

An inspection of Prisoner Escort and Court Custody arrangements in Northern Ireland

October 2010

Criminal Justice Inspection
Northern Ireland
a better justice system for all





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List of abbreviations

CJI	Criminal Justice Inspection Northern Ireland
HMIC	Her Majesty's Inspectorate of Constabulary
HMIP	Her Majesty's Inspectorate of Prisons
JJC	Woodlands Juvenile Justice Centre
NICTS	Northern Ireland Courts and Tribunals Service
NIPS	Northern Ireland Prison Service
PACE	Police and Criminal Evidence (Northern Ireland) Order 1989
PSNI	Police Service of Northern Ireland
UKBA	United Kingdom Border Agency
YJA	Youth Justice Agency



Chief Inspector's Foreword

The provision of safe, humane and efficient custody transport arrangements provides an important contribution to the efficient operation of the criminal justice system. This inspection reviewed the provision of court custody and transport services to determine whether the treatment and conditions experienced by prisoners and other court users in court custody are decent, respectful, safe and secure. In addition we also sought to determine whether the service was undertaken in an efficient manner that supported the administration of justice across Northern Ireland. The assessment framework used during the inspection focused on the treatment of prisoners at court and during transport, court custody facilities and conditions, safety and security and the overall efficiency of the service provided.

Our overall assessment is that the current court custody and transport arrangements are operated to an acceptable standard in terms of the service provided to prisoners and the courts service, although the quality of court facilities was extremely variable. In the main, prisoners are treated in a safe and humane manner and the service in general meets the needs of the court system. In 2009 escapes were kept to a minimum, no releases were made in error and prisoners in the majority of cases turned up at court on time for their court appearance. The number of assaults on prisoners by prisoners was low.

The inspection identified a number of areas where the treatment of prisoners could be improved including the need for a more consistent approach to the handcuffing of prisoners by the service providers. Good practice suggests, and we would endorse, that prisoners should not be routinely handcuffed when travelling in secure vehicles unless individual risk assessments demonstrate a high level of risk. Male and female prisoners should always be transported separately.

The overall efficiency of the escorting and court custody service is not easily measured, comprising as it does of four main agencies and a number of providers, each with their own way of undertaking business. In line with practice elsewhere we suggest there would be benefits in undertaking a full market test of the court custody services currently undertaken on behalf of the Northern Ireland Prison Service, Police Service of Northern Ireland and the Youth Justice Agency.

The inspection was undertaken by Stephen Dolan and Rachel Lindsay. I would like to thank all those who participated in the inspection process.

Dr Michael Maguire
Chief Inspector of Criminal Justice
in Northern Ireland
October 2010



Executive Summary

The process of transporting prisoners can be challenging as the risk of absconding increases, prisoners' routines are interrupted, and there is increased stress arising from court appearances. There is a dual requirement of the escorting and court custody providers to meet the needs of prisoners in their charge and the demands of the court service and judiciary. Like most aspects of the criminal justice system, there is a need for individual agencies to interface in pursuit of a common aim.

Prisoner escorting and court custody is therefore an important element of the work of criminal justice agencies in Northern Ireland. Around 18,000 prisoners are escorted to and from courts, prisons, hospitals, police custody, interviews and juvenile detention centres with a total of over 200,000 people per year moving through the courts system.

There are four providers of escorting and court custody services in Northern Ireland. The Northern Ireland Prison Service Prisoner Escorting and Court Custody Service (PECCS), the Police Service of Northern Ireland (PSNI), Resource, a private contractor working on behalf of the Juvenile Justice Centre and G4S, a private contractor working on behalf of the United Kingdom Border Agency. PECCS account for 54% of prisoner escorts and the PSNI 38%.

Criminal Justice Inspection Northern Ireland (CJI) conducted a thematic review of the provision of escorting and court custody to assess the approach and delivery of the individual agencies and the interfaces between these agencies. CJI tested the escorting and custody of prisoners using an inspection framework that mirrors that developed by Her Majesty's Inspectorate of Prisons (HMIP) and Her Majesty's Inspectorate of Constabulary (HMIC) in England and Wales. Alongside the inspection of service standards, CJI also reviewed the cost effectiveness of the service. CJI Inspectors visited more than half of the court custody facilities across Northern Ireland, examined the escort vehicles, accompanied prisoners on escort and held structured interviews with a range of prisoners. CJI Inspectors also met with the management and staff of the individual agencies and visited a provider of escorting and court custody facilities in England and Wales.

The assessment framework considered the treatment of prisoners at court and during transport, the provision for prisoners with additional needs, court custody facilities and the protection of health and safety.

In relation to the formal service specification of the Northern Ireland Courts and Tribunals Service (NICTS), our assessment of PECCS performance shows that it met the majority (eight out of 10) of standards set for it in 2009. There were for example, no escapes from escort custody and no prisoners were released in error. There was compliance with self-harm and suicide policies by PECCS staff and assaults on prisoners by prisoners were minimal. The Prison Service has successfully introduced video-links between prisons and courts, substantially reducing the number of prisoners requiring escort. Only in two areas



did the service under perform. Firstly, in relation to the number of prisoners delivered on time to Court (17% were not delivered within 30 minutes of a court start time against a target of 5%) and secondly, not all female prisoners were segregated from male prisoners during escort as expected.

The views of prisoners provided a more mixed perspective. Prisoner survey's undertaken for this inspection and surveys conducted in relation to previous prison establishment inspections by HMIP and CJI, show that the PECCS service scored negatively in relation to the comfort and cleanliness of custody vans, treatment by escort staff and feelings of safety by prisoners in transit. In all these cases, the score was more negative when compared with similar establishments in England and Wales.

Escort and custody staff who were observed in this inspection had a respectful attitude towards prisoners during escort from and to prison and in court custody, although interaction with prisoners was limited. Escort staff were questioned and understood their role and responsibilities. In our inspection CJI Inspectors noted that prisoners were respectful to the escort and custody staff and there were no incidents. A survey undertaken of prisoners for this inspection revealed the findings were generally more positive and although it was a small sample, the results indicated improvement in the service delivery. There was a need however to improve some specific aspects of the service provided to prisoners including the information given to prisoners during their transit, the comfort of cells and transit vehicles and the impact of early starts on food provision.

A particular issue emerged in relation to the handcuffing of prisoners. Overall, CJI found the standard of service provided by the individual providers was inconsistent. The NIPS PECCS team adopted an approach focused firmly on security. Their policy is that all prisoners should be handcuffed whilst outside the prison establishment. All juvenile prisoners were handcuffed and a number of female prisoners in our survey were also handcuffed. The PSNI adopted a different approach by only handcuffing prisoners where risk assessment indicated this was necessary. The Woodlands Juvenile Justice Centre (JJC) and United Kingdom Border Agency (UKBA) does not routinely handcuff prisoners. It is our view that prisoners should not be routinely handcuffed when travelling in secure vehicles unless individual risk assessments demonstrate a high level of risk.

The overall efficiency of the escorting and court custody service is not easily measured, comprising as it does of four main agencies and a number of providers, each with their own way of undertaking business.

The major provider, PECCS - which accounted for 54% of escort and 88% of custody work - was appointed to provide the service following a business delivery proposal that indicated staff savings of approximately £600,000 per annum compared to a private sector provider. In the year 2009-10 the PECCS team, as noted above, have delivered within the agreed budget and on that basis can be deemed efficient. However, the cost of sick absence in PECCS is in the order of £300,000 per annum - a potential saving that could be realised by transferring this risk via a fixed price contract to a third party provider. A feasibility study prior to the set up of PECCS suggested that consideration be given to extending the



escorting service to include the work of the PSNI and the JJC. At this time, the NIPS Prisoner Escorting and Court Custody Service does not envisage extending its service provision to cover these two client groups.

The expenditure of PECCS was within 1% of its budget and thus it achieved its efficiency target. The on-going savings required as part of its business delivery will be delivered in 2010-11 through restricted recruitment and natural wastage although in the longer term, this approach will attract criticism from staff associations.

The performance of the PSNI custody service is not subject to the same business specification and on-going monitoring against service standards. It was not possible to compare the performance of the service against that provided by PECCS. This inspection however found that the PSNI dedicates a substantial resource to escorting and court custody, moving some 7,000 prisoners per annum. At present, a small number of Custody Detention Officers are provided under contract by Resource. The extension of the Custody Detention Officer to other custody suites would have the potential to release police officers for frontline duties and reduce costs. Although no specific activity monitoring or costing for escorting and custody duties is maintained by the PSNI, Inspectors estimate that savings of over £700,000 could be realised.

The custody service undertaken for the UKBA and the JJC is undertaken by private contractors so a comparative assessment is not available.

In England and Wales, all escorting and court custody services are provided through four regional contracts; each met by a single provider of escorting and court custody services. The scale of these regional contracts is much greater than the total numbers in Northern Ireland with up to 500,000 prisoners being escorted per annum. Potentially, a major contractor could provide the relatively limited service required in Northern Ireland whilst incurring only marginal costs and delivering economies of scale. The other advantage of a single contract would be consistent performance management and clear lines of accountability if the contract was managed by a single client.

The inspection highlights the need for a full market test of the PECCS and PSNI custody and transport services to ensure continued value for money in the operation of these contracts.

Finally, Inspectors found the court custody facilities, which are part of the fabric of the courthouses to be of variable quality. The disparity between the best and worst facility is high with four of the court custody facilities barely being deemed fit for purpose. The major failings identified in the inspection relate to a lack of disabled access and no secure vehicle docks. Prisoners were escorted through public areas, staff facilities were poor and there was limited room to ensure appropriate segregation of prisoners. The NICTS is committing capital to improve the infrastructure, particularly to achieve compliance with the Corporate Manslaughter and Corporate Homicide Act 2007, but budget restrictions and the structural limitations of the buildings mean serious deficiencies in a number of courthouses will remain.



Recommendations and Areas for Improvement

Strategic recommendations

- **The Department of Justice should conduct a full market test of escorting and court custody. This should include provision for JJC escorting and custody, PSNI escorting and custody and a sub contract, if necessary, to accommodate UKBA escorting and custody** (*paragraph 7.28*).
- **PSNI contract out the escorting of prisoners and court custody duties at Special Courts, either as part of a wider contract or through negotiation with the current contractor** (*paragraph 7.31*).
- **The NICTS should prepare a business case based on a comprehensive estate strategy aimed at developing a NICTS estate that is fit for purpose** (*paragraph 4.11*).
- **Prisoners should not routinely travel handcuffed in secure vehicles unless individual assessments demonstrate a high level of risk** (*paragraph 6.2*).

Other recommendations

To the Northern Ireland Prison Service

- **It is recommended that male and female prisoners are transported separately** (*paragraph 2.4*).
- **Staff should explicitly explain to prisoners complaints procedures, how to attract the attention of staff and issue relevant information booklets, including what to do in the case of an accident** (*paragraph 2.7*).
- **It is recommended that reading materials be allowed in court custody cells in line with the practice in England and Wales** (*paragraph 2.8*).
- **PECCS should establish a minimum standard regarding prisoners' rights to breakfast and additional minor sustenance after six hours in custody** (*paragraph 2.13*).
- **The Self Harm and Suicide Prevention Policy documents should be updated to refer to the Supporting Prisoners At Risk processes and the PECCS Senior Prisoner Custody Staff not Maybin staff** (*paragraph 3.1*).
- **Waiting times for those in court custody should be recorded and compared to HMIP benchmarks** (*paragraph 5.7*).

