
INDEPENDENT MONITORING BOARD

ANNUAL REPORT 2021-22

MAGILLIGAN PRISON

LIST OF CONTENTS	
MISSION STATEMENT	3
STATEMENT OF PURPOSE	3
STATEMENT OF CONCERN	4
CHAIRPERSON'S INTRODUCTION	6
OVERVIEW OF ESTABLISHMENT	9
ACCOMMODATION	10
SUMMARY OF MAIN JUDGEMENTS, MONITORING OBSERVATIONS	12
EDUCATION/PURPOSEFUL ACTIVITY	14
SPORTS AND RECREATION	16
EQUALITY AND DIVERSITY	16
CHAPLAINCY	19
CATERING AND KITCHENS	20
TUCK SHOP	20
HEALTHCARE AND MENTAL HEALTH	21
SAFER CUSTODY	23
SEGREGATION-CARE AND SUPERVISION UNIT (CSU)	25
PRISONER DEVELOPMENT AND RESETTLEMENT	28
VISITS	30
LIST OF IMB MEMBERS 2021-22	31

MISSION STATEMENT

The Independent Monitoring Board is a member of the UK National Preventive Mechanism (UK NPM) set up under the UN Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), to monitor the treatment received by those detained in custody to confirm that it is fair, just and humane.

STATEMENT OF PURPOSE

Members of the Independent Monitoring Board for Magilligan Prison are appointed by the Justice Minister under Section 3 of the Treatment of Offenders Act (NI) 1968 and under the Prison Act (NI) 1953. The Board is required to:

- visit Magilligan regularly and report to the Justice Minister on the conditions of imprisonment and treatment of offenders:
- consider requests and complaints made by prisoners to the Board:
- report matters of concern to the Governor or, in serious cases, the Justice Minister; and
- exercise certain powers that are given under the Prison and Young Offender Centre Rules (NI) 2005.

The Prison Rules further require the Board to satisfy itself as to:

- the treatment of prisoners including provision for their healthcare and other welfare while in prison;
- the facilities available to prisoners to allow them to make purposeful use of their time; and
- the cleanliness and adequacy of prison premises.

To enable the Board to carry out these duties effectively its members have free access at any time to all prisoners and to all parts of the prison to which they are appointed. The Board shall also have reasonable access to any records of the prison.

STATEMENT OF CONCERN FROM THE EXECUTIVE COUNCIL OF THE INDEPENDENT MONITORING BOARD

The statutory role of the Independent Monitoring Board (IMB) is to give assurance to the Minister for Justice, and by extension to the General Public, of the compliance by the Northern Ireland Prison Service with relevant rules and standards of decency within prisons and the humane treatment of those held in custody.

To carry out this nationally and internationally recognised “voluntary duty” and to fulfil the requirement of the role description as determined by the Department of three-to-four-day commitment per month, IMB Boards would require a combined membership of thirty-six active members across all three establishments i.e. Hydebank, Maghaberry & Magilligan Prisons.

As we write this statement of concern, the present situation is that there are twenty voluntary members across all three establishments, with a significant number unable to give the full level of commitment as outlined in the Departmental requirements. The Executive Council (EC) has been highlighting the issues around membership and excessive workloads to the Department for a considerable period of time. In response, the Department have carried out two recruitment campaigns (2021/22 and 2022/23) with very limited success in relation to numbers of new members and their subsequent retention.

This has resulted in a crisis in relation to numbers and availability of Board members and the outworking's of this has meant a significant increase in workload for everyone.

The EC have made various attempts to both highlight and put forward workable solutions to the Department of Justice in relation to the crisis IMB's are faced with. However, there has been a disappointing almost indifferent response from the Department.

The implied result of this could suggest that the Department (either consciously or unconsciously) has limited interest in its statutory commitment to ensure the humane

treatment of those held in custody. As a consequence it could appear that the human rights of these individuals do not warrant any significant consideration from the Department.

It is therefore reasonable to ask if the voluntary work carried out by IMB members, on behalf of the Minister and the Department, is merely a token gesture designed to simply comply with the legislation rather than a profound attempt to improve the conditions and the rehabilitation of those held in custody.

The EC will continue to highlight the difficulties and challenges around membership and the excessive and unrealistic workloads of voluntary IMB members across all three establishments.

The IMB hope the Sponsoring Body/Department will take on board the grave concerns outlined above, and through appropriate and meaningful engagement, will look to provide innovative and workable solutions which will underpin the rights of those held in custody and the long-term sustainability of the IMB.

CHAIRPERSON'S INTRODUCTION

I am pleased as Chairperson to present the IMB Magilligan report for the year 1st April 2021 to 31st March 2022. For the purposes of this report, the Independent Monitoring Report shall be referred to the IMB and the Board shall refer to those members of the Magilligan Board.

