



Northern Ireland  
Assembly

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COMMITTEE FOR JUSTICE

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**OFFICIAL REPORT**  
(Hansard)

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**Ministerial Briefing on the Interim  
Report of the Review of the Northern  
Ireland Prison Service**

28 February 2011

**NORTHERN IRELAND ASSEMBLY**

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**Ministerial Briefing on the Interim Report of the Review of the  
Northern Ireland Prison Service**

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**Members present for all or part of the proceedings:**

Lord Morrow (Chairperson)  
Mr Raymond McCartney (Deputy Chairperson)  
Lord Browne  
Mr Thomas Buchanan  
Mr Paul Givan  
Mr Conall McDevitt  
Mr David McNarry  
Ms Carál Ní Chuilín  
Mr John O'Dowd

**Witnesses:**

Mr David Ford	)	The Minister of Justice
Mr Nick Perry	)	Department of Justice
Mr Colin McConnell	)	Northern Ireland Prison Service

**The Chairperson (Lord Morrow):**

I welcome the Minister, Mr Ford; Mr Nick Perry, permanent secretary to the Department of Justice; and Mr Colin McConnell, director general of the Northern Ireland Prison Service (NIPS). Gentlemen, you are very welcome.

**The Minister of Justice (Mr Ford):**

Thank you very much. I am not proposing to make a lengthy statement as I have just made a

lengthy statement to the House. I think that all Committee members who are present here were present for that.

I hope that by now you have had a chance to see the report as opposed to merely my statement on it. It should have been in everybody's pigeonhole before I started speaking. The report is critically important and summarises a lot of the information that we knew about the operation of the Prison Service. It draws on some of the 22 or 23 reports previously mentioned but also starts to focus on how the Prison Service needs to move forward. The report will be seen as a key factor in the reforms of the Prison Service that we need to move forward on.

It would be more useful if I answered members' questions rather than going into great detail or merely reading you sections of the report's summary.

**The Chairperson:**

The report is still wet; it is just off the press. I do not know whether members have had a chance to read through it. I certainly have not. I will not, therefore, be asking questions at this stage since I am ill-advised to do so. I received the report only about three minutes ago, so I am not in a position to ask any questions. However, do any other members wish to ask a question?

**Mr McDevitt:**

Like yourself, Chairperson, I am only now getting a chance to glimpse through the interim report. However, an early recommendation deals with the question of fine defaulters and remand prisoners in the prison population. Although I cannot say I know what figures the report identifies, I am sure that we all agree that the number of people in prison because of fine default or on remand is exceptionally high, and I suspect that the report finds that number unacceptably high.

A recommendation in the report asks Ministers to task the Criminal Justice Board to liaise with others:

“and to report regularly to the Justice Committee, to achieve real and measurable reductions in the fine defaulter and remand prison population within 12 months. Failing that, legislation on time limits should be brought forward, as recommended in the Criminal Justice Review 2000.”

What specific measures does the Minister intend to take to address that recommendation in the

next few weeks?

**The Minister of Justice:**

The simple answer is that measures to deal with delays in the justice system are already under way through the Criminal Justice Board. A key issue with the excessive number of remand prisoners is to ensure that the justice system works more quickly outside.

We have seen considerable improvements in the working arrangements between the Police Service and the Public Prosecution Service (PPS) in ensuring that files are got right and presented at an early stage. Further work is needed in the Courts and Tribunals Service on listing cases for judges to ensure that we move the system forward. The key issue in dealing with remand matters is to do the work that we already have under way. Indeed, I engaged with the Criminal Justice Board back in April 2010 on work to ensure that we speed up the justice system.

Fine default is a slightly complex issue. It is not that the number of fine defaulters in prison at any one time is a huge proportion of the prison population. The problem is that fine defaulters represent a substantial portion of admissions, some of whom are there for only three or four days, and others for nine, 10 or 11 days. It clearly creates major difficulties for the operational management of the Prison Service to have to bring so many people into prison and do all the necessary processing and evaluations of each prisoner, particularly if the prisoners are going to stay for only a short period.

