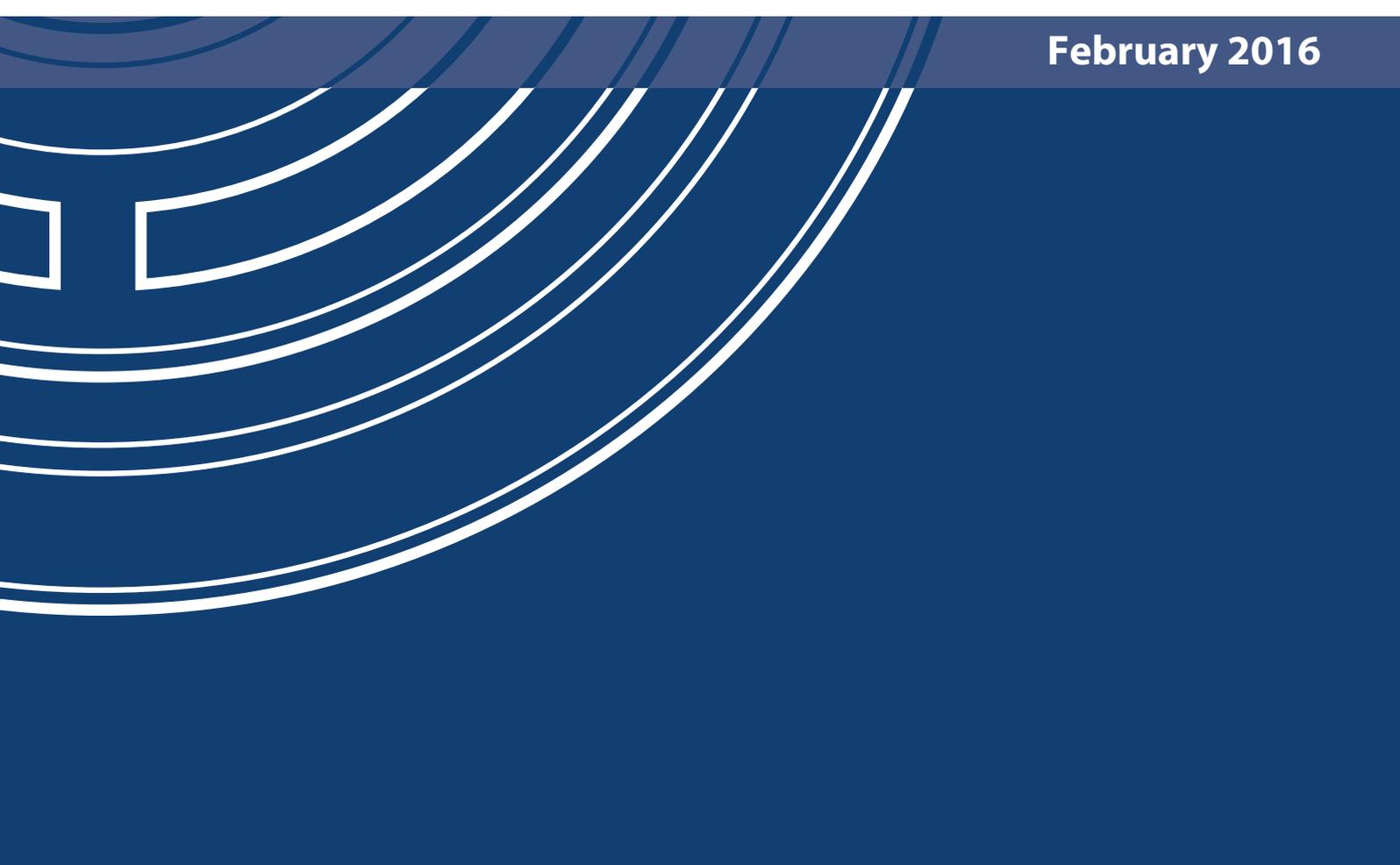




**THE MANAGEMENT OF LIFE  
AND INDETERMINATE SENTENCE  
PRISONERS IN NORTHERN IRELAND**

**A follow-up review**

**February 2016**





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**Criminal Justice Inspection  
Northern Ireland**  
*a better justice system for all*





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## List of abbreviations

<b>ACE</b>	Assessment, Case Management and Evaluation process
<b>BBR</b>	Building Better Relationships
<b>CJI</b>	Criminal Justice Inspection Northern Ireland
<b>DCS</b>	Determinate Custodial Sentence
<b>ECS</b>	Extended Custodial Sentence
<b>ICS</b>	Indeterminate Custodial Sentence
<b>NIPS</b>	Northern Ireland Prison Service
<b>NOMS</b>	National Offender Management Service (in England and Wales)
<b>OASys</b>	Offender Assessment System
<b>OBP(s)</b>	Offending Behaviour Programme(s)
<b>OMU</b>	Offender Management Unit
<b>PAU</b>	Prisoner Assessment Unit
<b>PBNI</b>	Probation Board for Northern Ireland
<b>PCNI</b>	Parole Commissioners for Northern Ireland
<b>PDM</b>	Prisoner Development Model
<b>PDP</b>	Personal Development Plan
<b>PDU</b>	Prisoner Development Unit
<b>PRISM</b>	Prisoner Record Information System
<b>PRT</b>	Prison Review Team
<b>PSNI</b>	Police Service of Northern Ireland
<b>PST</b>	Post-Sentence Tariff
<b>SEHSCT</b>	South Eastern Health and Social Care Trust
<b>SLA</b>	Service Level Agreement
<b>TED</b>	Tariff Expiry Date
<b>VCS</b>	Voluntary and Community Sector
<b>WOU</b>	Working Out Unit



# Chief Inspector's Foreword

Imprisonment for life is the ultimate sanction that the State can impose on offenders who commit the most serious criminal offences and who are deemed to represent a significant threat to the public. Reducing that risk, dealing with the underlying offending behaviour and preparing offenders for their eventual release must be the primary objective of our prison and probation services.

This follow-up review has shown reasonable progress against the recommendations of our 2012 report. The opening of Burren House as a pre-release step-down facility on the fringe of Belfast city centre is critical in supporting the successful reintegration into society of life sentence prisoners nearing the end of their tariff. The facility provides one of the best examples of effective partnership working between the Northern Ireland Prison Service (NIPS), the Probation Board for Northern Ireland (PBNI), and the voluntary and community sector (VCS).

We are however disappointed that the integration of psychology services between the Prison Service and Probation Board has not shown the progress that we expect and which is required, if more effective services are to be delivered.

The reduced funding for probation services in prisons will now mean that prison staff need

to take on a much greater role in managing life sentence prisoners. They need to be fully trained to deliver this enhanced role and that will take time.

We will continue to monitor progress in this area through our work on reducing reoffending and prison inspections.

This follow-up review was conducted by Dr Ian Cameron. My sincere thanks to all who supported this work.

**Brendan McGuigan**  
Chief Inspector of Criminal Justice  
in Northern Ireland

February 2016



# Follow-up review



# Introduction

## Background to the follow-up review

In 2012 Criminal Justice Inspection Northern Ireland (CJI) completed an inspection of the management of life and indeterminate sentence prisoners in Northern Ireland. This is an important area as the management, assessment and testing of life sentence prisoners before they can be considered for release is critical for public protection and public confidence in the criminal justice system. These prisoners have been convicted of the most serious crimes. Protection of the public is therefore paramount when decisions are being made prior to and on their release.

The report found that the management, testing and assessment of life sentence prisoners had improved across a number of areas. The legislative basis for managing indeterminate sentences had been informed by the problems experienced in England and Wales. The NIPS had improved arrangements for Indeterminate Custodial Sentence (ICS) prisoners to progress within the prison system. Conditions for prisoners had improved at Maghaberry Prison with the establishment of a dedicated facility, and life licensees were being carefully supervised in the community by Probation Officers. Overall, Inspectors felt that these long-term prisoners were being well managed both in prison and in the community.

The inspection report did find a number of areas for improvement. In particular, the NIPS Prisoner Assessment Unit (PAU) had serious problems and needed fundamental redesign. This report made the strategic recommendation that the NIPS should develop a new pre-release scheme as a matter of urgency.

