Northern Ireland
Assembly

COMMITTEE FOR JUSTICE

OFFICIAL REPORT
(Hansard)

Prison Review Report: Briefing

3 March 2011

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:
Lord Morrow (Chairperson)
Mr Raymond McCartney (Deputy Chairperson)
Lord Browne
Lord Empey
Mr Paul Givan
Mr Alban Maginness
Mr Conall McDevitt
Mr David McNarry
Ms Carál Ní Chuilín

Witnesses:
Mr Paul Leighton)
Ms Clodach McGrory) Prison Review Team
Dame Anne Owers)
Mr Phil Wheatley)

The Chairperson (Lord Morrow):

I welcome Dame Anne Owers, who is the chairperson of the Prison Review Team, and Paul Leighton, Clodach McGrory and Phil Wheatley, who are members of the team. I advise the team that the session will be recorded by Hansard. I invite Dame Anne to brief the Committee, after which I am sure she will be happy to take members' questions.

Dame Anne Owers (Prison Review Team):

Thank you. I will be brief, because I hope that, by now, the Committee has had a chance to look at the report; we are very happy to answer any questions that you might have about it. The bottom — or top — line of our report is that a fundamental change programme is needed for the Prison Service and that this is a good moment to do it.

As a first step, we put forward what we call a new deal for staff and managers to deal with underlying issues about staff deployment and current practices. The other side of that will be training and development for staff and managers who remain in the service to assist them in the transition to a different kind of Prison Service, as well, of course, as a severance programme for those who want to leave.

The Prison Service that we have in mind is based on the notion that it must contribute towards a safer society in Northern Ireland. That is the bottom line. At the moment, for a whole range of reasons that we have outlined in the report, we do not think that it is doing that effectively. We talk about the absence of effective leadership and management and about the culture in the service: the security-led culture that derived from experiences during the Troubles; and the wider culture of what we call compromise and denial rather than confronting difficult issues, although we understand the historical context in which both those things happened. However, we now have a chance to move on to the kind of Prison Service that is needed in the twenty-first century.

We outlined the weaknesses and failings that we found in staffing, security, management and support, but we do so to construct solutions for them. We want the report to be solution-focused so that it can be embraced and will provide an opportunity to move forward. We see that as the first stage in the change programme, because, in order to build the structure that we want — one that is effective at rehabilitation and in constructing a safer society — the service must first be based on the firm foundation of managing its resources, staff and prisoners as well as it can. To do that, we need fairly swift movement, although, as the director general said, and we agree, the change management programme will take years, not months. Equally, some things need to be done swiftly in order to seize the opportunity to make the changes that we recommend. I will stop there. Between us, I hope that we can answer any questions that members might have.

The Chairperson:

Thank you very much. We are conscious that the report is what it says: an interim report, which means, I suspect, that we will get another one in the not too distant future. What are the key priorities that should be progressed before your final report is produced?

Dame Anne Owers:

It is an interim report in the sense that it defines the internal issues for the Prison Service that need to be grappled with pretty quickly. Therefore, everything that we have suggested and recommended in the report should be prioritised. It is a priority to get management, staffing, governance and accountability structures in place to allow policy decisions — decisions that Minsters and the Assembly make — to be implemented throughout the system. At the moment, we describe the prison system as being a bit like a car with a faulty transmission. If you do not have effective operational management, there is absolutely no way of converting one kind of energy into another. Management space is important, and, having created it, managers must be able to run the kind of prison system that we all need. We consider the internal changes that are needed in the Prison Service, which are found in chapter 3 of the report, to be those that need to be started quickly.

The Chairperson:

Your report puts strong emphasis on rehabilitation. How does that sit alongside figures that tell us that 75% of prisoners do not want to be rehabilitated?

Dame Anne Owers:

It sits alongside it very well because the job of the Prison Service is to engage with that 75%. It is easy to engage with the 25% who will either not reoffend anyway or who want to engage. Our report describes in some detail how, in many prisons, everybody competes for that 25%. It is like a beauty contest; everybody wants the good prisoners who engage. However, staff, managers, educators and psychologists need to get a grip on the prisoners who do not engage because they are the people who will keep coming back. The test of a criminal justice system is whether it can engage effectively with those who do not want to engage.

The Chairperson:

As I read through your report, which I would like to read again — perhaps, over the weekend, I will — one message that seems to come across clearly to me — although perhaps it is just my reading of it — is that society is to blame for what has happened in prisons and not so much those who inhabit prisons. What do you say to that?

Dame Anne Owers:

I would not put it like that. A prison system is a mirror image of what is wrong in society. Prisons take society's problems: mental illness, drug abuse, violence, and families that do not function well. If something is going wrong in society, it will be reflected in the prison system, and that is true in any country. That means that as well as dealing well with their prisoners in a safe and secure way, prisons have to be outward-facing. They have to think about what will happen to a person after they leave prison, having done courses, gained qualifications and stopped taking drugs. That is crucial, not only for the individual but for society because you do not want that person to go back to what he or she knows.

The Chairperson:

Is it society's responsibility to provide all those facilities for criminals?

Dame Anne Owers:

It is society's responsibility to provide those facilities for everyone. The ideal is that providing them at an early stage will prevent crime and victims of crime. However, if you want to avoid creating more victims, you have to look at what it is that makes a person carry out another criminal offence. You have to try as far as possible to provide the support that they need in the transition from seeing themselves as criminals or offenders to seeing themselves as citizens. The return is worth the investment.

The Chairperson:

I suspect that if you went round the table, you would get varying answers to the question what do you think prison is for.

Dame Anne Owers:

You might. I gave our answer earlier: prisons should be for making society safer. If they do not do that, they will turn out people who are more likely to commit crime. In the report we quote a powerful statement that was made to us by a young offender who said that the first time he went into prison he was really scared but the next time it was all right because all his friends were criminals. If you are not careful, you can put people in prison to mix with people who have committed criminal offences. They can get better at it; they can get used to being that person. If you do not do something positive, prisons can turn out people out who are more excluded and more likely to commit crime. The task of a good prison service is to do something positive while it has them.

The Chairperson:

To what extent did the views of victims influence your report?

Dame Anne Owers:

The views of victims influenced our report very much, because it is about having fewer victims. Most of us around this table must have been victims of crime at one time or another; having lived in London for a long time, I certainly have. I do not want to sit in an ivory tower and say that this is wonderful for its own sake, because, if we get it right, we can reduce the number of people who will be victims of crime.