If we can work on addressing fine default, we can reduce that burden administratively rather than in numbers. I think that the Committee has been informed of work being done to warn people by a simple phone call that they are coming up to the time when they need to pay fines. That has reduced by 30% the number of fine warrants that have had to be executed. Clearly, one phone call from the Courts and Tribunals Service is a good investment of time as opposed to the work that has to be done by the Prison Service if somebody is brought in as a defaulter. However, more work needs to be done, and we will continue to look at how we can address that problem.

**Mr McDevitt:**

I hear what the Minister is saying, and that is very welcome news. However, the interim report states that there should be:

“real and measurable reductions in the fine defaulter and remand prison population within 12 months”.

I read that to mean that there should be fewer people committed to prison for fine defaulting and not just fewer fine defaulters in prison at any one time. What does success look like in that context? What number would amount to a real and measurable reduction?

**The Minister of Justice:**

The recommendation is phrased in a relatively vague way. If something is real and measurable, it is not vague but, nonetheless, it is not terribly specific. I certainly hope that we will see a significant reduction in the number of fine defaulters within a fairly short timescale. More time is required to address all the remand issues with the agencies involved.

Mr McDevitt spoke of legislation on time limits being brought forward in line with the criminal justice review of 2000. At the moment, I have significant concerns about introducing time limits within which people have to be processed or released. That may be an incentive to ensure that the system works well. However, if the system is not working well, that is a fairly dangerous proposal to put forward at an early stage.

**Mr McDevitt:**

I hear what the Minister is saying, but the problem that I have with his answer is that the independent review team is not just placing a duty on him and making a recommendation for him; it is including the Committee in that recommendation. Therefore, I want to know what measurable reduction looks like. If the Minister can answer that from his point of view, that is great. If not, we may have to return to it with the independent review team. However, the Committee needs to know what we are holding people to account for.

It is absolutely clear in my mind that we need to see real and measurable reductions in the fine defaulter and remand prisoner population over the next 12 months. I would go further and say that, if we are not seeing that, we need to be able to hold the sword of Damocles over the Department and the system, and the only sword of Damocles available to us is statutory time

limits.

**The Minister of Justice:**

I am not sure how much engagement the review team had with the Criminal Justice Board on the detail of that. I take the point, and I did try to respond earlier by saying that “real and measurable” does not mean that we are simply waffling around the issue. However, I find it very difficult this morning to give you a figure. Committee members may think that a 10% reduction year-on-year is a significant change for any social programme. On the other hand, given the scale of the problem, people may expect to see a figure that is a bit higher. However, we will look at that as we look at the development of the strategic efficiency and effectiveness (SEE) programme.

**Mr McCartney:**

We are only just in receipt of the report, but the first sentence of the introduction states:

“The Northern Ireland Prison Service (NIPS) is at a critical stage. It has been subject to numerous damaging reports and incidents — casting doubt on whether it can hold prisoners in a safe, secure and rehabilitative environment — and has struggled to respond effectively to the subsequent findings and recommendations.”

The introduction continues:

“However, a vision is worthless unless it is underpinned by mechanisms that ensure it can be put into practice.

That is equally true of reviews, reports and recommendations. We do not want our report to be another worthy document that gathers dust on a shelf, is referred to in regretful terms in five years’ time, or simply adds to the sense of defeatism within the service.”

What reassurances have we got that the recommendations and pathway that the report projects is a pathway that we will all travel down?

**The Minister of Justice:**

The advantage of being around the Committee table rather than in the Chamber is that those who will be charged with that responsibility have an opportunity to answer. Let me say a few words, and then I will hand over to Colin McConnell to give some detail.

I told the Assembly earlier that we have sought to ensure that the building blocks for the strategic efficiency and effectiveness programme are already in place so that the lessons from the interim report can be taken on board and applied even as we await the final report, because the

direction of travel is clear. I will hand over to Colin to talk about the detail of the work already under way.