The inspection report also highlighted problems with current methods of delivering psychology services within the NIPS. There were not enough psychologists to undertake all the forensic assessments. The report recommended that the probation and the prison services should collaborate to establish a more integrated psychology service that will better meet the needs of each organisation. This was considered achievable in a small jurisdiction such as Northern Ireland with single prison, probation and parole organisations.

This report made a total of 14 recommendations. Three of which were strategic to urgently establish a new step-down facility for lifers; to reconfigure the respective roles of the PBNI and the NIPS psychology; and to improve delivery of Offending Behaviour Programmes (OBPs) in the prisons. If properly implemented these should significantly enhance the effectiveness of risk management and prisoner resettlement, while also delivering financial savings.

## Changes since the 2012 inspection

Since the original inspection there have been two significant developments around offender management and resettlement. In the original report Inspectors were concerned about the closure of the NIPS PAU and, following a refurbishment, Burren House opened in May 2014.

The other development was the introduction in late 2014 of a new Prisoner Development Model (PDM), to ensure that prisoners are supported, challenged and motivated whilst also recognising the need for them to be managed and supervised throughout their time in custody, appropriate to the needs, strengths and risks they present, for their return to the community.<sup>1</sup> These developments are described in more detail below.

## The follow-up review

Prior to the CJI fieldwork for this follow-up review, the NIPS, PBNI and Parole Commissioners for Northern Ireland (PCNI) completed a self-assessment of the recommendations from the original report. Inspectors validated the information provided through interviews with staff from the agencies, through review of various documentation and information provided to CJI, and with visits to the prison establishments.

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1 PDM Practice Manual. Draft Version 5. October 2015.



# Progress against recommendations

## Strategic recommendation 1

**The NIPS and the PBNI should collaborate to establish a more integrated psychology service that will better meet the needs of each organisation by December 2013. In doing so they should consult with other criminal justice agencies to assess the possibility of extending their collaboration.**

**Status: Not achieved.**

### Agency response

*NIPS: The Director General of the NIPS commissioned a review of psychology services as an element of the work taken forward to address Prison Review Team (PRT) Recommendation 31.*

*Recommendation 31 – ‘The Northern Ireland Prison Service and the Probation Board for Northern Ireland should undertake joint work to plan and deliver integrated services, explore staff exchange and consider shared services.’*

*The scope of the review was to identify areas of strength and opportunities in the current psychology delivery model. This included the provision of all psychological services within the NIPS at both headquarters and establishment level, the model for the delivery of OBPs. Given the interdependencies between prison and probation provision of offender services, the consideration of psychological services delivered by the Probation Board was also included to enable identification of good practice and potential for joint initiatives or future integration.*

*This review has been completed by the Lead Psychologist for NOMS [National Offender Management Service] and all the recommendations have been accepted. The review report was shared with Senior Governors and Principal Psychologists in July 2014 and is now being taken forward to implementation. A detailed implementation plan will be agreed during summer 2014.*

*One of the recommendations arising from the report was that a joint prison and probation psychology workstream should identify where psychology input would be best delivered along the offender journey, leading to the production of clear frameworks for sharing of information and joint working/handover, where necessary. Work has commenced to address this recommendation and some preliminary proposals have already been jointly produced.*

*PBNI: The PBNI and NIPS psychology services commenced work to identify psychology input along the offender journey through community and custody, and where psychology service needs are required for specialist intervention.*

*Proposals for joint training were agreed between the PBNI and NIPS psychology services. Joint training in BBR [Building Better Relationships] has taken place.*

*The PBNI have proposed a new model for delivery of psychology services for life sentenced prisoners released to the community, which has been supported by NIPS psychology, and proposals for inter-agency placements agreed in principle across community and custody psychology services.*

## Inspectors' assessment

This recommendation makes reference to the PRT report which was published in October 2011, which recognised the key partnership between prison and probation services. The report said that the prison-probation partnership in Northern Ireland can and should develop further, without threatening the operational independence and different traditions of the two services. The report went on to say that community-based probation staff could do more work inside the prisons (for example in offending behaviour work, where some have particular expertise that prisons desperately need). Some resources could be shared by the two services, particularly those required in the delivery of specialised assessments and interventions. In a small jurisdiction, it would seem to be worth examining whether both services could share their forensic and clinical psychology services for example; and also to be clear about where OBPs should most usefully and effectively be done.<sup>2</sup>

NIPS senior management accepted the recommendations in the original lifers report and produced an action plan for implementation, however the NIPS Psychology Department did not subscribe to the ethos of the report and this affected the progress of delivery.

To progress the PRT recommendation,<sup>3</sup> the NIPS and the PBNI agreed a number of joint workstreams, two of which referred to psychology services. The first of these was to consider a Common Interventions Framework to be applied across the custodial and community settings. A Joint Programmes Oversight Group has been established and is co-chaired by the NIPS and the PBNI. There is also agreement in principle as to the programmes which will form part of the Framework. However, the Common Interventions Framework has not been fully implemented and will be re-examined within the current challenging financial environment.

2 Review of the Northern Ireland Prison Service: conditions, management and oversight of all prisons – PRT Final Report, October 2011.

3 PRT Recommendation 31 states: 'The Northern Ireland Prison Service and the Probation Board for Northern Ireland should undertake joint work to plan and deliver integrated services, explore staff exchanges and consider shared services.'

The other workstream was in respect of an Independent Review of Psychology Services in the NIPS which reported in 2014. The report made 18 recommendations all of which were accepted by the NIPS. At the time of writing work was underway to progress the recommendations but this was not fully complete.

Whilst there have been discussions between the two organisations regarding various aspects of psychology provision in custodial and community settings, the relationships between the NIPS and the PBNI Psychology Departments have not been working to full effectiveness and need to be reviewed. There is an opportunity to revisit this relationship in the context of CJI's 2012 lifers report and this follow-up review, the PRT recommendation, the Psychology Review, the changed economic climate and the developments in the NIPS with the appointment of a Head of Interventions. In addition, work has commenced under the Programme for Justice 2015-16 involving the NIPS, PBNI and the Youth Justice Agency to align reducing offending interventions and initiatives which will examine this area. Inspectors would urge the NIPS and PBNI senior management to fundamentally review psychological provision in the two organisations to become more aligned while still respecting operational independence.

The strategic recommendation made in the CJI report was for the NIPS and the PBNI to collaborate to establish a more integrated psychology service that will better meet the needs of each organisation by December 2013, and although work is continuing in this area, the recommendation has not been achieved.

## Strategic recommendation 2

**The NIPS and the PBNI should extend their current service level agreements to pilot the Probation Board's delivery of OBPs in custody during 2013-14.**

**Status: Not achieved.**

### Agency response

*NIPS: In response to PRT 31 a workstream was also identified to consider a Common Interventions Framework to be applied across the custodial and community settings.*

*Agreement has now been reached in principle between the NIPS and the PBNI as to which programmes will form part of a Common Interventions Framework. These are, in the main, based on NOMS accredited programmes and NIPS/PBNI approved programmes. A further outworking of PRT 31 clarifies that the PBNI will provide one Probation Officer for multi-disciplinary programme delivery in each establishment.*

*Actions required to implement this agreed Framework have been identified and a detailed implementation plan is currently being developed.*

*PBNI: There is an agreement in principle on the Common Interventions that should be delivered within community and custody. These programmes are being delivered within the community by the PBNI.*

*The PBNI have offered joint training and evaluation for new programmes within this Common Interventions Framework, and to pilot the delivery of programmes within a custodial setting alongside the NIPS staff with appropriate management support from within the Community Regional Programme Team.*

### Inspectors' assessment

Inspectors understand that the Service Level Agreements (SLAs) with the PBNI have not yet been updated for 2015-16 and that discussions are continuing within the NIPS regarding the revised Staff Operating Model and deliverables, and between the NIPS and the PBNI regarding the implementation of a Common Interventions Framework. The NIPS is in the process of preparing SLAs for the forthcoming financial year.

The reduced budgets in the NIPS did not allow it to increase its funding to the PBNI to pilot the delivery of OBPs in prison. The NIPS is currently reviewing the wider issues around the efficacy of OBP, the delivery in prisons/the community, and alignment with the PDM.

Whilst work is progressing between the two organisations regarding the delivery model and available resourcing, this recommendation has not been achieved within the timescale specified in the original report.

