

An inspection of prisoner resettlement by the Northern Ireland Prison Service

October 2011

Criminal Justice Inspection
Northern Ireland
a better justice system for all





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Contents

List of abbreviations	iv
Chief Inspector's Foreword	v
Executive Summary	vi
Recommendations	ix

Section 1 Inspection Report

Chapter 1 Introduction and context	3
Chapter 2 The strategy for delivering resettlement services in Northern Ireland	11
Chapter 3 Delivery of resettlement services	17
Chapter 4 Outcomes of the Northern Ireland Prison Service resettlement services	35





List of abbreviations

CJO	Criminal Justice (Northern Ireland) Order 2008
DoJ	Department of Justice
DEL	Department of Employment and Learning
DHSSPS	Department of Health, Social Services and Public Safety
DSD	Department of Social Development
HRS	Housing Rights Service
IDAP	Integrated Domestic Abuse Programme
MoJ	Ministry of Justice
NIACRO	Northern Ireland Association for the Care and Resettlement of Offenders
NIHE	Northern Ireland Housing Executive
NIPS	Northern Ireland Prison Service
OBP	Offending Behaviour Programmes
OM(U)	Offender Management (Unit)
PAU	Prisoner Assessment Unit
PBNI	Probation Board for Northern Ireland
PCNI	Parole Commissioners for Northern Ireland
PPANI	Public Protection Arrangements Northern Ireland
PREPS	Progressive Regime and Earned Privileges Scheme (in prison)
PRISM	Prisoner Record Information Systems Management
PSNI	Police Service of Northern Ireland
SAOs	Supervised Activity Orders
SEE	Strategic Efficiency and Effectiveness programme
SEHSCT	South Eastern Health and Social Care Trust
SEU	Social Exclusion Unit
SLA	Service Level Agreement
SOTP	Sex Offender Treatment Programme
SPAR	Supporting Prisoners At Risk
UKBA	United Kingdom Border Agency
VCS	Voluntary and Community Sector
YOC	Young Offenders Centre



Chief Inspector's Foreword

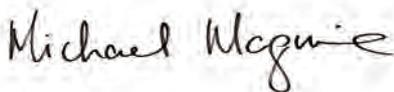
The purpose of 'resettlement' is to help prisoners deal with problems that have contributed to their offending. These can include issues such as health, education, criminal attitudes, relationships and employment. Resettlement services are therefore an important part of helping to reduce re-offending behaviours and it is a considerable challenge for the Northern Ireland Prison Service (NIPS) to deliver them effectively. This inspection is a follow-up to the last report on the Northern Ireland Prisoner Resettlement Strategy completed in 2007.

The context for resettlement has changed considerably with the commencement of the Criminal Justice (Northern Ireland) Order 2008. It requires prisoners to address their offending behaviours if they are to persuade the Parole Commissioners for Northern Ireland (PCNI) that they can be safely released. In turn the NIPS need to provide more opportunities for these prisoners to undertake offending behaviour programmes that will enable them to resettle successfully.

The inspection report shows the resettlement process has benefitted from the resources that were provided to implement the Criminal Justice Order. Improvements have been identified in relation to the appointment of additional staff, co-located offender management teams that were working well together, a better environment for some life sentence prisoners, better engagement with the voluntary and community sector and greater effort to address the resettlement needs of short-term and remand prisoners.

Whilst the resettlement process had improved, better outcomes for prisoners were less obvious. This was partly a reflection of the NIPS inclination to measure inputs rather than outcomes which are the real test of whether services are being delivered successfully. In addition the successful delivery of resettlement remained hampered by working practices within the Service and its dominant security ethos. Every aspect of prisoner life contributes to the resettlement agenda and it is important that the Strategic Efficiency and Effectiveness (SEE) programme currently being developed by the Prison Service to enable reform, explicitly deals with the resettlement agenda. Our recommendations for change need to be folded into the reform agenda.

The inspection was carried out by Tom McGonigle of CJI. My thanks to all those who participated in the inspection process.



Dr Michael Maguire
Chief Inspector of Criminal Justice
in Northern Ireland
October 2011

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Executive Summary

The last inspection report on the Northern Ireland Prisoner Resettlement Strategy was issued in June 2007. The Northern Ireland Prison Service (NIPS) accepted the 17 recommendations that related to them and published an Action Plan for their implementation. By Spring 2011 when this inspection took place, the Resettlement Strategy had been subsumed within a new set of arrangements for Offender Management (OM). This inspection sought to establish the extent to which the NIPS had fulfilled its responsibilities for prisoner resettlement since the 2007 inspection and we took account of the OM context which has become a major feature of the NIPS operation.

The inspection was scheduled for Summer 2010 but delayed at the request of the NIPS as they wanted to relaunch the Multi-Agency Steering Group that oversaw resettlement, introduce an updated Resettlement Pathways document in Autumn 2010 and undertake a self-audit prior to the inspection. However by the time we inspected there was still no strategic body to oversee resettlement, and the launch of the updated Pathways Strategy had been delayed until Summer 2011.

The context for resettlement had changed significantly with the commencement of the Criminal Justice (Northern Ireland) Order 2008 (the CJO), the legislation that underpinned the OM process. The CJO required prisoners to address their offending behaviour if they were to persuade the Parole Commissioners for Northern Ireland (PCNI) that they could be safely released. In turn, the NIPS had to provide more opportunities for these prisoners to undertake offending behaviour and other programmes that would enable them to resettle successfully. A major implementation programme was established to manage the new sentences and the resettlement process benefitted from the resources that were provided to implement the CJO.

Early indications were that the NIPS was under pressure to meet the expectations of the CJO as the numbers of licensed prisoners being recalled to prison were higher than they had expected. There was also additional pressure as the overall prison population increased steadily. In particular, the NIPS was struggling to meet the requirements of the Parole Commissioners. The NIPS was alert to the risk that non-CJO prisoners (those on short sentences, remandees and fine defaulters) could lose out on resettlement services as attention focused on CJO and life prisoners, and they were working to alleviate this risk.

Eight of the 14 recommendations that were still relevant had not been achieved, though there had been structural and practical progress. This included:

- additional Probation Officers and NIPS staff had been appointed. Over half the personnel employed in OM and resettlement work were non-NIPS employees; and the NIPS officers were volunteers for OM roles;
- the OM Teams, which also included psychologists, voluntary and community sector (VCS) personnel and chaplains were co-located in dedicated offices. This integration was working well and there was good cross-fertilisation of values and working practices;

- 
- no females under the age of 18 had been held in Ash House since 2009, and the regime for women prisoners had improved;
 - many life prisoners now had a better environment in Braid House and a few had even been transferred to Magilligan;
 - prison officers designated as ‘sentence managers’ were the closest the NIPS has come to providing personal officers, and more prisoners were aware of their resettlement plans;
 - a set of standards had been prepared to guide delivery of the new sentences. These were specifically written to suit prison officers;
 - the Prisoner Record Information Systems Management (PRISM) system had been significantly re-developed. It was beginning to generate more powerful data on matters such as prisoner needs’ profiles. Inspectors saw the data being used to hold managers accountable;
 - there were more focused service level agreements with VCS organisations, providing clearer accountability in both directions;
 - drugs and alcohol services delivery had become more consistent with a single agency providing interventions in each of the prisons;
 - greater effort was being invested in addressing the resettlement needs of short-term and remand prisoners; and
 - prisoners could now be placed on the Electoral Register and open bank accounts before release.

While resettlement **processes** had developed, better **outcomes** for prisoners were less obvious, hence the limited achievement of previous recommendations which had targeted better outcomes. This was partly a reflection of the NIPS inclination to measure inputs rather than outcomes, which is also apparent in the ‘delivery’ and ‘outcomes’ chapters of this report as much more material was available in relation to the former.

Progress since 2007 was really let down by the context within which resettlement services were delivered. Every aspect of prison life contributes to prisoners’ resettlement and many areas of the NIPS performance were poor. Inadequate management and impoverished regimes have been extensively reported on in the past. Inspections have shown that the NIPS is very expensive, yet leadership of resettlement and staffing deployment remained ineffective at the time of this inspection. Working practices that were designed to suit staff and the dominant security ethos impacted negatively on many commendable resettlement efforts.

Not surprisingly resettlement practice was best at Magilligan, a relatively small prison which held only sentenced prisoners. Hydebank Wood had high levels of need among its women, young men and juveniles who were both on remand and sentenced. Maghaberry had the largest numbers and high levels of turnover, a disproportionate number of remand prisoners plus a small separated population that drained staff resources from other functions of the prison including resettlement.

From the prisoners’ perspective, there were a lot of issues to be addressed before they could concentrate on resettlement work. These included their court cases, the prison regime, group living pressures, transfers within and between prisons, and their personal relationships and health. Most prisoners were more aware of resettlement than in 2007, but they remained uncertain



about how it could help them. There were plenty of well-motivated staff involved, but they needed to make the shift to really understanding the prisoners' perspective and to progress beyond ticking boxes.

The NIPS cannot deliver resettlement alone. It is obliged to work with whoever the courts send into its custody, and it is very difficult to 'resettle' people whose lives were frequently in chaos before entering prison. The concept of encouraging and promoting prisoners' citizenship rather than reducing it, and providing them with the rights - apart from their liberty - of free citizens, remains a political and societal challenge.

There are issues for politicians, other Government agencies and wider society to address. In this respect there is considerable scope to reduce the Northern Ireland prison population by speeding up the process of justice for remand prisoners, and by reducing the numbers of fine defaulters and male children entering prison. These reductions would impact positively on the resettlement prospects of the remaining prisoner population.

However, immediate responsibility for resettlement lies with the NIPS. Our 22 recommendations depend upon, and are linked to, wider NIPS reforms that are envisaged in its Strategic Efficiency and Effectiveness (SEE) programme. Economics have become a major driver for change, and major personnel changes are expected by April 2012. Governors have however guaranteed their OM posts will be ringfenced, and our expectation is that the SEE programme will sufficiently improve the regime, staffing and cultural contexts to strengthen delivery of resettlement services in the future.



Recommendations

Strategic Recommendations

- The DoJ should ensure that Supervised Activity Orders and other initiatives to divert fine defaulters from custody are commenced by December 2012 (*paragraph 1.20*).
- A high level resettlement oversight group should be re-established by the NIPS by December 2011 comprising themselves, the PBNI, relevant Government departments and VCS providers. It should meet at least annually and should apply a specific focus on the resettlement of non-CJO and remand prisoners (*paragraph 2.5*).
- The DoJ should set and lead on an objective to improve cross-departmental contributions to prisoner resettlement during the 2012-13 business year (*paragraph 2.17*).
- By April 2012 all male children who are sent into custody should be treated equally with female children i.e. their default placement should be Woodlands JJC; and in the interim the JJC should take a more central role in the YOC planning process for children. This should include chairing the meetings. Terms of reference should be prepared for these meetings whose primary purpose ought to be to establish the child's suitability for transfer to the JJC, and a robust quality assurance process should be introduced (*paragraph 4.17*).

Operational Recommendations

- The new Resettlement Pathways Strategy should incorporate a needs profile and identify managerial responsibilities and timescales. It should include SMART targets that are based upon outcomes for prisoners rather than NIPS inputs, and should link to individual establishment resettlement strategies and to other relevant NIPS strategies, especially the Offender Management model (*paragraph 2.23*).
- The NIPS should set a SMART target to extend the case management processes to a wider range of prisoners, particularly short-term prisoners and remandees who regularly return to custody (*paragraph 3.22*).
- The UK Border Agency should provide a minimum of four weeks notice to the NIPS of their decision about whether or not prisoners will be deported at the end of their sentences (*paragraph 3.24*).
- Criminal records and other information should be made available, where relevant and with suitable protections built in, to partner agencies engaged in providing services to the NIPS (*paragraph 3.26*).
- The NIPS SEE programme should ensure prisoners have an officer who takes a personal interest in their case. This ought to be introduced on a phased basis for example starting with life prisoners and extending to long-term remand prisoners (*paragraph 3.54*).