- 
- **PECCS should define maximum operational capacity levels taking into account the requirements of segregation (paragraph 6.5).**
 - **PECCS in consultation with the NICTS and the Office of the Lord Chief Justice should conduct a risk assessment of court custody suites to designate secure and non-secure areas with cuffing only used in the former (paragraph 6.8).**

To the Police Service of Northern Ireland

- **The PSNI should provide advance warning to the Senior Prisoner Custody Officer of the number of prisoners requiring segregation (paragraph 6.5).**

To the Northern Ireland Courts and Tribunals Service

- **It is recommended that the proposed programme of Disability Discrimination Act compliance works includes measures to ensure all cell doors and all toilet doors permit wheelchair access (paragraph 4.11).**
- **Higher risk cases should be listed at courts with vehicle parking bays (paragraph 6.15).**
- **The maximum benefit of video-linking should be realised by assigning a court full-time to video-linked hearings (paragraph 4.13).**

To the Northern Ireland Prison Service and Northern Ireland Courts and Tribunals Service

- **PECCS should agree with the NICTS an acceptable tolerance for arrival times at those courts with a 10am start (paragraph 5.4).**

Areas for Improvement

- **Prisoners should be offered the option of hot meals (paragraph 2.13).**
- **Prisoners in court custody should be offered tea or coffee, risk assessment permitting (paragraph 2.13).**
- **It is recommended the cost and practicalities of offering nicotine substitutes (patches) to prisoners held in custody be assessed (paragraph 2.14).**
- **The NIPS should assess the impact on prisoner welfare of the time prisoners spend away from their establishments (paragraph 5.7).**
- **The escort staff should inform prisoners of the procedures in place in the event of an accident (paragraph 6.3).**



- **All prisoners should be made aware of their entitlements to healthcare when being brought into custody (paragraph 6.4).**
- **All prisoners on medication should be allowed to continue their medication whilst in custody (paragraph 6.4).**
- **PECCS should liaise with manufacturers and prisoner escort providers in England and Wales to determine the health and safety implications of installing seatbelts into cellular vehicles (paragraph 6.14).**
- **Police custody officers at Saturday courts should explain the use of the cell bell to all prisoners (paragraph 7.10).**
- **All prisoners held in custody should be offered something to eat or drink (paragraph 7.10).**
- **Recording specific statistics for the escorting and court custody activity would assist a more rigorous assessment of PSNI escorting and court custody performance (paragraph 7.12).**
- **The UKBA should record performance statistics for its Northern Ireland operations (paragraph 7.22).**

Section



Inspection Report



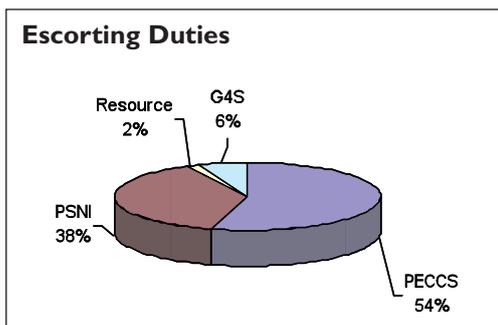
CHAPTER 1:

Introduction



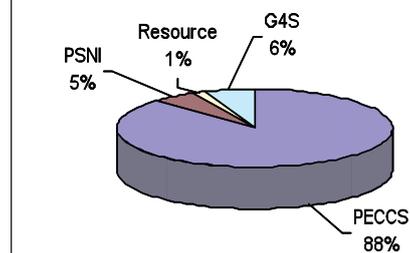
Background and context

- 1.1 The escorting of prisoners and associated court custody is an essential element of the criminal justice system, incurring significant resources and presenting particular challenges to service providers. In Northern Ireland there are a number of agencies involved in the escorting and custody of prisoners and by adopting a thematic approach Criminal Justice Inspection Northern Ireland (CJI) inspected the approach of individual agencies and the interfaces between these agencies.



Not all prisoners under escort end up in court custody as escorting duties include the transfer of prisoners between prisons and hospital visits. On the other hand, the numbers in custody include many people who were not escorted there by the various service providers. An example being people who present themselves to court and are then remanded into custody. Around

Custody Duties



18,400 prisoners were escorted in 2009 with over 28,000 being held in court custody. The NIPS provided escorting duties to 54% and court custody to 88% of these. The PSNI escorted 38% and provided court custody to 5%, with contractors (G4S and Resource) providing escorting duties and court custody to 6% and 1% respectively.

- 1.2 To aid understanding of the current service arrangements it is useful to briefly review the historic set up. Until 4 February 2007, the following arrangements for the provision of prisoner escorting and court custody services were in place. The Prisoner Escort Group, a group of prison officer staff based in Maghaberry Prison was responsible for escorting prisoners from prison establishments to court and back. The Prisoner Escort Group was responsible for prisoners' supervision both in the court cells and in the courtroom at



all Crown Courts and a number of other duties such as conveying and escorting prisoners for police interview. A third party contractor, Maybin, was contracted by the NIPS up until 4 February 2007 to supervise prisoners in the cells and courtrooms at all Magistrates' Courts throughout Northern Ireland. Maybin was also responsible for conveying and escorting prisoners initially committed to prison custody from these courts to prison when the Prisoner Escort Group did not have sufficient resources to carry out this requirement. The PSNI was responsible for transporting prisoners arrested (Police and Criminal Evidence (Northern Ireland) Order 1989 - PACE prisoners) from police holding centres to Magistrates' Courts for initial hearings. On arrival at Court, the prisoner was handed over to *Maybin* staff except where Special Courts (Saturday courts) had been convened, in which case they remained the responsibility of the PSNI.

- 1.3 In September 2006, the then Prisons Minister took a decision to merge both parts of the Prisoner Escorting Service bringing together escorting for Crown and Magistrates' Courts. Based on the outcome of a feasibility study, and the development of a detailed business delivery proposal by the NIPS, it was determined that the full service should be brought back in-house. It was proposed that NIPS would employ a number of Prisoner Custody Officers to undertake this task and existing Maybin staff would be offered the opportunity to transfer to employment by the Prison Service under TUPE legislation (Transfer

of Undertakings (Protection of Employment) Regulations 1981). This would allow prison officers employed at that time in the Prisoner Escort Group to be redeployed to standard Prison Officer duties. The revised arrangements would result in a Prisoner Escorting and Court Custody Service – PECCS – operating out of Maghaberry Prison, which would have responsibility for undertaking all prisoner conveyance and supervising prisoners while in both Crown Courts and Magistrates' Courts. The main exception to this would be those prisoners supervised by the PSNI when a Special Court was convened. It was determined that Maybin staff would transfer across to the NIPS on 5 February 2007, with a gradual redeployment of Prisoner Escort Group staff as new Prisoner Custody Officer staff were recruited and trained. It was anticipated that all staff would be in place by mid-July 2007, and the full service would operate as the Northern Ireland Prison Service Prisoner Escort and Court Custody Service from this time.

Scope of the inspection

- 1.4 For the majority of prisoners their journey to prison will have started in a prison, police cell or court cell, followed by travel, sometimes for lengthy periods, in an escort vehicle. This process is repeated every time a prisoner travels from prison to court.

The inspection sought to determine whether: “..the treatment and conditions experienced by prisoners, and other court users, in court custody are decent, respectful, safe and secure; they meet



the diverse needs of those being held; and the operation of escorting and court custody supports the efficient administration of justice.” Whilst

appearing in court will never be a pleasant experience, there are factors which influence the stress felt by prisoners, over which agencies can exercise levels of control. Factors that agencies can control include:

- the treatment of prisoners at court and during escort;
- provision for prisoners with additional needs;
- the conditions in which prisoners are held and transported;
- the duration of the escort and court custody experience;
- the length of ‘court days’; and
- the protection of the prisoners’ health and safety.

1.5 CJI tested the escorting and custody of prisoners for compliance with appropriate standards of the Optional Protocol to the United Nations Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (OPCAT) and made recommendations for improvement. To do this, CJI used an inspection framework and methodology approved by the Association of Chief Police Officers in England, Wales and Northern Ireland, the National Policing and Improvement Agency, the Independent Custody Visitors Scheme, Independent Police Complaints Commission in England and Wales, the association of Forensic Medical Examiners, Amnesty, the police staff associations and other interested parties. The inspection framework mirrors that developed

by HMIP and HMIC in England and Wales and incorporates elements used in police custody arrangements adapted for use in court cells and prisoner escorting in Northern Ireland.

1.6 The holding of detainees in police custody suites was subject to a separate CJI inspection report and they were not revisited as part of this inspection.¹

1.7 Alongside the inspection of service standards, CJI also reviewed the cost effectiveness of the service. The acceptance of the business delivery proposal committed the NIPS to delivering not only a standard of service but also demonstrable recurring savings, equal to or above the level that could be delivered by a full competitive tendering exercise. It was also recognised in the business delivery proposal that if PECCS was successfully implemented a review of efficiency would be conducted after three to four years operation. At the Department of Justice’s (DoJ’s) discretion this CJI inspection report could fulfil that requirement in part or in whole.

Methodology

1.8 The inspection process consisted of general observation, a physical examination of the escort vans and the custody suites, interviews with PECCS management and staff, the NICTS, and interviews with other providers. Structured interviews with prisoners were carried out alongwith a review of surveys

¹ Police Custody The detention of persons in police custody in Northern Ireland, Criminal Justice Inspection Northern Ireland, June 2009.



conducted during inspections of the NIPS establishments and surveys in this inspection using questionnaires based on those developed for inspections of police custody in England and Wales. Examples of the survey framework and questionnaires are given in Appendix 1.

- 1.9 CJI interviewed 44 prisoners escorted by PECCS including young offenders and female prisoners. Seven prisoners from the Woodlands Juvenile Justice Centre (JJC) were interviewed along with the manager of Support Services in the JJC and the escort contractor for the JJC. The survey results of 398 prisoners conducted during previous CJI/HMIP inspections were also taken into account.

Organisation of Prisoner Escorting and Court Custody

- 1.10 The provision of prisoner escorting and court custody services involves the NIPS, NICTS, the PSNI, the JJC, Health and Social Services Trusts, Her Majesty's Revenue and Customs, the UKBA and private contractors (Resource and G4S).

Northern Ireland Prison Service

- 1.11 Within NIPS, PECCS undertakes the transport of all prisoners from prisons to courts and any other destination (for example, hospital appointments and other prisons) and manages their custody within the courts. PECCS is an in-house service and was appointed to deliver this work following the acceptance of a business delivery proposal in September 2006 and establishment of PECCS in February 2007.

Northern Ireland Courts and Tribunals Service

- 1.12 The court custody facilities are all provided by NICTS, including the major facility at Laganside Court through a Public Private Partnership contract. Their responsibility extends to the building and maintenance of the courthouse infrastructure, security features, cleaning and fixed health and safety features.

Police Service of Northern Ireland

- 1.13 The PSNI undertakes the transport of Police and Criminal Evidence prisoners from PSNI custody suites to court, fine defaulters to prison, High Court bail revocation cases and Special Courts (for example those held at weekends/or public holidays outside Belfast). They also escort individuals to/from the Juvenile Justice Centre for first remand and extradition cases.