## Strategic recommendation 3

**The NIPS should develop a new pre-release scheme as a matter of urgency. The scheme should be based at a new step-down facility and should implement the recommendations from the NIPS October 2011 PAU review; the principles and operational considerations in paragraph 4.22 of this report should also be taken into account in its design; and the NIPS and the PBNI should consult closely with voluntary and community sector (VCS) organisations who have experience in running offender hostels, when designing the new scheme and facility.**

**Status: Achieved.**

### Agency response

*NIPS: The CJI recommendation and PRT Recommendation 7 are very closely aligned.*

*Recommendation 7 – ‘Funding should be found, in partnership with probation and voluntary and community organisations, for halfway house and step-down accommodation to manage long-sentenced prisoners’ return into the community... and provide supported accommodation for those with mental health and substance abuse’.*

*The NIPS and the PBNI have worked jointly to open the Working Out Unit [WOU] (Burren House) on the Crumlin Road, Belfast. The purpose of the unit is to provide a safe and decent low security pre-release facility where prisoners can be tested before they are released into the community. Life sentence/ICS prisoners who progress to the unit will be within 15 months of their TED [Tariff Expiry Date] or PST [Post-Sentence Tariff]. All life sentenced prisoners eligible to progress to the WOU are allocated a Probation Officer to assist with their reintegration and resettlement into the community. The NIPS staff who are working in the unit have been subject to a rigorous selection and training process. Probation Board staff will be co-located in the unit.*

*The NIPS spent approximately £80,000 on an extensive refurbishment of the former site of the PAU and Burren House opened in May 2014.*

*The NIPS has published a new standard for the operation of the unit covering the following key elements:*

- selection of prisoners;
- transfer, induction and progression;
- services to be provided;
- risk management;
- prisoner employment;
- progression and regression; and
- accommodation.

*This standard will be audited by the Prison Service headquarters Standards Unit on a bi-annual basis and a self-audit will take place annually.*

*Since the opening of the unit a NIACRO secondee to the NIPS has been engaging with prisoners and identifying opportunities in the local community for training and employment to assist in the rehabilitative process. Discussions are also ongoing with Extern in this respect.*

*PBNI: The NIPS WOU at Crumlin Road, Belfast opened in May 2014. Elements of preparatory work for the re-opening of the unit which the PBNI participated in, included the recruitment of NIPS staff to work within the unit; the delivery of training for NIPS staff recruited to work in the unit, including shadowing of community-based PBNI staff and assisting with preparing prisoners as they moved to the WOU. The opening of the unit has assisted in better preparing prisoners for release, including those who require hostel accommodation on their return to the community. During September 2014, PBNI staff contributed to the development of standards by the NIPS for the WOU. These standards will be dovetailed into the new Prisoner Development Standards being implemented by the NIPS.*

## Inspectors' assessment

The NIPS re-opened the former PAU, (now Burren House), as the WOU in Belfast as a satellite of Maghaberry Prison. It has the capacity to house up to 22 prisoners, providing step-down supported accommodation for life and long sentence prisoners nearing the end of their sentence.

The WOU officially opened in May 2014. It is located on Crumlin Road, Belfast on the existing PAU site which has been refurbished. The unit is staffed by Prison Officers supported by probation staff based within Maghaberry.

The purpose of the WOU is to provide a safe and decent low-security pre-release facility where prisoners can be tested before they are released into the community. The aim will be to deliver an effective resettlement framework which will support the individual's progress by enhancing employment opportunities on return to the community. The WOU facilitates a purposeful regime to prepare the prisoner for effective resettlement, and seeks to encourage responsibility and self-esteem by placing appropriate levels of trust and support prior to release.<sup>4</sup>

It is anticipated that most prisoners will spend 12-15 months in Burren House before being considered for release. The ethos of the WOU is focused on resettlement rather than security and custody. Prisoners are expected to take significant responsibility for their own actions, to respect the WOU community and environment, during which the prisoners will be assessed by NIPS and PBNI staff as to whether they are safe to be released and able to cope with life outside prison.

A prisoner's stay in the WOU consists of three phases. The length of time spent on each phase<sup>5</sup> is to be

<sup>4</sup> WOU Belfast, Policy Statement.

<sup>5</sup> The Phases are:

- Phase 1 - used to develop relationships between prisoners and staff at the unit, arrangements will also be made for job interviews and appropriate employment secured. The prisoner will reside in the unit all week.
- Phase 2 - prisoners will work during the day and return to the unit each evening, Monday to Thursday. After work on Fridays prisoners will be permitted temporary release, if suitable, for the weekend and return directly to work on the following Monday.
- Phase 3 - prisoners who progress to Phase 3 will reside and work full-time in the community, but will report to the WOU once a fortnight.

individually tailored to suit each prisoner, taking into consideration custodial category<sup>6</sup> and risk.

The PBNI has a role within the WOU and works in partnership with the NIPS and the VCS. All life sentence prisoners eligible to progress to the unit will have an allocated prison-based Probation Officer, and as they progress and work towards a return to the community, a community-based Probation Officer will be allocated, who will work in partnership with the NIPS to ensure consistency in case management, and address outstanding risk and resettlement needs.

The PBNI will assist with the management of life sentenced prisoners' reintegration and resettlement into the community. They will manage constructive and restrictive interventions that are applied to the prisoners' risks and needs such as employment, accommodation, addiction treatment and mental health issues. The PBNI will also work with the NIPS to undertake drug, alcohol and curfew checks, and will continue supporting the prisoner as they leave the WOU to prepare for independent living in the community.<sup>7</sup>

The selection criteria<sup>8</sup> for the WOU is determined by levels of risk presented by prisoners rather than the length of time served or compliance in closed conditions.

Prior to transfer, progress reports will be completed to assist the multi-disciplinary team in its decision as to whether a prisoner can progress to the WOU.<sup>9</sup>

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6 NIPS prisoner categories are as follows:

Category A: prisoners whose escape would be highly dangerous to the public or the police or the security of the State, no matter how unlikely that escape might be, and for whom the aim of the NIPS must be to make escape impossible.

Category B: prisoners for whom the very highest conditions of security are not necessary, but for who escape must be made very difficult.

Category C: prisoners who cannot be trusted in open conditions, but who do not have the resources or the will to make a determined escape attempt.

Category D: prisoners who can be reasonably trusted in open conditions.

Category U: All remand, awaiting trial or awaiting sentence prisoners/inmates will be placed in Category U (unclassified). The only exception is those remand prisoners/inmates identified as Category A. All remand prisoners will be reviewed if and when sentenced and allocated to the appropriate Category A-D above. DoJ website <http://www.dojni.gov.uk/index/ni-prison-service/nips-foi/nips-foi-disclosure-log/nips-foi-policy-procedures/14-62-prisoner-categories-maghaberry>.

7 WOU, Belfast, Policy Statement, NIPS.

8 The following is not a definitive list:

- Life sentence/ICS prisoner must be within their last 15 months of TED or post-tariff.
- Determinate Custodial Sentence (DCS)/Extended Custodial Sentence (ECS) prisoners must have a total sentence of five years or more.
- Must have engaged successfully in a programme of temporary releases which included overnight stays.
- Prisoners transferring from Foyleview must have successfully completed a town visit.
- Category D status.
- No rule 32 (for the protection of others) in the last two years. Rule 32 Restriction of Association: *'Where it is necessary for the maintenance of good order or discipline, or to ensure the safety of officers, prisoners or any other person or in his own interests that the association permitted to a prisoner should be restricted, either generally or for particular purposes, the governor may arrange for the restriction of his association.'* The Prison and Young Offenders Centres Rules (Northern Ireland) 1995. Department of Justice website [http://www.dojni.gov.uk/index/ni-prison-service/nips-publications/corporate-documents/prison\\_young\\_offender\\_centre\\_rules\\_feb\\_2010.pdf](http://www.dojni.gov.uk/index/ni-prison-service/nips-publications/corporate-documents/prison_young_offender_centre_rules_feb_2010.pdf).
- No record of bullying within the last two years.
- No disciplinary awards in preceding 12 months.
- Drugs free for the preceding 12 months (should have record of passing voluntary drugs tests).
- Enhanced regime for the preceding 12 months.
- No history of breached/failures of Rule 27. In the event of this not being the case, a decision will be made by the multi-disciplinary team based on the individual merits of the case.

