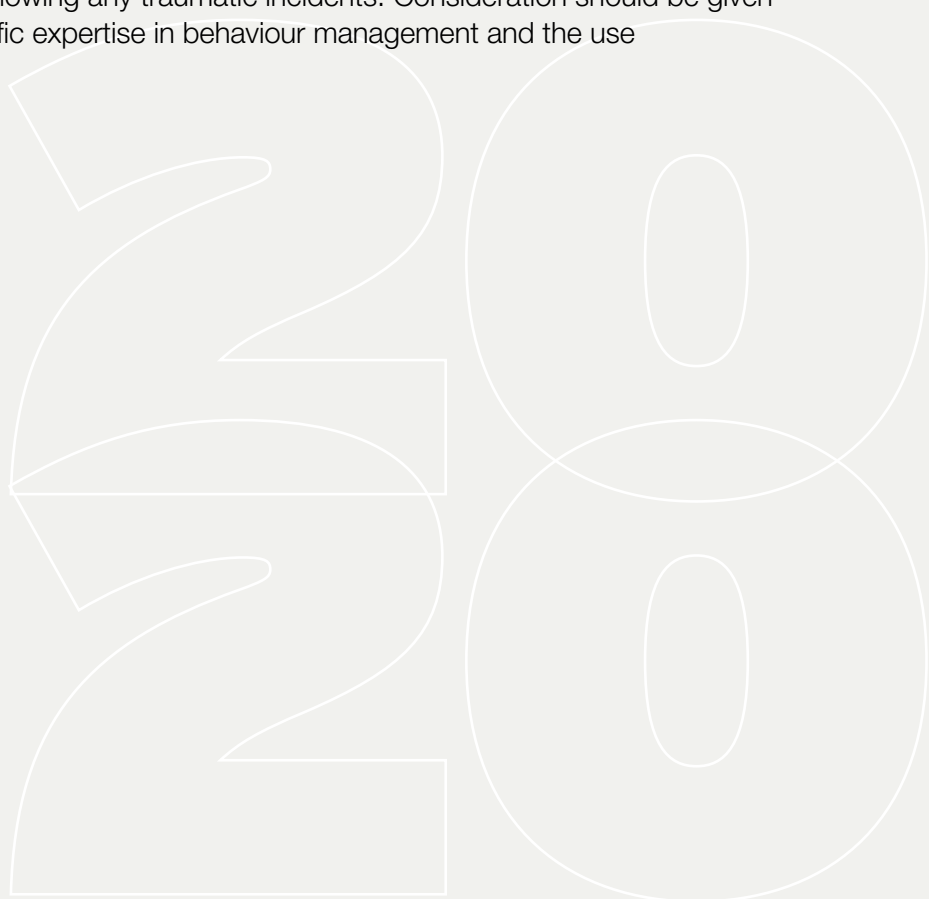
Drug, Alcohol and Substance Abuse

- 4.9** The misuse of both legal and illegal drugs within Maghaberry continues to be a major source of concern to members.
- 4.10** We welcome the appointment of a Drug Co-ordinator within the Prison Service, and are impressed with the strategic vision that she has brought to tackling drug issues in the prisons of Northern Ireland.
- 4.11** However, to date we have seen little evidence that the required measures emphasized by us in last year's report to prevent a drug culture becoming embedded in Maghaberry, namely effective deterrents and robust therapeutic measures - have been implemented.

5 | Special Supervision Unit

- 5.1** Maintenance of good order and discipline is an essential component of prison life and prisoners are transferred to the Special Supervision Unit if they behave in a manner which contravenes this. One of the primary functions of the S.S.U. is therefore to deal with disciplinary breaches, to accommodate prisoners who have been awarded periods of cellular confinement as a result of adjudication and to hold those who will, it is hoped, benefit from a “cooling off” period. The ethos of the unit and its regime are designed to act as a deterrent and present an unattractive option to normal prison life. It is hoped that these “cooling off” periods of reflection may benefit prisoners who present with challenging behaviours and unhelpful habits.
- 5.2** The other principal function of the S.S.U. is to house prisoners placed therein for their own safety and protection (Rule 32). Prisoners held in S.S.U. under Rule 32 on a long term basis remain in the PREPS system and continue to receive weekly reports and may progress or regress as necessary. This is in contrast to those prisoners serving Cellular Confinement or held under Rule 35(4) (which lasts no longer than 48 hours) who do not retain privileges appropriate to their regime level.
- 5.3** The S.S.U. is a complex environment with staff dealing with prisoners who, at times, present with extreme and highly challenging behaviours and attitudes. Many of these prisoners find conforming to the usual prison regime demanding and difficult. Indeed many also display symptoms more commonly associated with personality disorders and specific learning and behavioural syndromes. With so much oppositional and defiant behaviour in evidence, staff are required to carefully balance their duty of care with the need to control and protect.
- 5.4** Adjudications are held regularly and are conducted in a professional manner akin to a courtroom setting. Prisoners are afforded the opportunity to make representation and to have consulted with their solicitors beforehand. Sometimes unnecessary delays can occur due to minor procedural errors and the Board believes that some of these could be eliminated by better preparation by both staff and prisoners.
- 5.5** During this reporting year it is regrettable that there was a death in custody within the S.S.U. The Board commends the prison staff on their handling of this highly charged and difficult situation, keeping the disruption of the S.S.U. to a minimum.
- 5.6** The Board recommends that staff and prisoners receive appropriate personal support following such trauma and upset.