Private contractors

- 1.14 There are two private contractors involved in this area of work. Resource has responsibility for Juvenile Justice Centre court productions, escorting and custody while G4S handles UKBA detainees, court productions and deportations.

Health and Social Services Trusts

- 1.15 The PSNI and PECCS have responsibility for escorting on behalf of Health and Social Services Trusts prisoners held on a Mental Health Order.

Her Majesty's Revenue and Customs.

- 1.16 The PSNI carry out escorting duties on behalf of Her Majesty's Revenue and Customs.

CHAPTER 2:

The treatment of prisoners at court and during escort



Quality of service

- 2.1 The NIPS PECCS escorts approximately 10,000 prisoners per year (out of a total of around 18,400). The remaining providers escort approximately 8,400 prisoners per year (PSNI escorted 7,000 PACE prisoners, the JJC escorted 300 young people and the UKBA escorted 1,100 immigration detainees). PECCS undertakes court custody for around 20,000 prisoners. The PSNI provide custody for around 1,000 PACE prisoners at Saturday courts and the JJC for 300 juveniles per year. The UKBA provide very little custody in Northern Ireland other than short-term detention pending transfer to Dungavel in Scotland. The observations and comments in the succeeding sections of this report refer in the first instance to the service provided by PECCS with other service providers assessed in Chapter 7.
- 2.2 As part of the programme of regular inspection of Maghaberry and Magilligan Prisons, Hydebank Wood Young Offenders Centre and Ash House – the female facility at Hydebank Wood – questionnaires are issued to prisoners. Each questionnaire covers 10 aspects of

escorts and transfers. For this inspection, CJI also surveyed prisoners' views on escorts and the summary of results is given in Appendix 1. (The survey of Hydebank Wood and Ash House are not included in this analysis as they were conducted prior to the establishment of PECCS.) The PECCS service only outperforms the national comparators across all surveyed sites in three areas. These are adequacy of comfort breaks, length of journeys below four hours and knowledge of destination when leaving court custody. It is not surprising as these aspects reflect the small area of Northern Ireland and the fact that there is only one young offenders' prison and a single female prison. On the negative side, 89% of prisoners were uncomfortable in the van, only 35% of those surveyed rated the cleanliness of the vans as good/v. good and 50% felt unsafe in the escort van. A total of 53% of prisoners said that they were treated well or very well by the escort staff but this leaves almost half (47%) who did not feel particularly well treated by the escort staff. A survey using structured interviews of 44 prisoners was conducted as part of this inspection. Although a small sample that needs further confirmation, the



results were encouraging in so far as PECCS only underperformed the national comparators in two categories which were attention to health needs and frequency of comfort breaks. Inspectors who observed escort and custody staff as part of this inspection witnessed a respectful attitude to prisoners during escort from prison to court and in court custody, although interaction with prisoners was limited. Escort and custody staff were well turned out were found when questioned to understand their role and responsibilities. In this inspection, Inspectors also noted that prisoners were respectful to the escort and custody staff and there were no incidents.

2.3 Whilst the observed attitude and approach of the escorting and custody officers was positive, the overall policy of the escorting and custody service reflects the ethos within the NIPS of applying high levels of security through highly restricted movement of prisoners. The inspection reports on Maghaberry Prison in 2009 and Magilligan Prison in 2010 both noted that all prisoners, including juveniles, are handcuffed from reception to the escort vans and in the escort vans. All prisoners in this inspection, except six females, were handcuffed. A previous recommendation from HMIP that prisoners should not routinely travel handcuffed in secure vehicles unless individual assessments demonstrate a high level of risk was not achieved. Under a pilot scheme introduced by the NIPS in November 2009, no prisoners under 18 years of age – subject to suitable risk

assessment – will be handcuffed in escort vehicles. The low numbers of prisoners falling into this category will require the pilot scheme to run for some time before an assessment can be made.

2.4 Frequency of comfort breaks was one area that matched the national comparator and reflected the shorter journeys in Northern Ireland. However, six out of eight women in this inspection stated they could not use a toilet when needed. Four out of eight women who used court custody toilet facilities stated that sanitary protection was not available. Females prisoners were unhappy sharing escort vehicles with young male prisoners and in previous inspections they have complained of suffering abuse from young male prisoners. A total of 20% of female prisoners surveyed stated they shared the vehicle with male prisoners. The Prison Service annual performance measure recorded 99% segregation of male and female prisoners. The disparity arises as PECCS only records segregation of prisoners on the outward journey. Due to the difficulty in predicting the make-up of the prisoner groups being escorted from courts to prisons, PECCS do not record segregating prisoners on the inward journeys although they do try to comply with this policy. **It is recommended that male and female prisoners are transported separately.**

2.5 In the survey of prisoners for this inspection a significant proportion of prisoners (45%) described the cleanliness of cells and cell conditions in general as bad. The

main complaints centred on poor ventilation, temperature, uncomfortable seating and graffiti. In total, 88% of prisoners said they felt safe in the cells.

- 2.6 Of those people seeing a legal representative, 60% did so within one hour and 90% did so within two hours. There were no complaints about getting access to legal representatives. One person had an interpreter provided.
- 2.7 Almost half (47%) of prisoners surveyed said they did not receive any information on arrival at court. Two thirds of prisoners indicated they were not told how to use the cell bell and 90% of prisoners said the complaints process was not explained to them. A total of 80% of prisoners said they were given information of where they were going upon leaving court. There are information booklets available in the court custody suites describing the prison facilities and giving an outline of what a prisoner might expect upon first arrival, contacting friends and relatives, visiting rights, medical issues and concerns about length of sentence. The information leaflet in the court is translated into a number of languages. PECCS provides briefing material to staff covering complaints procedures. Inspectors recommend that **staff should explicitly explain to prisoners complaints procedures, how to attract the attention of staff and issue relevant information booklets, including what to do in the case of an accident.**

Reading materials

- 2.8 Standard policy is that reading materials are not provided to any prisoners held in court custody under supervision of the PECCS regime. Over 90% of prisoners surveyed did not receive any reading material. There are occasional instances where custody staff will provide a prisoner with a daily newspaper. In speaking with prisoners, boredom was a significant problem for prisoners and being allowed reading material was readily appreciated. Prisoners held in police custody cells are allowed reading material and prisoners held in the NIPS establishments are allowed reading material. In England and Wales it is common practice to provide reading materials. **It is recommended that reading materials be allowed in court custody cells in line with the practice in England and Wales.**

Clothing

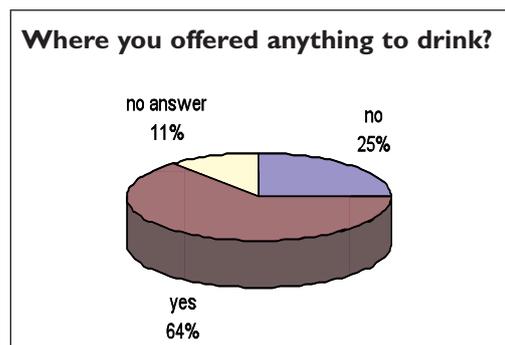
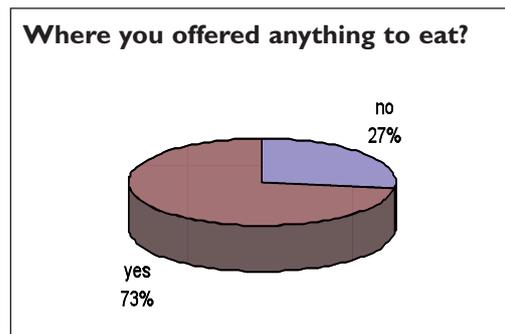
- 2.9 During the course of this inspection no issues in respect of prisoners' clothing were raised. Those prisoners appearing in court wore their own clothes and the NIPS facilitated prisoners who wished to change into a suit for their court visit. PACE prisoners under police custody wore their own clothes to court and were provided with clothes in the event their own clothes were not fit to be worn. There were no observed or reported incidences of prisoners appearing in court in forensic suits. Individuals from the JJC wore their own clothes and staff emphasised that



being presentable in court would only help rather than hinder their case.

Food

2.10 The standard PECCS policy is that all prisoners will be provided with a packed lunch. This consists of a sandwich, a drink and usually a bag of crisps. Hot food is not provided and there are no facilities in the escort vehicles to transport hot food. Other prisoners escorted by police or private contractors are provided with a similar lunch purchased at the courthouse or from a local supplier. Around a quarter of prisoners said they were not offered anything to eat or drink but Inspectors carried out some of their surveys in the morning so prisoners might not have received their lunch at the time of the interview. Our observations confirmed that lunches were made available for every prisoner in the court custody suite.



2.11 Although meeting the basic nutritional requirement, this contrasts sharply with practice in many court custody facilities in England and Wales where prisoners are provided with a range of hot and cold food options.

2.12 In our survey, three prisoners (7%) stated that they received no breakfast on the morning of court transfer. Even those who have received the breakfast will have consumed it before 7am and just over 34% of the survey respondents spent more than six hours in custody. Prisoners spending more than six hours in custody should receive something to eat and drink in addition to the packed lunch.

2.13 It is PECCS policy not to offer any hot drinks to prisoners in court custody although the same prisoners receive hot drinks in prison custody. This contrasts with the practice of police custody prisoners where tea or coffee is provided. It is normal practice in England and Wales to offer tea and coffee to prisoners in court custody. Hot drinks should be made available to prisoners unless a specific risk assessment indicates otherwise. Inspectors recommend that **PECCS should establish a minimum standard regarding prisoners' rights to breakfast and additional minor sustenance after six hours in custody.**



Areas for Improvement

Prisoners should be offered the option of hot meals.

Prisoners in court custody should be offered tea or coffee, risk assessment permitting.

Smoking policy

2.14 A non smoking policy is consistently enforced in all public buildings, including courthouses and in the escort vehicles. No provision for nicotine substitutes is made.

Area for Improvement

It is recommended the cost and practicalities of offering nicotine substitutes (patches) to prisoners held in custody be assessed.



CHAPTER 3:

Provision for prisoners with additional needs



Vulnerable prisoners

3.1 The NIPS policy on self harm and suicide prevention aims to identify prisoners at risk of suicide or self harm and provide the necessary support and care to minimise the harm an individual may cause to him or herself. Within this policy a specific section deals with the treatment of vulnerable or at risk prisoners. It states that *'the Prisoner at Risk (PAR1) booklet must be handed over to the Prisoner Escort Group Court Manager (or Maybin supervisor) and an entry made in the PAR1 daily log'*. It goes on to say *'when the prisoner arrives and leaves court, the Court Manager (or Maybin Supervisor) must record these details in the court journal and ensure the Escorting Officer signs the entry to confirm receipt of the PAR1 booklet'*. The latest approach of the NIPS is Supporting Prisoners At Risk. The pocket guide to Supporting Prisoners At Risk provides detailed guidance to staff on the Supporting Prisoners At Risk process and the Supporting Prisoners At Risk documents provide a comprehensive risk assessment of the prisoner and a recommended care regime. Escorting staff are issued, what are called, cuff bag instructions that includes *The Self Harm and Suicide Prevention Policy*.

The PECCS staff also receive training in dealing with vulnerable prisoners. Inspectors recommend that **the Self Harm and Suicide Prevention Policy documents should be updated to refer to the Supporting Prisoners At Risk processes and the PECCS Senior Prisoner Custody Staff and not Maybin staff.**

3.2 Our observations and examination of training records in this inspection confirm that PECCS staff are aware of the risks of vulnerable prisoners and have received necessary training. All prisoners are assessed in prison and any with Supporting Prisoners At Risk reports are housed in a single cell and custody staff view them at 15 minute intervals.