9 WOU Belfast, NIPS/PBNI document.

Prisoners on transfer to the WOU sign a Compact agreeing to abide by the Burren House rules and conditions. There are regular and random alcohol, drugs and curfew checks and there are procedures for regression from the WOU in the event of prisoners breaching any of the conditions, or if there is evidence of an increase in the level of risk. Regression outcomes can range from a warning to a return to Maghaberry, depending on the seriousness of the breach or increased risk.

There is good liaison with organisations in the VCS, particularly with NIACRO and Extern who provide many of the current work opportunities. The NIPS are in contact with a number of other VCS organisations to extend the number of work placements available to prisoners in the WOU.

The recent inspection of Maghaberry Prison found that suitable lifers and ICS prisoners could move to Burren House in the last 15 months of their sentence. The building had limited facilities, but the opportunities and support available were excellent: during Phase 2 of their stay, prisoners could attend voluntary placements, work or training during the week, and go home at weekends; during Phase 3, they could progress to independent living in the community, subject to regular compliance checks both at home and at work.

The report also found that the approach to risk management was sensitive and proportionate and since opening only five of the 36 prisoners who had been in Burren House had been removed, mostly for failing a curfew or an alcohol or drug test. No further offences had been identified.<sup>10</sup>

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10 Report on an unannounced inspection of Maghaberry Prison by CJI and HM Inspectorate of Prisons, the Regulation and Quality Improvement Authority and the Education and Training Inspectorate, 11-22 May 2015 - published November 2015.

## Operational recommendation 1

**The NIPS should ensure that Prison Officers who work with life prisoners receive appropriate training which is maintained up-to-date. Training should emphasise the benefits of motivational interviewing with life prisoners at an early stage in their sentence.**

**Status: Partially achieved.**

### Agency response

*NIPS: There is clear correlation between the delivery of the CJI recommendations, focused upon life and indeterminate sentence prisoners, and the NIPS response to PRT Recommendations 29 and 30 which apply to the whole prison population. Traditionally practice has concentrated on life sentence prisoners at the three year pre-TED. Interventions should potentially be in place at a much earlier stage. The newly developed approach to prisoner development work described includes consideration of how progression in accordance with assessed risk and need can best be supported for individuals, rather than purely focusing on the three year pre-TED period.*

*Recommendation 29 – ‘Accurate data should be collected about prisoners’ needs and risks in all three prisons, as a basis for planning and commissioning services.’*

*Recommendation 30 – ‘Each prisoner should have a personalised custody or sentence plan, developed together with him or her, which reflects his or her own needs, strengths and risks. It should identify and engage all the other agencies and disciplines within and outside prison that are needed to support change.’*

*The NIPS has taken forward workstreams in response to the recommendations with the following purpose:*

- *to facilitate the NIPS in identifying the needs of the prisoner population and to enable the NIPS to plan and commission services in accordance with the needs, risks, strengths and resources of the prisoner population;*
- *to enable the NIPS to assess the progress made by individuals to address their risks and needs;*
- *to develop a personalised custody or sentence plan for each prisoner, together with him or her which reflects their specific needs, strengths and risks;*
- *to develop a prisoner assessment and sentence planning process which engages prisoners in a process which supports them to change; and*
- *to identify and engage all relevant agencies and disciplines within and outside prison, in the sentence planning process.*

*There are two key stages within the approach to improve NIPS monitoring, planning and commissioning of services namely: Phase 1: Committal Process and Phase 2: Prisoner Needs Profile (including Strengths and Risks).*

#### *Phase 1*

*The Committal business processes have been mapped and the purpose and requirements of staff (and agencies) in the first 24-48 hours have been examined. This revised Committal process (including first night questionnaire) went live on Tuesday 6 May 2014. This work takes account of CJI recommendations/*

*expectations to streamline processes, reduce duplication and cut down on the amount of questions that prisoners are asked on their committal to those which are critical at this stage.*

#### *Phase 2*

*The NIPS undertook Phase 2 of the PDM with a review of the current Resettlement Needs Profile questions and processes. The new Prisoner Needs Profile (including Strengths and Risks) has been developed working with PDU [Prisoner Development Unit] representatives from each of the NIPS establishments and the help of the PRISM [Prisoner Record Information System] team.*

*Learning and Skills and Prison Psychology, SEHSCT [South Eastern Health and Social Care Trust], PBNI, Women's Aid and the Department of Social Development were widely consulted during the development process. The review also included consideration and comparison to the NOMS Committal and OASys [Offender Assessment System] questions. Governing Governors have approved the implementation of the process.*

*The data captured for planning and commissioning purposes included PRISM data (Committal and Prisoner Needs, Strengths and Risks Profile) and PBNI data (ACE [Assessment, Case Management and Evaluation process], Offender-Related and Problem scores).*

*Prior to the inclusion of the new Prisoner Needs Profile (including Strengths and Risks) screens on PRISM, a hardcopy version of the new questions has been printed and distributed to Hydebank Wood (Young Offenders Centre and Ash House) as a pilot to capture data in Excel format until the system is up and running. This is a good test of the new system and also allows data to be easily transferred onto the system when the new PRISM screens are implemented.*

*Six months post-implementation of the new PRISM screens, statistical analysis/reporting will be introduced at the relevant time within the planning and commissioning of services cycle. Annual analysis/reporting will include not only PRISM data but also the PBNI data. More regular business objects reporting will also be available on the PRISM data.*

*Additionally, year-on-year there will be a review and evaluation of the Prisoner Needs (including Strengths and Risks) analysis toolkit.*

#### *Case management system*

*Two validation exercises have been completed on comparison of ACE scores between the PBNI PIMS [Probation Information Management System] and the NIPS PRISM. A continual monitoring process has been set up. The new PRISM screens have been developed to include, where possible, dropdown lists and mandatory fields therefore improving the quality of the data captured and the ability to identify any gaps within the prisoner population needs. Regular business objects reporting will also be available for the new PRISM screens to enable headquarters and the establishment PDUs to monitor data quality.*

*The concept of prisoner development ensures that all those in custody will be supported, challenged and motivated whilst also recognising the need for them to be managed and supervised throughout their time in custody, appropriate to the needs, strengths and risks they present, before being prepared for their return to the community.*

*Prisoner development is a multi-agency approach focused on robust needs analysis, risk assessment and reduction of risk through structured Personal Development Planning. Underpinning all aspects of this work is the Prisoner Development Practice Manual including standards of practice that will ensure uniform delivery of services to every prisoner and ensure that the quality of performance and practice is maintained. Within each prison establishment there will be a PDU which in conjunction with other prison departments and partner agencies, will be the primary driver in co-ordinating to best deliver to the strengths, needs and risks identified for each individual.*

### *Recommendation 30 PDM (NIPS and PBNI)*

*Building on the successes of Offender Management and in addressing aspects of the PRT Recommendation 31, the NIPS and the PBNI will continue to work in close partnership in delivering this model within each establishment. Having agreed key areas of responsibility, two new roles have been developed within this model to best deliver to those in custody.*

*A PDP [Personal Development Plan] Co-ordinator (current Sentence and Case Manager) will be assigned to each individual within this model. The Co-ordinator will be either a NIPS or PBNI Officer at different times during custody. This Co-ordinator will fulfil the primary role of collating, evaluating and co-ordinating the prisoner's PDP, holding those responsible for delivery of service accountable at regular reviews.*

*A Support Officer will be assigned to each individual. This Officer will support, mentor and guide the PDP Co-ordinator as required throughout the process. The Support Officer will be involved at the PDP Review phase, otherwise as requested by the Co-ordinator.*

## **Inspectors' assessment**

Life sentence prisoners were managed by a small group of Prison Officers and training mainly consisted of peer mentoring and on-the-job training from more experienced staff and supervisors. This varied across the establishments and was not formally structured or recorded.

However the introduction of the PDM has placed training and development for PDU staff on a much more structured basis and the NIPS has developed a suite of training modules<sup>11</sup> for staff working in the PDUs in Maghaberry, Magilligan and Hydebank Wood. There are a number of training modules covering all aspects of the role which includes motivational interviewing.

The training is at its early stages and commenced in early 2015. It therefore will take some time to deliver all of the modules to the NIPS PDU staff. The NIPS estimates that it will take between 18 months and two years to fully complete the training for all PDU staff. Inspectors understand that although aspects of the training have commenced and some elements have been delivered, some of the modules most relevant to this report had not been delivered at the time of writing, for example, lifer management training and motivational interviewing.