The Chairperson:

This is the twenty-third report on prison reform in the past few years. I suspect that after the honest effort that you have made, you will want to think that this may be the last report until something is finally done. It will be for others to decide whether it should just be placed on top of the last one and left there. Although I suspect that your answer will be yes, I will ask anyway: are you totally satisfied that if your report was fully implemented, society would be a different place, prisons would be different, victims would be happier and criminals would be more content with their surroundings — is that a fair assessment?

Dame Anne Owers:

It is very tempting to answer yes; it would be nice to think so. However, this is the beginning; it

is, as you say, an interim report. This report puts the building blocks in place; our final report will look at how we build on them, but it is essentially a political question. We are reviewing the prison system, but it is for politicians and Ministers to decide the kind of prison system that they want in Northern Ireland. That is not our job. What we have done in the report — we hope — is give you the building blocks on which you can build something good.

Ms Ní Chuilín:

I welcome the interim report; there is a great deal of work in it. The unfortunate thing about the report is that there are very few surprises in it, given the fact that there have been at least 23 previous reports. However, the interim report is a foundation. What are your views on a separate facility for women and the number of people under the age of 18 in Hydebank?

My second question is about leadership and management issues that your team identified. Can you envisage practical steps being taken by the time your final report is completed for a separate facility for women? The recommendation that jumps out for me is that children under 18 years of age should not be in Hydebank. What conversations have you had with the Department about that?

Dame Anne Owers:

I will answer the question about women and children and then pass over to colleagues to talk about leadership and management issues. You are right that there is nothing much in the report that is surprising. What surprised us was that when we brought in members of the review team who had nothing to do with the Prison Service in Northern Ireland, independently and without referencing the other reports, we identified and evidenced so quickly what was wrong and why it was wrong.

The focus on management was perhaps a little newer. We want to focus on the question of women in our final report, so we make it clear that we have not really looked at that in any detail just yet. However, Hydebank Wood is not a good place for women to be. When women have to share an environment with male prisoners, they do not get a good deal, and it is clear that that is happening at Hydebank Wood. We have been impressed by work to develop gender-specific standards and by work in collaboration with the Inspire Project and with women's centres. That

seems to us to be the line that we should be going down.

There is a network of very strong women's centres in Northern Ireland, more so than in England and Wales. Instead of thinking about what kind of prison we want, which is where people seem to start, the question needs to be much broader: how do we want to deal with women who offend or who are at risk of offending? What kind of services do we want to provide? I am glad that the plans for the prison estate have gone back to the drawing board. We will want to engage much more with the women's centres and the people involved in women's issues to work something out that does not just replicate what is going on now.

An ongoing youth justice review is running parallel to ours; in a sense, therefore, children's issues are not our territory. However, we are concerned about the people who are in the prisons at the moment, and we are very clear that Hydebank Wood is not a suitable place in which to hold children. As we say in the report, it raises the possibility — and the actuality in some cases — that the most difficult and damaged children are in an environment least suited to cope with them. That cannot be right. How to manage that is not a job for us; it is a job for the youth justice review. Nevertheless, we said as clearly as we could that, whatever the question is, the answer is not Hydebank Wood.

Ms Ní Chuilín:

I want to ask Mr Leighton to be specific about what he was referring to in the chapter entitled "The problems", particularly around leadership and management. The report says that prison officers spend 28 hours a week on front-line duties. We are getting all sorts of opinions from different sectors, which seems a bit strange. How did you arrive at that figure?

Mr Paul Leighton (Prison Review Team):

How did we arrive at the figure of 28 hours?

Ms Ní Chuilin:

Yes.

Mr Phil Wheatley (Prison Review Team):

It takes account of the amount of time that is left taking leave. Leave here is taken in days, and staff work very long shifts, because they work only 4·3 days each on average. They tend to take their ad hoc leave — not their block leave, which is when they go away for a whole summer fortnight — on long shifts. They also get extensive access to special leave for dental appointments or for special events such as funerals. Sickness and leave are the key components in arriving at the 28-hours figure. Little time is spent on training, because if people are taken offline to be trained, less time is spent on front-line duties. However, I do not want to knock training as an appropriate thing to use staff time for.

Ms Ní Chuilín:

Neither do I; I just want to know how it came about.

Mr Wheatley:

Some of it is down to the way in which regimes are constructed, where it has become accepted that a late start is OK; that if a person arrives 15 minutes late he is not really late, and if he leaves 15 minutes early because he has locked up, that is OK. The net effect is prison officers who spend on average 28 hours a week on front-line duties, dealing with things in the prison. That is substantially less than I am used to; the equivalent figure in England and Wales is over 31 hours.

Ms Ní Chuilín:

I am sure that many public service workers would not mind that level of pay for working for 28 hours a week on front-line duties.

Mr Wheatley:

Good management and leadership and being prepared to confront those issues — because real changes have to be made — should drive up the amount of time that is available for front-line work and for training. It is important that staff spend time training to improve their performance.

Ms Ní Chuilín:

Training is important. I want to go back to leadership. I found it shocking that one of the first actions that the director general took was to appoint the governor of Maghaberry to the post at

Magilligan in the wake of the death of Colin Bell. How are we to instil confidence in the regime by the time this report is finalised?

Dame Anne Owers:

Managers and staff at all levels have not had experience of working in a different kind of prison service; they have grown up through the Prison Service here. Many of them grew up through the Troubles or with the memory of them; it is a very strong cultural memory.

We see the need for investment in the development and training of managers and staff. Each manager should have a personal development package that should involve seeing how things are done in other places and in other countries, and there should be secondments and swapping back and forth. Direction will be needed from the top.

Mr Leighton:

As will visibility and meaningful leadership. We walked landings where people said that they do not see governors —

Ms Ní Chuilín:

We have heard that ourselves.

Mr Leighton:

That was over some time, so if governors are not there to check what is going on and to lead by example as to what the vision should be when it is interpreted on to the landings, it is hard to see how ordinary prison officers can be blamed when things do not go right. It is the same in any big organisation: if you do not lead it, show it what you want it to do, manage it and make sure that things are happening, you cannot be surprised when things do not happen as they should.

Mr Wheatley:

Hence our enthusiasm for making sure that there is space for operational management: that managers are allowed to take decisions, to confront issues and sort them out and to get the backing to do things properly. They then feel that they can make a difference and that they are held accountable. We help to ensure that they are trained to do that, but they also need to be

accountable. Those who succeed should get recognition for succeeding, and those who do not succeed should be identified and dealt with. Management means more than management; it is about management and leadership with accountability for results.

