

An inspection of the treatment of vulnerable prisoners by the Northern Ireland Prison Service

At the request of the Minister for Criminal Justice CJI inspected the treatment of vulnerable prisoners by the Northern Ireland Prison Service (NIPS) during July and August 2009. Inspectors were asked to consider practice across the prison estate; and also to ascertain progress in implementing the recommendations contained in the Prisoner Ombudsman's report into the death of Colin Bell in Maghaberry Prison.

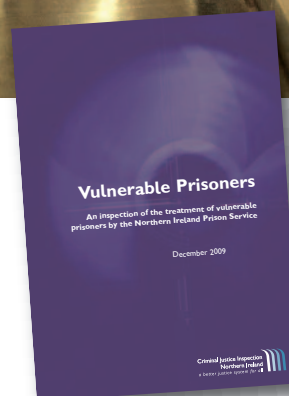
The CJI report was published in December 2009. Its main conclusion was that while the NIPS had taken steps to address serious negligence surrounding the death of Colin Bell, deficiencies still remained in the regime provided for vulnerable prisoners. The NIPS was found to be better at providing safe custody for compliant prisoners than for disruptive prisoners.

Specialist staff had been appointed by the NIPS, officer training had improved, better management information was available and a range of physical amendments were introduced to reduce suicide risks. Yet there remained a gap between the NIPS' stated intentions and actual outcomes for prisoners, especially at Maghaberry Prison. The daily regime



for vulnerable prisoners was found to have improved little since previous CJI inspections of Maghaberry in January 2009 and October 2005.

Five months of industrial action had significantly limited the regime for all prisoners. Consequently Inspectors found that vulnerable prisoners were spending too long in their cells, they had limited access to out-of-cell activities and there was insufficient multidisciplinary care. Assessment and monitoring of those at risk of self harm were identified as problematic, and staff deployment was



inadequate to meet vulnerable prisoners' needs.

In summary, the pace of change within the NIPS had not been as swift as Inspectors would have wished to see. The inspection report contains 10 recommendations for further improvement, and Inspectors will be conducting a follow-up of some critical issues in early 2010. ■

Inspection finds West Belfast Community Safety Forum makes a positive contribution to delivering a safer community

Brendan McGuigan assisted by Amanda Hannan conducted an inspection of the West Belfast Community Safety Forum (WBCSF) to evaluate the impact the forum has had in increasing community safety in West Belfast. The findings of the inspection report published in November 2009, revealed that since the WBCSF was established in June 2008, it had made a positive contribution to the delivery of a safer community.

The WBCSF was set up after a period of sustained community unrest following the murder of three West Belfast residents. The Forum was established to provide opportunities for statutory and non-statutory organisations and the community to discuss issues of community safety and ways of addressing them.

The inspection team heard consistent support for the work of the Forum expressed by the statutory agencies involved with the steering group. Inspectors were provided with examples by the Police Service of Northern Ireland, the Public Prosecution Service for Northern Ireland, the Public Protection Arrangements for Northern Ireland and Victim Support Northern

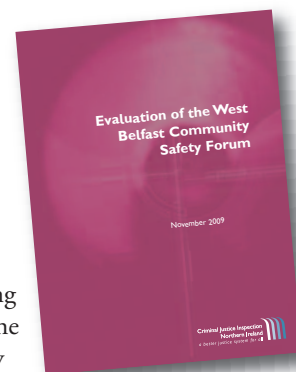
Ireland where the Forum had facilitated outreach opportunities in West Belfast.

They also heard that both statutory and non-statutory agencies had been able to target their resources more effectively to respond to local needs as a result of their engagement with the group. Inspectors assessed that the WBCSF provided a practical, on-the-ground connection between the local community and the justice system at a time of considerable community unease.

However the team found the Forum did not have widespread political support in West Belfast and was viewed by some as reinforcing political difficulties rather than bringing the community together. Concerns were

also expressed by some that the WBCSF could undermine the work of existing structures such as the District Policing Partnerships and the Community Safety Partnership. In light of this, Inspectors suggest that any decision about the future development of the Forum can only be made in the context of a wider consideration of the other agencies involved in similar areas of work.