**Mr Colin McConnell (Northern Ireland Prison Service):**

In response to Raymond McCartney's question, this is a fantastic opportunity for the Northern Ireland Prison Service to come together and deal with the issues that are clearly set out, albeit in an interim report.

I will outline some of the specifics of what we are doing. As the Minister told the House, and as the report team sets out in its interim report, we are already beginning to set about putting in place the infrastructure to deliver change. There is a huge difference between infrastructure and the change itself because, ultimately, it will be informed by this report and, in due course, by Anne Owers's full report. We are already deliberately engaging with staff representatives such as the Prison Governors' Association (PGA), the Prison Officers' Association (POA) and the Northern Ireland Public Service Alliance (NIPSA). We have engaged across the full range of employees to seek their engagement to drive forward an all-encompassing programme of change. We are developing a positive dialogue about change, and we are getting staff to own the prospect of change.

We are also putting in place the change infrastructure. That is a proper programme of change according to Prince2 principles, which is a widely recognised change management approach that the Government generally adopt. It brings with it processes that are properly measured and accounted for so that there is a visible, auditable programme of change.

As the Minister said, and as is quite rightly set out in the report, the timescale for transforming the Northern Ireland Prison Service into the twenty-first century prison service that the community in Northern Ireland deserves and needs is not weeks or months but years. The service is looking at a timescale of three to four years. That ties in with the budget allocations for the service because the demands are that the Prison Service operate successfully within the budget constraints that are set for it.

As director general, I am enthusiastic in welcoming the report and the direction of travel that it

sets out. I am also in the good position of being able to report to the Committee that, even at this early stage, we are talking very positively to staff representatives about how we take the report's recommendations forward.

**Mr McCartney:**

According to page 29 of the report, the Prison Service itself:

“under a new Director of Operations, had put together for the first time a coherent and time-bound process for fundamental change”.

When do we determine that that process is irreversible? In the past, opportunities for change have been thwarted by narrow self-interest. What assurance can you give the Committee that, when the agreed plan is progressed and reaches a critical point, the big decisions will be made and the service will not revert to what one governor in Hydebank told us: if a failure to agree were put on the table, everything would go into reverse?

**Mr McConnell:**

I believe that the direction of travel is already irreversible. The change challenge is undeniable, and in the coming months the pressure for change in the service and the adoption of a readiness and willingness to change will be unstoppable. My sense of that is informed by the discussions that we are already having with representative groups across the service. Since my appointment in early January, I have gone round the service and have met face to face the vast majority of our workforce at the workplace.

My enduring sense from those meetings is that staff recognise that the Prison Service cannot continue to operate as it does. In fact, I would go further and say that the good men and women of the Northern Ireland Prison Service are demoralised, as reported here, because of the constant criticism that they receive, and they do not want that to continue. They want to be part of a vibrant and proud Northern Ireland Prison Service. My sense is that they are broadly committed to achieving that.

**Mr McCartney:**

There are other questions, but I am sure that we will return to the subject.



**The Chairperson:**

Just on that point, you said that it is recognised in the Prison Service that we cannot continue with things as they are. I think that I heard a similar statement in relation to policing. The RUC was disbanded, and the PSNI was brought in. However, not everyone is convinced that we have a better policing system. Do you think that you are going to do the same in the Prison Service?

**Mr McConnell:**

You would not expect me to comment on the PSNI. On the Northern Ireland Prison Service, given what the Minister said to the Assembly, if the Assembly and the Executive support the programme of change in which the service is about to engage, the Committee should take a good measure of confidence that, in three years' time, it will have a very different Northern Ireland Prison Service. I hope that I will be coming to the Committee to give evidence of progress and success in that service and not to respond to criticism and failure, as unfortunately I have had to do in the past.

**The Chairperson:**

I have no doubt that we will have a very different Prison Service in three years' time, just as we have a very different Police Service. Nevertheless, that does not mean that we have a better Police Service, and I suspect that it might be the case that we will not have a better Prison Service. I think that what you are saying is, "Let us take this quantum leap and hope that we land on our feet in three years' time and that everything will be all right."