- 5.7** As in past years, the Board has made the S.S.U a priority, with those members on Rota duties being obliged to visit on a weekly basis. This enables prisoners to routinely be afforded the opportunity to speak with IMB members and have their views and opinions listened to at firsthand. Feedback from staff is also encouraged. Members are also able to closely monitor the living conditions and physical circumstances of prisoners.
- 5.8** The Board is pleased to note the completion of the two new “safer cells”, which are primarily meant to be used in situations where prisoners are deemed to be at risk of self-harming. Unfortunately some prisoners placed in the safer cells also exhibit highly destructive and damaging anti-social behaviours, and as a result these cells are not always fully operational. This has highlighted the need for some other cell facility which could better withstand and contain such multiplicity of behaviours.
- 5.9** During the years, building work has finished on the new exercise facility and gymnasium and this provides a welcome and much-needed addition to the S.S.U estate. Similarly, a purpose built visiting area has been constructed and is proving to be of great benefit.
- 5.10** Overall the Board has noted significant improvements and developments in the S.S.U, both in the physical environment and in the interpersonal exchanges between staff and prisoners. The Board commends the management and staff for their strenuous efforts in containing and diffusing volatile and dangerous behaviours. Mindful that this is stressful work for prison staff, the Board feels it is imperative that regular training is an integral part of their job and that debriefing is offered routinely following any traumatic incidents. Consideration should be given to the use of trainers with specific expertise in behaviour management and the use of other therapies.



6 | Learning and Skills

- 6.1** After induction into the prison regime, prisoners are automatically assessed as to their literacy and numeracy skills. Subsequently, education programmes are tailored to suit their needs, sometimes on a one to one basis, but more usually in a small group.
- 6.2** Entry levels are graded '1, 2 or 3' and then progress to "GCSE" and "A" levels while over 20 prisoners are studying for open university degrees. The education budget is £120k per annum, and there are 110 weekly classes, employing 8 full-time and over 20 part-time tutors. Prisoners can spend a maximum of 4 hours daily at studies throughout the 5 day week. In view of the increasing numbers of foreign nationals in Maghaberry, the Board is particularly pleased to learn of the recent appointment of a full-time ESOL (English for Speakers of Other Languages) teacher.
- 6.3** Computers and IT facilities are extensively used but usage has been affected at times in the past year by the electrical supply which crashed regularly because it was designed many years ago before the massive growth in the popularity of IT. This had a particularly bad effect upon the seven interacting white boards which were purchased last year. The Board is pleased to learn that the electrical circuit has just been re-wired but understands that further work is required if staff are fully to exploit the educational potential of these interactive white boards.
- 6.4** Prisoners are made to feel at ease in the library which tries to cater for all nationalities in its choice of popular reading material. About 40 prisoners visit the library each day where there are several thousand books. There are also around 400 CDs and cassettes available. Each prisoner is limited to six books at any one time (remand prisoners to four). The library is the centre for the Book and Tape Club which facilitates prisoners who are fathers to record the reading of stories which are then sent out to their children. Story and tape facilities are excellent and an expensive software package can add background noises to enhance the appeal to the listener.
- 6.5** The Education staff are enthusiastic, upbeat and keep themselves abreast of the latest education techniques. They are progressive and in tune with other EU countries and regimes and are to be congratulated on the fact that almost 500 prisoners have taken part in educational activities in the past year.