3.3 Children and juveniles are escorted separately by a contractor working on behalf of the Youth Justice Agency (YJA). Some 300 escorts of young people in custody to and from court are carried out each year, under a memorandum of understanding between PECCS and the Woodlands Juvenile Justice Centre (JJC), PECCS staff do not escort or provide court custody services to young people in custody. The JJC do not employ or sanction the control and restraint



enforcement techniques used by the PECCS staff. In turn, PECCS staff are not trained to use the Therapeutic Crisis Intervention and Physical Control in Care techniques approved by JJC. The contractor employed by the JJC escorts the young people in custody to court and then remain in the custody suite with them until their release or return to the JJC. CJI Inspectors reviewed the policy and performance management documentation of the contractors and interviewed escorted juveniles, the contractor and the manager of Support Services at the JJC (see Chapter 7).

religious texts including the Bible and Qur'an were available. Whilst awareness of the need to respect religious observance is present, knowledge of the requirements of different religious faiths is less evident. There are increasing numbers of prisoners coming into custody with varying religious and cultural backgrounds and the diverse needs of prisoners should be identified and incorporated into instructions for escort and custody officers.

Language and interpretation

3.4 The NICTS provides language and interpretation facilities when required. The PECCS team have information sheets translated into a number of languages and these are distributed to prisoners. The other service providers also provide information in a range of languages and have access to interpretation services when required.

Religious observance

3.5 All PECCS staff underwent Human Rights training and they are all made aware of the need to respect the rights and beliefs of others. On one occasion during this inspection, Inspectors observed custody staff dealing with a prisoner who decided to pray just prior to prisoners being escorted back to prison. The staff reorganised the transfer of prisoners to the escort vehicles allowing this prisoner time to finish. In a number of the larger court custody suites

Court custody facilities and condition



Facility design and standards

- 4.1 Well designed and maintained facilities enable prisoners to wait in a safe, clean and relatively comfortable environment, minimising the stress associated with a court appearance. They also assist staff to fulfil their duty of care and contribute to the efficient running of the court. Whilst the custody facilities reach an acceptable functional level across the estate, the difference between the best and worst is too great and in the latter case the custody facilities are barely acceptable.
- 4.2 A total of 55% of prisoners interviewed said the cells were cold in the mornings, and 45% said the ventilation was bad. Female prisoners complained of sharing a toilet with male prisoners in Enniskillen court custody facilities and the unavailability of sanitary protection items. There is no dedicated interview room for prisoners to meet legal representatives in Lisburn Court Custody suite with instances where prisoners and their representatives met in a corridor.
- 4.3 For the custody staff, the custody facilities are their places of work and it is noticeable that their working conditions are often poorer than elsewhere in the courthouse. The staff working conditions in Lisburn, Magherafelt, Limavady and Larne courthouses are poor with no separate facilities available to prepare or eat even a minimal lunch. Staff were also using an empty cell to store their personal belongings.
- 4.4 The absence of secure vehicle docking areas in a number of courthouses such as Enniskillen, Magherafelt, and Larne, increases the risk of prisoners escaping and prisoners contact with the public.
- 4.5 The NICTS is responsible for the design and standards of the courthouse facilities and custodial accommodation within the NICTS estate is subject to an annual assessment audit conducted by the Performance Standards Unit of the NIPS. There are also meetings held with representatives of the PSNI, PECCS and the NICTS to agree procedures and discuss the custody arrangements. Recently an inter-departmental project team was formed to conduct a review of accommodation in custody suites within the NICTS estate and to identify essential improvements in safety standards and procedures.



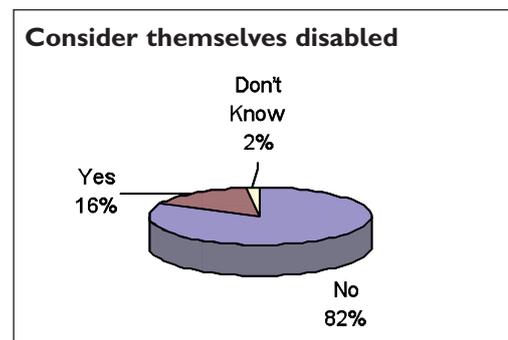
- 4.6 From this, a detailed programme of work with the objective to render cellular accommodation in the NICTS estate compliant with the Corporate Manslaughter and Corporate Homicide Act, was approved. The programme of work identified many cells requiring work to remove ligature points, install call bells, improve toilet facilities, renew floor covering, replace locks, doors and seating.
- 4.7 Although these developments are welcome, they will not rectify the major structural deficiencies of the cellular accommodation. A recurring theme in discussion with PECCS and NICTS staff is the limitations imposed by the current infrastructure and the amount of funding that is available. The £400,000 funding for the programme of work described above is included as a significant risk in the Project Initiation Document. Acquiring significant additional funding in the current economic climate will be subject to the competing priorities of the other Northern Ireland departments and a more likely route is to identify cash releasing savings that may be open to reinvestment. The infrastructure of the NICTS is a major capital investment with significant recurring costs. The potential to rationalise the current estate, release funding and invest in improved infrastructure is worthy of consideration.

Disabled access

- 4.8 The PECCS team use a separate vehicle with wheelchair access for disabled prisoners and their custody officers had received training that

included management of wheelchair-bound prisoners.

- 4.9 In the majority of the court custody facilities visited, access from the cells to the court is via stairs. Only the larger courts had a lift. The custody officers had local arrangements in place for disabled prisoners, namely using a wheelchair to transport them from the cells to the public entrance and using the disabled ramps. In a number of the court custody suites, the cell doors do not accommodate wheelchairs and disabled access toilets are not always available. The number of prisoners considering themselves to have a disability is significant and warrants specific measures to meet their needs.



- 4.10 The NICTS is undertaking a pilot scheme to meet the requirements of the Disability Discrimination Act in Craigavon courthouse. The philosophy of 'access for all' that was to be applied within the courthouse was subject to what "was considered practicable to do so in the context of this existing Crown building". The programme of works includes significant measures to meet Disability Discrimination Act requirements including a lift in Craigavon Court, but as a minimum all cell doors and all toilet doors should permit wheelchair access.



4.11 The implementation of Disability Discrimination Act compliance requirements, the improvement of staff facilities, and an increase in cellular accommodation to meet segregation requirements, along with the construction of vehicle bays and the improvements to sanitation, are only possible within the existing fabric of the courthouse buildings and in many cases this is restrictive. Inspectors recommend that **the proposed programme of Disability Discrimination Act compliance works includes measures to ensure all cell doors and all toilet doors permit wheelchair access.** Inspectors also recommend **the NICTS should prepare a business case based on a comprehensive estate strategy aimed at developing a NICTS estate that is fit for purpose.**

Video-links

4.12 The NICTS and the NIPS have established a very efficient video-link service, with approximately 60% of all court hearings conducted via this method – a figure not matched by any other jurisdiction in the United Kingdom. The obvious benefits of this arrangement are a reduced number of prisoners under escort or held in court custody and less prisoners travelling in uncomfortable cellular vehicles. Increasing video links, specifically for female prisoners, will help overcome the problem of the segregation of females during escorting and reduce costs.

4.13 Intuitively video-links should eliminate all the escorting and court custody costs associated

with a prisoner, but in practice, the elimination of all the costs is not achievable. As is the practice across the court custody suites, there will always be a number of prisoners in detention and holding any prisoners in custody requires deployment of custody staff either directly or as part of the escort team. PACE prisoners in particular are not easily predicted and make demands on the custody detention staff. Thus eliminating all the costs of escorting and custody through the use of video linking would only be achieved if an entire court session was dedicated to video-links – a proposal the NICTS might wish to consider. Inspectors recommend **the maximum benefit of video-linking should be realised by assigning a court full-time to video-linked hearings.**

Repair and maintenance

4.14 The NICTS have a contract with a building contractor using a planned, cyclical and on-call maintenance programme. This programme is comprehensive and covers electrical, air handling, water, heating and lighting systems and services such as pest control, fire alarms, drainage and building maintenance. Whilst the custody suites were in a reasonable state of repair, the main constraints on improvement are the age of the suites and the out-of-date design.

4.15 Repainting of the cells and other large scale maintenance work is carried out during the summer court recess. Apart from the structural limitations of some of the courthouses the repair and maintenance programme in place is adequate.



Cleaning

4.16 Regular cleaning is carried out by a contractor working for the NICTS prior to prisoners arriving at the court in the morning. Local court managers supervise the contract and can request additional cleaning, for minor spills and so on. Deep cleans can also be arranged with NICTS estates management as these require the cell facilities to be empty. In our prisoner survey, 35% of prisoners rated cleanliness of the cells as bad and 77% reported graffiti in their cells. The 11 custody suites examined by Inspectors were clean on the day of the inspection.

CHAPTER 5:

Duration of the escort and court custody experience



Start times and arrival times

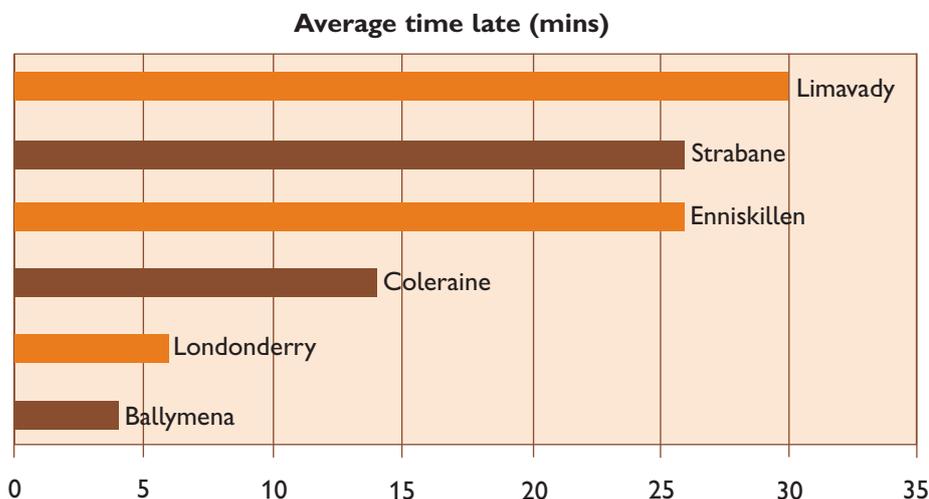
5.1 The PECCS team aim to arrive at the court as early as possible but definitely before the court start time. The NICTS stipulate an arrival target 30 minutes before the court start time, although PECCS have not signed the proposed Service Level Agreement. Monthly monitoring of performance during August 2008 – August 2009 shows that on average, PECCS did present prisoners at every court before the court start time. However, this overall average does mask a number of late arrivals at certain courthouses as shown by the analysis of arrival times over the

12 months between August 2008 to July 2009.

5.2 PECCS management claimed the earlier start time of 10am in a number of courts is posing some problems especially where the journey time exceeds one hour and 30 minutes. This is supported by the analysis of arrival times which shows Strabane and Limavady Courts, both with 10am start times and the furthest away from Maghaberry Prison, with the longest delays (see Table 1).