**Mr McConnell:**

As the director general, I would not ask the Justice Committee to take a quantum leap or, if I may use such language, a leap of faith. That is not what is on offer here. To quote the Minister, who, in his address to the Assembly, gave a commitment to deliver a very different Northern Ireland Prison Service, and to not so much quote directly from Dame Anne Owers's report as take the theme of that report, the Justice Committee has to be content that the Prison Service will deliver the aims and objectives of the wider justice system in Northern Ireland and that it will, ultimately, contribute significantly to a safer community.

If we do not make that contribution through that work, you will be right, Lord Morrow, we

will not have a better Northern Ireland Prison Service. However, given that those are the aims and objectives that have been set out for us and that that is very much the direction in which we have already set out in building the strategic efficiency and effectiveness programme for the Northern Ireland Prison Service, again, I am confident that, in due course, the Assembly, the Executive and the Committee will judge that the service is better and fulfilling its role.

**The Chairperson:**

Yes, but it will be too late by then. Moves will have been made and decisions will have been taken. You will be in an irretrievable position, and you will be no better off.

**Ms Ní Chuilín:**

Sorry I was late. My question is about women prisoners and young people, for whom you have no detail. Even from a quick skim through the report, it is clear that young people under the age of 18 should not be in Hydebank Wood. We need further detail on that. The report also points out that the facilities for women in Hydebank Wood are not fit for purpose. Given that, for budgetary reasons, facilities will not be developed, how will things change in the interim?

I have not had a chance to read up on this, but will there be additional investment in the sort of work that took place in Maghaberry prison in relation to vulnerable people? Given that responsibility for mental health facilities — for which there is a long waiting list — lies with the trust and that mental health is the Cinderella of the Health Service, how will you ensure that vulnerable people are supported? Will the budget for that sort of work be tinkered with if unforeseen pressures arise, making this report subject to criticism as previous reports have been?

**The Minister of Justice:**

In a moment, I will let Colin in to answer the question on the operational issues around the Reaching out through Engagement, Assessment, Collaborative working and Holistic approach (REACH) landing at Maghaberry and the general arrangements.

The report makes clear what we knew: the facilities at Hydebank Wood are not appropriate or adequate for women. Part of the work that I have asked Colin to do in response to this report is to look at estate issues that arise, as I said earlier, in the context of work to replace Magilligan,

which was initiated by a previous Minister some four years ago. In light of this report, we are looking at the appropriate way forward on that, which also ties into the issue of specific, dedicated facilities for women and what is required.

In the context of the youth justice review, we also have to look at how we deal with young people. At the moment, administratively, we keep as many young people as possible in Woodlands rather than send them to Hydebank. We are changing the management of juveniles in Hydebank Wood to bring something of what might be called the “Woodlands social work model” to improve their rehabilitation. However, we are fully aware that is a direction of travel only to try to make things better. It does not deal with the fundamental issue, which is addressed here.

Colin will say something about the REACH arrangements.

**Mr McConnell:**

Carál was quite right to raise the issue of safer custody, which is a crucial issue for the Northern Ireland Prison Service to get right. We recently introduced a revised policy for the provision of services to those at risk in our custody. Again, that will drive improvements. A number of new facilities, which were designed specifically to provide improved services and a better environment for those at risk, are in the pipeline for Maghaberry. They include living accommodation and a day centre, for want of a better description, in which more specialist and better trained staff can engage with prisoners at risk to better manage the circumstances in which such inmates find themselves.

Of course, none of that is an immediate solution. However, in keeping with what Dame Anne Owers set out in her report about the direction of travel, there are clear indications that the Northern Ireland Prison Service is already beginning to get to grips with some of the core issues. As the Minister told the Assembly, this is not an overnight solution; there are many facets to it. However, with its new policy and new infrastructure coming on stream, the Northern Ireland Prison Service is moving in the right direction.