At the commencement of the reporting year, there were four dedicated Board members. Towards the end of 2021, a recruitment drive took place and from that three new members have been appointed to the Magilligan Board. On behalf of our Board, I wish them well for the incoming year(s) and hope they enjoy their new role.

Magilligan saw the appointment of a new No1 Governor, Gary Milling on 3rd May 2021, and this was closely followed by the announcement of a CJINI Inspection which took place between 21st May and 10th June 2021. The Board wondered about the timing of an Inspection at this particular time, given that it would not necessarily be a true reflection of the new Senior Management team, but when we questioned this we were told that "a prison should be inspection ready at any time".

The Inspection team comprised of personnel from Criminal Justice Inspection NI, Her Majesty's Inspectorate of Prisons in England and Wales, the Regulation and Quality Improvement Authority and the Education and Training Inspectorate. We met with some of the team on 9th June and at the outset, it was pointed out to us that despite instructions/advice given to the IMB to limit our visits and time in the prison during the Covid restrictions, this was completely wrong and that this was indeed the time that we should have been carrying out our monitoring role regularly.

The findings of the CSU Inspections carried out across the three prison establishments in January 2021 at the request of the Justice Minister, were finally published in February 2022 and the recommendations have started to be implemented.

As the year progressed, we returned to our near-normal routine and found that the mood and morale amongst staff within the prison had increased significantly however, prisoners were more impatient at the pace at which "normal" life was

returning. This was not helped by the arrival of the Covid Omicron variant towards the end of 2021 and into 2022. More restrictions were put in place and prisoners grew increasingly disgruntled. It proved difficult to convince a large majority of them that life on the outside was far from normal.

It was purely by chance and a lot of good luck that Covid did not actually strike the prison population until March 2022. The Board were constantly disappointed to see how few landing staff wore face-coverings and we were further dismayed to be told by Senior Management and the Director General when questioned, that face-coverings were not a mandatory requirement by NIPS. Given this information, the Board were not at all surprised when told that Covid was sweeping through Magilligan when it did - in fact the only surprise was that it had not happened much sooner. Thankfully, no lives were lost to Covid in Magilligan.

Moving forward post-pandemic, we anticipate a swift return to all aspects of prison life albeit in a controlled manner. This presents many challenges, but the Board hopes that no time is lost in doing so.

The Board would be remiss in failing to note the very many issues which drew our attention in the Foyleview area of the prison during this reporting year; it is a sub-standard facility in which to house anyone. In April 2021, an incident originated outside the prison which resulted firstly in - what we perceived to be - a collective punishment whereby the prisoners' association was greatly reduced, security bars were put on the windows of their rooms and they were verbally abused by staff. At time of writing, the Board is not aware that any prisoner in Foyleview has ever been found guilty of any wrong-doing during this incident. The entire issue resulted in - what the Board can only describe as - a complete breakdown in relations between prisoners and staff.

The Board members are very concerned about the number of prisoners who have told them they would like to de-select themselves from Foyleview due to it not being "what we expected." The Board does of course understand that due to Covid restrictions, Foyleview was not operating as it normally did pre-pandemic, i.e. the

prisoners out working and/or having home leave, but the very real feelings of anger and mistrust towards staff, need to be addressed as a matter of urgency.

Following a forum with a large number of the Foyleview residents, the Board conveyed its findings to senior management; we hope for an investigation of the many concerns raised. As we enter a new reporting period, the IMB will continue to monitor closely this area of Magilligan more closely which has unfortunately presented more concerns than we would have hoped.

The Board intends to have “feet on the ground” more frequently as we enter a new monitoring period. We anticipate further meetings with the Prisoner Ombudsman, CIJNI Inspectors, the Director General, Director of Prisons and also the Justice Minister. We welcome the opportunity to partake in these meetings which have always proved useful in the past.

We welcome the courtesy shown to us, and the open-door policy of the Senior Management Team in Magilligan. Our concerns are, on the whole, addressed promptly and professionally.

Thank you to my fellow Board members - not just for their work but also for their friendship.

On behalf of the Board members, I wish to express my thanks to the Secretariat for their support during the year.

Margaret McCrory

IMB Chair

Magilligan Prison

OVERVIEW OF ESTABLISHMENT

Magilligan Prison is a medium security prison housing adult male sentenced prisoners on transfer from Maghaberry. All prisoners within Magilligan are Category B or lower and are held in a range of accommodation units. Although designated as a medium security prison it has low security accommodation (Foyleview) for selected prisoners nearing the end of their sentence.