The potential devolution of policing and justice matters and the roll-out of plans following the Review of Public Administration would place a greater emphasis on finding local solutions to local problems. The lessons learned as a result of the development of the West Belfast Community Safety Forum can feed into this discussion and help shape future activity in this area. ■



New HM Inspector of Constabulary visits CJI

Mr Bernard Hogan-Howe QPM, the new Inspector of Constabulary with HMIC paid a visit to CJI in September 2009. He was accompanied by Ken Williams the outgoing Inspector of Constabulary.



Brendan McGuigan, Bernard Hogan-Howe, Michael Maguire and Ken Williams

During a meeting with Dr Michael Maguire, Chief Inspector of Criminal Justice in Northern Ireland and Brendan McGuigan, Deputy Chief Inspector, they discussed areas of common interest and CJIs forthcoming inspection programme.

HMIC has recently assisted CJI in carrying out case reviews as part of the CJI inspection of Sexual Violence and Abuse and have previously taken part in the Policing with the Community, Roads Policing and Scientific Support Services inspections.

At the end of the meeting Dr Maguire commented "I look forward to continuing the current excellent



Inspectors & Carl Heffer HMIC (right).

relationship that exists between CJI and HMIC."

Following on from this, Carl Heffer, Inspector with HMIC, visited CJI in January to meet with Bill Priestley and Rachel Tupling of CJI to discuss the forthcoming PSNI Customer Service inspection. ■

Peer Review of Her Majesty's Crown Prosecution Service Inspectorate

CJI's Chief Inspector Dr Michael Maguire and Stephen Dolan from CJI's Inspection Team recently completed a peer review of Her Majesty's Crown Prosecution Service Inspectorate (HMCPsi).

The review was requested by HMCPsi as part of their on-going organisation development and to assist the management team in formulating its response to the challenges.

"This was the first time CJI has been asked to carry out a piece of work of this type involving one of our partner Inspectorates and we were delighted to become involved," said Dr Michael Maguire.

The purpose of the review was to consider the future direction of HMCPsi in the light of changes to the prosecutorial landscape and potential changes to the role of the Inspectorate. HMCPsi was "widely praised as an independent and robust Inspectorate, delivering quality work that had made a direct contribution to the raising of standards within the prosecution area."

The peer review also found that in future the emphasis of HMCPsi's inspections should be aligned with the business objectives of the inspected bodies, and aim to assist them in re-balancing accountability towards the end users.

"We have made a number of suggestions in this Peer Review which we feel will benefit this organisation as it moves forward. We believe the resultant inspections conducted by HMCPsi will reflect the desire of the CPS to assess performance from the perspective of the end user," said Dr Maguire.



Stephen Dolan

Such developments, he indicated would ensure HMCPsi remains relevant and fit for purpose within the developing prosecutorial landscape.

The findings of the peer review have been welcomed by the Attorney General for England, Wales and Northern Ireland, the Rt. Hon. The Baroness Scotland QC who described the review as "a very helpful and perceptive report which identifies the issues which will need to be addressed."

"It will provide a sound basis for the Inspectorate (HMCPsi) to adapt to changes which have arisen from the implementation of the move towards a public prosecution service and possibly wider responsibilities for HMCPsi," said Baroness Scotland.

The Attorney General concluded her remarks by commending Dr Maguire and Stephen Dolan on their thorough and insightful piece of work. ■



Staffing changes at CJI

Since the last issue of *The Spec* was published there have been two staffing changes within the Inspectorate.

Danielle Reaney

left her position as Inspection Support Officer in summer 2009 after spending almost two years with CJI. During that time Danielle was involved in CJI's inspection of Policing with the Community and Forensic Science Northern Ireland.



Danielle was also involved in the fieldwork and research for CJI's inspections of Mental Health within the Criminal Justice System and Sexual Violence and Abuse.