5.3 The pre-release process in the prisons requires a minimum of one

Table 1: Average delay in arrival time in minutes per courthouse





hour meaning prisoners travelling longer distances need to leave the prison before 8am. This does give rise to problems for the prison authorities where changes of landing shifts do not occur until 8.15am and night staffing levels means prisoners are not released as quickly as required. PECCS have not agreed the target delivery time with the NICTS.

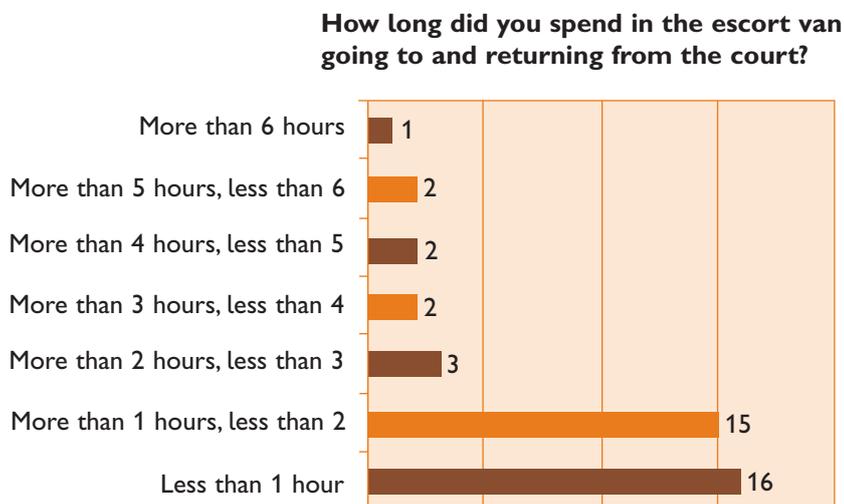
5.4 The late arrival of a Crown Court prisoner has a greater impact than that of a Magistrate’s Court prisoner as the lower volume of the former gives less opportunity to substitute for late arrivals. The NICTS has requested the escorting of Crown Court prisoners separately from Magistrates’ Court prisoners but PECCS do not have the resources to undertake this. In England and Wales, a measure known as Designated Ready and Available for Court Time takes account of the travelling time between prison and the courts and the time for prisoners to have a legal visit. In some cases the Designated Ready and Available for Court Time is

after the courts designated start time. The NICTS and PECCS manage the process by prioritising prisoners on the court lists and also conducting other court business. NICTS officials did not regard the current small number of late arrivals as having a significant adverse impact on court business. Inspectors however recommend that **PECCS should agree with the NICTS an acceptable tolerance for arrival times at those courts with a 10am start.**

Duration of escort journeys

5.5 The longest duration is between 2 hours 45 minutes and 3 hours and arises where prisoners are escorted from Maghaberry to Magilligan prisons and from the prisons to courts at opposite ends of the country. Our survey of prisoners under escort would confirm this with 75% of prisoners reporting total journeys of less than 2 hours and one prisoner more than 6 hours, all escorted by the PECCS team.

Table 2: Duration of journey to/from court in escort van





5.6 It is the policy that the escort vehicles should not stop during their journeys and prisoners are told to use toilet facilities before they leave the prison. Where a vehicle needs to stop for an emergency or comfort break instructions are provided to drivers to use a police, court or prison facility. The recommended practice of HMIP is to provide comfort breaks where a single journey time exceeds two and a half hours. Overall, 88% of prisoners' under escort complained of too few comfort breaks.

5.7 The main attention of courts and PECCS has been on the time prisoners arrive at court and the potential disruption of court business with little analysis of the waiting time of those held in custody or the time they spend away from their establishments. A study by HMIP in England and Wales in 2004 revealed average periods away from the prisons establishment of 8.5 hours, although no such figures for Northern Ireland exist. In addition to the time spent away from the establishment, prisoners will also spend time in the prison reception at the start and end of each day. Prisoners in lengthy trials will experience this routine every day of hearing. Prisoners start their day around 6am and the earliest return observed was 2.30pm from Laganside Court to Hydebank Wood. Thus the length of prisoner day for court hearings will exceed 8.5 hours for all prisoners.

Inspectors recommend that **waiting times for those in court custody should be recorded and compared to HMIP benchmarks.**

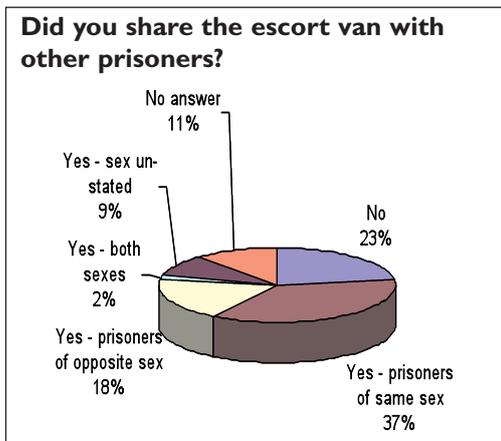
Area for Improvement

The NIPS should assess the impact on prisoner welfare of the time prisoners spend away from their establishments.

Segregation of prisoners

5.8 There are standing instructions guiding the segregation of prisoners. Females, juveniles and sex offender prisoners will always be segregated in single occupancy cells. Additionally, prisoners deemed 'at risk' (Supporting Prisoners At Risk notice) will be housed individually. Custody staff have good awareness of these instructions and attempt to house all prisoners individually, although cell capacity in a number of courthouses make this very challenging. In certain instances prisoners share cells however most prisoners interviewed did not raise this as a concern and some welcomed it as a way to alleviate the boredom of solitary confinement. The custody staff carry out a risk assessment to determine which prisoners can share a cell. There are particular courts that pose difficulty, namely Larne, Bangor, Magherafelt, Enniskillen and Lisburn.

5.9 Escort vehicles offer less segregation as prisoners are in much closer confinement and can see and speak to one another during a journey. The policy is that female and juvenile prisoners do not share escort vehicles with other prisoners. PECCS performance monitoring recorded over 99% segregation of female prisoners in 2008-09 and where necessary female prisoners shared with young offenders under



escort to and from Hydebank Wood. In instances where sharing is unavoidable, PECCS staff are issued with instructions to ensure effective supervision by the escort officer to minimise the risk of inappropriate behaviour. In our survey 20% of prisoners under escort stated that they had shared with a prisoner of the opposite sex.

This anomaly arises because PECCS state that it is difficult to predict the make up of prisoner groups coming from courts to prison and they do not have the resources to provide additional vehicles and staff to cover every eventuality. Inspectors recommend that **PECCS should strive to achieve 100% segregation of male and female prisoners.**

Prisoner experiences

5.10 A total of 53% of prisoners rated their treatment by escorting and court custody staff as good/v. good in survey results from inspections in the period 2007 to 2010. This was significantly lower than the national comparator. In the survey of 44 prisoners carried out for this inspection, 78% reported good/v.

good experience of escorting and court custody staff. Although this was a small sample, it does indicate some improvement in satisfaction levels with the escorting and court custody service.

- 5.11 The surveying of prisoners during inspections is of necessity just a snapshot of the view of the prisoner population under escort and court custody. The responses from prisoners is given in Appendix 2. The recurring negative comments centre around concerns of cells being cold, the poor standard of food, and difficulty in attracting attention of custody officers. There are individual recommendations on these issues in the body of this inspection report.
- 5.12 During our inspection five prisoners reported some level of mistreatment in their questionnaires. Inspectors followed up these reports. Two could not provide any description of the abuse, while one made a reference to alleged abuse of a sexual nature which could not be corroborated through further questioning of this prisoner or interviews with the custody staff. The remaining two prisoners reported insulting remarks in respect of their ethnicity. These alleged remarks were not made during the escort under inspection but had occurred on an earlier escort. We reported the allegations to the Senior Prisoner Custody Officer who was unaware of any incidents being reported and did not have any record of the alleged remarks. Inspectors examined the custody suite incident books and there was no record of the incidents in question.

CHAPTER 6:

Protection of health, safety and security



Safety and security

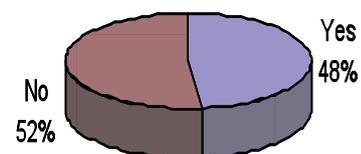
- 6.1 The safety and security of prisoners is given a high priority and there are comprehensive operating procedures in place with contingency plans. The Service Level Agreement governing the delivery of the escorting and custody services opens with the statement: *“In discharging the service, PECCS will be required to ensure overriding priority is given to the security and safety of the prisoners in its custody. The prevention of escape and protection of the public, in all types of escort and court custody arrangements, are of critical importance”*.
- 6.2 The NIPS has a comprehensive Health and Safety regime and a recent internal audit of Health and Safety gave a satisfactory assurance level. Inspectors in the course of this inspection observed a high degree of attention given to security of prisoners, including cuffing and double cuffing during all movements, restrictions on hot drinks, books and other materials that might be assessed as posing a risk to prisoners or staff. The escort and custody staff quoted the NIPS Security Manual as their guide to implementing security protocols. Inspectors recommend **prisoners should not routinely**

travel handcuffed in secure vehicles unless individual assessments demonstrate a high level of risk.

- 6.3 The surveys of prisoners showed 52% of prisoners did not feel safe during escort (national comparator 41%). During interview, prisoners stated their main causes for concern were the consequences of being handcuffed in a vehicle in the event of an accident and no explanation of what would happen in the event of an accident.

Inspectors' examination of the vehicles confirmed emergency hatches for each cell and instructions and training provided to PECCS staff in emergency and accident events. However, prisoners were not made aware of the emergency procedures in place adding to their concerns.

Did you feel safe in the van?





Area for improvement

The escort staff should inform prisoners of the procedures in place in the event of an accident.

Healthcare

6.4 Custody staff receive medical information from the escorting staff or the PSNI when a prisoner is transferred into custody. Prisoners receive medication prior to leaving prison though some prisoners bring their medication with them and self medicate. Our findings are that 30% of prisoners in custody were on some form of medication and just over half claimed they could not continue their medication whilst in custody. A total of 80% of prisoners were not made aware of their healthcare entitlements, such as the availability of medical staff or how to make custody staff aware of their medical needs. Three prisoners in our survey were seen by a nurse and rated the service as good/v. good.

Areas for improvement

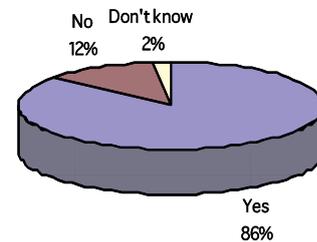
All prisoners should be made aware of their entitlements to healthcare when being brought into custody and

All prisoners on medication should be allowed to continue their medication whilst in custody.

Cell capacities

6.5 Most cells in court custody facilities can accommodate two or three prisoners, but operational capacities are reduced where prisoners need to

Did you feel safe in the cell?



be segregated. In one court custody area, a large cell could physically accommodate eight prisoners but it would never be used for that purpose. In Lisburn courthouse, a four cell unit that theoretically could house 12 prisoners, can only house four if there is a need for segregation. The need for segregation makes it impossible to designate the number of prisoners that can be accommodated on any given day. Without agreed maximum capacities for each cell, the number of prisoners that can be housed safely is a matter of judgement for local custody staff. The arrival of PACE prisoners and delays in prisoners being discharged from court can cause operational difficulties. In the more extreme examples, prisoners had to be left on the escort vehicle, which in the case of one courthouse without a vehicle dock, requires the vehicle to be left at the police station. The prisoners are then transferred from the escort vehicle along a public road to the court.

