



INDEPENDENT MONITORING BOARD

ANNUAL REPORT 2023/24

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 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 and matters of national security.

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).

MAGHABERRY PRISON

CHAIRPERSON'S INTRODUCTION 2023/24

I am pleased to introduce the Annual Report of the Independent Monitoring Board (IMB) in Maghaberry Prison for 2023/24.

In this reporting year, Maghaberry Prison has been subject to both a television documentary and the introduction of X-ray Body Scanner technology (XRBS). Both have resulted in significant and important conversations with relevant stakeholders to ensure the fair treatment of those held in custody has been upheld. Those conversations have contributed to a review of the Media Policy by the Prison Service, and in relation to XRBS we continue to question and look for assurances around all aspects of policy and procedure.

The introduction of XRBS technology has resulted in a significant increase in the numbers of prisoners being held in the Care and Supervision Unit (CSU) in Maghaberry. The large number of prisoners failing the XRBS process means the Prison Rule 32 process has increased from what was previously a 5 day a week activity to now being a 7 day a week activity, which has placed additional pressure on an already under resourced IMB.

As a direct outcome of a judicial review the IMB are tasked with attending these R32 conferences where practicable. The increased numbers and frequency of Rule 32's has stretched already limited resources of the IMB to such a point that we have on occasion been unable attend. Consequently, we cannot provide an absolute oversight on the fair and equitable treatment of those held in custody and this is a pressing concern for the Board and for the Department of Justice.

I would like at this point, to pay tribute to Board members who have gone above and beyond what should be expected of any volunteers to ensure our presence at over 3,000 Rule 32's over the reporting year. This of course, is in addition to the personal

interactions we have had with those held in custody, which has happened on over 2,000 occasions and is also in addition to our other monitoring roles in areas such as Healthcare, Equality, Safer Custody, Accommodation etc., which we are also tasked to monitor.

All of this is being achieved by only 11 members with varying levels of availability to monitor a prison with an average population of 1,200. This is not a sustainable position and is likely to be compounded in the next year as members come to the end of their public appointment tenure. It would be my opinion that the Minister and Sponsor Body need to be having meaningful engagement with the IMB Executive Council to look at how this statutory role can remain feasible in the short, medium, and long term.

Overall, the regime within Maghaberry remains relatively stable and I believe the presence of a strong IMB has played a role in this. We have been able to resolve a number of issues with the assistance of Governors and we have been encouraged by the openness and transparency of the management of Maghaberry. The IMB remains committed to challenging processes and procedures which we believe have not been applied correctly or, which we believe needs to be reviewed.

For the most part, we have monitored officers acting in a very professional and fair manner towards those held in custody. However, we have also monitored a small number of officers who have used their position to penalise prisoners for what they deemed as breaches of prison rules, however following further scrutiny, there was no justification for their actions. We have however been encouraged by the willingness

of Governors to engage with the IMB when we have highlighted such issues of concern.

Over the reporting year, there has unfortunately been four deaths in custody - three of which were from natural causes. The IMB extends their sympathies to the families of those involved and recognise the efforts of the Prison Service and Healthcare in trying to prevent loss of life or serious self-harm within the prison population.

There have also been a number of bereavements affecting prison staff and I would also like to extend my sympathies and those of the Board to those who have lost loved ones over the reporting year.

Lastly, I wish to express my sincere thanks to all members of the Board who have shown unwavering commitment to an extremely demanding, challenging but ultimately rewarding role. It is a measure of the character of Board members that at a time when the demands of an increasing prison population have placed us all under extreme pressure, members have been willing to fill in the gaps to ensure the fair treatment of those held in custody.

As the Chair of Maghaberry IMB and Chair of the Executive Council I believe that a major review of the IMB structures across all 3 prisons in Northern Ireland needs to be undertaken to ensure the sustainability of this vital statutory role.

John Denvir

**Chairperson
Independent Monitoring Board
Maghaberry Prison**

EXECUTIVE COUNCIL FOREWORD

The Executive Council for the Independent Monitoring Boards in Northern Ireland provides strategic direction and guidance for the IMBs at Maghaberry Prison, Magilligan Prison and Hydebank Wood College and Women's Prison. The Executive Council is made up of three representatives from each of the IMB Boards. The Executive Council elects a Chair and Vice Chair and it has its own constitution.

From when the Executive Council was established in approximately 2004, no reports were compiled to record the strategic interactions, activities or engagement with other stakeholders.

The current Executive Council feel this has been an oversight by the previous Boards and that the valuable contribution made by the Council should be recorded.

The Executive Council engages at a strategic level with the Minister, the Justice Committee, the Director General of Prisons and the Criminal Justice Inspectorate Northern Ireland; at that end, the Executive Council will now produce an annual Executive Council statement each year which will form part of the Annual Report for each of the Boards.

Since April 2023, the Executive Council has continued to press for a more formalised structure and protocol with the Sponsor Body. Since the 1952 Prisons Act when the Board of Visitors (original name for the IMB) was set up, there has been a notable absence of paperwork recognising the relationship between the IMB and the Department of Justice as an Arm's Length Body. The Executive Council have been of the opinion for some time that the uniqueness of what is required in relation to knowledge, experience, and sustainability of the IMB has been significantly underestimated. This has been further brought into focus by the lack of people who wish to give of their own time within this unique and challenging area of the voluntary sector.

Over the past year however, we have made significant progress around protocols and procedures in relation to the structure and recruitment processes. We have moved in a positive direction in relation to a partnership arrangement with the Sponsor Body, however there is still significant work to be done.

In the past year, we have monitored the introduction of XRBS in all three prison establishments and recognise there is a bedding-in period following the introduction of any new technology. Whilst we are fully supportive of everything that increases the safety of prisoners and staff, we need to balance that against the principles of fairness and reasonability. We have had a number of cases where we have not been fully convinced of the need for prisoners to be placed in a restricted regime. As we move forward into the 2024/25 reporting year, we hope that we can look at a more robust monitoring process that will provide confidence that correct interpretation of information is being applied.