Training has been provided for staff working with life and long sentenced prisoners who have progressed to Burren House as outlined at Strategic recommendation 3.

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<sup>11</sup> Modules include: desistance; motivational interviewing; public protection; lifer management; designated risk management; child protection; restorative practice; resettlement pathways; conditional early release.

## Operational recommendation 2

**The pilot transfer of life prisoners to Magilligan Prison should be evaluated. Subject to the evaluation outcome, criteria for transfer should be clarified and the scheme extended to other appropriate cases.**

**Status: Partially achieved.**

### Agency response

*NIPS: A review of the cases involved in the pilot has been conducted and a report was submitted to NIPS management for consideration. The review involved discussions with partner agencies, including the PBNI, and interviews with the prisoners involved in the initiative. Following the evaluation life sentence prisoners are now able to transfer to Magilligan where it meets their domestic and development needs. Case management has also transferred.*

*Magilligan OMU [Offender Management Unit] engages with the OMU at Maghaberry on management arrangements for lifers transferring to Magilligan.*

### Inspectors' assessment

Following this recommendation a report was commissioned on behalf of the OMU and was undertaken by a Governor and submitted to NIPS headquarters. This was to evaluate a pilot scheme<sup>12</sup> to transfer ICS prisoners from Maghaberry to Magilligan introduced in February 2010.

During the pilot nine prisoners volunteered to participate from February 2010 to February 2013. At the time of the evaluation report five of the nine prisoners had been returned to Maghaberry, four remained in Magilligan.<sup>13</sup>

The evaluation found the scheme to be partially successful although no foreign national prisoners chose to participate: prisoners felt they had not been provided with sufficient information prior to the transfer; prisoners were critical of no family input; prisoners integrated into Magilligan without difficulty, however management at Magilligan expressed concerns around an agreed criteria and transfer policy. Extended family contact was the main motivation for prisoners choosing to transfer. In addition, Magilligan management said there was a skills deficit in Magilligan in respect of staff being trained in lifer management.<sup>14</sup>

12 The pilot had four key objectives:

- to reduce the number of life sentence prisoners at Maghaberry and hence the complexity of the prison;
- to improve outcomes for life sentence prisoners in relation to sentence planning and preparation for release;
- to improve and support family ties for those prisoners whose family live in the North West; and
- to enhance the regime for life sentence prisoners by providing progress through the life sentence planning process. (Evaluation of the transfer of life sentence prisoners from Maghaberry to Magilligan, NIPS Internal Report, undated).

13 Evaluation of the transfer of life sentence prisoners from Maghaberry to Magilligan, NIPS Internal Report, undated.

14 Ibid.

The evaluation report referred to a NIPS discussion paper which set out clear objectives and options for the transition of the management of life sentence prisoners from Maghaberry to Magilligan at four of the seven key stages of custody.<sup>15</sup> However the evaluation reported that it was not clear from the data collected what option was favoured as prisoners selected for the pilot ranged from one year into sentence to six months pre-TED. Four of the five prisoners returned to Maghaberry were into the earliest part of their sentence (Stage 2).

The evaluation concluded that there was scope to expand the pilot scheme at Magilligan. It proposed that ICS prisoners serve Stage 2 at Maghaberry and at Stage 3 appropriate prisoners transferred to Magilligan. At the four year pre-tariff stage prisoners should return to Maghaberry to complete the necessary cognitive-behavioural programmes to prepare them for release and for working out schemes in the PAU (now Burren House) or Foyle View. At the time of the evaluation there were 91 prisoners in this group.<sup>16</sup>

The report recognised the remote location of Magilligan and said that any decision to transfer prisoners who may not be from the North West may be seen as controversial, causing hardship for families and leading to resentment from prisoners.

On 16 May 2013 the Director General advised the Committee for Justice that a dedicated lifers' facility was under consideration for Magilligan. An evaluation had taken place following the transfer of the small number of life sentence prisoners and the general view is that it is appropriate and desirable to have more lifers in Magilligan, obviously with the appropriate risk assessment. The Director General went on to say that both the Magilligan of now, and the Magilligan of the future, will be a medium-risk, medium-security prison, and it is quite appropriate for life sentence prisoners to be held there, although perhaps not at the beginning of their sentences.<sup>17</sup>

Inspectors understand that whilst there has been no formal clarification or publication of the criteria for transfer, there is a *de facto* scheme in operation, and at the time of writing there were five life sentence prisoners in Magilligan and three prisoners serving an ICS.

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15 Seven key stages of custody:

- Stage 1: remand;
- Stage 2: early years (less than four years) – Option 1;
- Stage 3: middle years (four years and within four years TED) – Option 2;
- Stage 4: pre-tariff (within three years TED) – Option 3;
- Stage 5: preparation for release – Option 4;
- Stage 6: tariff expiry review; and
- Stage 7: Post-Tariff. (Evaluation of the transfer of life sentence prisoners from Maghaberry to Magilligan, NIPS Internal Report, undated).

16 Evaluation of the transfer of life sentence prisoners from Maghaberry to Magilligan, NIPS Internal Report, undated.

17 Northern Ireland Assembly, Committee for Justice, Official Report (Hansard): Prisoners: management of life and indeterminate sentences, 16 May 2013.

The main criteria for transfer are that the prisoner is Category B<sup>18</sup> or lower and his family circumstances are such that a transfer to Magilligan would not cause hardship to the prisoner or his family in respect of visits and family contact.

Inspectors were advised that the NIPS intends to keep the situation under continuing review, and the planning for the new prison at Magilligan will take the facilities for life sentence prisoners into consideration.

It would be the view of Inspectors that the NIPS should clarify and publish the criteria and potential timings for the transfer process. This would then allow prisoners and PDP Co-ordinators to include in sentence planning for appropriate cases. Until there is clarity it would be the assessment of Inspectors that the recommendation is 'partially achieved'.

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18 NIPS security categorisations - see footnote 6.

## Operational recommendation 3

**The NIPS should implement a formal process for identifying all potential life prisoners to ensure they are supported in coping at an early stage after they are remanded in custody.**

**Status: Partially achieved.**

### Agency response

*NIPS: See response to Operational Recommendation 1.*

### Inspectors' assessment

The NIPS and the PBNI introduced a new PDM in late 2014. It contains a two-stage approach to gather data about prisoners' needs, risks and strengths: initially at the committal stage and then as part of the new PDM.

At the committal stage a revised process which includes the first night questionnaire was introduced in May 2014. This captures details in relation to a prisoner's personal circumstances, family, next-of-kin, details relating to the person's committal/court etc. Details are also included of health issues and dietary needs, cell sharing risk-assessment, vulnerability assessment, issues relating to substance or alcohol abuse, and interpretation needs. These are issues which are crucial for the NIPS and SEHSCT to be aware of, especially during a prisoner's early days in custody.

The next stage is under Standard 5 of the PDM which states that *'integrated assessments will be completed on all sentenced prisoners<sup>19</sup> within 30 days of committal. This will include (but not limited to) ACE score information, pre-sentence report, criminal record history, prisoner needs profile, etc.<sup>20</sup>*

The Prisoner Needs Profile form was developed by the Prison Service following consultation with various stakeholders including: Learning and Skills; Prison Psychology; the SEHSCT; the PBNI, Women's Aid; and the Department of Social Development. The data captured includes information from the Prison Service's PRISM system and the PBNI's ACE and offender-related data. The Prisoner Needs Profile is a comprehensive form containing details in seven of the nine Reducing Re-offending Pathways,<sup>21</sup> i.e. accommodation; education, training and employment; health (mental and physical); drugs and alcohol/addictions; finance, benefits and debt; children and families; and attitudes, thinking and behaviours.

19 The key aspects of the PDM will be offered to all prisoners remanded in custody for more than 30 days.

20 PDM, Draft Paper, October 2014, Internal NIPS document.

21 Research has shown that there are a number of social factors which contribute to offending and re-offending. These were previously embedded within the NIPS/PBNI Resettlement Strategy, launched in June 2004, as seven key 'pathways' around which partnerships helped to support offender management and reduce re-offending by addressing personal needs. However, it has since been recognised that the original seven pathways failed to take account of two issues that are of particular significance to women - women who have been abused, raped or who have experienced domestic violence; and those who have been involved in prostitution. Women's Offending Behaviour in Northern Ireland: a strategy to manage women offenders and those vulnerable to offending behaviour 2012-13 – Department of Justice, October 2010.