**Ms Ní Chuilín:**

We saw some excellent facilities on our visit, and it is obvious that the commitment of some staff,

particularly on the REACH landing, goes above and beyond what they are asked to do. However, even they were frustrated by the fact that, unless the staffing issue is sorted out, prisoners will not be able to fully utilise those facilities and staff will not be able to make that journey. I fear that a lot of money will be put into badly needed facilities, but unless the issues with the POA are sorted out, those facilities will be there but never used. The genuine complaint is that, unless that is sorted out, we will be back here again and again. It is like the wheel is turning but the hamster is dead.

**The Minister of Justice:**

That is why, when I talked in the Assembly about staffing, I referred both to redundancy arrangements for officers who had served their time and wished to leave and to enhanced training and other work being done with the POA by Ronnie Armour, who is in charge of HR, on working hours, centralised detailing and whatever, to ensure that we make best use of staff time. In that way, we will make more constructive use of staff time and staff will better trained to do the work that you highlighted.

**Mr Givan:**

Thank you, Minister, for coming along. Apologies for not being here for the start of the session. You have gone beyond the call of duty in coming to the Committee after your statement to the House. I appreciate that.

**The Minister of Justice:**

I will record that. Thank you.

**Mr Givan:**

I will not go into detail, because there will be a final report, and we are digesting it only now, but the one before us highlights key concerns around senior management, the top-heaviness of managerial positions and the confusion about who is accountable for which roles. The report states that there needs to be a clearly stated definition of the role of permanent secretary, director general, governing governors and management teams. Can you wait until a final report is produced to deal with that? It seems to imply that the permanent secretary, director general and governing governors do not seem to know what they are meant to do, or who is accountable for

what.

**The Minister of Justice:**

I will jump in quickly before the permanent secretary, which is always a dangerous thing to do. The points that I made earlier about why we have the current interim report, rather than the original idea which was to focus solely on Maghaberry, is a recognition that the team looked at the links between headquarters and the individual institutions and recognised that there were cultural and management issues that needed to be addressed, which went beyond each of the individual institutions into the overall working of the service.

In my statement to the Assembly earlier, I highlighted the issue of having the building blocks in place under the C programme to ensure that we start to learn those lessons. We will not necessarily be in a position to deliver things before the final report, but we will not sit around waiting until mid-June before any action is taken. Although the detail may not be there, the direction of travel is absolutely clear from the interim report, and we need to ensure that work is done centrally in the Department at Prison Service headquarters and in each of the three institutions to prepare for that.

**Mr Nick Perry (Department of Justice):**

I am the accounting officer for the entire Department, including the Prison Service. The advice that I give to the Minister reaches across the full range of the Department of Justice (DOJ) business, including prison related issues. Colin, of course, runs the Prison Service, and I am his line manager and the chairperson of the departmental board. Therefore, to that extent, I too have responsibility for delivering the report, which I very much welcome. The Department supports the Minister, but we also stand ready to do all in our power to help Colin and his team to deliver what needs to be delivered. So, there clearly is a responsibility on me and on the core Department.

I hope that the relationship between Colin and me is clear enough, but we will produce a definition, as the report suggests. There are issues that Colin is following up about the relationship between headquarters and the establishments, and there are also a number of recommendations in the report about that. However, the responsibility does not just belong to the

Prison Service. As Mr McDevitt made clear, there are a range of issues that go beyond the Prison Service's remit, including issues about fine default and delays in the justice system. It goes beyond the DOJ to other Departments, but, just to be clear, there is a shared responsibility to deliver.

**Mr O'Dowd:**

There are clearly differences of opinion in this room as to the purpose of the justice system, the purpose of sending someone to prison and what the outcomes of that should be. People could have a field day around the report. Various reports in the media have made all sorts of outlandish commentaries around it and have forgotten about its objective. I think that we can all agree that our objective should be to have a prison system that is effective and efficient. Regardless of anything else, I think that we can agree on that. What plans do you have to garner or encourage political support around the Executive table for the wide range of changes that are required to our prison system?

**The Minister of Justice:**

The simple answer to that is that we now have a detailed report that brings together much of what was in currency anyway in a coherent and organised way and that recognises the good work already being done in the Prison Service while outlining the key issues that need to be addressed.