Workshops

- 6.6** During the last reporting year, extra facilities have been provided in the workshops. The courses now provide training in bricklaying, plastering, industrial cleaning, painting and decorating and furniture craft. Prisoners also work in the kitchen, the laundry, the garden and the gym.
- 6.7** The Braille unit is now located within the workshop area while wheelchair refurbishment is no longer carried out in the workshops, but has moved to the Mourne complex.
- 6.8** Occasional workshops are organised when prisoners perform manual tasks for local charities - an activity which they enjoy because it is of use to society. Members were pleased to observe a charity workshop during the year for which a large number of Polish prisoners had volunteered. They were obviously enjoying the opportunity to speak their own language to their compatriots and we were reminded that work performs a valuable social function.
- 6.9** One of the highlights of this reporting year was the construction of two canoes by three prisoners for an expedition on Lough Erne as part of the Duke of Edinburgh Silver Award.
- 6.10** Within the workshop area there is now a very well equipped canteen where the food is brought from the main kitchen.
- 6.11** Board Members heard from some prisoners that some of the City and Guild courses being offered to lifers who still had many years to serve were not appropriate as this qualification is for young people and by the time these prisoners would be released they would be too old to put these qualifications into practice. They expressed the opinion that they would like to see more NVQs introduced so that they may be more suitably qualified when it comes to finding employment. The Board feels that the opportunity should be explored to provide Construction Skills Register (CSR) training in the one day health and safety course in order to provide the basic knowledge for entry into construction work.
- 6.12** There would appear to be conflicting opinions on the attendance of prisoners at the workshops. Board members were told that it was compulsory for prisoners to partake in the courses offered. When we spoke to officers and staff they indicated that some prisoners did not want to attend the courses but preferred to stay in their cells and watch TV. The Board's opinion is that it would be in the best interests of the prisoners if they would take part in the facilities offered in the workshops. Several instructors complimented the prisoners on the high standard of the work they carried out. Some courses are more popular than others, for example at painting and decorating the attendance is at 80%. We have been told that plastering is also very popular and bricklaying and joinery are improving although the instructors would like to see more prisoners taking part in the courses and schemes offered. The Board recommends that "tester sessions" i.e. short term classes be introduced so that the prisoners can be given the opportunity to establish which skill they would be able to take to a higher level.

- 6.13** Something which militates against high attendances is that workshops are frequently cancelled because of the unavailability of discipline staff to escort prisoners. These cancellations lead to apathy and cynicism among the prisoners.
- 6.14** On visiting the Braille unit the board members were greatly impressed by the quality of the work, most of which is commissioned by outside bodies who order such items as hymn and prayer books, street maps and museum labels. At present there are 15 prisoners employed in the unit where they are enabled to acquire recognised qualifications, develop literacy skills and try out new ways of working. Attendance figures of 90% back up the enthusiasm on display. Weekly attendance by a blind person to 'road test' the products is an example of such innovation; as indeed is an established link to other Braille units across the British Isles to compare output costing and promote best practice.
- 6.15** Braille music output is produced by a prisoner who is one of only five people in Britain capable of such specialism.



7 | Visits and Family Links

- 7.1** Prison personnel are well aware that special attention should be paid to the maintenance of relationships between a prisoner and his family. The most effective method of achieving this aim is through the prison facilitating visits so that inmates can keep in regular contact with their family and friends. New initiatives are regularly being introduced to streamline and enhance the whole visiting situation. However with the continuing increase in the number of people being given custodial sentences the prison population is swelling and the management of the visits system has been put under severe pressure. The problems associated with satisfying all requests for visits are further exacerbated by integration of the visits regime for separated prisoners. The telephone booking system handles about 132,000 transactions a year resulting in something in the region of 106,000 adult visitors and 27,000 children being processed through the system. This has placed a good deal of pressure on the booking system and it will require careful ongoing monitoring over the next period. There are also two other alternative booking systems; by internet and an out of hours answering machine where people can leave details of their visiting requirements and will be rung back during operational hours.
- 7.2** The Visitor Computer Booking System is due to be updated under Phase 2 enhancements to bring on line the requirements of the Child Protection Policy. In previous reports this Board highlighted the need for greater control of the movement of children in and out of the prison. However further problems have arisen as children under 16 years of age cannot have their photograph or fingerprints taken. So it is likely that the current policy of adding children to the accompanying adult pass will continue. However in the absence of a more rigorous system, if an emergency situation should arise it is possible that children in the prison could be unaccounted for.
- 7.3** Since the last report, prison management has continued to focus on the visiting experience and improvements have been made to the overall access to the visiting suite.
- 7.4** The experience of visitors to the prison has been much improved by the streamlining of security checks and the removal of intermediate checkpoints. This has led to a smoother and speedier through flow of visitors, removed a lot of the hassle and little or no delay is generally now encountered. However visitors still have to cross some areas which are open to the elements. Whilst the time spent in the open is relatively short, it is still felt that visitors should be under cover for the duration of their visit.
- 7.5** Over the past year improvements have been ongoing in the visiting area in order to make it brighter and more welcoming for people coming to visit friends and relatives. Sections of the visiting area have been repainted in softer colours and floors have been refurbished leading to a more relaxed and less institutional setting. Art by inmates has been arranged around the walls in the integrated visiting hall, which again creates a less institutional environment.