Danielle is now working as a Parliamentary Support Officer with the National Policing Improvement Agency in London.



CJI is also pleased to have welcomed **Evelyn Kilpatrick** to its Business Support Team. Evelyn was appointed as Finance Officer

in August 2009 having previously spent time working in finance related roles in both the public and private sector.

Evelyn is working closely with the Business and Communications Manager and the Inspectorate's senior management to ensure the propriety of CJI's financial system and accounts. ■

Report finds urgent action required to improve standards at Maghaberry Prison

The Chief Inspectors of Criminal Justice in Northern Ireland and Prisons in England and Wales called for urgent action to be taken to improve standards at Maghaberry Prison following the publication of the findings of their latest inspection of the high security facility.

Maghaberry Prison was inspected in January 2009 by a joint team of Inspectors from CJI and HMIP using HMIP's internationally recognised 'healthy prisons' standards.

The standards look at key areas within the prison such as safety, respect, purposeful activity and resettlement.

Speaking at the publication of the report in July 2009, Dr Michael Maguire and Dame Anne Owers said Maghaberry Prison had been found to be 'not performing sufficiently well' in the areas of respect and resettlement, and was 'performing poorly' in relation to purposeful activity and the critical area of prisoner safety.

Highlighting the gravity of the situation Dr Maguire said that



Dame Anne Owers, Chief Inspector with Her Majesty's Inspectorate of Prisons and CJI's Chief Inspector of Criminal Justice, Dr Michael Maguire present the findings of the Inspectorates' report on Maghaberry Prison in July 2009.

Maghaberry was one of only three out of the 169 establishments inspected by HMIP since April 2005 to receive this assessment in relation to safety.

The report found that at the time the inspection was conducted, there was no local suicide or self harm policy for the prison. There was also little therapeutic support for some very vulnerable men, and poor monitoring procedures in place for those at risk.

The inspection team also raised concerns about the level of attention paid to anti-bullying and investigating

violent incidents within the prison.

"This inspection found there was a lack of activity places in Maghaberry to keep men purposefully engaged which led to many men spending most of their days locked up with little chance to gain useful skills," said the Chief Inspector of Criminal Justice.

As a result of the inspection, 200 recommendations were made in the report - 11 of which were core recommendations which Dr Maguire and Dame Anne indicated required urgent attention.

The core recommendations focused on the need for an effective violence and anti-bullying strategy to be developed and implemented within the prison, and the establishment and delivery of a local suicide prevention policy.

These key recommendations also urged the prison to develop and deliver a therapeutic response to those at risk of suicide or self-harm.





In addition, the inspection report called for a personal officer scheme to be implemented within Maghaberry Prison and for managers to be able to freely enter residential units without warning, to allow more effective supervision of staff and the prisoners who they were responsible for.

Speaking as the report was published, Dr Maguire said that Maghaberry Prison had been found to be significantly under performing in relation to what was expected of an effective UK prison in the 21st Century.

“This is a prison with serious operational difficulties that will require a concerted effort to change. Our conclusion is that the overall position at Maghaberry cannot continue and there is significant room for improvement in its operation as a public service,” he said.

As a result of the findings of the inspection, the Inspectorates requested the Northern Ireland Prison Service to produce an Action Plan detailing its response to each recommendation which incorporated timescales, prioritisation and clear accountability for its delivery.

The Chief Inspectors indicated that a demonstrable commitment to challenge the status quo and make change happen was required in response to the inspection report.

They stressed that if such a commitment did exist, the report could provide a firm basis on which future successful operations could be built. ■

Customer focus crucial to future success of FSNI

CJI published its full inspection report on Forensic Science Northern Ireland (FSNI) in May of 2009. It follows a previous inspection in 2005 and a follow-up review in 2007, when significant weaknesses were evident in relation to corporate governance, strategic direction, customer relationships, performance and quality control. This inspection also dealt with a specific Ministerial request to assess the quality and implementation of the FSNI Action Plan in response to the judgement at the conclusion of the Omagh bomb trial.