The issue for me now is to engage with the widest range of stakeholders, which includes all other Ministers, as well as the Committee, the wider Assembly and a range of other bodies, to ensure that we get acceptance of the coherence that the proposals were making. Therefore, we see that as being the direction of travel as we need to move forward.

People clearly have differences of opinion as to what the purpose is, but, surely, we are all agreed that what we are looking for is a prison system that keeps secure those who need to be kept secure within prison and uses the opportunity that that presents for rehabilitation and reform to cut down the recidivism rate when people leave prisons. In that context, we have clear financial imperatives, as well as practical on-the-ground outcome imperatives to make the kinds of reforms that are driven by this.

If it would help, I am very happy to engage with the Committee, either in a formal session such as this or through staff engagement in a less formal seminar, so that we can start to recognise the realities of the situation that we are in and address the difficult challenges. That is particularly important because of the financial imperatives alongside the other imperatives to make reforms.

**Mr Buchanan:**

I am somewhat disappointed that the report arrived in our laps only a few minutes before the meeting. There is no doubt that it will take some time to go through it in more detail. However, I want to deal with one of the issues raised earlier regarding Hydebank Wood. The report tells us only what we already know: Hydebank Wood is not suitable for children and young people under the age of 18.

The report says:

“30% of children and young people had learning difficulties, and ... could only access two education sessions a week - in spite of the legal requirements that those...should have a full educational timetable.”

The recommendation is that:

“Suitable accommodation for all children that meets the best interests of the child should be found on the Woodlands site”.

It is a very wide open statement that something “should” be found. There is no commitment to say that something “has to be” provided. What are your proposals to ensure that something is found and put in place to address the deficiency that is already there for those young people?

**The Minister of Justice:**

I will address briefly your first point about having had the report in your hands for only a few minutes. My understanding is that the report was to be placed in members’ pigeonholes when I started making the statement, which is the normal way of doing it. I certainly do not think that this will be the last opportunity that you have to engage with the Prison Service, the core Department or with me, as Minister, if you want me back to discuss the report. However, there are issues around why it is difficult to get reports out before the formal point of a statement.

You quoted a specific recommendation, and yet the report also acknowledges that the youth justice review is under way and that there is a very significant interplay between the work of the Prison Review Team and the youth justice review. We need to see how the youth justice review

proceeds. However, it is absolutely clear that a very significant body of opinion says that Hydebank Wood is not suitable for under-18s. In the current difficult circumstances, we are doing our best to create the best opportunities for under-18s within Hydebank Wood. However, as you highlighted, access to education is a clear problem. Within the Woodlands system, it is easier to ensure that young people get access to education and other facilities than is currently the case for those in Hydebank Wood. That is due to things such as staffing difficulties, which is part of the wider issue that is being addressed as we look at personnel and HR matters. The report is a clear statement of what needs to be done, but is not yet a statement of how that should be done. We need to await the other report.

**Mr Buchanan:**

Is it the case that it is perhaps being held back on because, as we all know, the finances are not there to put something like this in place as is required?

**The Minister of Justice:**

I doubt very much whether Dame Anne and her colleagues would have held back on anything purely because of issues around finance. The Department will clearly have to look at the difficulties around how we manage finance. However, I cannot imagine that there will be anything other than a fairly robust strengthening of that recommendation in the final report in conjunction with what is being done in youth justice more generally.

**Mr McNarry:**

Do you have or is there a figure in mind for projected net costs for running prisons following this report?

**The Minister of Justice:**

I am going to turn very rapidly to the Department's accounting officer to give such figures as he has on that. I would say simply that, when we are talking about a net cost, we are talking about something like an invest to save process, which would result in some early expenditure in years 1 and 2 of the comprehensive spending review (CSR) period to make permanent savings. Clearly, that has to be the issue. There will need to be investment, but there will also need to be strong savings coming through from that. Nick will be much better on the figures than I am.