Mr McDevitt:

I, too, welcome the interim report. The most striking finding is your identification of the two fundamental problems: the absence of effective leadership and operational management; and the security-led culture as well as the "culture of denial and compromise" across the service. Those are serious words that could be open to misinterpretation. What exactly do you mean by a "culture of denial"?

Dame Anne Owers:

We defined that in the context of the move towards the devolution of justice; the fact that nobody wanted to rock the boat or to be seen to be rocking the boat. We used an analogy in the report of people in a minefield trying to avoid unexploded mines rather than trying to clear them. It was steady as we go because that is the aim. In that process messages about what was really happening were not passed on or well received, and that was sometimes the case in the response to inspection reports: "It is not so bad" or "We have already fixed that". Sometimes people believed that a problem had been fixed because they had told someone to fix it, and sometimes it was because it was too difficult to face up to what needed to be done. The reaction to difficulty was to seek a compromise to keep the show on the road rather than dig into what was going wrong.

Mr McDevitt:

I understand the compromise, but was the service in denial about the fact that change was coming?

Dame Anne Owers:

Yes. That was sometimes the case.

Mr Leighton:

There will usually be a large body of people in any organisation confronted with pressure from

external bodies to change who deny that change is necessary. In Northern Ireland that is exacerbated, as the culture here seems to be that changing something implies that what was there before was wrong.

Think about another process of change, for example, a car engine: when you develop a car engine it is the best that you can do at the time, but 10 years on the engine you will have will be very different. It does not mean that the earlier one was wrong; it just means that that was what you had at that time and, 10 years on, things are very different. I am not sure why Northern Ireland assumes that a desire for change means that you are finding fault with the past. It is just saying that it is time to change how things are done.

My experience of change in organisations is that some will deny, some will resist and some will explore, be interested and be already up for change and want to explore it. Some will become committed very quickly. The percentage of people in each of those camps will change as the change process goes through. Denial is the proper word to use here, as people will ask: why should we change, why do we need to change? We need to convince those people that change is necessary.

Mr McDevitt:

On page 31 you make an interesting observation about the political climate in the run-up to devolution. I presume that you are talking about direct-rule Ministers, given that it is before devolution.

"The priority for Ministers … was, undoubtedly, to steer the whole justice system into the harbour of devolution."

Thank God. We will have him back for speech-writing purposes in the fullness of time. You go on to say:

"The first was that 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."

I understand the point about compromise. However, was there an implicit conspiracy in the system to deny the denial?

Dame Anne Owers:

I am not a conspiracy theorist, and we could get tied up in that if we were not careful. Two things

were happening, and Phil may be able add to this as he was on the Prisons Board for some of that period. There were no information systems capable of producing accurate information about what was actually happening as opposed to what was supposed to be happening. It is not uncommon in inspections of prisons to find that people assume that because something has been promulgated as a policy that it is actually going on. Part of what you do is finding out what is really happening. When I was chief inspector, I made the distinction between the virtual prison that sits on the Minister's desk and the actual prison that is going off on the landings. The information about what was really happening was not good, and the information flow was not good.

Secondly, the feeling was always that things were getting better: the response to a critical inspection report would often be, "Yes, we got hold of that; things are now better." For example, action plans claimed that actions had been taken and completed when they clearly had not when inspectors went back. That was partly about information and partly about management. It is about the vacuum that existed between what the people at the top of the system genuinely thought was happening and what was not going on at the bottom end of the system. Phil might want to say a bit more.

Mr Wheatley:

I do not think that there was a conspiracy. The service's targets were very simple, and a recently published inspectorate report said that some had been met. They did not always measure the things that, as a country, you should have expected. Some of the simple targets were hit.

We have already mentioned the leadership and management gap. I expect managers and supervisors to be digging for what is really happening and to have a ready market at the top of the outfit to know what is really happening underneath the figures. You always have to work hard in a prison to discover what is happening, but that culture was not there. People were not digging to see what was really happening, whether something actually had been done that day or whether it happened every day. Somebody reported that it had been completed, and that was sufficient.

We are seeking to change that so that managers grip the establishment or wing that they are managing and ensure that what is supposed to happen actually does happen with a real drive and

that there is an enthusiasm for tackling problems. Therefore, when problems are reported, not only does the service operationally want to tackle them, but you as politicians are anxious to support them in tackling difficult issues and are prepared for the fact that there may be fallout from that from time to time.

Mr McDevitt:

Do you believe that this is a classic example of the ivory tower management culture?

Mr Wheatley:

I would not use that phrase, but you could characterise it as such. You can end up with managers who do not know absolutely what is happening on the ground. That is inevitable. I think that I was quite good at doing my job, but there were things that I did not know. I worked hard to discover as much as possible. You cannot get perfection, but you have to dig hard in the prison world to discover what is really going on.

Mr McDevitt:

I have one more question, Chairperson, because I am very interested in this. My experience of being involved in organisations that are diffuse and have competing loyalties within them tells me that no manager can know everything that is happening on their watch, but they can have the trust and confidence of enough people to be able to establish what is going on. I understand the denial point, and I take it in the spirit in which you say it, Mr Leighton. I agree with you. It is inevitable in organisations. People will deny that change is necessary and will choose to use an excuse as to why it should not happen. The picture that you are painting is one of not only a breakdown in communication but a total breakdown of organisational trust. Basically, nobody trusts anybody with anything, and it is every man and woman for themselves.

Dame Anne Owers:

I think that that is true, to an extent. One of the things that came through to us was that it was an organisation in which people did not trust each other to do things. The other side of not surfacing the problems that existed was that managers had no confidence that they would be supported in being able to do anything about them if they did surface them. If you were only going to get trouble by surfacing problems, there was no point in doing so. What is the point in digging into

what is going wrong, if, when you try to deal with it, somebody up the line goes round you? Managers in the Prison Service have given us numerous examples of that happening. They had tried to confront something that they found to be unacceptable, but they found that someone had gone behind and above them and that a deal had been done. If that happens once, twice or three times, why would someone bother to confront such situations? What is the point?

Mr McDevitt:

Chairperson, I apologise to the team. I have been summonsed outside for five minutes by the powers that be in my case. Thank you very much.

Mr McCartney:

I welcome the report. I think that it is a comprehensive analysis of the prison system. It dovetails well with the most recent Criminal Justice Inspection report into governance issues, and it has identified the issues that many of us were familiar with. The report's strength is that it not only identifies the issues but points a way forward and says that now is the time to do it. There is no hanging about, and it does not give recommendations for someone else to pick up and run with. You are very clear on that, and I welcome that.