Inspectors found that FSNI has made considerable progress in a number of important areas. In particular, corporate governance arrangements have been strengthened and the relationship with the PSNI, as its most important customer, has improved. Inspectors visited a number of similar national forensic science laboratories (Scotland, Republic of Ireland, Finland and the Netherlands), which provided a benchmark in areas such as turnaround times and opportunities to learn from best practice (e.g. the application of research and development).

Inspectors have recommended that the laboratory should continue to work in partnership with the United Kingdom Forensic Science Regulator to ensure the application of a quality standards framework. Brendan McGuigan CJI's Deputy Chief Inspector stated that “this partnership is essential to ensuring high quality standards and can help to address concerns raised in the Omagh bomb judgement.” Accreditation of specific forensic science disciplines by the United Kingdom Accreditation Service (UKAS) has been sustained and extended since the last report in 2007.

Areas for improvement are focused on business development, with particular focus on developing a pricing system for its products and services. One of the biggest challenges currently facing FSNI is the proposed development of a more competitive marketplace, which would enable key customers such as the Police Service of Northern Ireland, to approach other forensic science providers to offer services currently supplied by FSNI.

All of the recommendations have been accepted by the Agency and an Action Plan has been included as part of the report. The key recommendation, that the criminal justice system should develop a forensic science strategy for Northern Ireland, is scheduled for completion by March 2010. This strategy should aid and inform the Agency as it faces the new challenges of the marketplace. “Inspectors recommend this strategy should be used to help shape plans for a new modern forensic science laboratory for Northern Ireland, ensuring it is designed and built specifically with the needs of its customers in mind,” said Mr McGuigan. ■

Follow-Up Reviews

Coroners Service for Northern Ireland

A follow-up review of the Coroners Service for Northern Ireland (CSNI) was carried out on behalf of Criminal Justice Inspection Northern Ireland (CJI) by Her Majesty's Inspectorate of Court Administration (HMICA). The review assessed the progress made by the CSNI to implement recommendations made following its initial inspection in 2007.

When HMICA Inspectors initially examined the work of the Coroners Service they recommended that improvements could be made surrounding the information provided to bereaved families. They also urged the CSNI - which is part of the Northern Ireland Court Service - to develop more effective performance management systems and support arrangements.

This review showed that management and staff within the CSNI took on board the recommendations made by Inspectors to improve their organisation, and have worked to deliver significant improvement especially in relation to how the service engages with bereaved families.

The Coroner's Liaison Officers perform a pivotal role in a sensitive manner by establishing and maintaining contact with bereaved families who have cases being handled by the Coroners Service. They also work closely with other CSNI staff to ensure bereaved families are fully supported, their needs are identified in a timely manner, and information which may be heard at an inquest is already known to families in the period running up to it.

Inspectors commended the service for appointing a Medical Officer to

assist the work of the CSNI. The Medical Officer has enabled the CSNI to develop a greater relationship with General Practitioners and to raise awareness of the role it performs and the procedures which should be followed. This appointment has also meant the content of post-mortem reports can be explained to bereaved families in language that is easy to understand. This has complimented the work being undertaken by the Coroner's Liaison Officers and other staff to develop good working relationships with the Police Service of Northern Ireland (PSNI) and its Family Liaison Officers in particular.

The positive work being undertaken to support bereaved families was backed up by the development of standardised processes and procedures which were consistently applied by members of staff who were fully trained and supported in their roles. Performance management systems were also being used effectively to monitor and manage performance within the organisation.

Without doubt the biggest achievement of the CSNI in the last 18 months is that bereaved families now have the support and information they need to get through this difficult and emotional process.

PSNI Scientific Support Services

CJI and HMIC published the findings of the final follow-up review of Scientific Support Services within the PSNI at the end of October. The review was the third progress report since the first inspection in 2005.

A total of 25 recommendations were made in the original inspection report of which 19 have been deemed as achieved and a further 2

recommendations have been transferred for monitoring as part of the follow-up reviews of other inspections. Significant progress has been made in relation to strengthening the policies, procedures and processes relating to forensic science, particularly in the management of forensic exhibits and the deployment of district property officers. New management arrangements are in place within the Scientific Support Services unit with clearer promotion and career pathways for staff.