**Mr McNarry:**

If I may, and, to help Mr Perry in his answer, maybe he could say whether what we are heading for is likely to involve and include new buildings and extensive refurbishment.

**Mr Perry:**

I will answer that question in two parts. The line of figures for the running costs of the service for the current year, which I think the Committee received as part of the Department's draft budget, is around £131 million. We expect that to fall to £114 million by 2014-15. Colin may be able to help with this, but the capital programme for the service depends, to some degree, on the review of the prison estate that the Minister has commissioned. There is an expectation that some refurbishment will be required, and decisions will have to be taken on strategic building works, but we will have to wait for the outcome of the review before we know precisely what those decisions will be.

**Mr McNarry:**

I understand where you are with this. I know that it is an interim report and things are still at an early stage. I see where you are coming from on revenue reductions. I take it that inflation etc is built into that and that you know where you are going. Unless you tell me otherwise, I will go with that line. Are we talking about a reduction in costs for capital bids in the next four years, or are you unable to assess that as yet? Will that assessment be built on entirely on the Assembly's acceptance of the report?

**Mr Perry:**

The Prison Service's capital baseline over the next four years is in the draft Budget. There is an injection of capital in year 4, so —

**Mr McNarry:**

But that injection is not in anticipation of this report.

**Mr Perry:**

No, it is not based on the detail of the report.

**Mr McNarry:**

All things being equal and, if approval is given, are you going to be able to meet any cost involvement that may be recommended in the report during the next four years, or would it be after that period?

**Mr Perry:**

A good deal of the expenditure, for example, for building a new male prison, will probably fall outside the next Budget period.

**Mr McNarry:**

It may be that the Assembly will look at full implementation not in the next mandate, but in the mandate beyond that.

**The Minister of Justice:**

The key issues of reform and ongoing recurrent expenditure will definitely fall within the next mandate. That is why the budget line shows significant savings over the four-year period. However, the practical realities of a capital building programme involving prisons mean that, even if we had an absolutely clear decision today, very little of the expenditure would be incurred within the four-year period by the time that we allow for preparation, planning and everything else that needs to be done first.

**Mr McNarry:**

I appreciate the nature of that journey. However, what is not clear, and I hope may be made clear, is the nature of the reforms that may be allied to the need for an injection of funding. In other words, to meet the cost of any major extended refurbishment or new buildings. If those are not in place, what aspects of the reforms may fall by the wayside until such times as such funding is in place?

**Mr Perry:**

There are some specific recommendations in the report, such as provision for young people or women; I am thinking of hostels as opposed to a women's prison. Those are the sorts of areas in

which it may be possible to free up money from the existing capital baseline, depending on the scale of work that is required to do that within this Budget period. However, you are right: some of the recommendations are linked to having the infrastructure available to support them.

**Mr McNarry:**

Where do you pitch that at for the Assembly and this Committee to make an assessment of what are priority reforms? What are priority reforms — I am sure that they are all priority reforms — and will they actually happen in light of what you can and cannot do with the needs, particularly on the mental health questions that will arise?

**The Minister of Justice:**

The key aspects of most of the reforms in the day-to-day running of the service — if you can term it like that — are covered by the budget proposals to ensure that the right staff are in place and are doing the right kind of jobs. However, we need a potentially significant capital investment for refurbishments or replacements. We need to look very carefully at that, and that is why I have asked Colin to re-examine the work on the Magilligan replacement, which was initiated as a result a ministerial decision four years ago, to ensure that we get something that we need for 2011, not something that was devised in 2007 perhaps through looking back at the preceding decade.

**Mr McNarry:**

I appreciate what you are saying. I have not had time to read the report in full. Judging from your statement today, particularly the comments about schemes for current employees, it appears that such schemes will be cost-reducing exercises that are maybe purely to fit in to the reforms that are envisaged. By dispensing of people on the basis of which you said, even exhausted people; some of those words were unfortunate. I understand maybe why you said that, but it is unfortunate for the receiver, who is maybe a prison officer, to read or hear those words. It is about how you are going to finance all this and where will it come from. It is about whether you think that the introduction of those reforms will, in the early stages, bring home the riddance of dedicated of employees. We need to tease that out and think about it over a much longer time period. We do not have that time now.