- 7.6** Security remains a genuine concern in the visiting area due to the risk of unauthorised items being smuggled into the prison during a visit. The current camera surveillance system is out of date and needs to be upgraded to further improve detection rates for unauthorised items. The use of passive drug dogs in the visit area appears to be effective in reducing the smuggling of illegal drugs into the prison by this route. However the Board has reservations about the fallibility of relying solely on one system of detection and emphasises the need for continued and effective surveillance of this area.
- 7.7** Toilet services in the visiting area are somewhat limited and there is a need for enhancement of the facilities.
- 7.8** Within the visiting area there is a crèche and teashop both run by the Quakers who also run the Visitors Centre outside the external gate and the shuttle bus between the centre and the prison. It is planned to make improvements to the crèche and we would like to see an enhanced teashop as staff are working in somewhat limited conditions.
- 7.9** A new bus has recently come on line to carry visitors from the reception point into the prison. It is equipped to cater for disabled persons and wheelchair users will be greatly facilitated.
- 7.10** Child Centred Visits have proved to be a great success and are now available to all sentenced and remand prisoners who have served at least three months. It is pleasing to note that separated prisoners are now participating in the scheme. These visits take place on a Saturday and due to their popularity some additional visits have been arranged on Sundays.
- 7.11** It is a worrying thought that a number of prisoners do not receive any visits at all either because family members have given up on them or perhaps they have no friends on the outside. This can create a feeling of isolation and may also apply to foreign nationals who may already be isolated from everyone else by a language barrier. The Board is pleased to learn that a multi disciplinary group has been tasked with the oversight and development of a strategy to deal with these issues.
- 7.12** Some of the increasing numbers of foreign nationals in prison do have relatives and friends who come to Ireland to visit them. They come from various European countries and everything possible is done to organise suitable appointments for them and to make a difficult task that bit easier. Overall a very flexible approach is taken to facilitate as far as possible those with vast distances to travel.
- 7.13** A Family Support Officer (FSO) has been appointed to visit and discuss the impact of imprisonment and other issues with prisoners' families in the prison office and also if necessary in their own homes. The FSO maintains a close working relationship with Northern Ireland Association for Care and Resettlement of Offenders (NIACRO), Probation Board for Northern Ireland (PBNi) and Family Link. An explanatory leaflet has also been produced to give advice to families and friends about visit arrangements, travel information, what to bring / not to bring, where to go for advice etc.

Family Themed Visits

- 7.14** Family Themed Visits, supported by Prison Arts Foundation, Prison Staff and Quakers, are still continuing and have proved to be a great success. These events are very popular and are run at Easter, Summer Holiday Period, Halloween and Christmas. Included in these events is the free provision of refreshments and confectionery, family photographs, face painting, story telling, crafts and chocolates for the children. However the most important aspect is the quality time that fathers and children spend together.



8 | Accommodation

Reception/ Committal/ Induction

- 8.1** Arriving at a prison can be a most daunting and traumatic time for prisoners, especially for those facing imprisonment for the first time. Accordingly, all reasonable and humane steps are taken to ease prisoners into their new environment through a meaningful and informative reception, committal and induction process.
- 8.2** Prisoners arrive at Maghaberry either directly from Court or brought by the Police Service for Northern Ireland (PSNI) e.g. for non-payment of fines. All male prisoners over the age of twenty-one years come to Maghaberry while males under twenty-one go and females go to Hydebank Wood.
- 8.3** Six thousand prisoners are committed each year and approximately one thousand of these are being committed for the first time. (A Magilligan Transfer Board determines which prisoners will be sent to Magilligan following induction.)
- 8.4** On arrival at Maghaberry, prisoners are brought to Reception where they are placed in a glass-fronted holding room. Here warrants are checked, a full body search takes place and all distinguishing marks, tattoos etc are noted and recorded. Prisoners' possessions are checked and mobile phones and cash are removed. Prisoners may retain items of jewellery valued at less than £50.00. Prisoners sign appropriate documents for their cash and mobile phones so that their items can be returned at a later date.
- 8.5** Within the holding room, a TV set is located featuring a video giving relevant information for new committals and food is available at the normal times. The process at Reception can take from 20 minutes to an hour and a half to complete depending on how busy the unit is. (At the busiest times five officers are on duty). Prisoners are received throughout the day with the latest committals being around 9.30 - 10.00pm.
- 8.6** Following the completion of procedures in Reception, the prisoners go to Roe I for the first night. Prior to being placed in a cell, a cell-sharing risk assessment will have been carried out (information from the PSNI is made available to the prison).
- 8.7** Within each cell a booklet is placed explaining the regime and prior to arriving in prison those prisoners coming from the Courts will have had access to a court leaflet giving basic information about Maghaberry.
- 8.8** On their first night prisoners are given a pack containing tea, sugar, milk, biscuits, a pen and writing paper.