- The NIPS should train staff to apply a more directive chairing and minuting style for individual casework and committee level meetings, incorporating SMART objectives with built-in accountability (*paragraph 3.59*).
- The NIPS should set targets to annually increase:
 - the number of prisoners who receive accreditation for peer support roles; and
 - the number of hours spent undertaking these roles (*paragraph 3.64*).
- Prisoners who deny their current offences should, where possible undertake programmes in respect of previous convictions; more usage of rolling programmes should be introduced to increase participation levels; and challenging targets should be set for completion of programme suitability assessments (*paragraph 3.69*).
- The NIPS should extend its range of OBPs to include a domestic violence programme, an internet sex offending programme and a programme for dangerous drivers (*paragraph 3.70*).
- The NIPS should set SMART targets to more expeditiously deploy and manage its psychology personnel (*paragraph 3.73*).
- The NIPS should set targets to reduce security levels and deliver a more liberal regime for lower security prisoners in each of its prisons (*paragraph 3.81*).
- The NIPS should determine and apply criteria that would enable sentenced prisoners to be committed directly to Magilligan (*paragraph 3.84*).
- The NIPS should provide motivational interviewing training, initially for its OM staff; and subsequently as part of any cultural change programme for the wider body of staff (*paragraph 4.6*).
- Appropriate life prisoners should continue to be transferred to Magilligan if it helps to meet their resettlement needs (*paragraph 4.19*).
- The new NIPS Resettlement Strategy should set specific targets for delivery of resettlement services to separated prisoners (*paragraph 4.24*).
- The NIPS should set a target to increase its complement of Family Officers and to protect their role (*paragraph 4.27*).

Repeated Recommendations

- The NIPS should set a SMART target to annually increase the numbers of prisoners families' that contribute to the resettlement process (*paragraph 3.50*).
- Women prisoners should be accommodated on a separate site from young male prisoners (*paragraph 4.10*).

Section



Inspection Report



CHAPTER 1:

Introduction and context



- 1.1 Prisoner resettlement is a broad concept, somewhat vague in character but important in delivery. The Northern Ireland Prison Service (NIPS) definition of resettlement is *'A systematic and evidence-based process by which actions are taken to work with the prisoner in custody and on release... It encompasses the totality of work with prisoners, their families and significant others in partnership with statutory and voluntary organisations.'*
- 1.2 In effect the purpose of resettlement is to help prisoners sort out problems that have contributed to their offending. If matters such as health, education, criminal attitudes, relationships and employment have been sorted out by the time they leave custody then the prospects of reduced re-offending are much improved. This means every branch of the NIPS has to deliver effective services – a considerable challenge given previous inspection criticisms that have highlighted major deficiencies and the need for a substantial cultural shift within the NIPS.

The case for prisoner resettlement

- 1.3 The case for prisoner resettlement was elevated to a position of priority in UK penal policy by a 2002 Social Exclusion Unit (SEU) report *'Reducing re-offending by ex-prisoners.'*¹ It established the

framework for prisoner resettlement, and the location of the SEU within the Office of the Deputy Prime Minister, enhancing the report's political influence, providing its authors with an opportunity to adopt an approach across eight Government departments, some of which had previously regarded prisoners as low priority.

- 1.4 The SEU report led to a national action plan. The plan focused mainly on practical services because it is problems such as accommodation and finances that are most pressing for people coming out of prison. Being in employment reduces the risk of re-offending by between a third and a half; while having stable accommodation reduces the risk by a fifth. The SEU report demonstrated the link between social deprivation and offending behaviour, and showed that good outcomes for prisoners should translate into less re-offending after release – a prison sentence can be the first time many prisoners have been in sustained contact with public services, and often the challenge is not to resettle prisoners in society, but to settle them for the first time. Table 1 taken from the SEU report, provides clear evidence of the need to offer prisoners resettlement services.

¹ Reducing re-offending by ex-prisoners, Social Exclusion Unit (2002).



Table 1: Social characteristics of sentenced prisoners

Characteristic	General Population	Prisoner Population
Ran away from home as a child	11%	47% male; 57% female
Taken into care as a child	2%	27%
Regularly truanted from school	3%	30%
Excluded from school	2%	49% male; 33% female
No qualifications	15%	52% male; 71% female
Numeracy at or below Level 1 (level expected for an 11 year old)	23%	65%
Reading ability at or below Level 1	21-23%	48%
Unemployed	5%	67%*
Homeless	0.9%	32%
Suffer from two or more mental disorders	5% men; 2% women	72% male; 70% female
Psychotic disorder	0.5% men; 0.6% women	7% male; 14% female
Drug use in the previous year	13% men; 8% women	66% male; 55% female
Hazardous drinking	38% men; 15% women	63% male; 39% female

* In the four weeks before imprisonment.

1.5 We also know from more recent Ministry of Justice publications that short-term, and socially-deprived prisoners have particularly high rates of re-conviction. Sixty per cent of adults serving sentences of less than 12 months are re-convicted within one year of being released from prison. Re-conviction rates are also consistently higher for prisoners who experienced violence as a child, were excluded from school, had no qualifications, accommodation or employment, and abused drugs and alcohol.² These headlines mask another problem – for each re-conviction it is estimated that five recorded offences are committed. As ex-prisoners are likely to be prolific offenders the costs they incur will be even higher. The annual cost of re-offending by ex-prisoners to the Northern Ireland criminal justice system alone was estimated at around £80

million in CJI’s 2010 inspection of Corporate Governance within the Northern Ireland Prison Service.

1.6 The consequence of the SEU report and others was that it made sense to address prisoners’ resettlement needs, and by 2009 the Chief Inspector of Prisons for England and Wales was able to report that “Resettlement, formerly an add-on, is now seen as a core part of a prison’s function.”³

1.7 Although this assertion showed that the concept of resettlement had effectively been accepted, it was qualified in some important respects. Resettlement policies were descriptive rather than based on prisoners’ needs, resettlement committees tended to lack a strategic focus, and planning for short-term and remand prisoners was deficient.

² Compendium of Re-offending Statistics and Analysis, Ministry of Justice, 4 November 2010.

³ HMIP Annual Report 2008-09.

Prisoner resettlement in Northern Ireland

- 1.8 The Northern Ireland Prisoner Resettlement Strategy was generated by Recommendation 208 of the Criminal Justice Review in March 2000. In June 2004, the NIPS agreed a Resettlement Strategy in partnership with the Probation Board for Northern Ireland (PBNI) plus a number of other organisations from both the statutory and voluntary and community sectors (VCS). An implementation plan was agreed and a Multi-Agency Steering Group was formed in 2005 to take forward the Strategy.
- 1.9 A combination of factors create a positive environment for prisoner resettlement in Northern Ireland. It is a small jurisdiction with only three prisons and most prisoners are incarcerated close to their homes. It has the lowest per capita rate of imprisonment in the UK. There are also singular criminal justice agencies with high staff/prisoner ratios and close liaison between the prison and probation organisations. In addition Northern Ireland spends much more on imprisonment. In 2009-10 Northern Ireland's cost per prisoner place cost was £77,831, though an 82% occupancy level meant the actual cost per prisoner was £94,804. This compared with the England and Wales cost of £45,000; Scotland's £41,724; and the Republic of Ireland's £64,350.
- 1.10 Northern Ireland's prison population has had positive resettlement outcomes in the past. The PBNI began working with the VCS in the early 1980s to provide innovative schemes such as Prison Link which delivered practical

services for prisoners' families. It recruited ex-offenders to undertake rehabilitation and diversionary projects in the community, while simultaneously studying to gain qualifications that would enhance their employability. Many prisoners returned to society better educated, socially aware and began to contribute to the greater good of their communities; and few re-offended. Although these outcomes were for a different prisoner population, they also reflect the importance of strong communities – which still exist in Northern Ireland – in aiding prisoner resettlement.

Recent resettlement findings

- 1.11 The CJI inspection of Northern Ireland's Prisoner Resettlement Strategy in 2007 found the concept of resettlement was well-established and the model for delivery was largely appropriate, but that resettlement was a low priority overall within the NIPS. The Strategy depended heavily on the VCS, activity was often piecemeal and other statutory providers needed to be more engaged.
- 1.12 Of the recommendations that were still relevant to the NIPS in early 2011, our assessment is that six (including the establishment of a Resettlement Team at Hydebank Wood, reducing security classifications and introducing resettlement leave) were fully or partially achieved. Eight had not been achieved – these included better delivery of Offending Behaviour Programmes (OBPs); the introduction of a personal officer scheme; and re-locating women prisoners to a different site.
- 1.13 The most recent inspections of resettlement in individual establishments



by CJI and Her Majesty's Inspectorate of Prisons (HMIP) have found the following:

- **Maghaberry (2009)** - *'The prison was not performing sufficiently well. There were inadequate programmes, prisoners had little awareness of resettlement services, and a clearer strategy for lifers was required. There was good work on helping men to retain family ties.'*
- **Magilligan (2010)** - *'Resettlement outcomes were reasonably good, though there was little strategic direction.'*
- **Hydebank Wood and Ash House (2011)** - *'Outcomes for prisoners were reasonably good. The Offender Management Unit was well established and increased resources received to implement the new Criminal Justice Orders had benefitted resettlement work generally.'*

1.14 Other recent perspectives on the NIPS resettlement performance have included:

- the Independent Monitoring Board (IMB) Annual Reports. The Reports for 2009-10 were complimentary of the NIPS resettlement activity at Maghaberry and Magilligan, and critical at Hydebank Wood/Ash House;
- the Prisoner Ombudsman had not received any complaints specifically about resettlement, but there were several representations about prolonged lock-ups and other regime restrictions that impacted negatively on resettlement; and
- the NIPS Prisons Review Team's Interim Report, published in February 2011 was highly critical of

resettlement efforts to date.

1.15 In December 2010, the NIPS completed a self-assessment of achievement against all 57 resettlement recommendations made by oversight bodies since 2007. The self-assessment confirmed an inclination to measure its own inputs rather than outcomes for prisoners. It showed that many resettlement action plan activities were only initiated in 2010, and were still ongoing or due for completion in 2011. The assessment could demonstrate plenty of activity but only limited achievement since June 2007.

1.16 The self-assessment recognised that strategic oversight and needs assessments were still not fully in place either at local or corporate levels, and resettlement was not viewed as a core function within residential areas. It explained that future development of resettlement services will depend heavily upon the pending new Resettlement Strategy, and the impact of reduced finance was highlighted as an important factor. The self-assessment concluded that *'There are considerable areas of work that need to take place to move resettlement forward within the NIPS...'*

The Northern Ireland prison population

1.17 Although the prison population has risen steadily since 2001-09, Northern Ireland still has by far the lowest rate of imprisonment in the UK (89/100,000 of the population). This contrasts with England and Wales' 153/100,000, Scotland's 152/100,000 and the Republic of Ireland's 99/100,000.⁴

⁴ International Centre for Prison Studies, Kings College London April 2011.