The Executive Council has engaged with the Director General of Prisons in relation to the new X-Ray Body Scanner Policy and also raised concerns about prisoner involvement in television programmes.

The Executive Council have been heavily involved in recruitment campaigns for new IMB members. This has involved a revamp of each stage of the process, with members sitting on the interview panels and providing induction training for new members.

On a national level we have been successful in re-establishing positive links between ourselves and other IMB Boards across England & Wales and Scotland. Whilst at present these have been small steps, we believe there is an opportunity for the sharing of good practice, experience and learning outcomes, supporting continuity across all devolved regions to strengthen the work carried out by the IMB.

This statement will hopefully give an indication of the significant strategic work the Executive Council is doing at both a local and national level. This is even more remarkable given that this is carried out by those who give freely of their time.

We hope that moving forward this important work will be truly recognised by the Department of Justice in terms of meaningful engagement and appropriate support which will also hopefully help attract more people to come forward to carry out this challenging but rewarding role. Outside of these statutory bodies, the Council engage with counterparts in England & Wales and Scotland, as well as the National Preventative Mechanism (NPM) and other organisations such as the Human Rights Commission.

OVERVIEW OF MAGHABERRY PRISON

Maghaberry is a modern high security Category A prison, with the capacity to hold 1935 prisoners in shared cells under crowded conditions but with an operational capacity of 1415. All adult males - regardless of their crime or length of sentence, are initially housed within Maghaberry. The prison holds individuals from Category A to Category 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 normal prison population 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

Observations:

Over the past year, observations of the IMB would indicate that safety within Maghaberry Prison remains a priority for staff at all levels.

Five deaths occurred during this reporting year compared to four in the 2022/23 reporting year. The IMB has been promptly informed of all these incidents and the prison has a system in place to record all relevant details. Where practicable, the IMB will attend cold debriefs in relation to such incidents.

The IMB have consistently supported the introduction of new technology, in this case X-Ray Body Scanners (XRBS) to ensure the safety of those held in custody and those with the responsibility of caring for them. We are however acutely aware that the credibility of the technology requires robust policies and procedures which stand up to scrutiny and ensure the fair and equitable treatment of those subject to it. XRBS's were introduced in March/April 2023 and the IMB is somewhat disappointed that up to the end of the reporting year, there has been little meaningful input from NIPS with us as to the operation, procedure or protocols surrounding its introduction. We recognise that this is probably an issue beyond the scope of Maghaberry management team, but is something we feel strongly should be part of our report.

It is frustrating that NIPS has failed to recognise the IMB as an independent statutory stakeholder and as such we believe a significant component in the assurance process which should surround the introduction of this new technology.

Over the reporting year, over 10,000 x-ray body scans were undertaken. A significant number of prisoners were identified as having failed the process and consequently, have been subject to a period of restricted regime within the Care and Supervision Unit (CSU). A failed body scan is based on an officer's interpretation of the image

produced by the body scanner and whilst we acknowledge that a significant amount of training has been undertaken, the process outcomes still have the potential to be adversely affected by human error. The IMB would be seeking to ensure that appropriate control measures are put in place to minimise this potential risk. Additionally, it is vitally important that the results of body scans are subject to review and scrutiny - not only by internal audit, but also by independent verification - which will maintain the credibility of the process.

We are aware that the number of illicit items coming into the prison has significantly reduced and there has been a marked reduction in significant drug related incidents within the prison. All of that of course is to be welcomed however, there is a balance to be struck between correctly identifying prisoners who are carrying illicit items and those who may for other reasons be identified by the process but who may not be carrying.

The IMB has queried the high numbers of positive indications from XRBS, as the prison service has not indicated a significant increase in amount of drugs being recovered or surrendered. There have been no reports of any significant rise in the number of prisoners held in the CSU on the basis of a failed body scan presenting themselves as being under the influence. Consequently, the IMB is concerned there may be some false positive outcomes from the process.

The IMB is also aware of a number of prisoners who have been in prison (some for a significant period of time) leaving the prison for hospital or court appearances and on return have failed the XRBS process. On questioning this, the prison service has suggested that individuals may have concealed illicit items on their person in an attempt to ensure neither prison officers nor other prisoners do not find these items whilst they are off the premises. Or that illicit items are willingly taken by - or forced

upon - individuals to bring back into the prison system following hospital appointments or court appearances.

Both of these potential explanations raise a number of questions; firstly, if the profile of an individual suggests they may be involved in holding or trafficking drugs, should they not be subject to a body scan on leaving the prison. This of course would enhance their safety and the safety of others they may come into contact with, not to mention the potential health risk if they were to be given additional medication whilst in hospital for example. Secondly in relation to court appointments, it would be concerning if prisoners were not being held in a secure environment where items could not be transferred to them. This would raise significant questions about the safety of both prisoners and prison officers.

Over the reporting year, the IMB has also observed a prisoner who was being moved to another jurisdiction, becoming involved in an altercation with prison officers who had attempted a full body search which resulted in injuries being sustained. When the IMB inquired why a full body search was necessary, considering there was a XRBS facility, the explanation was that this was the policy in relation to prison movements outside of Northern Ireland and it had been decided not to amend this procedure. The IMB has questioned whether the introduction of an XRBS has been mapped across to any relevant policies. The IMB is awaiting a response.

Figures provided by the prison in relation to drugs finds within the establishment have seen a decrease from 714 in 2022/23 to 476 in 2023/24 which is to be welcomed.

In relation to reported bullying incidents, the IMB notes a significant increase from the previous year from 195 to 357. This increase may be a direct consequence of the increase in population, but the IMB will continue to monitor the situation - in

particular to see if there are any areas of the prison more susceptible to these types of bullying events.