The majority of prisoners (86%) interviewed during this inspection said they felt safe in the court custody cells.

Inspectors however recommend that **PECCS should define maximum**

operational capacity levels taking into account the requirements of segregation and the PSNI should provide advance warning to the Senior Prisoner Custody Officer of the number of prisoners requiring segregation.

Custody staffing levels

- 6.6 The PECCS management allocate custody staff on a daily basis matched to the number of prisoners. There is no hard and fast staffing level but local management will liaise with PECCS management to ensure there are safe levels. The escort staff complement the court custody staff once they have arrived with the prisoners and there were no complaints about the number of custody staff present.
- 6.7 The allocation of the Senior Prisoner Custody Officer as a duty post raised some concerns. In a number of court custody suites the Senior Prisoner Custody Officer felt that their role as a supervisor required most of their time and they could not act as a duty custody officer as well. The instance quoted was their absence from the custody area to escort a prisoner to the court left the custody area without an officer in charge. PECCS management were aware of this issue but felt that the Senior Prisoner Custody Officer could fulfil their supervisory role and perform a duty role. They were in a position to prioritise their activities to ensure adequate coverage. Our observations in this inspection supported management's view that the Senior

Prisoner Custody Officers could combine the supervisory role with a duty custody officer role. However, the supervisory role of the Senior Prisoner Custody Officer takes priority over the custody role and PECCS management in recognising this, should support the Senior Prisoner Custody Officers, if they face criticism when production of prisoners to the court are delayed.

Cuffing policy in secure and non-secure areas

- 6.8 There is no distinction between secure and non-secure areas such as is found in a number of other United Kingdom establishments. The policy adopted is that stated in the NIPS security manual and excerpts of this manual covering cuffing is included in the information packs given to PECCS staff. The policy is that double cuffing is applied to all prisoners, except females, outside the prison establishment (although two female prisoners in this inspection were handcuffed). Prisoners may also be double cuffed in transit to court, in the dock and from the cells to signing of court bail depending on the judges' directions and risk assessments made by staff. Approximately 10,000 prisoners were escorted and over 20,000 held in court custody during the year with no recorded escapes. A pilot scheme is underway to examine feasibility of not cuffing prisoners in the escort vehicles. There is a difference between policy and practice probably due to the extreme position of the NIPS security policy being tempered by judges' directions and informal risk assessment by the PECCS staff. Risk



assessment should be carried out by PECCS to designate when and where cuffing is required. We suggest that **PECCS in consultation with the NICTS and the Office of the Lord Chief Justice should conduct a risk assessment of court custody suites to designate secure and non-secure areas with cuffing only used in the former.**

Searching, confiscation and enforcement

- 6.9 The PACE prisoners originating from police custody cells and brought under police custody to court custody cells are sometimes subject to a different level of search and confiscation than those transported from prison cells. Prisoner Custody Staff found a number of PACE prisoners were found to have cigarette lighters and it was claimed that most graffiti occurred during the weekend special courts. Inspectors had no direct observation of this.
- 6.10 In court custody cells the staff use de-escalation techniques to avoid situations demanding restraint from arising. Segregation also ensures that prisoners do not come into contact with other risk prisoners. The custody staff anticipate problems and will speak to prisoners, firstly to assess if there is a problem or potential problem. They either assuage the concerns of prisoners or in rare cases they remind prisoners of the consequences of bad behaviour and ask them to conform. The use of force is recorded and the service

monitoring arrangements identified six incidents in the period April 2009 to August 2009.

Risk management

- 6.11 There was little evidence of risk assessment being used to modify the security regimes applied to individual prisoners. Cuffing was applied irrespective of risk assessment, no reading materials were provided, no tea or coffee was provided, prisoners were cuffed in cellular vehicles and there was no distinction about secure or non-secure areas in the court custody suite.
- 6.12 On the other hand, the handover of information about prisoners at risk being transferred from escorting staff to custody staff was good. Inspectors observed the pre-release routine at Maghaberry Prison and appropriate documentation was provided to the escorting staff by the Principal Officer. Inspectors spoke to the Senior Prisoner Custody Officers at 11 of the court custody suites and they had a good understanding of the risk assessment of prisoners and the escorting and court custody staff stated they would not receive a prisoner without medical/security markers and a Supporting Prisoners At Risk document where appropriate.
- 6.13 A comprehensive risk assessment of the escort process and vehicles was conducted by the PECCS team. Specific risks and mitigating measures were identified and training provided to reduce the risks.

Vehicles

- 6.14 The vehicle fleet was well maintained and an examination of the appropriate documentation showed all were regularly serviced and roadworthy. The three vehicles available for inspection were clean with minimal amounts of graffiti. Prisoners did raise a common complaint that the vehicles are cold in the winter. A significant number of prisoners also said they felt unsafe in the vehicles due to the absence of safety belts and being handcuffed in the vehicles.

Area for Improvement

PECCS should liaise with manufacturers and prisoner escort providers in England and Wales to determine the health and safety implications of installing seatbelts into cellular vehicles.

- 6.15 Special parking bays are provided at the larger courts providing a secure environment for the disembarking of prisoners away from public view. There are a number of courts without a secure parking bay and this increases the risks to prisoner security and the safety of custody staff. In contentious trials with high levels of public interest, the absence of a parking bay increases the risk to the prisoner and escort staff. Inspectors recommend that **higher risk cases should be listed at courts with vehicle parking bays.**

Training

- 6.16 The training programme for PECCS staff is comprehensive and the 2009-10 training plan included seven mandatory training courses and 19 developmental training courses. An additional six training courses were available for Senior Prisoner Custody Officers. A review of the training programme was conducted in November 2009 with a positive conclusion. Of the mandatory training courses, only two were not fully completed with 10 out of 194 and 41 out of 194 to complete Control and Restraint and Fire Awareness Evacuation training respectively. Only four other courses in the non-mandatory section missed their training targets and then by very small numbers. The planned target of 995 training days was exceeded with 1,426 training days delivered.
- 6.17 Our observations and discussions with staff indicated that staff were well trained, were aware of the developmental training available and that the training plan was dynamic with additional training under consideration.



CHAPTER 7:

Performance management



Quality of service provided

PECCS

7.1 The service delivered by PECCS is governed by a Service Level Agreement between the NICTS and PECCS. The Service Level Agreement performance measures are as follows:

- the number of prisoners received in PECCS custody (month and annual);
- details of all court cases;
- a summary of court and staffing statistics;
- an analysis of arrival times at court;
- budget centre report;
- critical measures reports; and
- monitoring information.

7.2 The first four performance measures are activity measures; the fifth is the financial report and the outturn for 2009-10 which shows a slight underspend of £60,000 (1%) which is within tolerance. Measures six and seven reflect more fully the quality of the service provided. PECCS achieved eight out of the 10 critical measures; but did not achieve (the target) delivery at court times and full segregation of prisoners, missing these by small amounts in each case. The

full results for these performance measures are presented for the year to date to August 2009 in Appendix 4.

7.3 The monitoring performance measures could be improved with more specific targets. Comparison with expected levels would provide a quantitative element to this monitoring data. Other targets could be introduced such as a percentage figure or figure per 1,000 prisoners managed. For example, the target and outturn for Control and Restraint reports could be expressed as a number per 1,000 prisoners managed. This could provide the basis for external benchmarking.

7.4 The performance monitoring report shows a high level of achievement but in our inspection and previous inspection surveys, the level of observed performance is lower. As examples, the segregation of female prisoners is measured at 99% in the Service Level Agreement but CJI recorded only 80%. The Service Level Agreement recorded no complaints in respect of comfort breaks but inspection surveys show 88% of prisoners under escort complaining of infrequent comfort stops. The Service Level Agreement relies on the number of complaints



as a measure of performance and some measures don't have an objective standard. Around 30% of prisoners did not have access to medication to treat symptoms. Over half of prisoners on medication could not continue their medication whilst in custody. So, whilst the report appears positive the surveys in recent inspection reports would not support all the performance reports.

- 7.5 Three other agencies are involved in the provision of prisoner escort and court custody services. They are:
- the PSNI;
 - G4S on behalf of the UKBA, and
 - Resource on behalf of the JJC.

The services they provide are described below.

PSNI

- 7.6 The PSNI deal with detainees taken from police custody to court, detainees on a money warrant to prison, juveniles from police custody to court and then to the JJC, detainees appearing before a Saturday/special court (escorting and court custody). In 2007, the PSNI escorted approx 7,000 prisoners (1,000 cases were heard in Saturday courts, thus necessitating court custody).
- 7.7 The custody Sergeant and local management assign officers to escort duties and allocate vehicles. Most escorting staff will be those involved in custody in some way for example as gaoler or as Occurrence Case Management Team staff. A risk assessment determines the number of

escort officers per detainee, although procedures such as Safer Detention and Handling of Persons in police custody and the Service Procedure on single officer patrolling recommend that single officers should not escort prisoners and two officers is normally the minimum. The PSNI often use cars but they have access to cellular vans. Where maximum security prisoners are under escort the Tactical Support Group may be deployed. The Tactical Support Group do not handle or interact with the prisoners but follow the escort van to ensure no threat.

- 7.8 The police also risk assess prisoners prior to cuffing. Not all prisoners are cuffed and only in exceptional circumstances are prisoners cuffed to a police officer. Standing procedures are to search prisoners before they leave the police custody suite; to search the vehicle before they get in and after they get out. Officers keep records of searches done and items found in the custody record and on the escorting form.
- 7.9 Escorting to hospitals (from police custody) was described as a 'reasonable sized problem' that is onerous on staff. Prisoner escort forms contain medical information that is handed to PECCS staff when detainees arrive in court custody for example, Forensic Medical Officer notes are kept in a sealed envelope. Female prisoners are transported separately and although a female officer escort is not specified, usually a female officer is part of the escort team.



7.10 For Saturday courts, staffing levels vary depending on the individual court custody suite and are at discretion of local management. The PSNI does not have a defined staffing model and Safer Detention and Handling of Persons does not suggest one. The PSNI treat prisoners in court custody in line with Safer Detention and Handling of Persons and PACE requirements although, as escort officers are drawn from whatever officers tend to be available at the time, there is no guarantee that they have received recent training in custody procedures. Four prisoners subject to PSNI court custody were interviewed with the results given in the table below. The use of the cell

bell was not explained to all the prisoners and one prisoner was not offered anything to eat or drink whilst held in custody. All of the prisoners interviewed during this inspection reported that they felt safe during the PSNI escort and that they did not suffer any form of victimisation by escort staff or other prisoners.

Areas for Improvement

Police custody officers at Saturday courts should explain the use of the cell bell to all prisoners; and
All prisoners held in custody should be offered something to eat or drink.