The main outstanding areas for attention by the Service relate to improving the working relationship with the forensic science laboratory, continuing to develop a more corporate approach to Scientific Support Services particularly in relation to forensic property and quality control, and strengthening communication processes within the Scientific Support Unit.

The PSNI have developed an Action Plan to address these issues and this was published as an appendix to the report. Inspectors are confident that the Service regard this as a priority and that the Chief Constable will continue to receive regular internal progress reports until all the recommendations have been implemented.

The Handling of Volume Crime and the Use of Police Bail

CJI published its follow-up inspection into volume crime and police bail on 30 July which found that of the nine recommendations which were the specific responsibility of the PSNI, six had been achieved. Of the three outstanding recommendations, one had proved not to be technically feasible within operating constraints.

The implementation of National Call Handling Standards across all of the PSNI's call management functions to enhance any subsequent

investigation process was one of the key recommendations. Following the discontinuation of a major call management project (Project Unity) this recommendation was being progressed through an alternative approach. However, this remained an area of concern for Inspectors as it impacts on the PSNI's ability to effectively manage its resources, and successfully meet the needs of the community it serves. CJI plans to return to this issue in future inspections.

The Professionalising Investigation Programme (PIP) designed to train officers to an agreed common standard of investigation had been implemented and was embedded into initial police training as well as detective training courses. This programme equips police officers to better investigate volume crime.

Our recommendation with regard to the adoption of a 'prosecution team' approach in Northern Ireland along the lines of those operated in England and Wales between various police services and the Crown Prosecution Service had not progressed significantly. While the PSNI had placed liaison officers in Public Prosecution Service (PPS) offices, there were no plans to locate PPS personnel in police stations. Inspectors will return to this issue when CJI undertakes a planned inspection of the interface between the PSNI and the PPS during 2009-10.

One further recommendation with regard to implementing legislation to introduce Penalty Notices for Disorder (PNDs) had been the subject of a multi-agency working party set up by the NIO. We look forward to viewing its proposals to the Minister on a way forward on this matter in the near future.

CJI welcomed the progress that has been made to date and the commitment shown by the PSNI to address the recommendations made by the Inspectorate in 2006. ■

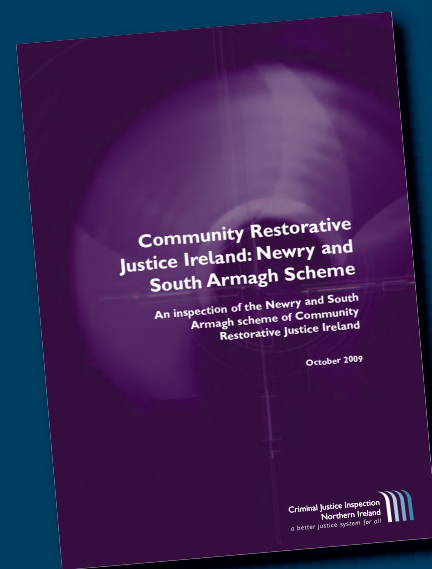
Approval given for Community-Based Restorative Justice Scheme to seek Government accreditation

Brendan McGuigan and Tom McGonigle conducted an inspection of Community Restorative Justice Ireland's (CRJI's) community-based restorative justice scheme in Newry and South Armagh and published their report in October 2009. The report assessed the scheme's suitability to seek accreditation under the Government Protocol for Community-Based Restorative Justice Schemes.

In line with the criteria adopted by CJI during its previous assessments of other community-based restorative justice schemes, Inspectors sought evidence that human rights, the rights of the child and UN Principles on Restorative Justice were being observed. Inspectors also sought among other things to establish that appropriate cases were being passed on to the Police Service of Northern Ireland.