We also note prison figures that reports of prisoner-on-prisoner assaults have increased slightly but given the rise in prison population, this figure has not been significant - albeit any assault is noteworthy. The IMB will continue to monitor the situation moving forward.

We are encouraged by the fact there has been a decrease in the numbers of assaults on prison officers and staff over the reporting year. An assault on any member of staff is of course one too many, but a decrease is very welcome and is hopefully an indication that prisoners feel they are being treated fairly within the prison system.

The numbers of prisoners being given support in relation to potential suicide or self-harm risk has also decreased in this reporting year. It is still high at 611, but the work being carried out by prison officers, the Mental Healthcare team, and the work carried out in Prisoner Safety and Support function (PSS) will hopefully continue to reduce the numbers of those held in custody requiring such intervention.

Supporting prisoners at risk / self-harm	
2022/23	710
2023/24	611
<i>*This number includes 1045 acts of self-harm</i>	

Bullying incidents	
2022/23	195
2023/24	357

Assaults prisoner on prisoner

2022/23	48
2023/24	78

Assaults prisoner on staff	
2022/23	47
2023/24	31

A number of prisoners have reported occasions where they have been treated unfairly by prison staff and have felt they cannot go through the normal complaints procedure to have the matter dealt with. This reporting year, 0.47% (25) of the complaints made to the prison were regarding alleged assault by staff and 12.57% (665) were general complaints about staff.

These issues have been raised with the prison management, where we have pointed out incidents of poor practice and misuse of authority. Board members' conversations with prisoners suggest that many do not know that Safeguarding Reporting is in place and complaints can be raised through the Chaplains or the Traveller Mediation Service.

The IMB remains concerned that the use of body-worn cameras is still not fully embedded into the prison culture. There have been a number of incidents where prison staff have not activated cameras which would have been beneficial in the scrutiny of incidents. The IMB has highlighted this situation before and management instruction has been issued. We will continue to monitor this situation.

Over this reporting year, a television programme, looking at different aspects of life within Maghaberry Prison was aired. Whilst the IMB had no input to the programme we had - prior to the programme being commissioned and during the broadcast - questioned how the rights of prisoners were being protected, their understanding of

what was being asked of them, and the mental capacity of individuals to understand their appearance on the programme. It would be fair to say that on a number of aspects, we were not assured that the required scrutiny and protection had been put in place by NIPS. We raised this matter with the Director General of Prisons who agreed that there were elements which could and should have been done better. This has led to a review of policy by NIPS. The IMB will continue to monitor such situations to ensure that in the future, all relevant checks and balances are put in place to ensure the fair and appropriate treatment of those held in custody.

An area of concern for the IMB in the 2022/23 Annual Report, was the number of Listeners (trained prisoners by the Samaritans) who provide support for other prisoners within the prison, was as low as five. This has now increased to seven, but is still considered a low number for a prison population just shy of 1200. Presently there are 25 Mentors. These are trained prisoners who can provide information and direction for other prisoners within the prison.

Property issues account for a substantial number of requests for the Board to follow-up on. A significant number of concerns raised, relate to prisoners not being allowed to retain all the items brought or sent in with them. It has been observed by Board members that on occasions items are recorded incorrectly at reception i.e. colour, make or type of clothing and this can cause issues moving forward.

The alleged loss of property in the prison when transferring from one cell to another location (frequently into CSU) continues to be a regular source of prisoner issues. This reporting year 14.39% (761) of the complaints made to the prison were regarding property – the highest of any category. The IMB have been encouraging the prison authorities to have a more robust and structured system. We are encouraged to report that significant progress has been made on this issue and that a full Prisoners Property Policy will be introduced and be fully functional in the next

reporting year. The IMB will continue to monitor the situation as it can have an impact on the attitude and behaviour of prisoners.

Monitoring:

- The IMB will continue to monitor the use and implementation of policies and processes around XRBS to ensure its appropriate use.
- The IMB will also continue to monitor the mapping of the XRBS policy to other related policies within the prison.
- The IMB will continue to monitor all aspects of Bullying, Assaults and Support services moving forward
- The IMB will monitor the introduction of the new property policy and its effectiveness moving forward

CARE AND SUPERVISION UNIT

The Care and Supervision Unit (CSU) within Maghaberry prison holds some of the most vulnerable, disruptive, mentally unwell and challenging prisoners in a secure location to ensure their safety and the safety of others within the prison.

The CSU has had a reputation of being used as a place of punishment going back over a long period of time however the IMB have monitored and observed significant and welcomed changes to the ethos within the CSU. This has led to a much more stable, understanding and considered approach by staff towards prisoners whilst still retaining the ability to deal with unacceptable behaviour.

The IMB have monitored a regime where officers have actively taken measures to go above and beyond what would be expected of them to engage in a positive manner with all those held in the unit. They have sought to ensure a positive environment and provide accessibility (for those who wish to engage) to a number of constructive and purposeful activities such as;

- Well-being sessions
- Speech and Language Therapy
- Mental Health Triage
- Addition Support
- Daily Health Checks
- Gym activities with prison PTI instructors
- Education Check in
- Access to library facilities
- Distraction packs etc.

This is not an exhaustive list and there are other interventions and activities which are used by staff to assist those held.

Observations:

A refurbishment is taking place in parts of the CSU which will lead to an increase in the ability of staff to ensure the safety of vulnerable prisoners and refurbishment of education and interview rooms will be useful to enhance some of the activities mentioned above.

In the reporting year the IMB have seen the repatriation of a particularly challenging individual and also the transfer of an individual, who had spent over four years in the CSU, to a more appropriate secure mental health unit where his needs could be better met.

The IMB recognise and commend the work of officers and Governors who ensured that the needs and wellbeing of both of these complex and exacting individuals were placed at the forefront of their care and supervision whilst in the CSU.