Table 2: Average Prison Population in Northern Ireland 2009-10⁵

	Remands	Sentenced to immediate custody	Fine Defaulters	Immigration Detainees	Total
Male	471	908	21	4	1,404
Female	21	22	2	0	45
Total	492 - 34%	930 - 64%	23 - 1.6%	4 - 0.3%	1,449

Table 3: Total Prison Receptions in Northern Ireland 2009-10⁶

	Remands	Sentenced to immediate custody	Fine Defaulters	Immigration Detainees	Total
Male	2,346	1,635	1,355	65	5,401
Female	120	143	28	9	300
Total	2,466 - 43%	1,778 - 31%	1,383 - 24%	74 - 1.3%	5,701

1.18 Tables 2 and 3 show that a large proportion of prisoners were on remand (55% of prisoners in Maghaberry compared to only 16.5% of prisoners in England and Wales). This presents serious impediments to the delivery of effective resettlement services as there are limits to what the criminal justice system can properly do with un-convicted prisoners. Remand prisoners are focused on their forthcoming case rather than on resettlement, their prison life is interrupted by court appearances, and the duration of their stay cannot be predicted due to the possibility of receiving bail or being acquitted at court.

1.19 Northern Ireland imprisons more people for fine default than neighbouring jurisdictions and they are a significant burden on prison administration. They spend an average of only four days in

custody so it is almost impossible to do anything useful to address their resettlement needs during that time. CJI's March 2010 inspection report on the enforcement of fines made 10 recommendations. None of the recommendations were directed at the NIPS, but it would benefit considerably from their implementation by reduction in the high committal rate for fine default.

Scope for reform

1.20 It has been acknowledged at political level that alternatives to custody need reform. The 2010 Hillsborough Castle Agreement committed to review community sentences to ensure there was a sufficiently wide range of disposals available to the judiciary to enable them to deal effectively with adult offenders convicted of less serious offences. The Criminal Justice (Northern Ireland)

⁵ The Northern Ireland Prison Population in 2009, NISRA Bulletin 2/2010.

⁶ Ibid.





Order 2008 provided for Supervised Activity Orders (SAOs) as an alternative to imprisonment for fine default. The PBNi consequently included a SAO introduction in its 2010-11 Business Plan and prepared a pilot project. However it did not commence due to cost constraints. In February 2011, the Department of Justice (DoJ) initiated a working group on fine default and a paper is to go to the Criminal Justice Board during 2011, which is intended to be followed by public consultation leading to final proposals and more legislation. **We recommend the DoJ should ensure that Supervised Activity Orders and other initiatives to divert fine defaulters from custody are commenced by December 2012.**

1.21 Statistical measures of sentence effectiveness suggest that community sentences are more effective and cheaper than custody in tackling re-offending by adults convicted for less serious offences. The one year re-offending rate for adult offenders in Northern Ireland sentenced to community disposals in 2007 was significantly less for Community Service Orders (23.5% at a unit cost of £4,200) and Probation Orders (24.4% at a unit cost of £2,000) than custodial discharges after sentences of less than six months (40.2%).⁷ A comparison of all England and Wales short custodial sentences (under 12 months) and court orders in 2007 showed that court orders were more effective by seven percentage points at reducing one year proven re-offending rates than custodial sentences of less than 12 months for similar offenders.⁸

1.22 While detention in prison prevents offending for the duration of the period in custody and the prospect of imprisonment may deter some offenders, short sentences provide little opportunity for rehabilitation or reparation to victims. They add to the strain of life for the prisoners' family and come at a high financial cost. Community sentences could provide an opportunity to work with offenders who do not pose a risk to the public on addressing offending behaviour and making reparation, without incurring the high costs of custody.

1.23 The challenge for politicians and criminal justice agencies is to increase public confidence in the effectiveness of community sentences and reduce levels of unnecessary imprisonment. If fine defaulters were removed and the number of remand prisoners reduced to the same level as elsewhere in the UK, then the scope for staff to engage more effectively in resettlement work with prisoners would be dramatic. CJI's first avoidable delay report described Northern Ireland's justice system as '*chronically slow...the scale of the remand population is a persistent and damaging drag on the capacity of any system to deliver rehabilitation...*'⁹ It made several recommendations for improvement which, if implemented would make a major contribution to improving delivery of resettlement services within our prisons.

1.24 The Government issued an important Green Paper for consultation in December 2010. It pointed out that '*A relatively small number of highly prolific offenders are responsible for a*

⁷ The Northern Ireland Prison Population in 2009, NISRA Bulletin 2/2010.

⁸ Compendium of Re-offending Statistics and Analysis, Ministry of Justice 4 November 2010.

⁹ Avoidable Delay - A thematic inspection of delay in the processing of criminal cases in Northern Ireland, CJI May 2006.



disproportionate amount of crime. Recent evidence suggests there is a group of around 16,000 (which equates to around 500 in Northern Ireland) active offenders at any one time, who each have over 75 previous convictions. On average they have been to prison 14 times, usually for less than 12 months, with 9 community sentences and 10 fines...'¹⁰

- 1.25 The Green Paper considered abolishing short sentences as some other countries have effectively done. However it concluded that the UK...*'will not end short sentences...particularly for recidivist criminals who have not responded to community punishments or fines...We will base our plans on increasing competition, decreasing control...and paying by results.'* Four pilot schemes are to be established. The schemes will not be permitted to select the offenders with whom they work, and it will be instructive for Northern Ireland's criminal justice system to observe and learn from their success in meeting the twin challenges of effective resettlement and profitable operation.

¹⁰ Breaking the Cycle – Effective Punishment, Rehabilitation and Sentencing of Offenders Ministry of Justice, December 2010.



CHAPTER 2:

The strategy for delivering resettlement services in Northern Ireland



Strategic oversight of resettlement

- 2.1 Inspectors heard that between publication of the previous inspection report in June 2007 and commencement of the CJO in May 2008, there was very little inter-agency oversight of resettlement at strategic level. The Multi-Agency Steering Group only met twice during that time; and the proposed Ministerial Group on Reducing Offending, which was to be led by the then Northern Ireland Office (now the DoJ) never materialised because devolution of criminal justice was pending. The NIPS deployed four different heads of resettlement from operational governor and civil servant grades between 2007-11, and some of these post holders carried additional responsibilities. All this suggested that resettlement was a relatively low strategic priority, both at departmental level and within the NIPS. The Resettlement Unit had previously benefitted from the contribution of seconded PBNI personnel and the NIPS should continue to encourage external perspectives on this area of its work whenever possible.
- 2.2 There was however ongoing engagement in relation to specific issues, for example, a senior NIPS official was a member of the South Eastern Health and Social Care Trust (SEHSCT) Reform and Modernisation Board, co-chaired the NIPS/SEHSCT Partnership Board and met routinely with Department of Employment and Learning (DEL) officials to consider prisoner employability issues.
- 2.3 The NIPS suggested it would be better for strategic oversight to be exercised by existing operational groups that managed specific aspects of resettlement. A total of 26 existing inter-agency groups, at various levels of seniority that had responsibility for oversight of the resettlement pathways were identified. Among these groups were hostel managers, an employability steering group, the NIPS/SEHSCT partnership to develop prisoner health care, the Ministerial Group on Safer Custody, the Chaplains Advisory Board, the Public Protection Arrangements Northern Ireland (PPANI) and the Regional Child Protection Committees.
- 2.4 None of these groups had anything other than a piecemeal view of resettlement; and certainly none had, nor was likely to want overall responsibility for resettlement services. None of them could lever the necessary levels of action by criminal justice and other organisations across the wide spectrum required.
- 2.5 The existence of so many steering groups means it is understandable that nobody would want yet another.



However, it is very important to properly engage non-criminal justice departments and the VCS at strategic level, and to ensure that resettlement for non-CJO prisoners and remandees does not get lost in the OM process. The VCS makes a significant contribution to prisoner resettlement, but in the absence of an oversight group they feel even more excluded at strategic level than when we inspected in 2007 and they do not feel they are treated like true partners. **We recommend a high level resettlement oversight group should be re-established by the NIPS by December 2011 comprising themselves, the PBNI, relevant Government departments and VCS providers. It should meet at least annually and should apply a specific focus on the resettlement of non-CJO and remand prisoners.**

The Criminal Justice (Northern Ireland) Order 2008

- 2.6 Commencement of the CJO has required a major shift in how the NIPS delivers many of its services. The Order aims to increase public protection, ensure custody is reserved for those who merit it, provide compulsory supervision following custody for sentences greater than 12 months and strengthen management of offenders in the community.
- 2.7 Judges were given greater powers to address both the crimes committed and the risk the offender might pose in future. Assessment of risk was placed at the heart of the system and every sentence of more than 12 months would now include a period of supervised licence after release. This represented a

major change for the PBNI as Northern Ireland previously only had a small number of post-custody licences. The CJO added significantly to the range of provisions available. These included:

- Extended Custodial Sentences and Indeterminate Custodial Sentences introduced for dangerous sexual and violent offenders. These allow prisoners posing a risk of serious harm to be detained indefinitely or to the end of their extended sentence;
- Determinate Custodial Sentences applied to all other sentenced prisoners. Sentences of longer than 12 months are to be served in full without remission, with the remainder of the overall sentence term spent under supervision in the community; and
- the Parole Commissioners role was extended to assess the suitability of dangerous offenders for release, and to review decisions on recall of licensed prisoners to custody.

- 2.8 The NIPS received an additional £5 million to assist with implementation of the CJO during 2008-11. A probation manager was seconded to help design arrangements and standards for delivering the requirements of the Order. Two probation officers had also been seconded to the NIPS headquarters to assist with a range of policy development including the Women's Strategy. The NIPS subsequently located its Women's Strategy lead advisor in Hydebank Wood. This was a positive move as it connected NIPS policy-making more closely to operations, partly remedying a deficit which Inspectors have criticised in the past.



- 2.9 Significant supporting architecture was introduced by the NIPS in conjunction with the PBNI and the DoJ to deliver the CJO requirements. A Steering Group, Programme Implementation Team and Programme Executive were established; and an Offender Management Practice Manual was introduced to provide operational standards and guidance.
- 2.10 Performance indicators were identified and detailed projections were prepared to anticipate impact on the custody population. Intermediate aims included swifter license revocations, greater compliance with curfews and the most dangerous offenders not being released until demonstrating they no longer posed a threat. Terms of reference for a longitudinal study and a benefits realisation plan which postulated a 13% reduction in serious crime over five years were also prepared.
- 2.11 Delivery of the new sentencing framework was therefore a key element of the Corporate and Business Plans for both the NIPS and the PBNI. Minutes of the CJO Implementation Board showed good collaborative working between these organisations. While traditional probation roles in prison – committal interviews and responding to prisoners requests – were retained, the emphasis of PBNI’s Service Level Agreements (SLAs) with the NIPS shifted to public protection, risk assessment, delivery of offending behaviour programmes (OBPs), preparation of reports for the Parole Commissioners and case management.
- 2.12 All of the NIPS ongoing resettlement activity was integral to the new OM arrangements. The CJO meant the NIPS

now had to provide, and prisoners had to accept, a range of interventions that could demonstrate suitability for safe release. Consequently the existing resettlement teams were subsumed within the OM arrangements, and where resettlement teams had not previously existed, OM Teams were set up with delivery of resettlement programmes as a core aspect of their function.

Inter-departmental collaboration

- 2.13 The strategic view of the NIPS and its criminal justice partners was that prisoners should be treated as citizens in all respects apart from loss of their liberty. This was one of the principles that led to the transfer of prisoner health care from the NIPS to the SEHSCT in April 2008.
- 2.14 The main Government departments with responsibility for services to prisoners were the DoJ, (the NIPS’ sponsoring department), the Department of Employment and Learning (DEL, which dealt with employability and training), the Department of Social Development (DSD, which dealt with social security benefits and accommodation) and the Department of Health, Social Services and Public Safety (DHSSPS, which provided health care and social services). Their contributions were mainly in kind. For example, the DSD’s Social Security Agency and the Northern Ireland Housing Executive (NIHE) had protocols with the NIPS to train staff in understanding and prioritising the needs of prisoners and their families.
- 2.15 Despite such protocols it could be frustrating for the NIPS when policies operated by external departments or





agencies did not fit with their needs. For example, if a prisoner had no release address then the Housing Rights Adviser would submit a homeless report to the NIHE. However, the prisoner could not be allocated accommodation prior to release, as the NIHE policy stipulated the person had to present as homeless on discharge. When all other options had been exhausted this made successful resettlement difficult, and meant there were high numbers of homeless discharges from the prisons.