We await the full report. When the Minister made a statement to the Assembly on Monday, I said, on behalf of my party, that we view the report as more or less a touchstone of the Department and the accountability mechanisms in relation to the Assembly, because we are being told clearly what the problems are and are being given direction as to how we can plot the course forward.

Your report states that:

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

You go on to say that you do not want this to be another worthy report that is put on a shelf. Furthermore, you say that the Prison Service does not belong to the NIO but to the political system here. That is the crucial part of this. In times past, there may have been 23 reports, but someone else could be blamed or held responsible. It is now our responsibility. I welcome the report in that sense.

It is difficult to ask a question, because it is an interim report. What sort of contact will you have with departmental officials and the Minister in relation to taking this forward and spelling out the many observations that you have made?

Dame Anne Owers:

As part of the move towards our final report, we want to shadow some of the changes that are happening in the service. The Minister's statement referred to the strategic efficiency and effectiveness (SEE) programme, which is already in place. We will want to see where that goes and the plans for getting from here to there. By the time we publish our final report, we will also be expecting to see — if it is not in place, we will be commenting on it — some very clear plans for the major change programme that we envisage. That will involve a programme manager working closely with the director general in order to get that very complex programme going. There are all kinds of dependencies and issues about what to do and when to do it that will make all the difference in the world between success and failure. I think that Phil will be in further discussions on some of that.

Mr Wheatley:

It is crucial to get the timing and the steps right. For example, if you want to do extensive staff training, which we think is an essential part of the changes, you will have to free up staff time. That will probably mean that some of the issues about excessive staffing levels and time not being used productively, which have already been alluded to, will need to be tackled. If that is not done effectively, it will be more difficult to do training. I use that as an example. Lots of those dependencies need to be sorted out, and real drive needs to be put in to do things in the right order and to make sure that they do not come up against blockages. However, if they do come up against a blockage, it needs to be ensured that they get round that effectively and quickly and have the support to do so; not to do anything improper, but to make sure that they can do the proper things.

I want to make sure, as part of the work that I am doing on the second stage of the report, that all that thinking is being done. Every indication at the moment is that that is the case. However, given that this is a big and complicated change programme by anybody's standards, they would do it better if they had some professional change management support, not to lead but to manage

and to do some of the careful planning to support the leadership.

Mr McCartney:

Paul gave a good analysis of the resistance to change and the reasons why people resist change. In your document, you note that there was a willingness to change but that that was not universal. This is about where the balance of resistance lies. When change was required in the past, there was a tendency among those who resisted change to simply fail to agree, because then no change came about. So, the analogy of the engine is right. We cannot pretend that the old engine is better than the new one being proposed. How do we bring along those who are opposed to change? If they do not want to be brought along, how do we point out to them that the old engine is no longer working, so we need a new one?

Mr Leighton:

One of the first things to recognise is that just because the old engine is no longer good does not mean that what it did in the past was all bad. It probably served its purpose at the time. The report says that the requirements of the Prison Service now are different, and we need people to change in order to fulfil those different requirements. That is neither strange nor a different process from the one used by lots of other professions and other areas of work.

All that we are really saying is that we do not want to focus on the resistance. We want to focus on the opportunity here. I think that this provides a way forward into an opportunity that a lot of people will see very quickly. A lot of prison officers who have been given an opportunity to work in education, in offender management or in an area that is different from what they are used to very quickly start to see the benefits of doing something they have not done before and, therefore, want to do it. They can see it as a way forward. So, perhaps it is not as difficult as people imagine.

Mr McCartney:

How much do you think that the final report, which I know is due in mid-2011, will change from the interim report?

Dame Anne Owers:

I think that it will build on the interim report. Although the interim report is, of course, interim, it is our very well evidenced conclusions about what is happening and what needs to happen. We will be building on that to look at what the service does. I do not think that we will be coming back to the Committee in the middle of the year to say that we have changed our minds about what we see as being wrong with the service and what needs to be put right. As I said, we want this to be something that starts the race now; we do not want people to be hanging around on the starting line waiting for permission to do something in the middle of the year. What we have described needs to start from day one.

Mr McCartney:

Do you have a projected timeline on which it would be identified where and when change is kicking in? It would be wrong to say that there will be no resistance, but if you do not have critical mass by a certain stage, this may become just another worthy report.

Dame Anne Owers:

There are all kinds of milestones. It is about setting milestones from now and making sure that those are achieved. That is how we get to critical mass. Phil has more experience of that, so he may want to say something.

Mr Wheatley:

As politicians, you should not settle for this being put on the shelf and not done. The management of the service will not settle for that. How it is done is the crucial thing. The right way to do it will be with co-operation from staff and managers and without wholesale changes, because people recognise that this is good. As Paul said, the thinking needs to be that we can do this differently, we have the ability to do it differently with some developmental work, and we are going to make a success of it. That will be much easier than if it has to be done against opposition.

It does have to be done. You cannot settle for running a very expensive service for the foreseeable future that does very little. That is not sensible in the current political and financial climate and is not good for the country. The country deserves better. It deserves prisons that

contribute to reducing crime as much they can. Victims deserve that; they deserve to know that somebody is less likely to commit that crime again.

The Chairperson:

How out of date is this engine? Is it now a vintage? *[Laughter.]*

Mr Leighton:

I was actually thinking of a fairly recent engine. It is not one of the very first internal combustion engines ever developed.

The Chairperson:

But you do think that it needs an oil change.

Mr Givan:

I was pleased to read in the report about the amount of attention that was given to management issues, which are something that I hear about repeatedly as being a problem. The report does, for the first time, clearly articulate the difficulties that arise, from the director general and permanent secretary downwards. That will be a key focus in driving forward change. Ultimately, if you provide a vision, people will buy into that. However, that needs to come from the top and from management level. I was pleased with that part of the report.

On a future occasion, I want to tease out the security aspects being recommended, because there are concerns about that.

I want to touch on something that I did not see in the report. We have talked a lot about rehabilitation and reducing offender levels. One key issue that I find difficult to understand is that, before an individual commits a crime and goes into prison, prison is the number one deterrent. After someone goes into prison, it appears not to be a deterrent at all. There are prisoners who do not wish to be reformed; I do not think that anyone around the table would say that 100% of prisoners will not want to commit another offence, no matter how much resource is put into that. However, I do not see in the report how we make prison a deterrent, so that those individuals do not ever want to go back there because they had such a bad time. I do not want

them to enjoy prison. I do not want them ever to want to go back. However, I do not see that in the report.