The biggest challenge to the CSU environment over the reporting year has been the introduction of X-Ray Body Scanners (XRBS) into the prison.

The result of its introduction has meant a significant increase in the number of individuals being held in the CSU. Indeed, this has led to the expansion of the CSU regime into other houses such as Glen, Foyle and Bann.

The IMB have raised a concern that the good work carried out after the Criminal Justice Inspectorate Northern Ireland report in 2022/23 which recommended better training, selection and meaningful engagement with prisoners would be diluted by this increase in numbers.

The prison service has given assurances that this will not be the case however, we still have some reservations that this may not be achievable given the current numbers held for failing the XRBS process.

Monitoring:

- The IMB will continue to monitor the upgrading of CSU facilities.

- The IMB will continue to seek assurance that the selection and training of personnel is in accordance with the Criminal Justice Inspectorate NI (CJINI) Report 2022/23.
- The IMB will continue to monitor the conditions and treatment of those held within the CSU to ensure their fair and equitable treatment, particularly as a consequence of the increased number of prisoners held there.

HEALTHCARE

Primary health care and mental health on the Maghaberry site, since 2010, has been the responsibility of the South-Eastern Health Trust (SEHCT). Its medical provision and responsibilities within the prison are separate from the Northern Ireland Prison service (NIPS).

Its provision includes a wide range of medical supports and interventions that are appropriate to and can be managed within the Maghaberry site. As required additional and supporting medical provision for prisoners (patients) can be sourced beyond the site. This includes other specialised units such as Shannon (Knockbracken) and within other health trusts such as the Belfast Trust.

The present provision has historically developed from provision on site in the prison hospital housed in Moyola, where the main health hub is now located and to a range of developing extended hubs spread across the site as well as existing and developing health related outreach programmes addressing physical and mental health issues.

Management of medical provision on site is directed by a Lead Nurse, covering a wide range of medical, mental health and general health welfare provisions. The staff interact with an increasingly high percentage of the prison population on a daily basis, with many such interactions being of a complex and sustained nature.

Both the management systems of the onsite health provision and Maghaberry prison communicate on a regular basis to inform each other of ongoing issues common to the site.

The Service operates its own referral and complaints system independent of the management and data systems of the NIPS.

Observations:

- Past observations of an increasingly operational relationship between the NIPS (Maghaberry) and the Trust (onsite provision) have continued and further deepened in this reporting period.
- That outreach has developed especially towards the middle management of the Maghaberry operational structures with mental health lunch and learn sessions on Brain Injury awareness, Schizophrenia Personality Disorder.
- There is now evidence of a growing professional conversation between the SEHCT (South Eastern Health and Social Care Trust) (onsite provision) and NIPS (Maghaberry) to identify areas of common concern and interest in these learning sessions going forward. The same level of communication and interaction between the highest levels of the SEHCT and the Northern Ireland Prison Service (NIPS) would do much to sustain and resource such important work at an institution level.
- In the period of this reporting year, there has been some small evidence of greater co-joint working, in the best interests of the prisoner/patient, where the medical needs to be addressed cross more than one trust boundary. This should continue to be an important area of work to be developed at the Trust level in ensuring that the highest level of care is delivered.
- In the summer of 2023, the contracts for service delivery of onsite health provision in Maghaberry underwent some significant change. This was a very complex but necessary undertaking. The operation of these changed

contractual arrangements were undertaken with no demonstrable evidence that health service delivery to Maghaberry in general or individual prisoners/patients was affected negatively. The onsite health provision is to be commended for the operational execution of this complex change. There has also been an assessment of future health needs across the site, and this has been reflected in recent recruitment and appointment processes.

- In the reporting year, 2023-24, there was the implementation of a SEHCT policy to reduce in a gradual and successive way the prescribed drug Pregabalin to those prisoners/patients who have been prescribed this medication. While the level and timescales of withdrawal are assessed on an individual basis are a matter for the medical professionals on site, it is important that there are appropriate psychological and cognitive supports in place to ensure that the prisoners/patients concerned are supported throughout the entire process.
- The role of pharmacy provision to extend and develop their role clinically through the existing pharmacy hubs, has been progressing across the site. It will be important that as this develops both prisoners/patients and the operational side of Maghaberry have a clear understanding of the significance of any changes to current health practice.
- IMB colleagues have reported in the reporting year an increasing number of prisoners who are reporting to them a range of medical issues around mental health, and these are often multifaceted. Apart from the presenting issues, which is a matter for health provision, a significant number report an unclear and often confused understanding of their medical treatment, especially in relation to timescales and feedback which they receive from medical practitioners. Where there is doubt or misunderstanding in this regard, this often heightens levels of concern and anxiety in the prisoners/patient.

Monitoring:

- The IMB will continue to monitor the developing and progressing working relationships on site between medical provision and NIPS to ensure that the functioning of both interfaces ensures good prisoner patient welfare and care. This will include the flow of initial and follow up information between patient and practitioner(s) in a timely and meaningful way as an aid to reducing frustrations and anxieties on the part of the prisoner/patient.
- The IMB will monitor with interest where reductions in prescribed substances are being reduced or replaced and if there is sustainable and useful additional to non-drug supports and therapies.
- The IMB will be looking forward to seeing the developing professional relationships between on-site health provision and NIPS (Maghaberry). In particular a further development and enhancement of the very beneficial information sessions for prison staff at a range of grades towards an understanding of the range of emotional, physical and psychological conditions which are represented in the prison population whose safe custody is their responsibility.

SEPARATED PRISONERS

Observations:

Since the last report the separated prisoner's regime has remained stable.

Those held in custody who identify with certain groups can if they fulfil certain criteria can ask to be house as part of the Loyalist or Republican regimes.

The numbers of prisoners in these systems fluctuates during the year but still contains a core of long-term people. The IMB interaction with these individuals has been courteous and positive. We have engaged on relevant matters in relation to various conversations about their particular situation within the prison.