2.16 The quality of departmental engagement with prisoner resettlement was mixed for other reasons. Inspectors were told how the NIPS resettlement priorities were reflected to varying degrees in the plans of partner departments and that prisoners were often not really considered as 'citizens first' in the provision of services. Prison health care staff suggested that community health services sometimes tried to exclude difficult people, such as some offenders because they were often challenging and intractable cases.

2.17 Others were reported to have no strategic relationship because they required payment which the NIPS was unable to provide. For its part the NIPS could not always deliver, for example, they felt uncertain about asking DEL to take over provision of education and vocational training while they themselves could not provide sufficient prisoners on time due to staffing and regime problems. **We recommend the DoJ should set and lead on an objective to improve cross-departmental contributions to prisoner resettlement during the 2012-13 business year.**

2.18 The value of political support for resettlement was apparent in other UK jurisdictions. The Welsh Assembly had provided a guarantee of accommodation for released prisoners; and there was evidence that a new public service agreement which required local authorities to assist in reducing offending, had made some English local authorities take a more positive role in offering housing to ex-prisoners.

2.19 There were some interesting pilot initiatives in England and Wales that the NIPS and its partners should consider:

- In 2010 the Home Office made £500,000 available for seedcorn grants to encourage the VCS to take on a more enhanced and equal role in designing and delivering offender management locally. Rather than treating this as a centrally driven project, the Home Office was using a national VCS umbrella body to develop and fully administer the grant process. It was an innovative approach and early outcomes were encouraging; and
- it was announced in June 2010 that the consortia which won competitive tenders to design, build and manage Belmarsh West and Maghull prisons would include two voluntary organisations (Turning Point and Catch 22) to provide resettlement services in the prisons.

Pathways - a Strategy for the resettlement of offenders in Northern Ireland

2.20 The 2008-10 Pathways Strategy was the base document for resettlement. It set



out seven 'pathways' (accommodation, education, health, drugs and alcohol, finance, children and families, and attitudes, thinking and behaviours) that needed to be addressed in order to reduce offending. The Strategy had targets but it was unclear whether they were ever measured. It was non-specific and responsibilities were not allocated, so accountability was impossible.

2.21 The resettlement targets focused on delivery volumes rather than on outcomes for prisoners. The Strategy lacked an overall needs profile as a basis for resettlement interventions and to which local profiles could be linked. Yet most of the required data was available - it therefore should not be difficult to analyse and compile into a corporate profile.

2.22 A new resettlement strategy had been under development for a considerable period of time but publication had been delayed pending the final report of the NIPS Prisons Review Team. The December 2010 draft restated the seven original Pathways and added two additional ones:

- supporting offenders who have been abused, raped or who have experienced domestic violence; and
- supporting offenders who have been involved in prostitution.

2.23 The latest draft set a better context than its predecessor and emphasised that offenders should be able to access mainstream services, but it still had significant gaps. **We recommend the new Resettlement Pathways Strategy should incorporate a needs profile and identify managerial**

responsibilities and timescales. It should include SMART targets that are based upon outcomes for prisoners rather than NIPS inputs, and should link to individual establishment resettlement strategies and to other relevant NIPS strategies, especially the Offender Management model.

2.24 Considerable energy was being invested in a plethora of other NIPS strategies which impact upon prisoner resettlement. They included strategies for Women Offenders, Juveniles, Child Protection, Prisoners' Families, Learning and Skills, Healthcare, Foreign National Prisoners, Employability, Diversity, Accommodation, Drug and Alcohol and the Progressive Regime and Earned Privileges Scheme (PREPS). These strategies all need to incorporate the basic principles outlined in the recommendation above, particularly the focus on outcomes for prisoners rather than NIPS inputs, if they are to prove meaningful.

NIPS public commitments to resettlement

2.25 The NIPS publicised resettlement achievements and plans on its website, in Annual Reports, Business and Corporate Plans. They included the following:

- the 2009-10 Annual Report indicated that resettlement plan targets were exceeded during the previous year, and constructive activity targets had been exceeded for remand and sentenced prisoners;
- the 2010-13 Corporate Plan outlined an intention to increase work with partner agencies to assist



resettlement processes; to address the risks posed by domestic violence and hate crime perpetrators; and develop the range and consistency of Offending Behaviour Programme (OBP) delivery;

- the 2010-11 Business Plan set specific resettlement objectives as follows:
 - 70% average attendance at learning and skills;
 - 100% of prisoners to be assessed for accommodation needs;
 - 75% of those identified homeless to be provided with appropriate accommodation on release;
 - 600 prisoners to be referred to Jobtrack; and
 - 150 time served prisoners to have employment on release, of whom 25% have actual employment at release.

At the time of this inspection it was not yet known if these targets had been achieved.

CHAPTER 3:

Delivery of resettlement services



The NIPS estate

- 3.1 The NIPS estate was small, comprising just three prisons plus the Prisoner Assessment Unit (PAU) – a low security facility in Belfast for a small number of life and long-term prisoners approaching the end of their sentence. Much of the accommodation was inadequate for facilitating good staff/prisoner engagement. It was particularly unsuitable that adult women prisoners continued to be held in a male Young Offenders Centre (YOC). There was no open prison and it was therefore regrettable that the NIPS had suspended all activity at the PAU in April 2011 to allow an investigation into incidents that had caused concern, with the consequence that the prisoners who had been there were returned to closed conditions at Maghaberry.
- 3.2 The NIPS Estate Strategy had commissioned a survey of sites to replace Magilligan Prison. A total of 28 sites were identified but only one of these was deemed suitable. The preferred option for new build was a private finance initiative. The PAU was in poor physical shape although development plans envisaged a 60 bed step-down unit adjacent to Belfast city centre. As there is no open prison in Northern Ireland it will be particularly important for a step-down facility to be retained in the Estate Strategy. At the

time of inspection, it was unclear whether finances would be available to fully deliver these elements of the NIPS Estate Strategy.

- 3.3 Distance from home could be an impediment to successful resettlement, especially for women and juveniles. A total of 38% of the 85,000 prisoners in England and Wales were held more than 50 miles from their home and the Social Exclusion Unit (SEU) reported in 2002 that *'one quarter men and half women received no visits from their family'*. The smaller scale of Northern Ireland means this is less of a problem, though both Magilligan and Maghaberry are difficult to access by public transport.

Prison regimes

- 3.4 The regimes in Northern Ireland's prisons were very limited. Activities and classes often represented what the prison could provide rather than what prisoners needed. There was little prioritisation of prisoners' needs to ensure they attended the correct programmes and activities. Many programmes started late and finished early, and were further diminished by the Prison Officers Association withdrawals of 'goodwill' for several months during 2009 and 2010.
- 3.5 All of this has been exacerbated by poor staff deployment and management, which



was articulated in CJI's December 2010 report on corporate governance within the Northern Ireland Prison Service. High rates of sick leave and inappropriate local working practices prevailed. An average of only 28 hours from a prison officer's 39 hour working week was spent on front line duties; and the low status of resettlement on 'diminishing task lines' led to OM staff being frequently redeployed, which called into question whether the NIPS really regarded rehabilitation as a core activity.¹¹

- 3.6 The PREP Scheme was designed to motivate prisoners to participate in sentence planning and as an incentive for better conduct. PREPS review meetings had been initiated to oversee the process and provide checks and balances. Religious imbalances were monitored and prisoners who had been reduced in regime level were offered opportunities to accelerate their return to a higher level via individually-tailored programmes.
- 3.7 CJI has recently reported separately on the NIPS contribution to the Public Protections Arrangements Northern Ireland (PPANI) and made recommendations for improvement. An important lesson to emerge from recent inspections in England and Wales has been that prison security departments there are responsible for public protection work in most prisons. This was proving problematic as security personnel were culturally unwilling to share information with other agencies - a basic tenet of good public protection work. That practice should be avoided in Northern Ireland.

Structures and staffing

- 3.8 There is a clear structure for delivery of OM and resettlement services. The NIPS Resettlement Unit had transferred from headquarters to Maghaberry Prison in 2010. This was a sensible move: by placing the unit close to operations it helped reduce the sense of headquarters remoteness from the establishments which has frequently been criticised by operational personnel. The Resettlement Unit currently comprised two civil servants who worked closely with OM staff and guest agencies that were based in the prisons.
- 3.9 Offender Management Units (OMUs) were introduced to English prisons in late 2006, three years before Northern Ireland. The models were virtually identical, though in some respects it was easier for Northern Ireland prisons to work effectively because of the smaller scale. For example, few English prisons had links with local probation trusts whereas in Northern Ireland there was only one probation service which had close links between custody and field teams. External organisations reported they were well integrated within OMUs in Northern Ireland's prisons and that there had been considerable improvement since the last resettlement inspection.
- 3.10 However, things were not so good in another respect. Some prison officers outside the OMUs were disparaging about their roles or failed to see the benefits; and OM prison officers were frequently redeployed when other duties received higher priority. An example can be found opposite.

¹¹ An inspection of corporate governance arrangements in the Northern Ireland Prison Service, CJI, December 2010.

There was only one Family Officer at Magilligan. His work was valued by prisoners and their families and he found the role fulfilling. However his post was on the Diminishing Task Line - which was a contradiction of the NIPS Family Policy - and he was frequently redeployed. This meant that child-centred visits were often cancelled, sometimes at short notice.

- 3.11 The NIPS began to establish OMUs in each Northern Ireland prison from April 2009. Each was overseen by a governor and comprised various grades of prison officer, probation officers, VCS personnel, chaplains and NIPS psychologists. All sentenced CJO prisoners were allocated a sentence manager (prison officer) and a case manager (probation officer) who would work together to regularly review and manage the prisoner through their time in custody. Their roles included risk assessments, delivery of interventions, compilation of parole dossiers, ensuring release arrangements were made and preparing licences for post-release supervision. They were supported by casework administrators and programme facilitators.
- 3.12 Magilligan had an integrated OMU since 2006 and it was the model upon which the other OMUs were based. Dedicated office accommodation was provided at Hydebank Wood and Maghaberry as their teams were established.
- 3.13 The OM/Resettlement organisational charts showed a total of 175 personnel were engaged in this area of work: 61 at Maghaberry; 59 at Hydebank Wood; and 55 at Magilligan. Almost 50% of this group were not NIPS employees. A total of 40 were from the VCS and 41 from

the PBNI. This reflected a dependence by the NIPS on external agencies to deliver its offender management and resettlement services, but it also showed an increasing openness to external intervention in the closed prison world.

- 3.14 The NIPS officers in the OMUs were volunteers who had elected to undertake these roles. Their motivation was high and the group included many long-serving officers who opted to work 'domestic shifts'. Everyone commented positively upon the benefits of sharing their open plan accommodation. Several prison officers noted heightened levels of job fulfilment, while others were encouraged by the common value base among team members from different disciplines.
- 3.15 Operational managers and staff said there had been very good preparation for the introduction of the OMUs, with large numbers trained in the CJO provisions. Detailed job descriptions were available for the NIPS OM staff, and their training was much better than that of other prison officers. Some of the training was accredited and there was a considerable amount of shared training with partner agencies on topics such as parenting, housing rights, benefits and the Duke of Edinburgh's and Endeavour Awards. This represented a major improvement on prison officers' standard fare of control and restraint and firearms training.