There is acknowledgement that the quality and value of the completed data will be heavily dependent on prisoner co-operation, in particular some concerns have been raised about the remand population and its level of engagement. Inspectors recognise the potential issues and are conscious that some of the information is of a personal nature and in areas is detailed. Key to this will be the training given to PDP Co-ordinators and Support Officers to allow them to engage constructively with prisoners around the prisoner needs profile, and how it will inform and assist the PDP and provide prisoners with a clear pathway through custody and preparation for release and reintegration into the community.

The PDM provides formal processes through the first night questionnaire and the prisoner needs' profile, to identify all potential life sentence and ICS prisoners at an early stage to ensure that they are supported after they are remanded in custody. However, this is not yet fully integrated into practice and this was confirmed to Inspectors during fieldwork. The Maghaberry inspection conducted in May 2015 also found that staff did not systematically identify potential life sentence or ICS prisoners on arrival to offer additional support.<sup>22</sup>

The PDM has formalised the procedures to identify potential life sentence prisoners at an early stage after they are remanded in custody, but this needs to be embedded into operational practice to ensure that those who need it are identified and supported.

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22 Report on an unannounced inspection of Maghaberry Prison by CJI and HM Inspectorate of Prisons, the Regulation and Quality Improvement Authority and the Education and Training Inspectorate, 11-22 May 2015 - published November 2015.

## Operational recommendation 4

**Unless there are good reasons to do otherwise, lifer OBPs should be completed by the three-year pre-TED; and relapse prevention and booster work should be undertaken up to the point of actual tariff expiry.**

**Status: Partially achieved.**

### Agency response

*NIPS: See response to Operational Recommendation 1.*

### Inspectors' assessment

The issues raised in this recommendation have been incorporated into the new PDM which states that for life sentence prisoners, there needs to be a systematic approach applied to delivering OBPs whereby they should be completed by the three-year pre-TED; and relapse prevention and booster work should be undertaken up to the point of actual tariff expiry.<sup>23</sup>

During the fieldwork Inspectors were told by staff and prisoners that most of the work with life sentence and ICS prisoners was triggered by the three-year pre-TED. Various reasons were given including the availability of resources and waiting for the views of the Parole Commissioners at first review. Inspectors were also told that the lack of activity in the time up to the three-year pre-TED could affect the motivation levels of longer-term prisoners.

Data provided by the NIPS shows that in Maghaberry of the life sentence and ICS prisoners completing OBPs since April 2014, the majority (10 of 13) were post three-year pre-TED; of those awaiting assessment for programmes 19 of 40 were post three-year pre-TED; and of those found suitable and awaiting placement on an OBP, five of 12 were post three-year pre-TED. In Magilligan of the three life sentence prisoners who had completed or were awaiting placement on OBPs, all were in advance of their three-year pre-TED. In Hydebank Wood three of the five life sentence and ICS prisoners who had completed the Enhanced Thinking Skills OBP were post three-year pre-TED.

There has been progress made towards this recommendation. The need to complete OBPs for life sentence and ICS prisoners in advance of their three-year pre-TED, with relapse prevention and booster work then undertaken up to the point of tariff expiry has been formalised in the PDM. There is still a significant proportion of long-sentence prisoners completing and awaiting placement on programmes after their three-year pre-TED, particularly at Maghaberry, and further steps need to be taken to have this recommendation fully achieved.

23 PDM Practice Manual, Draft Version 5, October 2015.

## Operational recommendation 5

**The Parole Commissioners, the PBNI and the NIPS should review their inter-agency and internal communication processes to ensure all relevant issues about lifer work are addressed and outcomes are communicated to relevant staff at every level.**

**Status: Achieved.**

### Agency response

*NIPS: The NIPS is represented at the Parole Commissioners User Group meetings and raises issues with the PCNI as necessary. A number of new initiatives have recently been developed with the PCNI to improve processes including a review of dossier content and an audit of the directions issued in parole cases. Information is relayed to staff on all relevant issues via team meetings or in writing as required.*

*The PBNI have reviewed their internal communication processes and revised their delivery structure to ensure all relevant issues about lifer work are addressed and outcomes communicated to staff.*

*The NIPS and the PBNI will continue to work closely with the PCNI at both operational and strategic level to ensure relevant issues are identified, addressed and outcomes agreed.*

*PBNI: The PBNI has maintained regular communications with the Parole Commissioners and the NIPS in relation to the work undertaken with life and indeterminate sentence prisoners.*

*Recent examples of this communication include:*

- *the PBNI's Head of Psychology and Assistant Director of Prisons contributing to Parole Commissioner training;*
- *PBNI's membership of the NIPS Project Group to review prisoner development (formerly offender management) arrangements in custody;*
- *internal presentations regarding Prisoner Development arrangements in custody and the life management model in the community;*
- *opportunities for NIPS staff to undertake job shadowing with the PBNI as part of their preparation for roles within the WOU;*
- *regular meetings between the Chief Parole Commissioner and the PBNI Director/Deputy Director/Assistant Director;*
- *participation of the PBNI Head of Psychology on recruitment panel for Parole Commissioners;*
- *PBNI staff seminars on recall with inputs from Parole Commissioners; and*
- *regular attendance at the PCNI Users Group.*

*PCNI: The Commissioners have worked to review their inter-agency and internal communications. The list below demonstrates their undertaking to improving their communications and their commitment to the development of a multi-agency communication.*

- *Commissioners developed a strategic Communication Strategy.*
- *Life Sentence Unit and PDU continue to participate in the User Group which provides a forum for relevant parties who appear before the Commissioners to discuss issues of mutual interest and*

concerns. The aim of these discussions is to assist in the fair and efficient dispatch of business before the Commissioners without compromising the independence of the Commissioners. Communication was established at two levels:

- strategic - the Chief Commissioner meets quarterly with the Director of Probation (PBNI) and the Director General of the NIPS regarding the fair and efficient dispatch of business and areas of mutual interest, with an aim of improving services; and
  - operational - Head of Operations in the PCNI meets regularly with OMUs and Life Sentence Unit in Maghaberry to discuss issues and resolve any areas of concern.
- The PCNI assisted the NIPS on a project to look at the information supplied in dossiers in order to ensure that the lifer dossiers were fully aligned to the PDM and a consistent approach was being applied.
  - The PCNI held a stakeholder event for the launch of the Annual Report in 2012. In 2013, the PCNI held its Inaugural Lecture with the Lord Chief Justice speaking at the event and all stakeholders were invited.
  - The Chief Commissioner and the Director of Probation are currently writing a joint article for the American Probation and Parole Association and have been invited to speak at their congress in America on the Northern Ireland Parole Experience [at time of writing, two articles had been completed].
  - The Director General of NIPS and the Chief Commissioner of PCNI are working together to present a multi-agency workshop in the autumn on recalls. It is anticipated that the workshop will focus on the benefits to working in a joined up way to look at how more can be done with offenders in custody to better prepare them for release on licence and how those who cause concern can best be supported, once released. [Completed at time of writing].

It is worth noting that since 2012 the Parole Commissioners have released 40 life sentence prisoners and to date eight prisoners have been recalled [figures updated at time of writing for period 1 April 2012 to 9 November 2015].

## Inspectors' assessment

The original inspection report referred to the need for clearer communication in respect of Parole Commissioners' work for life sentence and ICS prisoners.

The Parole Commissioners have produced a Communications Strategy for 2013-16 which, in addition to internal communications, has a strand for communication with external audiences and these include the NIPS, Probation, victims,<sup>24</sup> other parts of the justice system, prisoners and their representatives and the general public.<sup>25</sup>

The Parole Commissioners Users' Group is the main forum for interested parties to discuss issues or concerns, and attendance includes the PBNI and the NIPS, with issues of relevance then disseminated, as appropriate, within the respective organisations.

In addition to the Users' Group there are regular meetings between the PCNI, the NIPS and PBNI to discuss areas of mutual interest. There has also been a multi-agency workshop on the subject of recalls to custody involving the PCNI, NIPS and PBNI.

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<sup>24</sup> Currently direct communication with victims and victim's representatives is provided by various parts of the criminal justice system.