Table 3: Extract from Prisoner questionnaire

Did staff explain to you the correct use of the cell bell?		Not known	PECCS	Resource	PSNI	Total
No		3	20	4	2	29
Yes		1	9	2	2	14
Total		4	29	6	4	43

Were you offered anything to eat?		Not known	PECCS	Resource	PSNI	Total
No		3	5	3	1	12
Yes		1	25	3	3	32
Total		4	30	6	4	44

Were you offered anything to drink?		Not known	PECCS	Resource	PSNI	Total
No		3	4	3	1	11
Yes		0	22	3	3	28
Total		3	26	6	4	39

Was the food/drink suitable for your dietary requirements?		Not known	PECCS	Resource	PSNI	Total
No Food		3	4	3	2	12
No		0	9	0	0	9
Yes		1	8	3	2	14
Total		4	21	6	4	35



- 7.11 The PSNI do not record specific statistics for escorting and court custody activities as they are integrated into overall activities for Districts and command units. In discussion with the officers responsible for operational policy governing escorting and court custody, the number of absconders and assaults was described as low.
- 7.12 Overall, the police tend to risk assess prisoners before using cuffing compared with the prison service.

Area for Improvement

Recording specific statistics for the escorting and court custody activity would assist a more rigorous assessment of PSNI escorting and court custody performance.

Woodlands Juvenile Justice Centre

- 7.13 The JJC employs a contractor (Resource) to provide escorting and court custody services. The custody services are provided at the same court facilities as the PECCS team, but under the terms of their local agreement. The JJC contractor staff manage young people in custody in the court custody suites. There are around 300 movements of young people in custody to and from court in Northern Ireland per annum. Our discussions with JJC staff, the manager of Support Services at the JJC and the Resource contractor confirmed our survey findings. There are few problems arising during escort or

court custody. The approach to the escort and custody of young people in custody is more relaxed than that adopted towards adult prisoners. The JJC does not restrain unless absolutely necessary for example all staff are trained in Therapeutic Crisis Intervention and if they do need to restrain then they use Physical Control in Care (which gives no pain). All Resource staff are trained in Physical Control in Care by JJC trainers and when used they complete a restraint incident form detailing what type of hold they used. There were only two recorded instances of restraint applied whilst escorting. Risk assessments are carried out to ascertain need to cuff young people in custody at the courthouse and whilst they are cuffed in moves to the escort mini-bus, as airlock isn't secure, they are not cuffed whilst travelling. All of the JJC prisoners interviewed by Inspectors reported they felt safe during escort and in custody. None of the prisoners interviewed reported any instances of victimisation by either staff or other prisoners.

- 7.14 Inspectors asked young people in custody who were recently escorted to and from court specific questions in the survey and a general question asking “do you have any general comments you wish to make about the escort journeys”. The responses received are set out opposite.

Table 4: Responses of young people in custody to questions in par 7.14

Comments	Frequency	Percent
No specific comment	4	57.1
No information	1	14.3
No information on accidents	1	14.3
They're nice people and they try and talk to you about getting help	1	14.3
Total	7	100.0

7.15 There were no particularly negative opinions expressed by the young people and Inspectors formed the impression those individuals escorted from JJC accepted the process and did not have any complaints. The specific comments in respect of “information” and “no information on accidents” referred to egress from the vehicle in the event of a traffic accident.

7.16 The contract between Resource and the JJC is subject to monitoring every month and includes a range of performance indicators including financial measures. Resource staff undergo training and training records are up-to-date and updated following refresher and additional training.

United Kingdom Border Agency

7.17 The United Kingdom Border Agency (UKBA) has powers of arrest and detention of people seeking to immigrate illegally to the United Kingdom. They usually seek to exclude these people by interception

at the airport of entry but around 350 detainees per annum are held at PSNI police stations under police custody. Detainees are escorted by PSNI (initial arrest and escort to police custody) and G4S (a private contractor) who escort detainees to the detention centre or airport. Where a detainee is prosecuted and charged they become a normal prisoner in terms of escort and custody, however, detainees whose circumstances are under review are all escorted by G4S to the special immigration centre at Dungavel in Scotland within five to seven days of their arrest.

7.18 The work of G4S is subject to Independent Monitoring Board assessment in the United Kingdom but as there is no holding centre in Northern Ireland it does not apply here. The UKBA will use its centre at Drumkeen for short term detention and is also considering using a former PSNI custody block at Larne as a detention centre for detainees being escorted to Dungavel. In a previous inspection, CJI reviewed custody arrangements for immigration detainees and found that the overall level of care in custody was adequate.²

7.19 G4S has established a detainee welfare working group to monitor the care of detainees in custody and under escort. A range of statistics covering the care of detainees in custody and under escort are prepared and scrutinised by the welfare monitoring working group, although these are for the whole

¹ Police Custody The detention of persons in police custody in Northern Ireland, Criminal Justice Inspection Northern Ireland, June 2009.



of the United Kingdom and not Northern Ireland. Locally, G4S provide a briefing pack in 13 languages to detainees with instructions for registering a complaint. Staff also explain the complaints procedure to detainees and offer use of a dial up interpretation service. Detainees may complete the complaints form and place them in a secure box to be dealt with by UKBA staff. The G4S Detention Custody Officers are subject to counter-terrorism check and a 10-year background check.

- 7.20 G4S provide a comprehensive briefing pack to their staff and CJI reviewed the briefing pack and training records with G4S management. Detainees are risk assessed using medical records and information from the PSNI custody officer. Assessment Care in Detention and Teamwork records are maintained for potential self-harmers during detention and escort. All detainees have a welfare record that is updated constantly and used during the escorting process. A specific form is maintained for children.
- 7.21 Detainees receive meals at normal mealtimes. G4S have drypacks available during transit. Detainees receive a meal during transit on ferries or airlines. Detainees are not normally cuffed on ferries or aircraft and have free access to toilet facilities. Specific sections of the briefing pack cater for people with disabilities and children. These are comprehensive and fit for purpose.
- 7.22 All G4S staff undertake an initial four weeks training course including first aid, Control and Restraint and search

training. Detention Custody Officers have access to a medical triage helpline or 999 in an emergency. Although de-escalation is used initially a Detention Custody Officer has discretion to use force which is recorded using an incident form and reported to management. All vehicles have CCTV/audio recording and at the time of writing there have been no escapes in Northern Ireland. Detainees are searched at every encounter and vehicles are searched before and after use. In the 12 months prior to the inspection, no complaints were received from detainees in Northern Ireland in respect of escorting, custody or handling of property.

Area for Improvement

The UKBA should record performance statistics for its Northern Ireland operations.

Efficiency of service provided

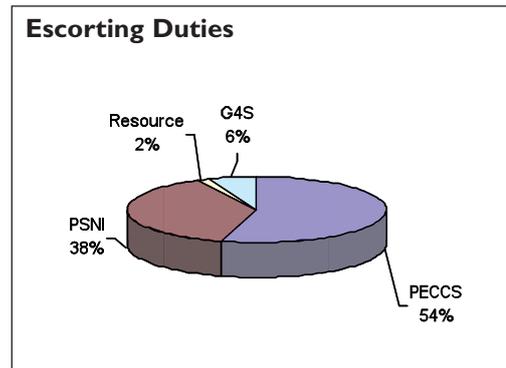
- 7.23 One of the original premises behind the in-house business delivery proposal was the economy of scale and the consequent efficiency arising from the escorting of Crown Court and Magistrates' Courts prisoners by a single provider, in this instance PECCS. Within the business delivery proposal, the prospect of expansion to include escort provision on behalf of the JJC and the PSNI was recognised. A single provider of all escort and court custody services would give a clear line of accountability and budgetary control and the possibility of increased economies of scale. However, consolidation of the escorting and



custody service has not been fully achieved as there are a number of service providers reporting to a number of clients. Within Northern Ireland, the main partners in the delivery of the escorting and court custody functions are:

- PECCS - escorting and court custody for prisoners, except children, from court to prison and prison to prison (54% of total escorts);
- the PSNI - (escorting of PACE prisoners, some immigration detainees to police custody, first remand hearings and children from police custody to the JJC, custody at special courts (38% of total escorts);
- G4S on behalf of the UKBA escort immigration detainees (6% of total escorts);
- Resource on behalf of the JJC providing escort and custody of children for court productions (2% of total escorts); and
- the NICTS which provides court custody facilities and monitoring of PECCS performance.

7.24 The involvement of various service providers for a relatively small number of prisoners in a relatively small area mitigates against the achievement of economies of scale and associated efficiencies in Northern Ireland. By contrast, in England and Wales efficiencies are achieved through competitive tendering of regional contracts, where contractors provide escorting and court custody functions (with the exception of Category A prisoners which is provided by the National Offender Management Service) and a single client holding budgetary and



performance management authority within any region.

7.25 On one measure the expenditure of the PECCS team in 2009-10 was within 1% of its budget and it can be said to have achieved its financial efficiency target. A more robust measure would compare its efficiency against a range of suitable benchmark providers. However, benchmarking the cost of PECCS or the PSNI escorting to private sector contractors is complicated as the local contractors, Resource and G4S only transport small numbers of children and immigration detainees. Such a small scale operation does not represent the business model that a contractor would adopt for a full scale operation. The contractors in England and Wales provide escort and court custody to larger numbers of prisoners, up to 500,000 in the various regional contracts, and the distances travelled and the journey times are very different to those in Northern Ireland thus distorting cost per mile or cost per prisoner unit costs. The most accurate method of cost comparison is to market test the service and an independent review of the Northern Ireland Prison Service Efficiency Programme (the Hamill report), led by Hamish Hamill, the



retired head of the Scottish Justice Department recommended the option of contracting out the full range of escort services in 2005.

7.26 The establishment of the NIPS PECCS team was not a market test per se as the private sector was not invited to bid, however an estimated cost of a private provider derived from known contractor prices was compared to an in-house cost. The capital costs of the fleet and associated running costs were assumed to be the same with the major variable being staff costs. The subsequent business delivery proposal estimated the staff cost of the in-house service to be £600,000 per annum less than the private bid. The contract fee added to the staff costs by a private contractor accounted for much of these additional costs. This approach raises some issues. Firstly, it can be argued that if the private sector contractors were offered a full scale service, perhaps involving suppliers from England and Wales, more competitive prices would be forthcoming. Secondly, the contractor add-on to salaries is only one element of the costing model, productivity, deployment, management charges and non staff costs also offer scope for private providers to be competitive. On the other hand, the Transfer of Undertakings (Protection of Employment) Regulations 1981 (TUPE) legislation requiring a contractor to honour current terms and conditions could act as a disincentive and PECCS incurs additional costs through segregation

of females prisoners during escort. Significantly, at the time of the inspection the annual rate of sick absence in PECCS had risen to 6.7% equivalent to an opportunity cost of £286,000. It may be possible to realise this cost as a saving by transferring the risk to a third party through a fixed price contract.

7.27 In addition to staying within budget, the PECCS business delivery proposal gave a commitment to deliver ongoing efficiency savings at least equal to those of a private sector provider. PECCS proposed an efficiency saving of £96,000 in 2010-11 that should be realised through restricted recruitment and natural wastage but in the longer term, efficiencies through reducing staffing levels will meet with opposition from the staff association.

7.28 In conclusion, there is sufficient scope for economies of scale and efficiencies from competitive tendering to warrant a market test of the entire escorting and court custody service. Specific arrangements to support escort and security of higher category prisoners can be incorporated into the operating specification. Inspectors therefore recommend **the Department of Justice should conduct a full market test of escorting and court custody. This should include provision for JJC escorting and custody, PSNI escorting and custody and a sub-contract, if necessary, to accommodate UKBA escorting and custody.**



7.29 The PSNI also dedicates a substantial resource to escorting and court custody activities - a service that is under active consideration by PSNI management. Within the Police (Northern Ireland) Act 2003, Section 31, schedule 2, a small number of Custody Detention Officers at Antrim and Bangor PSNI stations are provided under contract by Resource. The extension of the Custody Detention Officers scheme to other custody suites and escort duties would release police officers for frontline duties and reduce costs. Although no specific activity monitoring or costing for escorting and custody duties is maintained, Inspectors estimate savings over £780,000 per annum could be realised.