Future challenges

- 3.16 The NIPS and the PBNI felt that the OM model was functioning satisfactorily in custody during its early stages, but recognised the growing numbers of prisoners would challenge their capacity



to deliver the full range of resettlement services. Indeed recalled prisoners were already generating a lot of work. In total, since the new arrangements were introduced on 12 April 2011, 138 offenders had been released on licence having served the custodial element of their sentence in full. Of those, there had been 58 requests to recall offenders representing a recall request rate of 42%. This had resulted in 45 offenders (41 Determinate Custodial Sentences and four Extended Custodial Sentences) being recalled to prison. Of the 45 recall decisions, 19 re-offended while on licence and 26 breached their licence conditions. A total of 33 were recalled within three months of their release. The standards set clear commitments and timetables for reporting to the Parole Commissioners in respect of recalled prisoners. This was a comprehensive process with which the NIPS only previously had to engage in respect of life prisoners, but now recalled CJO prisoners required a similar level of input.

3.17 The pressure is likely to increase as the NIPS Strategic Efficiency and Effectiveness (SEE) programme envisages considerable staff redundancies by the

end of 2011¹²; and there are warning signs for the OMUs. In August 2010 governors had been asked to provide a list of “rehabilitative services/interventions which NIPS provide but are not required by legislation.” It was also concerning to hear of a “discretionary rehabilitation” view that was voiced at senior level within the NIPS.

3.18 Despite these negative indicators, prison managers insisted the OM model was here to stay. The Maghaberry governor declared that, notwithstanding a £2.5 million cut in his 2011-12 budget the OMU would not be affected; and the governor at Hydebank Wood explained that while staffing had reduced by 70 and his budget reduced by £4 million since the 2007 resettlement inspection, he was “Precious about protecting OM because Hydebank Wood holds three of the most vulnerable categories in custody - women, juveniles and young men.”

3.19 Table 4 shows there were a total of 528 sentenced prisoners in custody on 4 May 2011 who were eligible for the OM process: 324 CJO prisoners and 204 life prisoners. They represented 48% of the sentenced population and 32% of the total prisoner population on that date.

Table 4: Current CJO and life prisoner cases (as of 4 May 2011)

	Determinate Custodial Sentences	Extended Custodial Sentences	Indeterminate Custodial Sentences	Lifers	Total
Maghaberry	93	30	1	184	308
Magilligan	127	19	2	4	152
Hydebank Wood	41	6	0	8	55
Ash House	2	2	1	8	13
Total	263	57	4	204	528

12 See Northern Ireland Assembly Committee for Justice Official Report (Hansard), 9 June 2011.

Short-term and remand prisoners

3.20 With the numbers of CJO and life prisoners steadily increasing, and recalls at a higher rate than had been anticipated, the NIPS was well aware of the risk that short-term and remand prisoners could lose out. The data below illustrates some of the practical challenges in engaging short-term prisoners in meaningful resettlement activity:

- during 2009-10, 67% of sentenced receptions into prison had sentences of one year or less;
- of 441 short-term prisoners in Magilligan during 2010, 276 had already been on remand in custody for an average of 43 days; 77 of them had spent more than half their sentence on remand; and they had an average 87 days left to serve, ranging from three to 183 days. In addition all had their custodial period interrupted by transfer from Maghaberry.

3.21 In an attempt to engage effectively with short-term and remand prisoners, the NIPS had dedicated five Magilligan officers to non-CJO cases; and all remands were offered resettlement at Hydebank Wood. A 2011 survey of 60 short-term prisoners at Hydebank Wood showed that 58% had a resettlement plan, and 87% had received a joint committal/discharge individual interview that was specifically developed at Magilligan to address the issues posed by short stays in sentenced custody.

3.22 This data highlights the importance of the NIPS continuously striving to ensure parity of input and resourcing between CJO/life prisoners and short-term prisoners and remandees. **We**

recommend the NIPS should set a SMART target to extend the case management processes to a wider range of prisoners, particularly short-term prisoners and remandees who regularly return to custody.

3.23 A probation manager confirmed that while things had improved in terms of resettlement there were still insurmountable difficulties: *“Some very good work was being done on housing and benefits advice...Fewer people are slipping through the net...However, it is very difficult to provide for those who are released at court or shortly afterwards due to lengthy remands.”*

3.24 Inspectors heard of a specific difficulty in relation to foreign national prisoners who were due for release. The UK Border Agency frequently only notified their decision about deportation to the prisoner and to the NIPS on the last day of sentence. This made it impossible for the prison to design a release plan, especially if a hostel application was required, and much nugatory effort could be invested in such cases. **We recommend the UK Border Agency should provide a minimum of four weeks notice to the NIPS of their decision about whether or not prisoners will be deported at the end of their sentences.**

Voluntary and community sector (VCS) involvement

3.25 While the VCS felt excluded from strategic oversight of resettlement, things were better at operational level. Service level agreements existed for all the NIPS major guest organisations. It was ironic that they were more



outcome-focused than many of the NIPS own strategies, and they spelled out specific targets, reporting arrangements and costs. The position of some agencies had been consolidated since the last inspection. Alcohol and drugs programmes were now provided by a single organisation - *Adept* - which was providing a more consistent service and feedback to the NIPS. The Housing Rights Service reported its position was much more secure and it was “no longer firefighting.”

- 3.26 There were still examples of VCS partners being poorly treated. For example meetings were cancelled at short notice when NIPS OM personnel were unavailable due to redeployment. Inspectors saw minutes of regular meetings between the NIPS Resettlement Team and VCS organisations, and heard examples of accountability being exercised in both directions which enabled these types of problem to be aired, but they did not always have successful outcomes. This was exacerbated when VCS organisations had been responsive to requirements of the NIPS. The Northern Ireland Association for the Care and Resettlement of Offenders (NIACROs) *Jobtrack* had been re-configured and staff were being redeployed to suit the NIPS expectations, but it struggled to operate effectively because prisoners’ criminal records which were provided by one governor were later withdrawn by another. **We recommend that criminal records and other information should be made available, where relevant and with suitable protections built in, to partner agencies engaged in providing services to the NIPS.**

- 3.27 With 40 personnel located in the three prison establishments the VCS contribution was significant. An added benefit was that they could generate significant amounts of extra money which would not otherwise come into the Northern Ireland justice system. For example, NIACRO received approximately 40% of its funding from criminal justice agencies, and acquired the balance (£2.3 million) from other sources. This contributed important resources to the criminal justice system that would otherwise have been unavailable.

Local management and oversight of resettlement

- 3.28 In addition to central oversight of OM and resettlement there was a considerable amount of management activity at local level. **Maghaberry’s** Resettlement Policy was dated November 2009. It emphasised retention of family links and partnership delivery of services, but was aspirational and bland, and lacked data or a needs analysis. It was non-specific in its commitments and there were no timescales for task completion nor allocation of responsibilities. It did not set any targets because it said they were spelled out elsewhere, and links with relevant entities such as PPANI were unclear.
- 3.29 There were no minutes of Resettlement Committee meetings available. Rather these matters were dealt with in a variety of other fora such as an Activities and Services Strategic Meeting, a Local Programmes Steering Group, an Interventions and Referrals Panel and an Internal Prisons Programmes Group. In essence, there was no regular strategic



oversight of resettlement at Maghaberry.

3.30 **Magilligan** had a comprehensive local Resettlement Strategy, and its Local Programme Steering Group had met 15 times since the last resettlement inspection. The minutes reflected better focus than at Maghaberry - which was to be expected in a smaller prison with a more stable population comprised entirely of sentenced prisoners.

3.31 There was evidence that Magilligan had attended to recommendations made in its March 2010 inspection. For example a resettlement needs profile was completed; sentence plans were now being quality controlled; and a money management course had been established - completion of this course was a prerequisite for prisoners who were being assisted to open bank accounts.

3.32 The January 2011 Magilligan Prisoner Needs Analysis was based upon a survey of 450 prisoners. It quantified levels of need, referrals, starters and completers on all programmes, and contained explanations for non-achievement. It assessed the previous years performance, concluding that 81% of (615) released prisoners' needs had been met by the time of release.

3.33 Magilligan produced a programme prospectus which was based on the needs identified, and it outlined the programmes available in the prison and a calendar for their delivery, by start and finish dates, location, number of weekly sessions, staff involvement, demand on staff and other resources. All of this represented a significant advance since the 2007 CJI Resettlement inspection.

3.34 **Hydebank Wood** had a Resettlement Strategy for 2011-14. This was a detailed document which represented major improvement since the last inspection. It specified resettlement needs of both young men and women prisoners. It also included older women prisoners and foreign nationals, though there was nothing specific about life prisoners. The Strategy set out how services were to be delivered; and prisoner needs were articulated within a context of background research and legislation. There were named personnel with responsibility for delivering all resettlement and OM roles. The Strategy did not have SMART objectives nor arrangements for review. There was also a separate, detailed Ash-Inspire booklet which set out a range of provisions for women prisoners.

3.35 While the recently-prepared Strategy was an improvement, effective local oversight of resettlement was still not taking place at Hydebank Wood. Minutes showed their Steering Group had only met sporadically since 2009, there were no terms of reference and when the group did meet, representation was consistently unavailable from several departments.

3.36 The recent inspection report on OM in England and Wales found similar inconsistencies. The level of resources available to work with prisoners varied considerably from prison to prison. In most cases, insufficient relevant resources had been allocated to work with risks of harm and re-offending. Offender supervisors lacked ability to complete or analyse prisoner assessments and management checks did not always pick up these failings. Some probation services were doing less





since the introduction of the OM model in 2006.¹³

3.37 Comprehensive processes were in place to monitor OM progress. Weekly Managers Performance Meetings had become the significant driver of OM activity in each NIPS prison. These meetings dealt with CJO case progression, focusing particularly on report availability for the Parole Commissioners and ensuring cover for staff leave so that assessments and programmes could be delivered on schedule.

3.38 Managers Performance Meetings commenced in May 2010. Business Performance Teams were established in each prison and were producing detailed daily reports. Interventions Panels oversaw programme delivery and worked to ensure availability of staff to prepare assessments and reviews and deliver programmes.

3.39 These meetings had access to a wide range of detailed performance indicators. The NIPS Prisoner Record Information Systems Management (PRISM) facility had undergone major re-design and was beginning to generate more detailed population profiles and measures of achievement. Functional areas and themes involving both staff performance and prisoner outcomes - such as complaints, sentence plan progress, average unlock times, personnel sick leave, programmes delivery and healthcare data - were now measurable. Prison managers were enthusiastic about the new PRISM functionality and capacity to improve performance and accountability.

3.40 These postulated improvements will need to be realistically-based as past NIPS performance measures have been quite meaningless in some respects. For example CJI's 2010 inspection of corporate governance within the Prison Service found that, whereas the NIPS reported an annual cost per prisoner place as steadily declining over the past five years, a different and more realistic calculation (the cost per occupied place) by Inspectors revealed it was some £16,000 higher than suggested.

Constructive activity and attendance rates

3.41 The 2009-10 NIPS Annual Report reported that constructive activity targets had been exceeded for remand prisoners (10 hours targeted, 13 hours achieved per week) and sentenced (20 hours targeted, 20.6 achieved per week). However, this was within a NIPS definition of 'constructive activity' that was wide-ranging and easy to achieve: *'All pursuits that play a part in the enhancement of the individual's skills, knowledge, attitudes and behaviour, or contribute to a reduction in the likelihood of re-offending (including attendance at court)...For separated prisoners time out of cell will count as constructive activity.'*

3.42 Many NIPS prisoners were 'employed' as wing orderlies. This was a very limited role which entailed little meaningful activity or stimulus. On February 8 2011 Maghaberry had 329 prisoners (41%) employed from a population of 796. A total of 190 (58%) of the employed prisoners were orderlies.