Dame Anne Owers:

I do not think that anyone enjoys prison. The deprivation of liberty is a huge thing. The deprivation of liberty for very lengthy periods, which some people have, is a huge thing. People in prison are cut off from family and friends and from being able to do what they want to do. No one should ever doubt that that is a punishment. Lots of academic articles about deterrence have been written. If our colleague Fergus McNeill were here, I am sure that he would be able to quote you chapter and verse on it. Prison is a deterrent for some people. It would certainly be a deterrent for me. However, once you get into the mindset of thinking of yourself as being an offender or a criminal, prison becomes less of a deterrent and will not, on its own, deter people from crime.

People who go into prison have already committed an offence. We are then talking about desistance and what makes people stop. All the evidence indicates that what makes people stop is not the thought of a further prison sentence, no matter how harsh that might be, but the fact that they can become someone else and do not have to carry on in the same lifestyle, and with the same people, as they did before they went into prison. That is done through a variety of influences, including education and training, offending behaviour programmes and what is called social capital, which is what is available for them when they get out. All the evidence indicates that that is the kind of thing that makes people stop committing crime.

Mr Wheatley:

One of the best bits of research work into deterrence was the regimes that followed from the use of the short, sharp shock. Under the English and Welsh experiment, tougher regimes were run at young offender establishments at Colchester and Thorn Cross. The idea was that the military would do tough things, as the military does, with the offenders, and that that would have a better effect. The Thorn Cross regime included lots of involvement with and education of offenders; there was lots of working with offenders, and the staff bothered with them. Ordinary prison officers are involved the process; it is not just clever things done by psychologists. That process produced a much better measurable effect in reducing reoffending than the straightforward

deterrent regime.

I spent a lot of time working in prison. In England and Wales, we have run some pretty evil prisons going back over time. One prison was nicknamed the hate machine, which is an accurate description of what happens if you run brutal and difficult places. People come out of prison hating you and hating society for doing it. Giving that hate to someone who was well into crime and not the most pleasant of people in the first place generates more crime rather than less crime. It is very important that you do not do that to offenders and send them out as bitter and twisted, nasty people and not the sort who you want to meet on the street. You cannot reform everyone, but you can persuade quite a few people that they could be different. That has to be done using prison staff at all grades. It is not just a clever trick that you do with nice people who you bring in to do add-on things.

Mr Leighton:

I am not sure that I recognise the nice place/nasty place deterrence model. To be honest, I am not sure that I recognise deterrence as a concept as well as I thought I did when I started my police career 30 years ago. Getting caught is people's only deterrent, and it is only a mild deterrent. You cannot change people who live a criminal lifestyle and have a criminal tendency or a criminal bent into a non-criminal by deterring them. In my experience, that does not work.

What you can do is show them different ways of doing things and give them different opportunities. That may be unpalatable to some people, because they think that the victim of the crime does not get those opportunities. However, that approach is saying that we do not want any more victims of crime. We appreciate the concerns of the victim, but we do not want another victim. That is not done by making prisons such nasty places that no one wants to go back there; that does not work. A lot of the people in prisons do not come from nice places. I am not sure that the concept of nasty place/nice place deterrence means anything to me anymore, and I really question it.

Mr Givan:

The other complaint that I receive is that, as soon as the Prisoner Ombudsman brings out recommendations, the Prison Service implements those 100% and signs up to them straight away

but that, when it comes to carrying the recommendations through, the Prison Service has not really thought about the downstream consequence. In the report, are you articulating that management need to be robust with a number of different stakeholders and challenge recommendations that come from that quarter? Are you articulating that management should tell those stakeholders that it hears what they are saying but that it believes that the prison should be run in a certain way as opposed to being told to do the latest bit of fire-fighting and just agreeing to it?

Dame Anne Owers:

You need to dig deeper into that, because you are absolutely right to describe it as the latest firefight. A lot of bodies have produced a whole lot of recommendations — I have been involved in inspections that produced lots of recommendations — and what tends to happen is exactly what you said: there has been an almost blanket acceptance of them. Consequently, some fairly fictional action plans have been put in place and, sometimes, people have ended up saying that action has been taken when, as I said earlier, it has not.

You need to dig a lot deeper than that. You need not to be in fire-fighting mode, constantly doing bits and pieces. A lot of reactive stuff goes on, which is why, as part of the change programme, you need to look at all the outstanding recommendations — prioritising, brigading and clumping them together — and to work out what is doable now and what might be doable later. You must be realistic about what can be achieved. The job of outside bodies, such as ombudsmen and inspectorates, is not just to present a prison service with what it can do right now; it is to present a service with what it should be doing and working towards. I have sympathy for both sides; however, at the moment, the reaction has been to simply pretend that things that manifestly cannot be done can be done, and that is not good for anybody.

Lord Empey:

I want to go back to culture. Inevitably, a number of people who are still working in the system were under constant threat, both at home and at work, for many years. However, it is also the case that the threat, although dramatically less than it used to be, has not been removed entirely, because we still have prisoners who are specifically identified with paramilitary organisations and who operate in a culture in which their reach goes beyond the prison into the domestic

surroundings of prison officers. We hear anecdotal evidence of wee messages, such as asking how the wife and kids are doing and naming them; subtle things like that, which make it very clear what they know.

We understand modern circumstances and that, as you rightly said, the fundamental idea of prison is to protect society. However, given that there is still a threat, both outside and inside the prison, the circle seems difficult to square. What is the status of those in Maghaberry who are, to all intents and purposes, paramilitary prisoners? In other words, are we going to end up with some kind of two-tier status for prisoners? That brings us back to a range of other things. However, I shall just ask that question initially, after which I have a number of others.

Dame Anne Owers:

Maybe I should start, and others can then join in. Clearly, there is still an element of threat around, and we acknowledge that in the report. We also say that it is important not to overstate it. There are around 60 separated paramilitary prisoners in the system, but there are 1,450 other prisoners, so you do not want to construct an entire prison service around the separated prisoners. Some of the attitudes, approaches and cultures that we have observed in the rest of Maghaberry, Magilligan and Hydebank seem to work on the assumption that that threat level applies to all prisoners and, therefore, should determine relationships between staff and all prisoners.