- 8.9** All prisoners are seen on the day of their committal, no matter how late they arrive, by a nurse who conducts an interview and opens a House file. Prisoners are entitled to a first visit from friend or family within 48 hours provided it is not over the week-end. All prisoners are permitted to make a courtesy phone call. There are some restrictions on the clothing which prisoners may wear. A comprehensive list of permitted clothing is available at visits reception.
- 8.10** All prisoners are given a four day induction programme which takes place in Roe II. There is a resettlement programme for all sentenced prisoners serving 6 months or more.
- 8.11** In 2006/07 272 foreign nationals from 32 different countries were committed at Maghaberry. All reasonable steps are taken to inform such prisoners of the regime, their rights etc and there is an Equality and Diversity officer with responsibilities in this sphere. Appropriate translation is a key element as prisoners need to know about such aspects as resettlement, complaints procedure, requests and visits. (Generally there are no discharges on Sundays and prisoners with 7 day sentences for non-payment of fines tend to be released on Saturdays.)
- 8.12** The Board welcomes the progress being made to fully inform prisoners about all aspects of the regime, and in particular the production of the video and information booklet and the ongoing work in providing different translations for the foreign nationals. The Board also welcomes the work being done by the Equality and Diversity officer.

Life Sentenced Prisoners

Erne House

- 8.13** At present there is a total of 177 life sentenced prisoners in custody. Erne House, within the main prison complex, is the first location where a life sentenced prisoner is placed when sentenced. This house was built in 1980 and is square in shape with six landings. Two of these landings are on the ground floor level and four are on first floor level, with corridors linking each adjoining landing. At present Erne House holds 118 prisoners either in single or double cell occupancy. Unfortunately, Erne is no longer used only by lifers since short term prisoners are also held there. The Board notes the argument that for operational reasons and because of limited available accommodation, a number of life sentenced prisoners are dispersed throughout several houses in the prison. But for the second year, the Board views this as having a detrimental effect on both life sentenced prisoners and short sentenced prisoners. Furthermore, a number of lifers are held in the Vulnerable Prisoners Unit (VPU) and it is vital and a matter of urgency, that initiatives are put in place to enable these prisoners to spend time in a more productive manner than currently allowed for in the regime. It is a particular concern of the Board that a number of very short term sentenced fine defaulters are still being housed in Erne House as their presence is having a major adverse affect on the life sentenced prisoners housed there.

Wilson House and Martin House

- 8.14** These are two self-contained units housing life-sentenced prisoners, which are situated on the opposite side of the road from the main prison complex. Wilson House has five landings with a capacity for 49 inmates, whilst Martin House has two landings with a capacity for 12 inmates.
- 8.15** Life sentenced prisoners of security risk Category B or less, must apply to the Lifer Management Unit (LMU) if they wish to apply for vacancies in Martin House or Wilson House providing that they meet a set of criteria which include the following: for Wilson House, the prisoner must have served a minimum of 5 years and be no longer than 7 years pre-tariff; while for Martin House the prisoner must be at or beyond the point of referral to the Life Sentence Review Commissioners, i.e. 3 years pre-tariff or less. (This access to Wilson and Martin Houses is not applicable to the separated prisoners who are in Bush House and Roe House.) The normal path for the life sentenced prisoner, if satisfactory progress is maintained, is to progress from Wilson House to Martin House as part of their rehabilitation programme. The small numbers of prisoners held in these two units enjoy a more relaxed regime than in the main prison and there is sound interaction between the staff and the prisoners, which is actively encouraged.
- 8.16** The Board welcome the progress that has been made in the first year of the establishment of these two units, although it recognises that there is an ongoing requirement for a more structured and comprehensive work programme for the prisoners.
- 8.17** The prison staff is to be congratulated on helping three prisoners from Martin House win silver in The Duke of Edinburgh Award. This was achieved by the prisoners building a canoe from marine ply, then planning and undertaking a three-day canoeing expedition round Lough Erne, escorted by volunteer prison staff.
- 8.18** The following recommendations are based on the principles of an open prison, where a programme is introduced to provide the best possible opportunities for the lifers to rejoin society on their release as self-sufficient members of the community; with preparation for employment as a key aspect of that process.

Prisoner Assessment Unit (PAU)

- 8.19** The PAU in Belfast provides a base for training and work placement programmes intended to facilitate a transition back into society. Its location away from Maghaberry prison is intentional to provide a better bridge back into the community. It has a capacity to hold 22 prisoners, although at present, there are both short term and life sentenced prisoners housed there. There is insufficient capacity for all the life sentenced prisoners who might benefit from the facilities; unfortunately, this is coupled with outdated and inadequate accommodation.