3.43 The March 2010 Magilligan inspection found that: *'Attendance by prisoners in*

¹³ Prison Offender Management: a joined-up sentence? HM Inspectorates of Prisons & Probation March 2011.



education classes was too variable and generally poor, with only half the places filled...The demand for vocational skills programmes was high. However attendance was poor, often less than 50%.¹⁴ The shortfalls were mainly due to inefficient management of timetables and staff not prioritising prisoner attendances rather than prisoners failing to attend of their own volition.

- 3.44 The 2011 Hydebank Wood/Ash House inspection showed that capacity in the vital area of learning and skills was significantly underutilised: most classes had less than five learners, average attendance was 50% and there were serious staff shortages.
- 3.45 Comparison with English and Welsh prisons shows they had 24,000 work places for 85,000 prisoners, which represented less than one third working at any point in time. This low activity rate was further reduced in April 2008 when HM Prison Service reduced the core week by half a day for prisoners in order to deliver efficiency savings. On the other hand, 1,500 prisoners in the open estate went out to work in full-time paid employment on day release. Northern Ireland's closest equivalents were Foyleview and the PAU, though neither of these was a proper open prison.

Resettlement boards

- 3.46 Resettlement boards were the formal forum for engaging prisoners in planning and reviewing their sentence plans. Prisoners were invited to attend and most came along. The practice varied between establishments:

- **Magilligan** - all prisoners who had five months or more left to serve were required to attend their resettlement board. If they declined the offer was renewed at a later stage;
- **Maghaberry** - policy was to board sentenced prisoners after three months, and life prisoners had annual reviews; and
- **Hydebank Wood** - all new sentenced and remand committals were expected to attend a resettlement board within four weeks of arrival.

- 3.47 HMIP's 2008-09 Annual Report recorded that in England and Wales '*... coherent custody planning for the majority of short-term and remanded prisoners, often serial re-offenders, has if anything declined with the emphasis on providing offender management for a minority.*' This is an obvious risk that must be avoided in Northern Ireland.
- 3.48 Resettlement boards usually convened weekly. In those that Inspectors observed, there were active efforts to involve prisoners and the tenor was positive and well-intentioned. However staff sometimes failed to really understand the prisoners' perspective, and were more focused on formalities such as obtaining prisoners' signatures to indicate consent to resettlement. There was considerable scope to improve the 'meaningful' aspect of these events.
- 3.49 As an example, at one board, while the tone was considerate, Inspectors witnessed a prisoner point out an inaccurate education assessment (the assessor thought the prisoner was illiterate and had not gleaned he had already completed GCSEs); and

¹⁴ Report of an Announced inspection of Magilligan Prison, HMIP and CJI September 2010.



panellists failed to grasp the primary reason for him being in custody – which was a local feud. In these circumstances, it was up to the prisoner to steer the agenda if resettlement was to have any value. The prisoner in this case was clearly motivated and clarified these matters. However, other prisoners at the same board declared they were “Not sure why I’m here” and “I’m not interested.” They signed plans, but obviously did not believe they were relevant to their time in custody.

- 3.50 The NIPS had previously outlined an intention to involve prisoners’ families in the resettlement boards. Some efforts had been made in this direction but they met with very little success. The NIPS was able to provide examples of one-off situations where prisoners’ families had come into the prisons and helped the resettlement process and other aspects of prison life. However they were doubtful about whether routine family involvement was practical at resettlement boards. Inspectors believe a family perspective could considerably assist the resettlement process for more prisoners. **We recommend the NIPS should set a SMART target to annually increase the numbers of prisoners’ families that contribute to the resettlement process.**

Resettlement plans

- 3.51 The purpose of resettlement boards was to agree plans that would assist the prisoner through their sentence and in preparation for release, and these plans should be reviewed and updated on a regular basis. For those prisoners who did not have a resettlement plan, the model suggested they should receive assistance in relation to basic needs such as health care, accommodation and benefits advice before being released.
- 3.52 Sentence plans had become an integral part of the PREPS process in a deliberate attempt to stimulate prisoners to comply with their plans and actively participate in the process of risk reduction.
- 3.53 The NIPS continued to resist recommendations for introducing a personal officer scheme on the basis that as part of the SEE programme all remaining staff would be trained to engage positively with prisoners. Any such initiative will need to take account of the learning derived from the Officer Development Programme that was delivered in 2008. It aimed, but failed to deliver precisely the culture change among the bulk of staff that is once again being mooted. It was increasingly the case that sentence managers fulfilled aspects of the role, and indeed many CJO prisoners told us they knew their sentence managers and most found them helpful in delivering their plans.
- 3.54 While some plans had improved, quite often there was no explicit connection between their various elements nor proper sequencing of the elements contained in the plans. Developing these links should be exactly the function of personal officers, but most prisoners described the situation as “hit and miss.” Sentence managers were noticeably more pro-active with their CJO prisoner caseloads in this respect. This was a welcome development which needs to be expanded. **We recommend that the NIPS SEE programme should ensure prisoners have an officer who takes a personal interest in their case.**

This ought to be introduced on a phased basis for example starting with life prisoners and extending to long-term remand prisoners.

- 3.55 While Maghaberry's resettlement policy framework and oversight were poor, it had initiated a pilot scheme in December 2010 to assess all new committals, including remandees in relation to housing, benefits and debt. A total of 210 such prisoners were seen during the first month and referred on for support where necessary. It is very important that this practice should continue so that short-term prisoners without resettlement plans do not lose out as increasing attention and resourcing is focused upon CJO prisoners.
- 3.56 Twenty working days were required to prepare a resettlement plan. For prisoners this usually meant there would be at least four weeks lack of activity at the start of their period in custody as there were delays in identifying work, training and educational needs and opportunities. If the sentence was only imposed after a lengthy period on remand in custody, prisoners with early discharge dates had little opportunity for engaging seriously in resettlement planning.
- 3.57 The NIPS Annual Report 2009-10 showed that resettlement plan targets were exceeded for determinate sentenced (94.9% achieved against 87% target) and life sentenced (99.7% achieved against 97% target) prisoners. The same targets were repeated in the 2010-11 Business Plan. The rates of achievement were very high, but they masked deficiencies in the quality of some plans as well as inadequacies in the targets.
- 3.58 Inspectors viewed 45 resettlement files. Their overall quality was better than at the last inspection in terms of the amount of information included, inputs from partner organisations and frequency of review. Assessments and plans were generally up to date.
- 3.59 However the content focused more on what the NIPS could provide rather than on what the prisoners actually needed, several reflected a pre-occupation with ticking boxes and simply (re)-stated existing risks and needs. In addition to a personal officer type approach, some of the deficiencies could be remedied by more directive chairing of resettlement boards and a more outcome-focused minuting style. NIPS meetings and minutes that Inspectors observed were often inconclusive and failed to direct anyone towards SMART outcomes or allocation of responsibilities. **We recommend the NIPS should train staff to apply a more directive chairing and minuting style for individual casework and committee level meetings, incorporating SMART objectives with built-in accountability.**
- 3.60 CJO prisoners' files contained better quality recording than others. Some had very good entries by NIPS officers and comprehensive reports for the Parole Commissioners. In Maghaberry Inspectors saw good examples of risk scores that had reduced significantly following interventions. This was exactly the type of meaningful measurement that should be extended.
- 3.61 Resettlement interventions and OBPs were core components of resettlement and the OM model.



Resettlement interventions

3.62 Resettlement interventions addressed topics such as money and benefits management, substance misuse and addictions, housing, employment, parenting and coping with bereavement and troubled relationships. Perhaps because they largely dealt with personal development of the prisoner, they were invariably described as more attractive by prisoners than the OBPs which they felt compelled to undertake. Consequently interventions generally had higher levels of referral and uptake.

3.63 Interventions were predominantly delivered by VCS agencies, though prison officers were increasingly involved. Organisations such as NIACRO, Extern, the Housing Right Service, Samaritans, Cruse Bereavement Care, Barnardos and Relate had staff based in the prisons to deliver the interventions. In some cases prisoners who had been accredited as peer mentors assisted with delivery of the programmes.

3.64 Trained prisoners were able to provide peer support as reading assistants, Listeners and tutors. This was beneficial for both recipients and providers. However the potential of these schemes was considerably under-developed because security considerations frequently prevented prisoners' access to deliver the services. **We recommend the NIPS should set targets to annually increase:**

- **the number of prisoners who receive accreditation for peer support roles; and**
- **the number of hours spent undertaking these roles.**

3.65 Employability interventions were significant for prisoner resettlement. NIACRO's *Jobtrack* programme targeted 600 prison-based referrals per year, and participants had relatively successful outcomes with 44% of completers entering employment compared to 10% who left the programme early. NIACRO also ran 15 'Meet the Employer' events in prisons. The future challenge in this area will be to find new forms of employment and increase numbers into education and training in a changing economy.

3.66 Prisoners in their last three months of sentence were offered a pre-release programme. The programme provided assistance and advice with regard to housing, social security benefits, access to job search and completion of CVs. The NIPS had also arranged for bank accounts to be opened for prisoners as part of pre-release preparation, subject to undertaking a money management programme.

Offending Behaviour Programmes (OBPs)

3.67 OBPs are a central plank in reducing the risk of re-offending by prisoners and the need for them has been further increased with the introduction of CJO sentences. They are carefully designed and accredited which means staff must be trained in their delivery and prisoners must meet criteria in order to undertake the programmes. There has been longstanding debate about eligibility criteria for participation in OBPs and their effectiveness. Ministry of Justice research indicated that one of the most common programmes – Enhanced Thinking Skills – which



addresses thinking and behaviour associated with offending *‘was effective at reducing the one year reconviction rate by six percentage points when compared with a group of other similar offenders who were not on the programme.’*¹⁵

3.68 Prisoners’ eligibility to participate in OBPs depended upon a variety of factors such as literacy levels, acknowledgement of guilt, time left to serve, risk levels and educational attainment. This led a NIPS Programmes Steering Group to query whether the Sex Offender Treatment Programme (SOTP) was the correct programme since 83 of the 91 sex offenders who were referred in Maghaberry during 2009-10 were deemed to be either unsuitable or unable to participate. Such data clearly begs the value of high eligibility thresholds and suggests a more pragmatic approach is needed.

3.69 The ongoing problem in providing programmes was denying prisoners an opportunity to prove they have addressed their offending behaviour. CJI recommended in the recent PPANI inspection report (published June 2011) that *‘The NIPS should strengthen its Offender Behaviour Programme delivery structure, develop programmes for deniers and improve its Offender Behaviour Programme database.’* The NIPS accepted the rationale for this recommendation but added the caveat that it could only be delivered with sufficient resources. However the challenge is for the NIPS to use existing resources more productively, rather than seeking extra resources which are highly unlikely to be available to an already over-staffed

prison service in the current financial climate. It is also unreasonable that a corporate risk is transferred from the NIPS to the PBNi if prisoners are released onto supervised license without having been offered appropriate interventions. There are more pragmatic ways to increase OBP participation levels without compromising integrity. **We recommend that prisoners who deny their current offences should, where possible undertake programmes in respect of previous convictions; more usage of rolling programmes should be introduced to increase participation levels; and challenging targets should be set for completion of programme suitability assessments.**

3.70 Operational managers highlighted obvious, and in some instances longstanding gaps in the menu of OBPs that was available. **We recommend the NIPS should extend its range of OBPs to include a domestic violence programme, an internet sex offending programme and a programme for dangerous drivers.**

3.71 There were increasing concerns about failure to provide OBPs and it is probably significant that the NIPS 2010-11 Business Plan stated individual establishment targets for OBPs would be set locally – presumably because it was simply too difficult to commit to firm corporate targets in this important area. The needs of the Parole Commissioners and PPANI for programme delivery and prison psychology reports were not always being met, and it was embarrassing for

15 Compendium of Reoffending Statistics and Analysis, Ministry of Justice, 4th November 2010.



the NIPS that they could sometimes only agree with the legitimacy of prisoners' complaints and cynicism.