When we looked at the issues concerning the separated prisoners, it seemed to us that the things that were problematic there were simply, in a concentrated form, the things that were problematic in the prison as a whole and the Prison Service as a whole. Regimes were not consistent and could be very limited; industrial action could mean that people were not getting what they expected to get; and staff lacked the confidence of engagement with prisoners throughout the prison system. We are not saying that this should be special; we are saying that this is a reflection of the things that all prisoners were not getting or were not getting consistently at Maghaberry and across the prison system. I do not know whether anyone wants to add to that.

Mr Leighton:

The threat level is there, but that does not mean to say that the world stops. We all know that Northern Ireland has continued to function over a number of years with different threat levels and

different people doing different things. It does not improve the threat level if regimes do not provide opportunities for people to do things. That does not make it any easier. It might change the attitudes of people working together in a prison if regimes were fairer and provided opportunities that, at the moment, are not there for some people.

It is only a small part of the prison population. There are 60 prisoners who are held in a relatively separate part of Maghaberry anyway. There are additional security measures there. We are certainly not suggesting letting anybody out — we are not in that game — but some of the security measures could be done differently in a way that frees up staff and thereby allows more regime changes to happen. That would improve the engagement and the relationship between prisoners and prison staff and make life better for both throughout the prison, in a way that would make Maghaberry almost unrecognisable.

Lord Empey:

There are several other issues. One issue that has continually come up is that of mental health. In my advice centre this morning was a person who has just come out and clearly has mental health problems. He has lost his position in the housing queue and is living in a hostel and trying to get back into housing etc. That person is caught in a vicious circle that it is hard to get out of. It is also very clear in the prisons that mental health is a huge issue. I have yet to be convinced that the capacity is there to deal with the special circumstances of people who have mental health issues, which vary dramatically from very severe to relatively minor. What improvements can be made, without a huge extension of resources, to try to get better outcomes for people who are in that category?

Dame Anne Owers:

You are pointing to two equally troubling issues. One is the extent to which you can provide support within prisons for people who are seriously mentally ill. Although it is the experience here and in England and Wales that, when you allow that work to be done by healthcare professionals — in this case, the South Eastern Health and Social Care Trust — you can get a better quality and more coherent service in place, it remains the case that the demand always outstrips supply and that prisons are not therapeutic environments. If you are mentally ill, depressed and suicidal, being locked up in a cell for a long period is not going to improve your

mental state. Reference has already been made to the women in Hydebank, some of whom are very seriously mentally disturbed.

For me, that speaks to the need to do more outside prisons and after prison. In our report, we refer to the fact that it was said to us that it is incredibly difficult to get people into mental health provision once they leave prison, because as soon as they go into prison they are taken off a GP's list, and they cannot go into any mental health provision until they get back on a GP's list. There is a catch-22 set-up there. The point of most risk is when somebody leaves prison with nothing to go to. Clodach has been in discussions about some of the diversion issues.

Ms Clodach McGrory (Prison Review Team):

Yes, it is an area that we did not get into in great detail in the interim report. We looked more at what is happening in prisons, but we are starting to focus much more on how prisons interface with health professionals in particular. We are also looking at how people who are vulnerable or who have mental-health problems might be identified earlier and might not even get as far as prison. That is ongoing work that we are looking at in the bigger picture of the second stage of the report.

Lord Empey:

Will it be expanded on in the second stage?

Ms McGrory:

Yes.

Lord Empey:

What knowledge does the judiciary have of where it sends people? What could be done to improve that knowledge? I get the impression that they feel that there are more extensive services available in prisons than there actually are. As part of their induction, would it not be appropriate for newly appointed persons, as well as long-established judges, to visit prisoners? We can all learn something new. Would it not be a good idea for the judiciary to have a practical working knowledge of where they are sending people?

Dame Anne Owers:

The answer is yes. In England, newly appointed judges are now forced into prison. *[Laughter.]* They have to visit prisons.

Mr A Maginness:

That is the best place for them. *[Laughter.]*

Dame Anne Owers:

In fact, one of our previous lord chief justices agreed to be sponsored to spend a night in a cell in Brixton Prison with his wife, who told him that he really knew how to show a girl a good time. *[Laughter.]*

The answer to your question is yes, but we have to be careful about it. Of course, it would be good for judges to know what happens on the other side of a prison wall. However, you need to be careful about what I call the "royal tour", where the judge, understandably, is shown the things that the governor wants to show off and ends up thinking that it is a truly wonderful place.

Styal women's prison in Cheshire opened a special unit for mentally disturbed women, although it was not appropriate for them to be in prison at all. A few judges toured it and said that they felt much more confident about sending women to Styal because they knew that the prison had that unit. I drew up a checklist for the judiciary in England and Wales of what judges should ask about when they go into prisons, which is not necessarily what they are told.

Lord Empey:

I absolutely agree. However, surely it would be possible to divine an appropriate tour or programme that deals with those dangers. I hope that you return to that in your final report.

Ms McGrory:

To be fair, there is probably some realism among the judiciary about the capacity for prisons to deal with repeat offenders with mental-health problems. However, in some cases, perhaps there are no alternatives available to the judiciary. Therefore, that is part of the work that we will look at in the broader scheme of things. It is an important issue.

Mr A Maginness:

I welcome your report. I found it authoritative and convincing and also very readable, as the points were made plain and inescapable. Of course, there is recapitulation in many ways of the preceding 22 reports into the Prison Service. Without going through everything again, it seemed to be a gargantuan task to change things quickly. When faced with a gargantuan task, an uncle of mine used to say that you should take one bite of the elephant at a time. What is the first bite of the elephant that you would take to start the process of change in the Prison Service?

Two issues arise, the first of which is remand prisoners, which seems to be a continuing and endemic problem in our Prison Service that does not seem to be reflected in other UK services. I know that the Criminal Justice Inspection has done a report on the impact of delay. The other issue is that of fine defaulters, which is probably easier to deal with.

Dame Anne Owers:

I will start with your last two questions. We identified the remand population, which is largely associated with delays in the criminal justice system, and fine defaulters as big issues. It might be useful to give some comparative examples to assist in knowing how big a problem this is in Northern Ireland. In England and Wales, the remand population in prisons is about 10%; here, it is about a third. At Maghaberry, it is a half.

As a proportion of the prison population at any one time, fine defaulters make up a relatively small number: 3%. However, in England and Wales, that number is 0·13%, twenty-five times less, proportionately, than the number of fine defaulters here. Those are the proportions that you would expect to see but which you do not see at the moment, and that is causing considerable problems in the Prison Service.