**The Minister of Justice:**

Just remember that I made a very specific reference in the Chamber that I will repeat now: we are looking to allow a retirement package with dignity for those who want to take it and the opportunities for retraining —

**Mr McNarry:**

I understand that, Minister, but the word “dignity” seems to me to cut across the earlier words as to why people would be asked to take voluntary redundancy.

**The Minister of Justice:**

Those were the words of the report; they are not my words. I thought that it was appropriate to quote them.

**Mr McNarry:**

OK.

**The Chairperson:**

I remind members that the chairman of the review team will be with us at our meeting on Thursday. By then, you will have had a greater opportunity to read through the interim report. I suspect that she will be well versed in answering some of the questions.

**The Chairperson:**

I have Mr McDevitt on my list to ask to ask a question.

**Mr McDevitt:**

Yeah, if I could take Mr Maginness’s slot briefly, Mr Chairman, if that is okay.

**The Chairperson:**

No, I do not think you can do that, but you can take your own.

**Mr McDevitt:**

Thank you; I appreciate it. Page 41 makes a worrying assertion. It says:

“members of the review team found poorly-completed suicide prevention documentation on the REACH landing for very vulnerable prisoners at Maghaberry”.

In light of the tragic death of Mr Bell, which the report goes on to mention, and the ombudsman’s critical report, what confidence can we have that basic things such as this are now being addressed in the Prison Service?

**The Minister of Justice:**

I suppose the only answer that I can give in response to that is to say that the fact those issues have been highlighted, clear concerns are coming through from recent reports from the Prisoner Ombudsman and operations are being put in place under the strategic efficiency and effectiveness programme are all indications of work that is being done to start to address those points. We now have significant input from the South Eastern Health and Social Care Trust on healthcare management, and work is ongoing on that. All those issues are helping to address those problems. However, I entirely agree with the thrust of Conall’s question, and we cannot take satisfaction from where we are at the moment.

**Mr McConnell:**

The criticisms are well made. As I said to Carál, we recognise as a service that we need to do more and better with regard to care of the vulnerable. The chairperson of the review team raised concerns with me at the time, which I placed with the local management, so that was followed through.

To put this in context: the care of the vulnerable in prisons is a multidisciplinary responsibility. All the research clearly indicates that the best care is provided by the widest possible range of staff who engage with the offenders in our care. That is very much the approach that we have put in place and are developing across NIPS. However, it will take some time to achieve the standards that we set for ourselves.

**Mr McDevitt:**

I hear what Mr McConnell is saying. However, a series of passages on page 31 and 32 of the report basically state that in the run-up to devolution:

“reports to both Ministers and the Prisons Board were seriously over-optimistic about what was being, or could be, achieved. The second was the immediate search for compromise whenever a difficulty arose, rather than attempting to tackle the underlying problems.

It goes on to say:

“Managers at all levels did not believe that difficult decisions, or challenges to working practices, would be supported - indeed we heard many examples of attempts at disciplinary action or challenge being undermined by staff going round them to a higher, and more acquiescent, authority.”

That paints a picture that shows that no matter what Mr McConnell, other senior managers or someone at an operational level tried to do, there was always something in the system at some point — *[Interruption.]* Do we need to go?

**Ms Ní Chuilín:**

Yes, there is a Division.

**Mr McDevitt:**

Saved by the bell, gentlemen.

**The Chairperson:**

I will stop at this stage of the meeting if members are content. There is a vote in the House. When we come back, we will go on to the next item on the agenda. That is not being disrespectful to any members or to the witnesses, but this in an interim report and has only just been put in front of us. People have not had an opportunity to get into it. Maybe the Minister is happy enough with that. I do not want it to appear that we invited him to attend and then cut him off, because I do not believe in that.

**The Minister of Justice:**

I said earlier that I am very happy to come back, and I am sure that officials will be as well.

**The Chairperson:**

Thank you.