A Magilligan prisoner was refused home leave because he had not done the Alcohol Management course. Yet he had been on the waiting list for over a year and the course was still not being offered to him.

- 3.72 Besides prisoner eligibility problems, recruitment, retention and deployment of psychologists were also central to the NIPS OBP delivery problems. Only a chartered forensic psychologist could fulfil the role of treatment manager and sign-off psychology assessment reports. In March 2011, there were 24 vacancies out of a total target psychologist staffing level of 46, and only 4.8 of those in post were forensically qualified. Various attempts at resolution, including recruitment of 20 psychology assistants in 2009 and development of a forensic psychology course at local universities had so far been unsuccessful. By 2010 it had reached the stage that some psychological assessments had begun to be contracted out to a private company based in England; and by February 2011 several of the assistants had left the NIPS for more lucrative employment elsewhere.
- 3.73 In addition to the recruitment of psychology assistants and paying for external consultants, the NIPS had made other efforts to improve delivery of OBPs, including establishing a Programmes Steering Group. However

several people told us there was scope to manage the existing complement of NIPS psychologists more effectively as well as devising more expeditious methods of programme delivery.

We recommend the NIPS should set SMART targets to more expeditiously deploy and manage its psychology personnel.

- 3.74 Inadequate OBP provision was not unique to Northern Ireland. The joint inspection by HMIs of Probation and Prisons said: *'The level of provision of accredited programmes was inadequate to meet the range and frequency of the needs of sentenced prisoners, particularly sex offenders and domestic violence perpetrators overall. Even though needs analysis were more up to date, in most establishments decisions about which programmes to offer had been made years earlier and were sometimes no longer relevant to the current profile of prisoners.'*¹⁶
- 3.75 Detailed data was available to demonstrate prisoner attendance rates at interventions and OBPs, though it was difficult to distinguish between them. It appeared however that attendance was generally better at interventions than at OBPs. Magherry had an average 74% attendance rate across interventions such as AA, Alcohol Management, Barnardos, Drugs Awareness, Duke of Edinburgh, GOALS, Jobtrack and Stepping Stones in 2010.
- 3.76 Other important factors that impacted significantly on prisoner resettlement were healthcare, security classification and home leave.

¹⁶ Prison Offender Management: a joined-up sentence? HM Inspectorates of Prisons and Probation March 2011.

Popular programmes such as the Duke of Edinburgh's and Endeavour Awards in Maghaberry had high levels of participation. Current enrolments in March 2011 totalled 236, including 88 lifers and 19 staff. There was imaginative use of opportunities for accreditation in the prison setting. A total of 22 bronze awards and three silver awards had been completed to date.

Health care

3.77 A NIPS policy suggested *'It is recognised that due to the negative lifestyles many offenders lead, the majority of prisoners have the physical health of an individual on average ten years older.'* Hydebank Wood's Resettlement Strategy identified that *'21% of sentenced prisoners in Northern Ireland are likely to have been known to community mental health services prior to committal...and 65% will have some type of personality disorder. Many will have led very chaotic lifestyles...'* The prison population was ageing - at the time of this inspection the NIPS held 13 prisoners over the age of 60 - and 10 prisoners were registered as disabled.

3.78 Health care was an area where the concept of prisoners being treated as citizens remained far from realisation. CJIs December 2010 inspection report on the NIPS corporate governance highlighted strategic and operational concerns pertaining to health care. When responsibility for prisoners' health care shifted from the NIPS to the SEHSCT in April 2008, prison staff did not transfer as intended due to trade union resistance on their behalf. This meant that potential benefits such as joint training were not realised. Prison health care staff were not subject to the

same clinical governance and supervision as community health care professionals. They were isolated professionally and unable to be rotated into posts outside the prisons.

3.79 While there were some notable exceptions and variations between establishments, feedback from prisoners and the NIPS about health care was predominantly poor. Governors felt frustrated that they could not resolve issues which were managed by the SEHSCT. Hydebank Wood had lost valuable services when cognitive behaviour therapy and aromatherapy were terminated by the Trust. Two Discharge Nurses had been appointed to help manage mentally ill prisoners across the NIPS estate but nearly all their work was at Maghaberry. Many of the difficulties centred on communication problems and medical confidentiality.

A Sentence Manager, Probation Officer and community Social Worker were given three different versions of the diagnosis and treatment plan for a juvenile prisoner with a suspected facial tumour.

A prisoner who had self-harmed was brought back from hospital and placed in his cell. However medication that had been prescribed and given to him by the hospital doctor was withheld until the prison doctor saw him.

Security classification

3.80 An internal NIPS review in November 2006 suggested the security classifications of 50% of Northern Ireland's prisoners could be down-



graded. A total of 11% at that time were classified as high risk compared to just 1.3% in England and Wales. Subsequently a new classification model was introduced. It resulted in 9% of the population being classified as high risk, 34% as medium risk and 57% as low risk.

- 3.81 This represented some progress but the full benefits of reduced security classifications were nowhere near being delivered. Almost all the high risk prisoners were held at Maghaberry, and the entire prison continued to be managed in accordance with procedures appropriate to them. The Category A population consisted mainly of separated Republican and Loyalist prisoners, seldom more than 50 in total, who were held in very secure conditions. The practical implications of maximum security were that many prisoners were restricted in where they could work and there was no unescorted movement, which tied up large numbers of staff. The limitations were not just apparent at Maghaberry, but also at Magilligan where too many prisoners remained at Category B security level; while at Hydebank Wood there were implicit restrictions in managing male and female populations on the same site. **We recommend the NIPS should set targets to reduce security levels and deliver a more liberal regime for lower security prisoners in each of its prisons.**

Transfers

- 3.82 Transfers within and between prisons could be very disruptive, not just for prisoners, but also for their families and visitors, as well as for professionals who

were engaged with the prisoner. Much work undertaken in Maghaberry was ultimately nugatory in areas such as risk assessment and sentence planning, family links, health care and education when prisoners were moved. It was also very frustrating for prisoners when assessments and programmes were repeated after being transferred.

- 3.83 An average 53 prisoners were transferred from Maghaberry to Magilligan each month in a pragmatic exercise to optimise use of available bed spaces, and weekly boards were held to decide who should move. Recent increases in the prisoner population may accelerate this trend. The boards took account of standard criteria including bed spaces, security, health and pending charges, and resettlement staff participated. However security concerns overrode everything else and resettlement staff felt the transfer board did not take serious account of their views. There had nonetheless been progress since the last inspection, as improved electronic recording provided a more consistent approach to transfer of prisoners' files.
- 3.84 The NIPS resettlement self-assessment acknowledged '*Currently transfers and allocations are decided upon to meet constraints due to the available estate and the need to accommodate an increasing number of prisoners...*' One way of dealing with this would be to allow sentenced prisoners to be committed directly from court to Magilligan. This would reduce duplication of work such as committal interviews, help prisoners to settle more easily, and provide continuity with regards to staff and service provision. **We recommend the NIPS should determine and apply criteria that**



would enable sentenced prisoners to be committed directly to Magilligan.

3.85 The NIPS also transferred life and long-term prisoners to the small PAU facility in Belfast towards the end of their sentences. The PAU was in poor physical shape and when prisoners were out at work during the day there was considerable staff downtime which represented a waste of resources. However it was an improvement that greater clarity had been introduced to the arrangements for transferring prisoners to and from the PAU, though of course everything was in abeyance since its closure in April 2011.

Home leave

3.86 Home leave made an important contribution to resettlement. The process was carefully structured and managed with set eligibility criteria to apply and for approval to be granted. Risk assessments were provided by the PBNi for each application, and home leave would be refused if prisoners did not engage with their sentence plan. There were approximately 2,500 applications during 2009-10, of which 79% were successful, with higher ratios granted to female prisoners and young offenders.

3.87 The NIPS also provided resettlement leave for specific events such as job interviews or community-based exams and tests; and Christmas home leave was available - 53 prisoners received Christmas home leave in 2010 and 70 applications were refused.



CHAPTER 4:

Outcomes of the Northern Ireland Prison Service resettlement services



- 4.1 A considerable amount of background documentation and data about NIPS inputs, policies and strategies was available for this inspection. However all this was of little value if it did not produce meaningful outcomes for prisoners. The importance of prisoners having positive resettlement outcomes is simply that if they are better rehabilitated then the likelihood of future victims is reduced.
- 4.2 It was intended that the new OM sentence planning process and the Parole Commissioners requirements would encourage prisoners to address their offending behaviour while in prison. Discussions with individuals and groups of prisoners, and other feedback such as Prisoner Forum minutes yielded important insights. They suggested a range of factors that impacted on their motivation and ability to become engaged with resettlement services. They included the following:
- many, especially remand prisoners and appellants were pre-occupied with their court case and prospects of obtaining bail, the sentencing outcome or likelihood of a successful appeal;
 - short-term prisoners primary focus was on getting released, and ideally on receiving home leave in advance of release;
 - long-term prisoners had to cope with their sentence. Some aspects of resettlement - mainly interventions - were viewed as supportive in this regard while OBPs were more to be endured, though necessary to prove they were safe to release;
 - separated Republican and Loyalist prisoners were concerned about the intensive security levels that applied to their detention;
 - although most sentenced prisoners whom we interviewed were aware of their sentence plans and said they had been involved in their preparation, many expressed a lack of understanding about what resettlement would actually achieve for them;
 - minutes of Prisoner Fora showed the main concerns raised by prisoners involved group living arrangements and regimes - issues as diverse as lengthy and frequent lock-downs, communal punishments, availability of kettles, cost of telephone calls and tuck-shop items, and slow mail delivery. None contained any specific reference to resettlement services;
 - some prisoners were fearful for their safety in prison: 15 of the 95 sex offenders in Maghaberry in January 2011 were held in protective conditions, while some of the others isolated themselves by spending most



of the time in their cells;

- prisoners also suggested a range of other priorities that took precedence over resettlement:
 - undergoing adjudication/cellular confinement – 622 adjudications were commenced in respect of prisoners sentenced to less than six months in 2010;
 - health problems and medical treatment (Magilligan had 237 external hospital appointments during 2010; and made 158 referrals for opiate addiction and 33 for alcoholism);
 - open Supporting Prisoner at Risk (SPAR) processes to help prevent self-harm (414 SPARs were opened in Maghaberry in 2010); and
 - disgruntlement because of (perceived or actual) discrimination or low regime levels (Magilligan averaged 25 PREPS demotions each month and Maghaberry averaged 122 adjudications each month between July 2007 - January 2011).

4.3 Some prisoners who had been refused release by the Parole Commissioners felt there was no point in trying to prove themselves any more. They also resented being ineligible for home leave or transfer to Magilligan's Foyleview and Alpha units until close to their 'long date' as the prison could not pre-empt Commissioners' decisions.

4.4 Prisoners were increasingly aware of the significance of their risk assessments, which carried considerable weight in determining home leave outcomes and post-release accommodation. The PBNi said the majority of complaints that they received from prisoners related to risk assessment scores.

4.5 'Ordinary' prisoners in Maghaberry expressed disgruntlement (with which prison managers agreed) at their unequal treatment in comparison to separated prisoners: *"The separated prisoners are out each day 8am - 6pm, yet we are regularly locked down at 4.20pm. This is a two tier jail.... Their Standard regime is far better than our Enhanced regime."*

Collective punishment rankled and had a negative impact:

When a dongle was found in Maghaberry in December 2010 it led to loss of all computer access across the estate for every prisoner. This thwarted education programmes, including for life prisoners who were undertaking Open University courses. The issue had still not been resolved by May 2011.