The aim of Magilligan Prison is to provide safe, secure and decent custody with a focus on pre-release preparation, risk management and resettlement.

Magilligan Prison plays a key role in the management of risk and assisting prisoners resettle in the community following release. There is a focus on promoting responsibility and trust, addressing resettlement needs, social inclusion, employability and strengthening family relationships.

As prisoners progress through the regime they are given increased freedom to move around the prison and experience decreasing supervision and control.

ACCOMMODATION

Magilligan Prison has the capacity to accommodate 474 prisoners and as at 31/03/2022 there were 415 men, 21 of whom were foreign nationals living there.

Halward House is the most modern of all accommodation areas within Magilligan. It is a 60-cell two-storey building and is bright and well-maintained.

H1 (Dunluce)

A-Wing is the progression RISE (Regime Index Supervision Easement) landing for enhanced (lower-supervision) prisoners. As well as having their own door keys they enjoy a longer period of evening association.

B-Wing is known as the safer custody landing and is for those who are identified as needing extra support.

C&D Wings house general population.

H2 (Dunseverick)

A&B Wings house older prisoners many of whom have complex needs, whilst C&D Wing accommodates vulnerable prisoners.

H3 (Causeway)

H3 houses general population.

Alpha

Alpha unit is a low supervision modular building which has 50 rooms and houses prisoners who are being assessed for Foyleview. It is bright and clean and the shower/wash area has had a welcome refurbishment during this reporting year.

Foyleview

Foyleview is a semi-open, low-security unit consisting of three modular buildings situated outside the wall of the main prison. Two of the units house up to 50 prisoners who are nearing the end of their sentence, whilst the Cunningham Building is a communal dining/cooking/recreation space.

The entire Foyleview complex is in poor repair and in need of either demolition or major refurbishment.

Runkerry

This is a relatively new modern 4-bed unit situated near to Foyleview and is somewhere which prisoners who are nearing the end of their sentence strive to be.

Kilcranny House

Kilcranny House is in Coleraine and is phase 3 of pre-release testing, where a very small selection of prisoners who meet the criteria reside. Whilst closely monitored from the prison, they enjoy a degree of independence.

SUMMARY OF MAIN JUDGEMENTS, MONITORING OBSERVATIONS

EDUCATION/PURPOSEFUL ACTIVITY

Recommendations

- Facilitate opportunities for peer support to be given to prisoners who require help with literacy.
- Belfast Metropolitan College/NMRC to provide courses at Level 3.
- Prisoners undertaking Open University degree courses be enabled to gain access to technology and provided with appropriate study facilities.
- Identify and implement additional purposeful activities to enable prisoners to make best use of their time in the prison.

EQUALITY AND DIVERSITY

Recommendations

- A general meeting of the prisoners' House Forum chaired by the Residential Governor be implemented for a trial period.
- The locally produced Continuous Action Plan be extended to encompass all three establishments.
- The Key Performance Measures Report be used as the basis for analysis of data for additional protected groups.
- The proposed disability survey be implemented without delay.
- The process for dealing with prisoners' property be reviewed.
- A procedure for examining complaints of victimisation be implemented.
- There should be staff training in the use of "banter."
- The data produced by the committee be further analysed and the results applied.

CATERING AND KITCHENS

Recommendations

- Kitchen be updated but more importantly a new build would be of great benefit.

SAFER CUSTODY

Recommendations

- Booklets providing an Introduction to Magilligan Prison be provided to all transfer prisoners prior to their departure from Maghaberry.
- Board members are made aware of any prisoner placed on a SPAR.
- Searching of staff and visitors at the prison Reception be re-instated as a matter of urgency.
- The wearing of body worn cameras be compulsory in all situations in which control and restraint are employed.

SEGREGATION – CARE AND SUPERVISION UNIT (CSU)

Recommendations

- That the Minister gives urgent attention to the lack of specialist hospital accommodation to treat severe mental health disorders.
- Prisoners awarded cellular confinement should receive Healthcare assessment equivalent to that of Prisoners held on Rule 32.
- That renovations be made to the CSU to incorporate an area for association.
- Prisoners awarded cellular confinement should be granted equal access to telephone calls.
- A consistent method of notifying IMB members of Rule 32 extensions be implemented without delay.

VISITS

Recommendations

- Foyleview phone/Zoom facilities be improved as a matter of urgency.
- Additional staff be deployed in the booking office.

EDUCATION/PURPOSEFUL ACTIVITY

Education within the prison is provided by Belfast Metropolitan College (The Met) and delivered by staff from the North West Regional College (NWRC). The College is contracted to provide accredited courses ranging from Adult Literacy, Numeracy and ICT to qualifications in skills which will help prisoners to gain employment on their resettlement into the community.