By saying that the process will take three or four years we are not saying that everyone can sit back because we have three or four years to sort this out. We suggest that it start with what we describe as the new deal: that there is clarity about what is expected of prison officers and prison managers. Mr Givan quite rightly raised the issue of managers managing, but other people have to be prepared to be managed. It is a two-way street. The process of severance and of staff

development and recruitment involves steps that, as Phil Wheatley said, have to be done in the right order.

Mr Wheatley:

Much will depend on the appetite of staff and managers for change and on the enthusiasm or resistance to it; that will affect how quickly things can be done. One of the key things will be for politicians to demand a more efficient and effective service; that makes it easier for managers to say that there has to be change. People have to feel that things cannot go on as they are, so they will have to do them differently. I suspect that some people will think that they cannot manage with less staff because they have always been used to what they have had. However, when they try doing things differently, they will see that it works. They will not necessarily wake up in the morning and say, "Whoopee, I want to do this", but they will have to implement change so that you get a more effective service and better use of your money. Money not spend on prisons could be spent on schools or roads, so you will want to know that it is being spent where it needs to be spent and not on excess.

Mr A Maginness:

I have one further question. Page 8 of the report states that:

"other jurisdictions, particularly England and Wales, the existence of private sector prisons — the fact that there is an alternative — has prompted change and flexibility in the public sector. That does not exist in Northern Ireland."

Do you have any further comments?

Dame Anne Owers:

Not really, except to repeat what we said. We do not start from the view that the answer to the problems is private prisons. In my experience, private prisons can be good or bad. We want good prisons. However, we do say that we cannot go on indefinitely with things as they are. An opportunity exists for the public-sector Prison Service to step up to the plate with the support — including political support — at all levels that it will need. Given the resources that are being spent, however, and the needs that there are, that window cannot remain open indefinitely. That is simply stating the obvious. It is an opportunity, and we hope that it will be seized.

Lord Browne:

I welcome the interim report. I want to make a general point. Do you accept that the main

problem with how the Prison Service is run is that the governance system is far too complicated for most officers to understand clearly? Your report contains many recommendations. However, is there a danger that implementing them could increase complexity and confusion? Do we need a total reassessment of the entire structure of the Prison Service?

Dame Anne Owers:

Yes, I think that we do. However, we do not want to throw everything out. We do not say in the report that the problem is simply one of governance. Governance is a problem, as is the considerable resistance to change in the Prison Service; there are also issues with staffing and deployment practices. This is not just something that can be tweaked a bit to make it all right; there has to be a new direction, and it has to be clearly signalled. However, we have to get there by understandable steps.

One of the issues that we raised in the report, and which became apparent to us in our work in prisons, is that communication in the system is terrible. As we say in the report, members of the team turned up to speak to groups of prison officers of all ranks because the work that we are doing is important for their future and that of their workplaces, but we found that in two prisons the officers had no idea why we were there, or, indeed, who we were, even though the visits had been planned weeks, if not months, ahead. Communication with staff, at all stages, will be vital in checking the rumours that will, inevitably, be around that this is the end of civilisation as we know it and to stop misinformation. We want to present staff with information about what is going to happen, why and when it is going to happen, and then to make it happen.

Mr Leighton:

I do not think that we will make things more complex; in fact, we can simplify them. We talked about the excessive levels of management in the prison system. However, communication is key; it is definitely not just about governance. It is about communication, about people being flexible in their work practices and understanding their role. It is not simply about saying, "I am on this point for today and that's it". There might be no more purpose at that point, so you do not just stay there; you go and do something else in the prison. All sorts of things are going on in prisons, but communication is a good place to start.

The Chairperson:

There are one or two things going through my head as we talk. How different is this report and its findings from the Criminal Justice Inspection Northern Ireland (CJINI) report? You say that the CJINI report on corporate governance:

"has highlighted the weaknesses in management, oversight, accountability, leadership, culture and working practices".

Are you not saying the same things?

Dame Anne Owers:

We are reinforcing some of the things that were said, but we have come to them by our own route. When I was inspecting, we talked about the triangulation of evidence, which meant that you wanted three sources for anything that you believed in. We have given you at least two strong sources, because we came to it by our own route and by the route of people who were not routinely inspecting prisons. We have also pulled out some things, for example, about headquarters, and about our conversations with staff groups, which add to the total picture. I do not think that we are merely repeating what was said before. We are grateful for the work of the Criminal Justice Inspection, which will be crucial in checking on the implementation of everything in this report as well as everything in their own report.

The Chairperson:

Reading the report, I got one message; listening to you today, I get a different one. I am trying to get the balance in my head. I am quite serious when I ask whether you want a new engine or a reconditioned engine. What are you advocating? You cannot have both. Do you want the old engine put in a skip because it has outlived its usefulness in a new era? Or do you want an oil change here and a few sparks and plugs tidied up there? What are you advocating?

We talk about prison impacting so much on society, and I draw an analogy with policing, which impacts on society. Everybody depends on the police in some capacity. I think that you are trying to say that about prison, in some way, in the report. If that is not in the interim report — although I am prepared to say that perhaps I missed it, because I waded through the report at 2.00 am trying to get it into my head — would you be prepared to include it in your final report? Surely, we need a wide-ranging debate in society as a whole on the prison system and the way forward.

I know that you have taken soundings from various groups and organisations; I am not decrying that in any way. However, it seems that you are asking for massive change. The word that you used was "change"; you said that we have to change. We had the same experience with policing. Irrespective of what view you take on how that all fell down at the end of the day, there is still a public that is very disillusioned with what happened. Some say that what happened was a good idea; others think that it was a terrible idea, and some are in between. Will we end up with the same disillusioned public when we get your final report? I say that most sincerely.

Dame Anne Owers:

Let me try to deal with both those questions, although I am sure that my colleagues will want to add to what I say.

Perhaps now is the time to leave the analogy of the engine; metaphors can be stretched only so far. It is not one or the other. You imply that we are telling everyone involved in the prison system that the only thing that will work is if we throw them on the scrapheap and start all over again. That is not what we are saying. We are saying that a different kind of prison service is needed; one that focuses on rehabilitation as well as on providing the necessary levels of security. For that to happen, there needs to be clear vision and leadership about what it is that we are moving towards.