When the PAU was temporarily closed in April 2011 all the prisoners based there were immediately brought back to Maghaberry and had their pre-release programmes interrupted as a result.

4.6 The significance of all these perspectives is that staff have to firstly appreciate the prisoners' view of their situation. Secondly, they need to motivate and help them to successfully navigate the frustrations that are inherent in prison life. Motivational interviewing was an attribute in which few NIPS personnel had been trained, indeed it ran contrary to the prevailing security culture. Only a minority of prisoners will ever be pro-active self starters - the majority will require significant encouragement and direction. **We recommend the NIPS should provide motivational**

interviewing training, initially for its OM staff; and subsequently as part of any cultural change programme for the wider body of staff.

- 4.7 The NIPS commissioned two research studies at Hydebank Wood in 2010, seeking prisoner views about aspects of life there including resettlement. Feedback was generally reported as positive. A high number of respondents had met someone to discuss resettlement, though only a minority knew their resettlement targets or felt they were helped to prepare for release. This was considered due to lack of awareness, poor communication and/or inadequate provision. There was a more positive response from the adult female prisoners than from the young men.
- 4.8 A follow-up survey elicited more positive views, which was considered due to a new induction programme that had been introduced. However there was still confusion, particularly about terminology. Information overload was identified as an issue and new notice boards were designed to try and clarify communication. The follow-up report also stated: *‘There was also some confusion around sentence plans and if they had their own copies, most did but did say they had thrown them away. It would therefore be important that copies are attached to the wing file for staff reference.’*

Outcomes for women prisoners

- 4.9 Women prisoners in Northern Ireland were still held on the same site as young male prisoners, a fundamentally unsatisfactory situation. Inspectors heard from a manager that “women are still viewed as a bolt-on to the boys,” making it difficult for cross-site functions

such as catering, home leave and resettlement boards to apply a female focus when most of the emphasis was on the larger population of young males.

- 4.10 However there had been improvements. The PBNI and the NIPS had established the *INSPIRE* Project in 2008 to address the needs of female offenders, including women prisoners. A popular and well-used extended visits facility was introduced. Volunteers were allowed onto landings to provide practical services such as Indian head massage, card-making and cooking with some of the more challenging prisoners. Women’s Groups visited Ash House weekly where they provided practical support by linking women to normal services in their own communities for example taking a released woman to her daily methadone clinic. Ash House had its own dedicated OM personnel and it was reported that they were better integrated than elsewhere on the Hydebank Wood site. Despite these local improvements, it remained fundamentally unsuitable that women were held on the same site as young male prisoners. **We again recommend that women prisoners should be accommodated on a separate site from young male prisoners.**

Outcomes for child prisoners

- 4.11 It was encouraging that, following a policy reversal in 2009, no girl under the age of 18 has since been held at Ash House - they are now all detained at Woodlands Juvenile Justice Centre (JJC) which provides a much more suitable environment. However the same policy reversal was not applied to under 18-year-old boys, of whom there were on



average 19 in the YOC at any point in time; and there is a high rate of child committals to the YOC - 92, representing 74 individuals between December 2010 – January 2011, of whom:

- 71 were remanded;
- 14 were sentenced. Their sentences averaged six months, with a range of 2-30 months; and
- seven were fine defaulters, all serving seven days in lieu of fine payment (the JJC could not legally take fine defaulters).

4.12 The NIPS is focused on managing an adult population with a custodial rather than parental model, and it has faced significant criticisms of its provision for children at the YOC. Children held there are among the most troubled and needy in society, yet they have a poor regime with lengthy periods of lock up and little opportunity for education or rehabilitative activities.

4.13 Pressure for complete removal of all children from the YOC led to establishment of a 'Quadripartite' group (the NIPS, the Youth Justice Agency (YJA), the PBNi and the DoJ) in September 2009, the result of a ministerial initiative to review and develop custodial arrangements for all child offenders under the age of 18. A series of principles and related actions were identified and implementation commenced centred on four key areas:

- development of a YJA-type case management system in the Young Offenders Centre. This is based on individualised assessments and application of the 'best interests' principle. It commenced in July 2010;
- engagement with sentencers, Social

Services, the Police Service of Northern Ireland and the Northern Ireland Courts and Tribunals Service to reduce PACE and custodial remands, particularly for children from the care system;

- deliver closer linkages between the YOC and the JJC through staff placements; and
- a wider review of custodial sentencing arrangements as part of the review of youth justice.

4.14 A YOC Juvenile Improvement Plan led to 36 recommendations for improving all aspects of children's regimes and target dates for completion. Practical outcomes included:

- a JJC case management model was introduced for children held at the YOC, initially led by JJC personnel;
- a new system of planning meetings was developed. It incorporated a risk assessment process and a decision about best placement for the child. If appropriate, recommendations would be made to courts for a change of location from the YOC to the JJC;
- although it contravened the United Nations Convention on the Rights of the Child, children at the YOC were allowed to mix with adult prisoners after acquiring parental consent, so that a wider range of opportunities could be provided for them;
- several YOC managers and staff undertook placements at the JJC to learn about their approach to management of child custody; and
- the YJA Bail Support Scheme was extended to the YOC.

4.15 A total of 33 planning meetings were held between July 2010-March 2011. They led to nine recommendations for

transfer to the JJC, all of which were granted by courts. Inspectors heard about readily apparent benefits of transfers from YOC for example a child's reading age increased by three levels within a short space of time (this is not surprising as the JJC provides 25 hours education per week compared to two hours per week at the YOC); another was removed from the risk of physical assault by other prisoners; and bereavement counselling was provided at the JJC for a boy who had been using drugs to cope with his grief while in the YOC.

- 4.16 However Steering Committee minutes showed that by September 2010, there were concerns about levels of NIPS engagement, frequent staff changes on the YOC juvenile landings, and inaccurate and incomplete information contained on children's files. JJC staff had been co-chairing planning meetings, but relaxed this "due to growing confidence of YOC staff." Nor was it clear to Inspectors in March 2011 that the YJA had the "overall co-ordinating role for all under 18 year old offenders," which

Inspectors observed a YOC planning meeting. It was very well attended, but did not appear to have any terms of reference and discussion about possible transfer only came after sentence planning - entirely predicated on the child remaining in the YOC - was completed.

At face value the child (a 17-year-old remandee who was out of control at home and in custody for the first time) was a classic case who could have benefitted from being placed in the JJC. However he was content to be in the YOC, had the support of a benign Class Officer and his mother found the YOC was easier for visiting, so he remained there.

was the Ministers expressed wish in January 2010 when the process was being considered.

- 4.17 The YOC planning process is really a harm reduction initiative which tinkers with a fundamentally flawed system. There are no set criteria for children to be moved, and the 'best interests' principle is too nebulous and not measurable. Irrespective of longer term developments, about the location for all under 18-year-old children, the YOC planning process needs to be improved. **We recommend that by April 2012 all male children who are sent into custody should be treated equally with female children i.e. their default placement should be Woodlands JJC; and in the interim the JJC should take a more central role in the YOC planning process for children. This should include chairing the meetings. Terms of reference should be prepared for these meetings whose primary purpose ought to be to establish the child's suitability for transfer to the JJC, and a robust quality assurance process should be introduced.**

Outcomes for life prisoners

- 4.18 Life prisoners were one of the groups who received high levels of OM and resettlement input. Since the last inspection, their progression and regression pathways through the system had become clearer, and they could move to the PAU at an earlier stage than previously. These were useful developments.
- 4.19 The new Braid House opened in 2010 as a dedicated lifer facility at Maghaberry.



It provided a more tranquil and brighter environment, though there was still scope to develop the range of opportunities for work and education. Five lifers had been moved to Magilligan, primarily to be near their families and communities. However the NIPS had decided this would only be a pilot and by January 2011 there were no plans to move any other lifers. It is difficult to understand the reason for this, especially when some life prisoners have successfully made the move.

We recommend that appropriate life prisoners should continue to be transferred to Magilligan if it helps to meet their resettlement needs.

4.20 All eligible lifers had signed and agreed their Life Sentence Plans, which implied they agreed to engage with resettlement services offered to them. Annual reviews were being undertaken, though - as with resettlement boards - several prisoners needed motivational support to engage in a meaningful way with this process when they still faced many years in custody. Life prisoners with whom we spoke were anxious as they approached Parole Commissioner hearings. They felt frustrated when promises about commencing programmes were not fulfilled, existing work and educational opportunities were removed or basic health care needs were not met, often for reasons that appeared unjustified. Again these are precisely the types of issue that a good personal officer would attend to by providing support and motivation that would assist life prisoners cope with the uncertainty they face. Several were cynical about the value of annual reviews and felt it was really up to themselves to get things done as best they could.

4.21 Seventeen prisoners received their life licenses during 2010 and several more expect to be considered for release over the next five years. The NIPS reported very good support from the PBNI and offender hostels in helping with this process, a view that was largely endorsed by prisoners.

Outcomes for separated prisoners

4.22 The 2007 inspection recommended that separated Republican and Loyalist prisoners should have the same resettlement opportunities as other prisoners. The NIPS subsequently prepared a weak and undated 'Proposal for enhanced access to resettlement opportunities for separated prisoners.' It contained three elements: a 'Making Good' desistance programme, 'Extend delivery of resettlement and education within separated houses;' and 'Establish education and employability links for prisoners on release.' No targets nor review dates were set.

4.23 By March 2011, there had been some progress: standard induction, education assessments and Resettlement Needs Profiles were being offered to separated prisoners. Interventions such as Barnardos parenting classes and the Housing Rights Service were also being provided. However, the overall NIPS conclusion was that "*Uptake of education and resettlement opportunities by separated prisoners so far has been disappointing.*"

4.24 Apart from limited participation in interventions separated prisoners primary concern was about the levels of security that applied to their custodial detention. Interest in OBPs was reported as limited though this was not surprising from prisoners who did not



feel they needed rehabilitated. The initial 'Making Good' programme was run in experimental mode during 2010 with nine Loyalist participants, from whom it received positive feedback. **We recommend the new NIPS Resettlement Strategy should set specific targets for delivery of resettlement services to separated prisoners.**

Outcomes for children and families of prisoners

4.25 The Ministry of Justice estimated in 2007 that 160,000 children in the UK had a parent in custody - more than were affected by divorce. Extrapolation provides a Northern Ireland equivalent of approximately 2,500 children. Research has shown clearly that children of prisoners are substantially more likely to end up in custody themselves, and considerable emphasis was therefore placed by the NIPS and its partners on supporting the children and families of prisoners.

4.26 Thousands of people used the visitor centres run by NIACRO and the Ulster Quaker Service Committee at each prison establishment. These provided crèche facilities, welfare advice, transport and refreshments. The NIPS most recent visitor survey was published in April 2009. A total of 80% of respondents rated the arrangements as satisfactory or very satisfactory, and the quality of information provided and the visits booking system also scored highly, while in June 2010 Hydebank Wood was commended in an Equality Commissioners report for '*operating best practice in relation to family contact facilities.*'

4.27 Chaplains and the Family Links project (which was delivered by NIACRO and funded by the NIPS and PBNI) provided valuable support to prisoners' families. Each prison had designated Family Officers who provided a range of services such as sorting out visits and parcels, running community support groups and organising child-centred visits. Their roles were widely appreciated by prisoners and their families. Approximately 1,000 children each year had the opportunity to spend extended individual time with their prisoner parent on child-centred visits, though the number dipped significantly in 2009 due to withdrawal of 'goodwill' by the Prison Officers Association; and Magilligan had three family days cancelled in 2010 for the same reason. **We recommend the NIPS should set a target to increase its complement of Family Officers and to protect their role.**





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