Education and use of facilities within the system still remain the principal areas of concern identified to the IMB during visits to those Houses. Both Republicans and

Loyalists have expressed an interest in completing educational courses and hands on training that will help them gain meaningful employment following release. Two individuals have progressed out of separated conditions to work towards resettlement.

The IMB engage with each of the sections but rarely receive any formal requests through the system to attend these areas.

Monitoring:

- The IMB will continue to engage with all groups to ensure that all of those held within separated regimes, have a better understanding of our independence and our commitment to ensure prisoners are treated equally and fairly.

ADJUDICATIONS

Adjudication is a process used within prisons where a prisoner who has been suspected of a breach of prison rules is charged with an offence. An adjudication process is then instigated whereby a Governor will listen or view evidence in an attempt to ascertain the facts around an incident. He or she will then give a judgement considering the evidence and any mitigation.

Monitoring:

The monitoring of adjudications has proven difficult for the Board. The shortage of Board members, the volume, and the scheduling of adjudications have resulted in a position which means that meaningful monitoring in relation to the administration of the process and policy has been problematic. The Board has raised this matter with the Sponsor Body and has highlighted the associated risks, but an early resolution is unlikely at the time of this report.

There have been occasions where Board members have been made aware of issues around adjudications with prisoners highlighting the length of time the process has taken before charges are brought before a Governor. On some occasions this has been caused by the prisoner requesting legal advice (usually sought through a solicitor), and in these instances the IMB would be of the opinion that prisoners are not always made fully aware of the consequences of that choice, particularly in relation to timelines.

The members of the IMB will continue to do what they can in relation to attendance at the adjudication process. However, this will be negatively impacted by the limited number of Board members and therefore our ability to ensure the fair and equitable application of the process continues to be of great concern.

Monitoring:

- The limited number of Board members available will continue to attend as many adjudications as practicable which will limit the monitoring capability.

EQUALITY AND DIVERSITY

The primary aim of the Equality and Diversity (E&D) forum is to ensure all aspects of the prisoner population are being treated equally. The forum is chaired at Deputy Governor level and consists of department heads and prisoner representatives with a member of the IMB attending to observe.

To help achieve this oversight, the forum meets monthly to examine the statistical data covering areas such as:

- Adjudications.
- Complaints.
- Control and restraint (use of force).
- Drug tests.
- Progressive Regimes and Enhanced Privileges (PREPS).
- Prisoner Development Unit (PDU) reports covering Transitional Leave and Work Allocation.

- Unsupervised Temporary Release (UTRs).
- Compassionate Temporary release (CTRs).
- Searches and segregation.

Any anomalies in the statistical data are examined by taking a 10% dip sample. Key performance measures relating to protected groups are analysed under the headings of Religion, Race and Age. In addition to scrutinising the above data the forum discusses any disparities and, if required, question managers at all levels.

Prisoner E&D representatives from different groups are invited to attend all meetings. Prior to the E&D forum meeting each of these representative groups meet monthly.

The Prisoners are invited to raise any concerns/issues with the committee. While this input is valuable, and the issues brought forward are wide ranging and important, they are often unrelated to Section 75. However, it is worth noting that all issues are discussed at the forum with many of them being resolved to the satisfaction of the prisoner E&D reps

Observations:

From the meetings that have been observed, considerable information is gathered and analysed each month. However, during this reporting period the following observations have been made:

- Prisoner E&D representatives are invited to attend all meetings. However, due to prisoner releases and transfers, a number of the reps have left the forum. It is worth noting however that considerable efforts have and are being made to encourage new prisoner reps unto the forum with notices being place on all landings and further engagement taking place with different groups. At the time of writing the forum has been informed that a minimum of 3 x new reps will be attending at the start of the next reporting year.

- It has been noted that on several occasions during the reporting period guidance has had to be issued reference the correct procedure for dealing with complaints in a foreign language and how to log Language Line calls.
- The following events took place during this reporting period:
 - World day for Cultural Diversity.
 - Chinese New Year.
 - Irish Traveller Pride week.
 - International Day for people with Disabilities.
 - International Day of Older people.

It should be recognised that considerable work has been undertaken by staff for these events to take place and have been well received by the prisoners.

- The issue of toilet access for over 60's during extended visits was raised and resolved during the reporting period.

Monitoring:

- We will continue to ensure that the forum endeavour to attract prisoner representatives from a wide range of groups.
- We will continue to monitor the issue re dealing with complaints in a foreign language and logging onto Language Line calls.

EDUCATION & OTHER PURPOSEFUL ACTIVITY

Last year Maghaberry outlined its intention to develop and introduce a more holistic approach to delivering Learning and Skills and other Purposeful Activities, aligned to the needs of prisoners, and making best use of the resources available. This initiative, in conjunction with other undertakings has helped to drive improvements in access, delivery and outcomes.

A comparison of attendance at Education, Work and the Gym between April 23 and March 24 illustrates some of the progress achieved.

Percentage of the average prison population attending Education, Work and Gym:

	Education	Work	Gym
April 23	23%	13%	10%
March 24	39%	21%	31%

April 23 to March 24 saw an upward trend in attendance at Education, Work and the Gym. Note that this percentage increase was occurring while the prison population was rising.

Learning and Skills

The follow up inspection of Education, Skills and Work activities in autumn 2023 recognised progress made and cited a number of examples, including:

- The introduction of a new improved induction process aligned with the new committal process.
- The prioritisation and allocation of places to prisoners with an established release date.
- The good use of the special educational need’s specialist from Belfast Metropolitan College (BMC).
- The creation of an employability hub where prisoners can undertake job searches, complete job applications, and write CVs, do practice interviews and take video calls with career services of an FE college.
- The establishment of links with employers through BMC and an initiative by NIPS to develop links with other employers.
- The expansion of the use of inmates as mentors for support and to encourage engagement in learning and skills.