- 8.20** The life sentenced prisoners in the PAU progress through three phases prior to release on licence. In the first phase arrangements are made for job interviews and hopefully suitable employment obtained. During the second phase, the prisoner works outside the PAU, but returns each weekday night. In the final phase, the prisoner lives and works full-time in the community, but reports to the PAU at least once a fortnight. Prisoners normally spend between 39 weeks and one year at the PAU.
- 8.21** The Board is concerned that life sentenced prisoners who have served a long period in prison require a more realistic setting incorporating structured programmes delivered by trained staff to suit individual needs to help them reintegrate back into society.
- 8.22** The Board is concerned that the present unit is limited in the help and advancement it can give to prisoners in the period, 39 weeks to one year, of the rehabilitation programme that is delivered before their potential release to society.
- 8.23** Issues relating to food in the Prisoner Assessment Unit and Martin House are highlighted in the 'Food And The Prison Environment' section.

Food and the Prison Environment

- 8.24** The kitchen at the prison is the original one that was provided when the prison was built and designed to house approximately 400 inmates. This unit now caters for twice that figure which has created major operational and legislative concerns regarding the relevant food safety and hygiene regulations. This situation has made it necessary to augment the in-house service by procuring prepared foods which are highly processed and have a high fat content. (A new kitchen is currently under construction and is scheduled for use later this year.)
- 8.25** The need for all menus to meet religious, cultural and special dietary requirements is on the increase. IMB members have found that language problems and the need to understand the ingredients of different dishes is causing concern to some foreign nationals. To help alleviate some of these difficulties planned training in cultural awareness issues for catering and service staff is to be recommended.
- 8.26** It is with much concern that members have noted the high level of absence through sickness which has prevailed this year among the catering staff. This is putting extra stress on the remaining staff and morale is very low as replacements are not always available to cover this absence and the kitchen is functioning on less than the recommended staffing quota.
- 8.27** The high level of sickness absence among staff has resulted in a disappointing training schedule. Staff development will be affected as Food Hygiene training for new staff and NVQ training for all staff is not happening. This causes concern as the NIPS have an obligation to meet legal requirements.
- 8.28** As the NIPS have a "duty of care" to all inmates, a Food Policy for Prisons would be recognized as a model of good practice if implemented in the catering section.

- 8.29** The practice of transporting goods from the loading bay to the kitchen in dual purpose vehicles is still a matter of concern. Members would see the need for a risk assessment to be carried out to check if this practice would meet the legal requirements needed when transporting or holding chilled or frozen goods.
- 8.30** The inmates in Martin House and Wilson House are appreciating the opportunity to prepare and cook their own meals which aids resettlement and is very therapeutic although members feel that inmates should be allowed to purchase their own ingredients. When prisoners are moved to the Prisoner Assessment Unit it would be very beneficial for them to be able to prepare and cook meals as in Martin House. The practice of serving meals in the Workshop area where inmates can dine in association is also to be commended.

The Prison Shop

- 8.31** The Prison Shop is a facility where prisoners can access a wide range of goods to meet their needs. Prisoners are given a list of goods available and the current price to facilitate their weekly order. On delivery of their order they receive an up-to-date record of the prices charged and a record of their current finances.
- 8.32** Most prices in the shop have remained quite stable this year as a result of the new contracts. There is however a concern about the mark-up on some key lines such as tea bags.
- 8.33** Closing the shop at set holiday times is still a matter of concern. These closures can be particularly difficult for new prisoners who are admitted and cannot get necessary items.

Regime

- 8.34** The Progressive Regime and Earned Privileges Scheme in Maghaberry is intended to encourage good behaviour by prisoners.
- 8.35** All prisoners are placed on the standard regime on committal - and can move to the 'enhanced' regime through consecutive good reports and testing that indicates they are clear of drugs and/or illegal substances. Likewise, a prisoner may be reduced to the basic regime if reports indicate poor or unacceptable behaviour.
- 8.36** Different regimes have a different 'package' of benefits attached to them. The basic regime, as the name suggests, give the prisoner basic rights (and no television).
- 8.37** Figures reviewed in December 2007 indicate that approximately 8% of prisoners were on basic regime, 49% of prisoners on standard, and 35% on enhanced. Of the prisoners on the basic regime, 12% had been on the regime for three months or more, with six prisoners having been on the basic regime for more than six months.

- 8.38** We have a concern that many prisoners on the basic regime are often those least able to modify their behaviour. For these prisoners to be deprived of a television, which could occupy their time, is, in our opinion, unacceptable. We understand that basic prisoners in other prisons receive a television as a matter of course.
- 8.39** A review of regimes and earned privileges in Maghaberry was carried out last year, and is due to be issued in April 2008. We are optimistic that this will include many of the points made in our recommendations - however, not having sight of the outcomes of this review, we recommend:
- a proactive approach to assisting prisoners who have been on basic regime for more than four weeks to move up to standard;
 - the appointment of Personal Officers who will establish a relationship with specific prisoners and assist them in modifying their behaviour and moving up to the next level of the regime;
 - the provision of guidance on the recording of information and how this is imparted to prisoners; and
 - that all prisoners, including those on the basic level of the regime, are allowed to have a television.