In that process, some staff will want to leave: they will say that it is not for them, that they are tired, that they will not be able to buy into it, that they have seen it all, been everywhere and are not going to change. That is why part of what we are asking for is an early retirement scheme to allow that to happen with dignity. We also met staff who said that they have been waiting for change for 10 years. We met such staff at all grades, particularly among officer support grades, which struck us as interesting. There will be a group of staff in the middle who will be worried, who will not quite get it and will wonder what is going on. The task is to enthuse those people about doing things differently.

There is no gap between what we say in the report — investing in staff and managers but investing for a different purpose — and what we are saying to you today.

Mr Wheatley:

I would have used another engine analogy, which would not have added anything. We are much better off away from the engine. It is getting that central group of staff enthused and leading them to do things differently, and with people accepting that there has to be change. We cannot go on doing things as we did in different times when pressures were different. You need to make sure that this fits what you are running at the moment, which is largely a prison service for ordinary criminals engaged in ordinary crime, although you will have to continue to deal with a small number of extremists. You must ensure that you are running a service that matches the needs of the moment. Prison services have to change constantly to match what happens in the world around them. This is one that, to an extent, stopped changing. However, it needs to change if you are to have a cost-effective service that serves the community by making it safer.

Mr Leighton:

As the person who introduced the engine analogy, may I correct your interpretation of it? It was an analogy about how change is viewed in Northern Ireland and about the inference that something that needs to change means that what was there before was wrong. It was not an analogy for the whole system. If you place it in that context, I still think that it is a correct analogy, although I am not saying that it is a correct analogy for the whole prison system.

The change in policing has provided a better service for many people in Northern Ireland, although some people say that it is worse; I have no doubt about that. However, many people I know say that it is a much-improved policing service. Prisons, policing and the criminal justice system can improve the quality of life. That is where this becomes significant. Some of our work for the second report will look at how prisons work in a community and how they work with other agencies to improve the quality of life. Nobody is saying that prisons are an absolute failure, and nobody is saying that prisons are an absolute success.

A percentage of prisoners who leave prison never reoffend. We hope to look at a system that means that the percentage of prisoners who never reoffend or who reoffend less increases, and, therefore, we contribute to the reduction in the number of victims. This is all about victims and making society safer. The way to do that is to concentrate on those who do things wrong and try to stop them, persuade them or give them other things to do so that they do not do things wrong in

future.

The Chairperson:

Does prison reform, change or whatever analogy you want to put on it, merit a wider debate?

Dame Anne Owers:

I think that it does. It will be important for those debates to happen. If you are asking whether we should engage in such debates, I would answer that we are a much smaller, less well-resourced and more tightly focused review than the Patten review. It is a great credit to my colleagues sitting around me that we have managed to do what we have. I do not think that we can engage in lots of discussions, although we have talked to many people. When you talk to people in any community about what they want from their prisons and the criminal justice system, they will tell you that they want it to prevent crime and offending. There has to be confidence to move towards a system that is more able to do that. That is not particularly contentious. The contentious bit is how it is done and, for that, you need to look at what has been shown to work and focus on it. We will be doing more of that in the next bit of the report.

Mr McNarry:

Forgive me for being late. There is something in what the Chairperson said about a greater debate. If I were to participate in it, there would be greater debate based on your work, which is bringing forward new ideas, which is what it is all about if we are to improve the service. I was intrigued by the numbers you discussed earlier, particularly in response to Lord Empey's question. I take you back to the question of extremists as opposed to normal criminals — I think that someone used that term. Terrorists are criminals; I do not know what a "normal" criminal is.

I think that Paul said — correct me if I am wrong — that we are talking about the small number of 60. Could we contrast that with, or at least factor in, the identified needs recently requested by the Chief Constable for £200 million to concentrate solely on combating dissident terrorist activity? Ordinary people will hope that using those resources — which he has since got — will result in more people going to prison, and the 60 that you talk about should increase. I expect it to increase as a result of £200 million being used specifically in one area of combating crime. We should have more people going to prison. Are you calculating that into your

thoughts?

Dame Anne Owers:

I am not sure how the Chief Constable wants to use his £200 million and how much of it will be spent on prevention rather than on catching and convicting.

Mr McNarry:

I am quite sure, and so is the Assembly. We have a Budget going through in a matter of days.

Mr Leighton:

To answer your question directly: the separated prisoners are in two wings that are not filled to capacity. There is a loyalist wing and a republican wing, for want of better terms. For obvious reasons, you cannot just fill one wing up with loyalist and republican prisoners, so there is capacity in those wings for quite a number of additional people who would still be in that regime. There is a great deal of capacity there that could be filled without necessarily requiring a huge investment of people in the prison system.

Mr McNarry:

I understand that. Fortunately, the capacity is low. I take from the Chief Constable's intentions that he wants to fill that capacity with terrorists. However, I am also anxious — and this relates to the greater debate — that the public is nervous that we will return to a system that, for some weird reason, bestowed political status on prisoners. Are prisoners separated because they are terrorists? Do they deserve a different regime? Do they seek different entitlements, as happened before when politicians collapsed and gave them all sorts of things that — to use your phrase — "normal criminals" did not get?

Dame Anne Owers:

You are absolutely right that it was politicians who made those decisions. As we say in the report, separation is a political decision that was made at a political level. The reasons that people can be separated are determined by politicians. The process of separation is not within —

Mr McNarry:

I am willing to learn from your experience. Was the decision to have separation now taken by Northern Ireland Office politicians?

Dame Anne Owers:

I think so, yes.

Mr Wheatley:

It was a result of the Steele report, which made recommendations that were accepted by the Secretary of State for Northern Ireland at the time.

Dame Anne Owers:

The responsibility is still split.

The Chairperson:

[Inaudible.]

Mr McNarry:

I am just pointing out that since we have had control of policing and justice powers, we do not seem to have done much to change what the Northern Ireland Office did.

The Chairperson:

Will the final report deal with that? You recommend many things in the interim report, and I suspect that you will recommend even more in the final report. Will you be making a recommendation on that or say that that is good prison work or bad prison work?

Dame Anne Owers:

I do not think so, as we see that as outside the remit of the review. Those decisions were made at political level, and they rightly belong at political level. What we can do is say how, having made that decision, it can be made operationally effective when running a safe and secure prison. I do not think that it is —

Mr McNarry:

I hope that you reconsider that because, surely, your whole report is based on what are ultimately political decisions. Therefore, you might just make room to include that particular issue. I am not asking you to answer that now. I am just asking that you think about it.

Dame Anne Owers:

Thank you very much.

The Chairperson:

Is your report online?

Dame Anne Owers:

Yes.

The Chairperson:

Thank you for coming here today and presenting your report.