Qualifications

A curriculum review was initiated during the year but has not yet been completed.

This year there was minimal disruption to the delivery of provision in the Learning and Skills Centre. Provision continued to be delivered out in the houses, including some evening delivery and provision in the Mourne site was expanded.

Learning and Skills continued to offer access to a good range of award, certificate, and diploma vocational qualifications (level 1- level 3): these are within the capabilities of the current profile of inmates and aligned to available and potential employment opportunities. General qualifications in English, Maths, ESOL, ICT and Irish were also delivered (Entry level - level 2; to level 3 in Irish): following the appointment of staff, ICT was delivered 5 days a week. The curriculum was expanded in the areas of health and safety, manual handling and basic hygiene and a number of vocational qualifications were offered at level 3. The choice of level 3 qualifications is appropriate (Health and Safety, Hair services, Practical Cleaning Skills, Advice and Guidance, Learning Support): the extent of the level 3 provision is proportionate in view of the poor skills profile of the majority of committals. The bulk of the provision rightly focused on engaging men at Entry Level, Level 1 and Level 2.

Outcomes

The qualification outcomes for prisoners continued on its upward trend. Last year the total of qualifications and units of qualifications was 1392. This year this had risen to 1627: 699 full qualifications achieved across the 60 plus regulated qualifications delivered by the Learning and Skills team during the year and 928 AQA unit awards. Unit awards are particularly relevant for the prison setting, taking cognisance of the low skills levels and poor education history of a majority of prisoners; they enable

small steps in learning to be assessed, certificated, and therefore recognised. Consequently, they support progression.

Work

Work opportunities across the prison estate continued to enable prisoners to develop and practice valuable vocational skills, employability skills and social skills, helping them to achieve vocational qualifications and increasing their potential to gain employment on release. Work was available in the kitchens, laundry, gardens, recycling, tuck shop, Braille workshop, work parties, stores and in the houses as orderlies.

Work allocation

Men are actively encouraged to apply for work: available workplaces are allocated based on an assessment of an individual's capabilities, and their developmental needs. The intention is to allocate an inmate to the best available place for them at that time.

In addition to work helping to run the prison estate during the year, the men undertook work in support of charity. In summer 2023 the inmates in Mourne House made garden furniture, planters and hanging baskets; in the kitchen staff made tray bakes and all products and produce were sold, raising £4500 for the Royal National Lifeboat Institute.

Recycling work had been expanded to include recycling of Covid lateral flow tests and this year the men were commended for the quality of their work.

The number of work opportunities increased, notably a considerable increase in house orderlies, but still fell short of demand, with waiting lists continuing. The follow-up inspection determined that there were still insufficient places in practical

workshops. The inspectorate also stated that the pace of delivery in workshops (and classes) was too slow; it is not clear how this determination was made since there is a considerable difference between the profile of a prison population and that of an FE college student population, against which standards are compared.

Libraries

Prisoners continued to have access to books and other reading materials from the library for general interest or to support their learning. The library on the main site is well stocked, including books/materials in other languages and access to the library continued to be by timetable and had improved. The prisoners on the Mourne site have access to a small library.

Access to reading materials is reasonable for those prisoners who want to avail of them.

Creative and Performing Arts

A range of creative and performing arts workshops/activities in the areas of fine art, music and theatre, were delivered during the year by Prison Arts Foundation, Prison Fellowship and the Spanner in the Works theatre company.

As highlighted by the Prison Arts Foundation their workshops are aimed at engaging disengaged learners and providing opportunities which might help prisoners to develop and progress. The foundation's second annual exhibition of prisoners' work 'Reflections' ran in March 2024, exhibiting their art, music, and writing.

In summer 2023 Spanner in the Works, in partnership with SEHSCT, enabled some prisoners to write their own play and perform for staff and prisoners. The topic of the play was coming into custody and the impact on families. The inspectorate acknowledged that this provision supported the development of literacy skills and self-confidence.

Other Purposeful Activity

Short accredited courses and non-accredited provision:

A large proportion of committals to Maghaberry present with extremely complex needs; drug and alcohol addictions, mental health problems, poor social skills, learning difficulties and disabilities and low skills levels. As many of these men are neither ready nor able to embark on general or vocational qualifications, Maghaberry, in conjunction with a number of organisations, offers a range of interventions, support programmes and activities. The aim of this provision is to help the men address personal issues and overcome barriers to their further development. This provision includes interventions for alcohol and drug abuse, addressing and improving relationships, parenting and family interactions, social and communication skills and employability skills.

During the year Voluntary and Community organisations such as Barnardo's, Extern, Niacro, Nexus, Relate, Start 360 and White Ribbon played a crucial role, working alongside NIPS to ensure prisoners had access to programmes designed to meet their particular needs and help them move forward.

Some of the provisions delivered during the year, this is illustrative only:

Organisation	Programme	Duration/delivery	Number completed
NIPS and Psychology	Life Minus Violence	One year July 22-July 23	5
NIPS	Victim Impact Programme	May 23, July-Aug 23, Oct-Nov 23, Feb-March 24	35

Organisation	Programme	Duration/delivery	Number completed
NIPS	GOALS	2 sessions over one week Ran every month	193
NIACRO -Skillset	Life Stories	Numerous courses through the year	42
Barnardo's	Family First	25 sessions Oct 23 - Mar 24	28
Barnardo's	Being a Dad	8, 2 mornings per week over 4 weeks Jan 23, July 23, Mar 24	29

The Donard Centre

The Donard Centre delivered a wide range of activities during the year. Provision included (for example - not an exhaustive list):

Relaxation Programme ; Reader Group ; Poetry ; Donard PAF Art; Donard Peer Mentor; Committal Meet the Mentor; Lego Therapy; Aromatherapy; Peer Mentor Training; Donard Cookery; Music Therapy; SPAR Evo Support Session; Quakers Coffee Morning; Mens Health Event; Inductions for Life at Maghaberry, Towards Zero Suicide, NIACRO, Relate, Prison Healthcare, Housing Rights, ADE:PT, AA, Nexus, PSST.