Separation

- 8.40** Following the closure of the Maze prison in 2000, the focus of the Northern Ireland Prison Service was the management of all prisoners in integrated conditions. It is the feeling of the Prison Service that a mixed population that does not act in a concerted manner provides for the safest regime within a prison for both staff and prisoners.
- 8.41** In 2002, a campaign began for separation for Loyalist and Republican prisoners. In 2003, a review of safety at Maghaberry was undertaken by a team led by John Steele and a report was published in September 2003. In February 2004, the Separated Prisoner Compact was published, following a period of public consultation. This agreement or Compact governs prisoner access and regime within separated accommodation. The Compact details daily routines, expected standards of behaviour and the regime for separated prisoners.
- 8.42** In March 2004, prisoners who had elected and were accepted for separation were transferred to the newly re-furnished Roe and Bush houses. These houses have upgraded levels of security including electrically controlled access points and improved CCTV coverage. Prisoners on the separated landings within these houses are subject to greater levels of control and supervision. The system of 'controlled movement' is in place which mandates a staff: prisoner ratio of 4:2 or 3:1 on the landing at any given time. In other words, to ensure safety and maintain control, there are always more prison staff than prisoners during controlled movement conditions.

8.43 Another consequence of prisoners choosing to live in separated conditions and accept the terms of the Compact is the difference in regime that they must adopt. In the integrated Prison system, prisoners can progress through the Progressive Regime and Earned Privileges (PREPS) system of reward or reduction of privilege based on certain behavioural conditions. There are 3 levels of regime in the PREPS system, whereas the Separated prisoners have a two-tier regime system. The Board is aware that there is little progression between the regimes in the Separated landings.

8.44 In 2006, a Review of the Compact was carried out and particular focus was placed on the areas of:

- conditions for entrance to the separated landings;
- routine and regime;
- daily routine;
- privileges; and
- visits.

8.45 The Board notes that the Review recommended that further reviews of the Separated Regime would take place and it looks forward to contributing to such reviews.

8.46 The level of prisoners choosing to be housed in separated conditions has remained stable over the past year. There was an average of 30 to 34 Loyalist and Republican prisoners on each of the respective landings at any given time.

8.47 The Board appreciates the difficulty that continues to be posed in balancing the individual rights and requests of prisoners who choose to be housed in separated conditions with the primacy of the health and safety of prisoners and staff in those landings. The Board commends the Prison Service for its sensitive handling of a difficult issue and will continue to monitor developments and the opinions of prisoners on the separated landings.

9 | Chaplaincy

- 9.1** The previous year's report highlighted the fact that the Presbyterian Church was not represented in the Chaplaincy. This has now been corrected with the appointment of a full-time Presbyterian minister to Maghaberry. This is indeed most welcome as there is a sizeable population within the prison from the Presbyterian denomination. The prison is therefore now served by all of the main denominations; namely the Church of Ireland, the Presbyterian Church, the Free Presbyterian Church, the Methodist Church and the Roman Catholic Church. Furthermore, there is also present an Imam of the Islamic faith who is part of the chaplains' team. This team is further augmented by the addition of a layman from the Prison Fellowship.
- 9.2** The chaplains' office is situated within the main complex of the prison, adjacent to the prison chapel. This means that the majority of prisoners have easy access to the chapel without the need for extra time-consuming transit of security checks. Over the past year a room adjacent to the chapel has been converted into a multi-faith room. This arrangement has been accepted and welcomed by all the chaplains' team. The proposed move, as indicated in last year's report, to move the chaplains' office to the back of the reception area, has been cancelled. This is most welcome to the Board as the chaplains' office remains within the hub of the prison. The chaplains' office is managed by a civil service administrator, who ensures that the chaplains' team is fully aware of all new prisoners. Furthermore, any queries or requests for help or guidance are quickly passed on to the appropriate member of the team. These requests have become even more varied over the past year due to the ever-increasing number of foreign nationals, an average of 50 per month over this report period.
- 9.3** The Board observes that the provision of a comprehensive chaplains' team is an essential element to providing prisoners with assistance and comfort when they are in need of support. This moral support can never be underestimated and the Board welcomes the staffing of a fully integrated chaplains' team within the prison.