<sup>25</sup> PCNI, Communications Strategy 2013 – 16; PCNI internal document.

A PCNI survey among probation staff highlighted a number of issues to improve practice in relation to the PBNI input into the Parole Commissioners process. The NIPS and other stakeholders were also invited to participate, and a plan was developed to take forward the actions which were completed mid-2015.

The Parole Commissioners, Probation and the NIPS have now established an effective communication process to ensure that all relevant issues about life sentence and ICS prisoners are highlighted and addressed.

## Operational recommendation 6

**The PBNI should allocate a community Probation Officer at six months pre-TED on a pilot basis for eligible life prisoners; then assess the pilot to plan ahead.**

**Status: Achieved.**

### Agency response

*PBNI:* The PBNI has ensured that every life and indeterminate sentence prisoner at the six month pre-TED has been allocated a community-based Probation Officer. This arrangement was implemented prior to the publication of the inspection report.

### Inspectors' assessment

A community-based Probation Officer is now assigned to life sentence and ICS prisoners at the six month pre-TED and this addresses the issue raised in the original report regarding the transition from custody to supervision in the community.

In addition, PBNI Psychology has proposed that it will advise NIPS Psychology in respect of potential life licensee release cases at the nine month pre-PCNI hearing stage. PBNI Psychology would then attend the case conference and contribute to the discussion and recommendations on the risk assessment. This will allow for agreement on aspects of treatment needs, referrals to health providers in the community and a PBNI contribution to the psychology recommendations made to the Parole Commissioners. On release the Probation Officer and PBNI Psychologist will liaise to agree the relevant supervision and interventions.<sup>26</sup> This is an initiative which will make the pre-release risk-assessment process more effective and allow for planning of the issues surrounding release and supervision. This process should be adopted as standard practice as soon as possible.

<sup>26</sup> PBNI internal memorandum.

## Operational recommendation 7

**The NIPS should ensure consistency between the prisons in identifying OBP waiting lists, referral, commencement and completion rates.**

**Status: Not achieved.**

### Agency response

*NIPS: See response to Operational Recommendation 1.*

### Inspectors' assessment

The NIPS has advised that databases are held locally in the psychology departments of the three prisons on the OBP provision at local level. These include information regarding OBP waiting lists, commencement and completion rates etc. Prior to October 2013, Psychology at NIPS headquarters did retain information on performance and outcomes for all the establishments for higher level psychology-led programmes but this is no longer the case.

At NIPS headquarters there is no centralised higher level management information held which would allow for monitoring of performance in respect of life sentence and ICS prisoners, or management to ensure consistency in the delivery of programmes across the three prisons. Inspectors were not provided with evidence of corporate action to ensure consistency in this area across the establishments.

## Operational recommendation 8

**The NIPS should develop its lifer database to distinguish suspensions from the PAU and recalls from life licence by licensee status and length of stay in custody.**

**Status: Achieved.**

### Agency response

*NIPS: See response to Operational Recommendation 1.*

### Inspectors' assessment

The NIPS now holds data which distinguishes between those prisoners suspended from Burren House and those who have been recalled to prison following release on licence.

The information held on suspensions from Burren House includes the prisoner's details, the phase from which the prisoner was suspended, the date and reasons for the suspension and, where applicable, the date of return to the facility.

Similar information is retained on PRISM in respect of prisoners recalled to custody following release on licence, and this includes details of the reason for the recall, for example, whether for re-offending or for a breach of conditions.

## Operational recommendation 9

**Maghaberry management should further develop its regime for life prisoners to ensure progression is not offset by loss of other privileges.**

**Status: Partially achieved.**

### Agency response

*NIPS: The re-opening of the WOU at Crumlin Road, Belfast has further enhanced the progression that life sentence prisoners can avail of. Prisoners in the WOU can participate in work in the community, they can have family/town visits with their relatives and they can be enrolled with a doctor or dentist which in itself, further reflects their reintegration into the community.*

*The resultant effect of the opening of the WOU is the fact that life sentence prisoners within the Mourne complex can now progress quicker to Wilson House and can now, subject to risk assessment, take part in community work and work in the external areas of the prison, for example, in the Quakers Visitor Centre. We have also included ICS prisoners in the list of prisoners that are eligible for Wilson House and this has resulted in an improvement in the progression of ICS prisoners within Maghaberry.*

### Inspectors' assessment

Many of the life sentence and ICS prisoners were held in Braid and Wilson Houses, and whilst this provided a more settled regime removed from the main prison, Braid House also contained short-term and remand prisoners. There were work opportunities in the Mourne complex but these were insufficient for the numbers of life sentence and ICS prisoners held there. If prisoners required access to healthcare, education and visits that were on the main prison site, they had to travel across by bus. Resourcing levels and high levels of staff sickness had resulted in frequent interruptions to the regime and lockdowns which affected access to work and to the main prison site.

From Braid House there was the opportunity to progress to Wilson House which provided an improved regime, longer periods of unlock and self-catering which was more reflective of an outside domestic environment. There were also opportunities for work placements outside the Mourne site and in the community.

Those found suitable and who had reduced their risk appropriately, could then progress to Burren House in the final 12-15 months of their sentence (see Strategic Recommendation 3).

In the Maghaberry inspection in May 2015 the prisoner survey found purposeful activity outcomes for the Mourne complex, where many of the life sentence and ICS prisoners were held, were better than in the main prison. This suggested the needs of longer-term prisoners were prioritised. Opportunities to attend OBPs and education however had decreased since the previous inspection in 2012.

Inspectors agreed with the prisoners and staff who said it was inappropriate that short sentenced and remand prisoners were located together with lifers and ICS prisoners in Braid House; this compromised the settled regime that long-term prisoners needed. Overall, the regime for lifers and ICS prisoners needed development to enable them to have more challenging and rewarding activity options, particularly since most of them remained in the same location throughout their sentence.<sup>27</sup>

## Operational recommendation 10

**Annual lifer reviews should become more meaningful and individualised, and actively reviewed at least twice during the year by the prisoner and a keyworker.**

**Status: Partially achieved.**

### Agency response

*NIPS: See response to Operational Recommendation 1.*

### Inspectors' assessment

The annual lifer reviews, referred to in the original inspection report have been replaced under the PDM by individual PDPs. This is covered by PDM Standards 6 and 7.<sup>28</sup>

27 Report on an unannounced inspection of Maghaberry Prison by CJI and HM Chief Inspector of Prisons, the Regulation and Quality Improvement Authority and the Education and Training Inspectorate, 11-22 May 2015, published November 2015.

28 Standard 6: The initial PDP will be produced no later than 40 working days from the date of committal.

- Standard 6.1: All PDPs should be developed, discussed and explained to the prisoner prior to final production. Prisoners must be given the opportunity to contribute to, comment on and sign the finalised document.
- Standard 6.2: All prisoners must receive a summary of their PDP.
- Standard 6.3: The signed PDP summary will be placed on the prisoner's landing file.
- Standard 6.4: A PDP summary will be provided to the incoming PDP Co-ordinator at the transition point.

Standard 7: A 10% quality check of PDPs will be carried out on a monthly basis by PDU Managers, PDM Practice Manual, Draft Version 5, October 2015.

The PDP is described as the cornerstone of prisoner development and defines the purpose of all work with prisoners. The PDP<sup>29</sup> is a document which includes an assessment of needs, risks and strengths along with the actions, services and interventions which are identified to address them. It will record and report on actions taken to support the individual, address and reduce both the risk of harm and likelihood of further offending; and prepare that prisoner for their return to the community. A Prison Officer acts as a PDP Co-ordinator for the prisoner until 12 months pre-release, from which time the role is undertaken by a Probation Officer.

29 The PDP will:

- provide prisoners with a clear pathway through custody in preparation for reintegration back into the community. It encourages greater engagement with the action planning process, a more responsible approach to addressing difficulties and therefore desistance from offending on release;
- sequence interventions appropriately;
- ensure all relevant information is shared with appropriate service providers to facilitate a holistic planning process;
- facilitate fully integrated service provision (for example, addictions, learning and skills, employability and resettlement); and
- recognise the diversity within the prison population and respond appropriately to address the needs and risks.