The inspectorate described Donard Centre provision as therapeutic, supporting prisoner's mental health and wellbeing. What it is also, is purposeful.

Purposeful Activity in the CSU

The stated aspiration is that prisoners in the CSU should have the same access as prisoners in the wider prison. Currently that includes access to the in-house gym, in-house yard, distraction/activity packs, the Donard Centre, the chaplain, virtual visits, Adept, main gym, main library and check-ins with Education, PSS, Mental Health, Daily Healthcare and PDU.

The large numbers being held in the CSU, and Glen House at times, during the year made this extremely challenging to achieve. The CSU staff were seen to make considerable efforts to meet the needs of individual prisoners while they were on restriction from association.

With the intended development of the Education and Interview room the hope is that many of the sessions that are run elsewhere, e.g., in the Donard Centre, might also be run in the CSU. This will introduce further challenges.

Developments for 2024/25:

New initiatives being developed for 2024-25 include Extern support for short sentence prisoners (1 year or less) with mental health and/or addiction issues; The Kellerman Suite - introducing digital learning allowing tutors from all establishments to run classes in any establishment with multiple classes; Off the Cuff Drama Society - already completed two performances with the next performance scheduled for September 24; Gym - IFA delivering 2 "Onside" football programmes to separated prisoners.

Adding to the list of activities and short accredited programmes are: Thinking Skills Programme, Cruise Bereavement Workshop; Traveler Advocacy services, Housing Rights services, Inside about -Snakes and Ladders, Prison Fellowship - Sycamore Tree.

Monitoring:

- During 2023-24 Maghaberry introduced a more holistic approach to the provision of Purposeful Activity which has proved to be successful in improving access and outcomes for prisoners. The committee looks forward to seeing ongoing improvements from this initiative and other new developments, in the coming year.
- In CJINI inspection reports the Purposeful Activity indicator reads 'Prisoners are able and expected to engage in activity that is likely to benefit them.' This is then assessed under the headings of Time out of Cell and Education, Skills, and Work Activities, with a clear emphasis on Education, Skills, and Work Activities. The inference from the most recent full inspection of Maghaberry is that if it is not categorised as 'education, skills or work' then it is not purposeful. (CJINI Maghaberry Prison, June 23, 4.2). The consequence is that some excellent provision may be mentioned or mentioned in passing in reports, but it is not sufficiently acknowledged as being purposeful, or not acknowledged at all. NIPS might want to consider reviewing the definition of Purposeful Activity to address this issue.
- What is particularly evident about Maghaberry's provision of purposeful activity is that it is intended and designed to meet the varied needs of a prison population, the majority of whom enter the prison from a background of disadvantage, with complex issues, low skills levels, poor communication capabilities and little or no exposure to appropriate role models. The provision is needs based and adaptive, with new initiatives being introduced to try to meet new and old challenges. What is also evident and of some concern is the extent of this valuable and essential activity that is dependent upon delivery by voluntary and community sector organisations.

RESETTLEMENT AND REHABILITATION

Observations:

In relation to rehabilitation the IMB have monitored the difficulties of some prisoners to access drug and alcohol treatment programmes as well as educational programmes. Some of the reasons for this has been down to the behaviour of the individual and their unwillingness to fully engage however we are increasingly finding that the lack of staff is having a major part to play in difficulties around rehabilitation.

In relation to resettlement whilst we have monitored that prisoners are being signposted towards support services such as housing, benefits, employment and healthcare, not all prisoners are fully aware of what support agencies are available to them. The lack of clear communication and understanding for prisoners is something the prison service along with relevant stakeholders should seek to improve.

During their stay in prison sentenced prisoners should have access to a Personal Development Plan (PDP) along with a PDP co-ordinator. Whilst we have monitored some of that taking place we are increasingly finding that prisoners have limited contact with these co-ordinators.

Monitoring:

- The IMB are increasingly concerned about the number of prisoners advising they cannot access support services and will continue to monitor and highlight the situation to prison management.

ACCOMMODATION

Observations:

During the 23/24 year the population in Maghaberry Prison has remained at a high level with the utilisation of older accommodation continuing in addition to the more modern accommodation that is provided in Quoile and Davis Houses. Work has

continued within the prison to support further modernisation and upgrade of different aspects of the estate to keep prisoners safe and secure including necessary work in older accommodation to deal with the increase in the prisoner population and to create a suitable environment for prisoners to live in.

In line with the CIJNI report in early 2023 recommendations were made to improve the environment and facilities within the Care and Supervision Unit (CSU) to make it a fit for purpose facility for prisoners and staff. It is pleasing to note that the work within the CSU on the Learning & Skills and Adjudication rooms is concluding with other essential work for the CSU still at the design stage.

Work needed to upgrade CCTV systems in older houses has been ongoing, which is welcomed, as some prisoners have raised issues with the IMB where there was a requirement to view CCTV footage, and none was available. Other work has included upgrading seating in 'Separated Visits' and the upgrading of telephony fibre into Bush House. This again is an area where a number of concerns have been raised to the IMB by prisoners who advised they did not on occasion have access to telephony to contact their families. Throughout the year prisoners have raised complaints with the IMB about a number of maintenance issues including toilet facilities not being available in Davis House. The IMB have raised these matters and are satisfied that the prison has taken necessary steps to address them.

The IMB also note the ongoing work on the upgrading of gates and barriers to enhance security and the controlled movement of prisoners within the prison complex, including the creation of a new Silver Command Office within the main building gate

Monitoring:

- The IMB will continue to monitor the ongoing works within the prison.