10 | Resettlement

- 10.1** 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.
- 10.2** Resettlement begins very soon after committal with the object of focusing upon the time, no matter how far ahead, when the prisoner will be released into society. This preparation will be wide-ranging and will permeate life in custody so that, over the length of the sentence, the programme will include education and training, mental and physical health, drugs and alcohol; financial matters; relations with children and families and attitudes and ways of thinking. As release gets closer, matters such as accommodation and employment will become more pressing.
- 10.3** Maghaberry has an excellent resettlement plan. The aim is to ensure that all the work that a prisoner does, the activities in which he participates, indeed, as far as can be arranged, all his experiences in prison, will help him to deal with his offending behaviour and make sure that, when released, he is able to take up his place in society. It could be said that if a resettlement plan really works, then there will be no re-offending. However, since the most recent re-offending figure we can obtain, is 43% in 2004, the year of the introduction of resettlement, it is not yet possible to draw any conclusions.
- 10.4** The Maghaberry team have built up a most impressive database which tracks the progress of every prisoner. They have accomplished innovative and ground-breaking work especially in the area of family relationships. BUT this excellent and well-thought out system seems to have lost momentum over the last year or two. The main reasons for this appear to be, first, the high level of sickness absence throughout the staff of the prison with the monthly sick absence averaging 12.5% over the last year, and second, the security-driven system which still prevails in Maghaberry, leading to the endless escorting of prisoners by staff who could be more usefully employed.
- 10.5** As has been mentioned in the Workshops report, 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 like resettlement are moved over to fill gaps. There were occasions when IMB members, visiting the resettlement department, found that all resettlement staff had been deployed elsewhere. Moreover, the lack of resources in certain specialist areas is becoming more acute; there are still long waiting lists for drugs and alcohol counselling and for courses designed to challenge attitudes and offending behaviour. And still not enough is done to help remand and short-sentenced prisoners.

11 | Equality and Diversity

- 11.1** The trend in the increase in the number of prisoners committed to Maghaberry Prison has continued over the past year. In many ways, this trend reflects the larger societal picture of inward migration to Northern Ireland. Although the majority of foreign national prisoners at present are in Maghaberry on remand, there are increasing numbers of sentenced prisoners who will in all likelihood serve their sentences in the prison. This situation presents the authorities with unfamiliar challenges and statutory requirements. The Board notes that the prison describes discrimination as 'being treated less favourably than others' and states its commitment to ensure equality of access to all services to all prisoners on an equal basis.
- 11.2** In February 2008, there were 57 prisoners from 21 different countries in the world. 46% of Foreign National prisoners come from 4 countries: Lithuania, Latvia, Portugal and Poland.
- 11.3** The Prison Service has been very active over the past year in putting together a comprehensive strategy which reflects current good practice at the prison, as well as benchmarking standards across other UK prisons. An ambitious and comprehensive Action Plan has been produced and the Board welcomes this timely and necessary intervention.
- 11.4** The Northern Ireland Prison Service undertook a survey which included all of the sentenced prisoners and a significant proportion of those on remand. The findings of the survey are key to informing the strategy that will be implemented. The main areas of concern among foreign national prisoners were those surrounding language and communication, food and other aspects of their culture that were not accessible as a result of being imprisoned abroad.
- 11.5** The Equality and Diversity committee at the prison had its first meeting in February 2008 and a member of the Board was in attendance. The prison appears committed to taking forward the action plan that has been laid out by the Northern Ireland Prison Service and to achieving the set goals within the timeframe that has been structured.
- 11.6** Although all elements of the strategy are important, the Board particularly welcomes the commitment to appoint a Foreign National Prisoner Coordinator and Foreign National liaison officers in each house where there are foreign national prisoners. Other significant moves that are being implemented are lower cost phone calls so prisoners can maintain family links. The introduction of a video link for prisoners to speak to a family member under supervision is also going to be introduced this year. The Language Line service is being actively used and provides an essential tool for staff and prisoners in the vital area of communication.
- 11.7** The Board is aware that Diversity Training has been identified as an underpinning requirement of the strategy and recommends that this training can be delivered without undue delay. The area of Diversity includes many other areas of inclusion and equality of access and opportunity. The Board notes that there are members of the travelling community at most times in the prison and will continue to monitor the sensitive issues that arise and are handled with regard to these prisoners.

11.8 The Board recognizes the challenges that are presented by the dynamic and fluid situation of an increasing foreign national population and commends the authorities for devising a strategy for dealing with the many and complex issues that are arising. The Board is committed to engaging with the authorities on the Foreign National sub-committee and looks forward to the implementation of the action plan proposed in the strategy. The Board also recognizes its own duties and concerns in being accessible and relevant to prisoners who have special access needs by virtue of their nationality.

12 | Appendix

12.1 MAGHABERRY BOARD MEMBERS

Mr James McAllister (**Chair**)
Mrs Deirdre Brown (**Vice Chair**)
Mrs Lilian Jennett Training Officer
Mrs Vilma Patterson
Dr Michael Boyle
Ms Vicky Boland
Mr Louis Brennan
Mrs Charlotte Beck
Mr Henry Harding
Mr Jonathan Patton
Ms Clare McCarty
Mr Noel McKenna
Mr Christopher Noel Quinn
Mrs Patricia McCusker
Mrs Myrtle Elliott
Ms Sheila Fitzgerald
Mr George Bratty
Mr Dennis Constable
Mr Jack Walls