7.30 The figure of £784,000 could be higher if escort duties require more than two officers with an additional

saving of £14 per hour for each additional officer. There are roughly 1,000 prisoners produced for special courts and transfer of the custody of these prisoners to a contractor would also produce savings. The cost of backfilling officers on escort duty is not taken into account but would provide additional savings.

7.31 Overall, the potential saving equates to a minimum of roughly 20 Full Time officers and taking into account the other factors above, it could be double this. There would also be some benefit arising from less PSNI supervisory input in to scheduling escorts and arranging backfill. **It is recommended PSNI contract out the escorting of prisoners and court custody duties at Special Courts, either as part of a wider contract or through negotiation with the current contractor.**

Table 5: Escorting and court custody activity costs and potential savings

Escort Team	£/hr per team	Total cost for 28,000 hrs
PSNI	46	£1,288,000
Contractor	18	£504,000
Possible savings	22	£784,000

- Assumptions:
1. Two officers minimum deployed to each escort.
 2. Officers are unavailable for other duties for a minimum of 3.5 hours per escort duty.
 3. Escort time includes pre release by custody officer and handover to court custody officer.
 4. There are 8,000 escort episodes per annum giving a total of 28,000hrs on escort duty.





Conclusion



- 8.1 CJI Inspectors found elements of good practice in the escorting and court custody of prisoners in Northern Ireland but the delivery was inconsistent. PECCS was performing adequately against the performance measures in its Service Level Agreement but did not meet all the standards of service when compared to the national comparators in England and Wales. The survey in this inspection did indicate improvements in service delivery although, as it was a small sample it remains to be confirmed by the regular inspection process. Inspectors formed the opinion that the escorting and court custody staff displayed a good degree of professionalism in their approach to prisoners, although additional guidance could be given to PECCS staff to provide more information to prisoners about the process. Some prisoners were not receiving explanations about accident procedures under escort, attracting the attention of custody staff, entitlements to healthcare and ongoing medication.
- 8.2 The approach of the main custody provider - PECCS - reflects the NIPS emphasis on security which results in prisoners being handcuffed at virtually every point in the escorting and custody process. Prisoners are not individually risk assessed and the imposition of the security arrangements means prisoners being denied reading material or tea and coffee, even though they have regular access to these items in the prison establishment.
- 8.3 The other service providers did not adopt as restrictive a regime as the NIPS with the need to handcuff prisoners established following risk assessment. Reading material was provided and prisoners had access to hot and cold drinks. There are limited performance statistics for the PSNI escorting function and UKBA's statistics do not measure the performance of the Northern Ireland operation.
- 8.4 The court custody facilities were of a variable nature and some courthouse custody suites were not fit for purpose either as a place of detention or a workplace for custody staff. Major failings identified by Inspectors included the lack of secure vehicle docking facilities at a number of courthouses, which increases the risk of escape and the transit of prisoners through public areas, very limited facilities for staff, lack of cell



capacity to enable segregation of prisoners and poor facilities for disabled prisoners. Implementation of work to achieve Disability Discrimination Order compliance is to be welcomed but does not fully address the issues raised by prisoners and custody staff.

- 8.5 There are four separate providers of escorting and custody services in Northern Ireland whereas in England and Wales, a single contractor meets service volumes over ten times those in Northern Ireland. A single provider of escort and court custody services in Northern Ireland would create financial and other efficiencies. A simple example of replacing PSNI officers with contracted escort and detention staff indicated minimum savings in excess of £780,000 per annum. A single provider would realise additional economies of scale by eliminating the duplication of court custody staff for JJC prisoners, improving utilisation of vehicles and providing a clear line of accountability between the service provider and the client.

Section



Appendices



Appendix 1: Summary of Inspection Survey Results

Inspection survey results											
Service aspect	Maghaberry 2009	Local Prisons Comparator	Magilligan 2010	Local Prisons Comparator	Hydebank Wood 2007	Local Prisons Comparator	Ash House 2007 Females	Local Prisons Comparator	Prisoner Escorting and Court Custody Inspection 2010	Overall %	Comparator
Number of completed questionnaires	106	3952	164	3935	89	1891	39	477	44	442	10255
Service rated V good/good											
Cleanliness	29%	49%	39%	53%	15%	35%	13%	43%	50%	31%	48%
Personal Safety during the journey	41%	58%	55%	62%	39%	58%	31%	57%	71%	48%	59%
Comfort of van	15%	11%	8%	19%	4%	11%	0%	13%	30%	10%	14%
Attention to health needs	24%	28%	26%	32%	22%	33%	11%	33%	20%	23%	31%
Frequency of comfort breaks	20%	12%	13%	13%	11%	12%	0%	10%	6%	12%	12%
More than 4 hours in escort van	3%	5%	3%	9%	4%	6%	3%	9%	11%	4%	7%
Treated well/V well by escort staff	53%	67%	53%	67%	51%	66%	58%	75%	60%	54%	67%
Know where going after leaving court	85%	72%	88%	82%	88%	81%	84%	81%	80%	86%	78%
Before you arrived here did you receive any written information about what would happen to you?	12%	14%	13%	18%	9%	24%	0%	13%	50%	14%	17%
Property delivered at same time.	68%	81%	81%	88%	76%	86%	67%	80%	N/A		

Significantly better

Significantly worse

Appendix 2: Court Arrival Times

Court	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Jul-09	Avg
Antrim	0	37	43	52	53	55	12	19	14	12	6	22	27
Armagh	50	48	42	55	34	50	20	40	10	37	18	50	38
Ballymena	11	8	-17	-10	-8	-13	-1	-3	-6	2	-12	1	-4
Bangor	36	3	3	23	31	33	11	-14	20	29	23	5	17
Belfast	59	39	32	37	43	46	28	24	47	43	38	53	41
Coleraine	5	-6	-8	-17	-19	-10	-18	-17	-14	-25	-21	-22	-14
Craigavon	8	45	42	41	56	61	44	51	54	56	48	58	47
Downpatrick	41	27	29	31	43	45	21	28	31	34	28	41	33
Dungannon	35	24	29	30	32	45	43	36	40	39	38	0	33
Enniskillen	-2	-32	-28	-8	-21	-23	-52	-27	-36	-30	-25	-30	-26
Larne	23	11	-3	20	-30	28	10	12	-17	20	5	35	10
Limavady	-10	-53	-29	-10	-48	-35	-33	-60	-15	-45	5	-25	-30
Lisburn	55	38	49	61	64	47	35	58	56	46	65	53	52
Londonderry	-6	6	5	0	5	2	-18	-24	-18	-12	-12	1	-6
Magherafelt	3	3	0	18	-10	15	-14	-17	14	-2	1	2	1
Newry	40	23	22	26	37	33	25	28	33	33	32	35	31
Newtownards	45	35	29	31	38	39	26	31	25	42	26	44	34
Omagh	27	27	28	40	35	36	13	16	-8	0	37	35	24
Strabane	0	-23	-30	-20	-20	-43	-13	-50	-47	-25	-33	-5	-26
Avg	22	14	13	21	17	22	7	7	10	13	14	19	





Appendix 3: Prisoner Survey Comments

Comments - escort van

	Frequency	Percent
Accidents are a big problem - no instructions issued about lifting people out.	1	2.3
Banged head in van because of fast driving	1	2.3
Can't move/take jacket off etc. Don't feel safe if have an accident	1	2.3
Didn't use escort van. Walked from PSNI Musgrave St with police.	1	2.3
Escort van was cold. Up at 7am, no breakfast, landing keys not available till 8. Nothing provided previous night.	1	2.3
Everything is ok - know what I'm doing and why	1	2.3
I am asthmatic and claustrophobic and find it extremely difficult to travel when I'm in such a confined space. It would be nice if the people escorting would check on us every now and then and at the least offer us a drink for the journey. Also its not fair that the escorts can stand outside the van for a smoke but we can't.	1	2.3
I did find the van uncomfortable and a little cold. On this occasion I travelled with my co-accused so didn't mind being with the opposite sex however I don't feel that this is suitable for male and female inmates to travel together.	1	2.3
If van had an accident wouldn't be safe as no seatbelt	1	2.3
It is cold. Left at 6.45, no breakfast, no landing keys until 8am, no food from previous night. Could provide some cereal previous night for those going to an early court. Handcuffed too and from van.	1	2.3
Left at 7.30. No breakfast.	1	2.3
No info on accidents	1	2.3
No information	1	2.3
No information on accidents	1	2.3
No instructions about accidents	1	2.3
No instructions about how to get out	1	2.3



	Frequency	Percent
No point making complaints as Prison Service staff don't care	1	2.3
Not very comfortable. Furniture very hard. Court instruction issued legal people not sure why so bit of mix (sent to court when not required). 7.30 breakfast at Foyle House, had some food from previous evening. No real info on why going to court.	1	2.3
They're nice people and they try and talk to you about getting help	1	2.3
Told nothing, couldn't get out. Issue about what happens in an emergency.	1	2.3
Very cold in the morning	1	2.3
Very warm (hot). Couldn't remove jacket asked before was put in van. Told not allowed to. Nothing about in case of accident.	1	2.3
You're put in a very small space for a long time	1	2.3
Total	44	100.0





Appendix 4: PECCS Service Level Agreement Monitoring Return

Service Level Agreement Critical Measures

No. Measure	Target/Standard	Performance YTD Aug 09
1 Escapes Cat A	No Escapes	Nil – target met
2 Escapes all prisoners	<= 0.3%	Nil – target met
3 Prisoners released at court in error	No releases	Nil – target met
4 Loss of control of court custody suite vehicle	No occasions	Nil – target met
5 Adherence to self-harm and suicide policy	Full compliance	Full compliance with SPAR – target met.
6 Assaults on prisoners by prisoners	<4%	Nil – target met
7 Requests for medical assistance refused	No occasions	Nil – target met
8 Deliver of prisoners to court on time	<5% not delivered within 30 minutes of court start time	16.9% – target not met
9 Costs	Within 5%	Actual 1% – target met
10 Segregation male – female prisoners	As near 100% as possible	99.14% separate female escorts

Service Level Agreement Performance Monitoring Information

No	Measure	Target/standard	YTD performance
1	Access to Toilet facilities	No reasonable request refused	No complaints recorded
2	Provision of meals	Meals for all those in custody over lunch or tea time	No complaints recorded
3	Prisoner Complaints	Record all complaints	No complaints
4	Vehicle and personal accidents	Report and investigate all reports	4 accidents (Minor)
5	Reporting incidents	List	6 incidents (6 prisoners)
6	Courtroom staffing	Provide staff for Courts with 'custody cases' where sufficient prior notice is given.	No complaints
7	Monitoring report	Due date	Reports delivered on due date
8	Cleanliness of custody suites and vehicles	Defects reported promptly and actioned by NI Courts Service premises officer	No complaints recorded
9	Handcuffing	Handcuffing of females recorded. All male prisoners double cuffed when moving to/from vehicles	No complaints recorded
10	C&R reports	Completion of follow-up situation report when force used	8 incidents involving 10 prisoners, all forms completed.





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