RECEPTION AND INDUCTION

The reception area is the first point of call for prisoners on arrival from Court or Police Custody, under normal circumstances.

Some prisoners whose first language is not English, can communicate with staff using the 'Language Line' or a translation tablet.

Prison staff in conjunction with Health Care assess prisoners and identify as far as possible those who are vulnerable or suicidal.

Observations:

Newly updated induction packs have been made available to prisoners on their arrival which provides relevant and appropriate information in relation to the prison regime.

Monitoring:

- In this reporting year the IMB have been unable to monitor reception activities due to the limited number of IMB Board members.

CHAPLAINCY

Observation:

The Chaplaincy at Maghaberry continues to play a significant part in the life of those held in custody. This includes the provision of Church services not only on Sunday but throughout the week for those who wish to participate as well as pastoral care for those who do not identify with any mainstream religion. The Chaplain's work together to ensure that the needs of prisoners are looked after and have a good working relationship with the IMB in which matters of concern can be raised. Indeed, the IMB have signposted a number of prisoners towards the Chaplaincy when it has been clear a listening and compassionate voice might be welcomed.

Over past year things have been encouraging for chaplaincy in Maghaberry with a number of issues having been fully or partially resolved in particular around administrative matters which have been highlighted by the IMB in previous reports. There have been some changes in the provision of religious services regarding and, in the numbers, attending. Chaplains from both Roman Catholic, Combined and Free Presbyterian report services starting punctually and being well attended. Another matter that has been ongoing for some time has been the provision of secretarial support. The appointment of administrative assistance has been much appreciated as she has been a valuable addition to the chaplaincy team. However, I think it would be fair to say that the Chaplains would be like to extend the period of time assistance is available to deal with the added administration associated with the increase in the prison population

Chaplaincy courses and events have also run successfully this year. The Alpha course has been held on two occasions, for prisoners located in the main prison October – December 2023 and then February – April 2024 for schedule three offenders; both were well attended with over twenty participants on each occasion. Adoration has been very successful with good number attending, run on a monthly basis and

facilitated in two chapel services due to the nature of the charges of those attending. Fr. Brian Lennon regularly runs Ignatian spiritual exercises. Special events have taken place throughout the year; the joint Easter and Christmas services, as well as invited guests such as the recent Temple Choir from Tennessee.

The main challenge to the work of the chaplaincy is accessing committal prisoners in the CSU. The introduction of the body scanner in March 2023 has been a positive move in the detection of drugs but it has had implications for the work of chaplains.

Prior to the scanner, committal visits would have been conducted in Bann 1 & 2 but now many of the new committals are in the CSU. Due to the particular pressures on staff in this facility it can be difficult getting to visit prisoners as this house has many other commitments other than supporting only committals.

Despite this challenge the chaplaincy would overall be in a position to describe the last year as a very positive year for them and they are delighted to welcome two new chaplains in Elaine Kelly & Piaras Jackson to their hard-working group

CATERING

Observations:

The preparation methods and presentation of meals has not changed from the last report and still falls within the Nutritional values and Cultural requirements laid down within the Prison and OPCAT regulations into how prisoners are looked after.

There are on average 3,600 meals prepared and distributed each day; this number has increased with the prison population growing and has put additional strain on kitchen staff. This has also meant an increase in the amount of funding required.

Prisoners under the supervision of prison staff are involved in the preparation and distribution of meals. Most prisoners work towards certification in relation to food preparation and cooking.

The IMB have highlighted the use of throwaway containers for the distribution of meals and the subsequent environmental impact. The prison has made significant progress in minimising the use of such materials.

The IMB do not have the ability to give a professional opinion on issues relating to hygiene and nutritional values and have received few complaints about the food provided. The IMB recognise that kitchen staff cater for individuals who have specific dietary needs.

Monitoring:

- The IMB will continue to monitor catering.
- The IMB will monitor whether any additional financial pressures have an impact upon prisoners.
- The IMB will continue to monitor the use of throwaway food containers.

PHYSICAL EDUCATION

Maghaberry has excellent indoor physical education facilities across the estate and good outdoor spaces. In addition to the gym there are well equipped fitness rooms in the houses and in the CSU. These facilities offer prisoners the opportunity to improve their physical and mental well-being and thereby support their rehabilitation.

Observations:

Prisoners had good access to all these facilities this year. In addition, staff, and outside partners such as the GAA, Irish Football Association and the Community Sports Network delivered on a number of sporting initiatives. During the year the staff prepared a number of prisoners to participate in the relay team marathon within the prison, in May 2023, and supported and encouraged the men on the day.

Access to the gym and attendance increased significantly during the year, this was complemented by good use of the in-house facilities.

BURREN HOUSE

Burren House is an Open Prison which is in the grounds of the old Crumlin Road in Belfast. It has room for approximately 20 inmates who are life sentence prisoners nearing the end of their prison sentence. Burren House is a safe, low security pre-release facility where low risk assessed prisoners can be adequately tested before they are released into the community.

Prisoners are allowed to attend daily work placements but must return to the premises at a pre-determined time. They are subject to drug and alcohol testing and any failure will result in them being returned to Maghaberry.

Observations:

A number of matters have been highlighted to the IMB which prisoners believe could improve the facilities and environment in Burren House and the IMB have passed those comments to prison Governors for consideration. Whilst we recognise the financial constraints NIPS are under, small relatively inexpensive improvements could have a very positive impact on rehabilitation and reintegration of prisoners back into the community.

Monitoring:

- The IMB will continue to monitor Burren house.

LIST OF MAGHABERRY IMB MEMBERS 1 APRIL 2023 - 31 MARCH 2024

John Denvir - Chair

Patsy McGonagle - Vice-Chair

Andrew Bell

Stephen Boyd

Karen Crawford

Aubrey Domer

Ian Hackney

Tom Logue

Wesley Mitchell

Lynn Nevin

Marie Thompson