During the inspection Inspectors spoke with representatives from statutory and voluntary organisations, local politicians and community leaders who have links with the areas in which the scheme operates. Case files studied by Inspectors showed the majority of cases handled by the scheme involved incidents such as underage drinking, anti-social behaviour, minor vandalism and neighbour disputes.

The inspection had shown that the UN Principles on Restorative



Justice were being observed. Senior police officers working in Newry and South Armagh also indicated that a relationship which held promise for the future was developing with the scheme. Inspectors found that in the small number of cases referred to the Police Service for investigation, all relevant information had been provided.

Inspectors also sought the views of both critics and supporters of the scheme as part of the inspection process. CJI spoke with victims and an offender who had engaged with the scheme who were positive about their experience. They reaffirmed to Inspectors that no coercion had been applied to secure their participation and that the outcomes had been fair and balanced.

On the basis of the evidence examined, CJI has recommended that CRJI's Newry and South Armagh scheme is suitable to be considered for accreditation under the Government Protocol for Community-Based Restorative Justice Schemes, following the deliberations of the Suitability Panel. ■

Spotlight on.... What does success look like in Prison Inspection?

CJI has received a considerable amount of publicity in 2009 surrounding the inspection work we have undertaken in the Northern Ireland Prison Service. This work has tried to document good practice (for example, in relation to the management of life sentence prisoners) and highlight areas where performance can be improved.

In this edition of *The Spec* we outline the main findings of the Maghaberry Inspection undertaken in association with Her Majesty's Inspectorate of Prisons. It is inevitable, perhaps, that media attention focuses on poor practice – to the exclusion of what is good within the system. The publication of the Maghaberry Report has raised the question of the purpose of prison inspection and what it is trying to achieve.

To answer this question, we need to go back to the purpose of CJI as an organisation. Our objectives as set out in the Corporate Plan are to:

- promote efficiency and effectiveness through assessment and inspection to facilitate performance improvement;
- provide an independent perspective to Ministers and the wider community on the working of the criminal justice system;
- provide independent scrutiny of the outcomes for the treatment of users of the criminal justice system; and
- work in partnership to deliver a high quality independent and impartial inspection programme.

In relation to the Northern Ireland Prison Service this means announced and unannounced inspections of individual prison establishments (for example, Maghaberry), specific inspections of the NIPS as an organisation (for

example, the inspection of training and development), and inspection of the work of the Prison Service as part of a more thematic look at the operation of the criminal justice system (for example, management of life sentence prisoners and the Section 75 report).

In undertaking our inspection programme we work closely with other organisations that can provide specialist support and benchmarking information on performance. More explicitly, establishment Inspections are undertaken jointly with Her Majesty's Inspectorate of Prisons (HMIP) to ensure that prisons in Northern Ireland are inspected in the same way as the majority of prisons in the United Kingdom.

The inspection of prison establishments are based on the concept of 'healthy prisons'. These relate to four 'tests' that state that prisoners should be held safely, treated with respect, are able to engage in purposeful activity and are prepared for resettlement. The origin of these tests can be found in World Health Organisation (WHO) tests of what constitutes a healthy custodial environment, UN Human Rights Legislation and the Council of Europe.

The purpose of a prison inspection is to consider the outcomes for prisoners. Our follow-up inspections assess whether a recommendation has been achieved



Dr. Michael Maguire

on the ground – that is, what difference has it made to the regime for prisoners? While account is taken of work in progress, it is only relevant IF it has achieved real change in the establishment concerned. Thus while a policy directive may have been delivered, the establishment will score poorly if the policy has not been implemented. The purpose is to promote good practice in the delivery of real outcomes for prisoners. For example, in relation to learning and skills the healthy prison test states that “...prisoners are encouraged and enabled to learn both during and after sentences as part of sentence planning and have access to good library facilities and sufficient purposeful activity is available for the total prisoner population.”

Recommendations in prison inspections are formulated to achieve real change. For example in relation to Maghaberry Prison recommendations on a range of areas were made that the NIPS should develop/design policies but also ensure that they are implemented and delivered. The achievement of these recommendations will be the ultimate test of what success looks like. ■