Within 40 working days the PDP Co-ordinator will have prepared a PDP containing outcomes of up-to-date risk assessments. All PDP's should be reviewed on sentence. Plans should be solution oriented, built on identified strengths of the individual and contain SMART (Specific, Measurable, Achievable, Realistic and Time-bound) objectives. They will be prioritised in terms of managing risk of serious harm as well as managing any likelihood of re-offending by:

- resolution of practical issues at the point of committal or induction and beyond;
- identification of personal reintegration needs as identified in assessments and adjustment to custodial environment;
- building and strengthening family and social contacts in community (where appropriate);
- challenging offending behaviour through a spectrum of interventions; and
- promoting personal development and self-esteem through such things as incentives and privileges, healthcare and support.

PDPs should be benchmarked for progress toward individual objectives and:

- set out the role and responsibilities of the PDP Co-ordinator in a clear and unambiguous way;
- detail frequency, nature and places of contact and with whom;
- spell out reasons for variation or maintenance of contact arrangements;
- be written in the first person, stating what the prisoner will do;
- identify the levels of guidance, assistance, support or service to be provided by PDU personnel or other departments within the prison environment;
- have a specific victim focus;
- include feedback arrangements for receiving progress reports from the Programme Interventions Unit and all other departments and individuals, involved including the prisoner;
- set out specific objectives to secure successful completion of intervention requirements where stipulated by the court or having been assessed as requiring them by PDU or other departments; and
- include the date by which the PDP will be reviewed and provide an opportunity for the prisoner to comment on and sign the completed document (PDM Practice Manual, Draft Version 5, October 2015).

The Plan will also identify which person or organisation is responsible for undertaking particular tasks, and importantly, it places a clear responsibility upon the prisoner that they are also an active participant in the process and not a passive recipient of services.

Standard 8 of the PDM refers to the frequency of planned contact which should be set in conjunction with the prisoner at the PDP stage; dependant on the strengths, needs and risks of the individual, these should be at least every six months. It will be important that PDP Co-ordinators maintain regular contact with the prisoner and record the detail of the contact on PRISM. Frequency of planned contacts can be reviewed and amended at any time.<sup>30</sup>

The Maghaberry inspection of May 2015 found that sentence planning arrangements for life and ICS prisoners remained insufficiently good for most of their sentence, and plans were found to be basic and not sufficiently tailored to prisoners' individual needs.<sup>31</sup>

The newly introduced PDM contains comprehensive processes for the development of PDPs, but this needs to become embedded in practice and work through improved plans for prisoners which are comprehensive and more individually tailored to prisoners' needs.

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30 PDM Practice Manual, Draft Version 5, October 2015.

31 Report on an unannounced inspection of Maghaberry Prison by CJI and HM Inspectorate of Prisons, the Regulation and Quality Improvement Authority and the Education and Training Inspectorate, 11-22 May 2015 - published 5 November 2015.

## Operational recommendation 11

**The PBNI should document the volume and impacts of their difficulties in contacting victims, and share the findings with the PSNI [*Police Service of Northern Ireland*]; and that the PSNI should provide adequate resources to ensure victim information is provided to the Probation Board in a timely way.**

**Status: Achieved.**

### Agency response

*PBNI: At this time, there are no difficulties with regard to how the PSNI is discharging its responsibility to contact victims on behalf of the PBNI to offer the opportunity to register with PBNI's Victim Information Scheme.*

### Inspectors' assessment

The original inspection report identified difficulties in the communication process between the PSNI and the PBNI in respect of contacting victims, and this issue has now been resolved.

The Prisoner Release Victim Information Scheme<sup>32</sup> and the PBNI Victim Information Scheme<sup>33</sup> are co-located in the PBNI Victim Information Unit offices. There is a single explanatory leaflet for victims outlining the provisions of the two schemes, and a single registration process for victims.

The communication issues with the PSNI have been resolved and the PBNI is satisfied that the PSNI is providing the relevant information required in respect of the victims in an effective and timely manner. This means, in addition to the above, that there are good working relationships and effective communication among the three organisations.

32 Prisoner Release Victim Information Scheme is a statutory scheme as provided by Sections 68 and 69 of the Justice (Northern Ireland) Act 2002. It applies to adult prisoners sentenced to at least one sentence of six months or more, and young offenders in certain circumstances where there has been a particularly serious crime. The scheme provides information on a prisoner's final discharge, or temporary release from prison.

33 The PBNI Victim Information Service is a statutory scheme as provided by the Criminal Justice (Northern Ireland) Order 2005 and provides information to victims about what it means when their case results in a sentence which requires supervision in the community by PBNI. It also includes, inter alia, an opportunity for the victim to participate in the preparation of a victim report for the PCNI, the opportunity to discuss concerns which may inform the management of the offender, and the opportunity to be involved in direct or indirect restorative contact with the offender.



# Conclusion

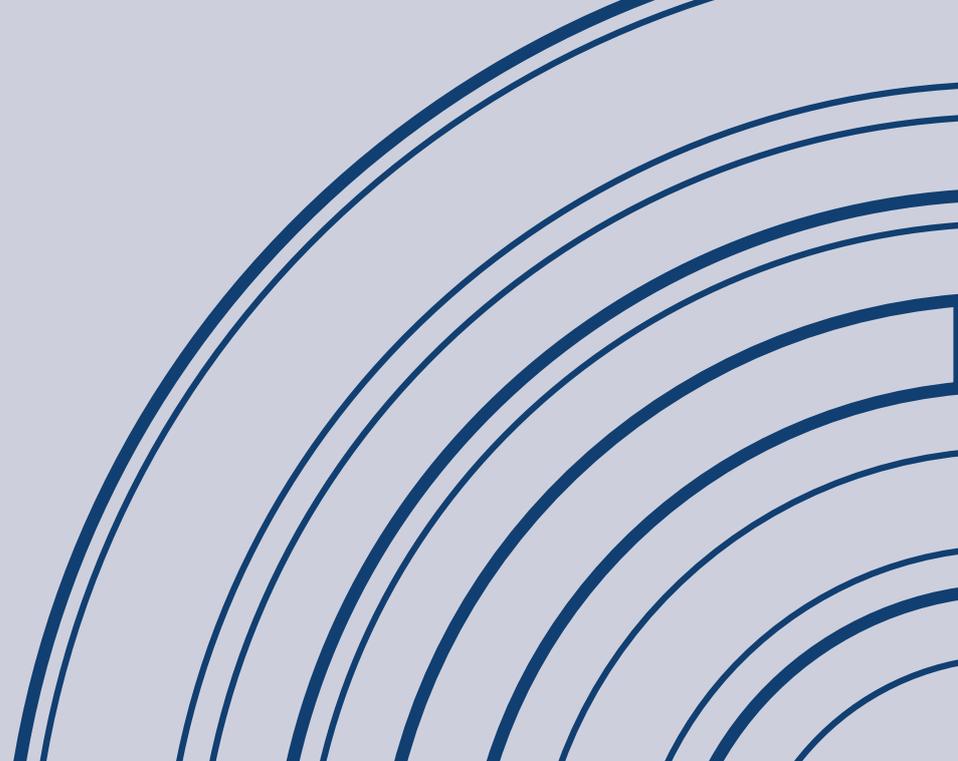
The CJJ inspection report on the management of life and ICS prisoners was published in July 2012 and made three strategic and eleven operational recommendations for improvement. There have been a number of significant developments in the NIPS since then and progress has been made in respect of the majority of the recommendations.

This follow-up review found that one of the three strategic recommendations had been achieved and of the operational recommendations, four have been achieved; six have been partially achieved and one not achieved.

The achieved strategic recommendation was in relation to the pre-release step-down facility, and Burren House is now operational and working effectively in partnership with the PBNI and the VCS. There has been good progress in this area.

Progress in the remaining two strategic recommendations has been slow with both assessed as not achieved. This is disappointing, particularly when both recommendations were highlighted as strategic issues and had specific timescales included as part of the recommendation. Inspectors understand that work is continuing in this area, and this, together with the change of structure in the NIPS and the wider strategic work to streamline reducing offending initiatives and interventions, provides a real opportunity for the NIPS and the PBNI to more closely align the delivery of psychology services.

Of the operational recommendations, there have been varying degrees of progress with all but one achieved or partially achieved. Work is still needed in some areas to embed formal procedures into operational practice, and in others to take the necessary steps to fully implement the recommendations made in the original report.



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