Over the period covered by this report, there has been considerable disruption to education provision. In line with students studying in the College, prisoners who enrolled on credit bearing courses, were furnished with learning materials which they could complete in their cells. As there was limited access to technology, these materials were paper based and of variable quality. Many of the men found the lack of in-person teaching extremely difficult as they had had negative experiences of “school” and were not motivated to study. Return to teaching was very slow and by the end of June, little had been reinstated although some workshops had re-opened. At the start of the autumn term, courses and workshops resumed although the length of time that they had been paused, meant that some former learning was lost.

With the Omicron variant present in the prison at the end of the year, teaching was paused again to recommence in January. Despite there being classes in reading, writing and ICT, a substantial number of prisoners lack functional literacy. When they need to contact their solicitor or reply to a legal document, these men often ask for help from another prisoner on their landing. Such peer support could be used more formally to assist with the acquisition of literacy skills and the Board suggests that this suggestion be further explored.

The courses which the College is contracted to deliver are, for the most part, offered at Levels 1 and 2. This is limiting for some prisoners who would be capable of studying at Level 3 and the Board would ask that consideration be given to some provision at the higher level.

Due to the need to establish video facilities for legal hearings during the pandemic the space allocated for study and computer access for prisoners studying with the Open University was re-purposed. This necessitated locating alternative study space

and facilitating the use of ICT. It is important that prisoners with the ability to obtain degrees are enabled to do so and any issues which remain regarding the provision of technology be addressed.

Whilst prisoners who have progressed to Foyleview and Alpha are employed in the community workshops, print shop, industrial cleaning, recycling and key worker roles in the kitchens and laundry, there is a lack of purposeful activity in the other houses of the prison. Those prisoners who are not involved in education may be undertaking training in workshops, have a job in the gardens or work as an orderly. During the normal daily regime, there are opportunities to go to the gym, take part in the weekly Park Run and avail of the wide range of books and DVDs provided by the library. Several groups have undertaken expeditions with the Duke of Edinburgh Award Scheme and a few individuals have gained a qualification in beekeeping - organised with assistance from the local Roe Valley Bee Keeping Association. However there needs to be further thought as to additional activities with the potential to develop social skills and contribute to achieving a successful transition to the community when released.

Recommendations

- Facilitate opportunities for peer support to be given to prisoners who require help with literacy.
- Belfast Metropolitan College/NMRC to provide courses at Level 3.
- Prisoners undertaking Open University degree courses be enabled to gain access to technology and provided with appropriate study facilities.
- Identify and implement additional purposeful activities to enable prisoners to make best use of their time in the prison.

SPORTS AND RECREATION

Throughout this period, the gym remained open with access paused during the outbreak of the Covid variant in February and at times, of limited staff availability. During the period of lockdown prisoners were limited to using the equipment available on the landings. As restrictions were lifted, each house was allocated time to use the gym which provides a greater range of equipment including weights and cardio machines.

To extend the opportunities for purposeful use of time, gym staff organised in cell activities such as quizzes and inter house competitions. Prisoners were encouraged to walk around the grounds and on the football pitch and to continue to use the smaller equipment on the landings.

EQUALITY AND DIVERSITY

The Equality and Diversity committee monitors the prison's compliance with its obligations under Section 75 of the Northern Ireland Act 1998. Oversight of the equality agenda lapsed during most of 2020 and was resumed in January 2021.

Prior to the pandemic restrictions, a representative of the Northern Ireland Equality Commission attended the meetings but has not yet returned to the committee. Chaired by the Deputy Governor, the monthly meeting examines statistical data covering the areas of adjudication, segregation, control and restraint, Preps, home leave, drug testing, searches, work allocation and complaints. A member of the Board attends as an observer.

Representatives of prisoner house forums are invited to raise concerns with the committee at the start of each meeting however, the issues brought forward are wide ranging and often unrelated to Section 75. It is important that prisoners should be encouraged to provide input to the day to day working of the prison and currently the Equality and Diversity meeting allows their voice to be heard. This seems to indicate a need to establish a formal more general meeting, comprised of representatives from each house, possibly chaired by the Residential Governor and the Board suggests that this be implemented for a trial period.

A continuous Action Plan now provides an overview of progress against recommendations. While this is currently produced at local level there is merit in it being extended to all three establishments.

The monitoring data produced and discussed is presented in a format which enables disparities to be clearly identified with a focus on identifying any poorer outcomes for either of the two main religious groups. Any anomalies are further examined by taking a 10% dip sample. Data relating to other protected groups are included in the monthly Key Performance Measures Report but copies of this are not provided at the meeting and are not discussed. The Board suggests that the provision and consideration of data drawn from each of the protected groups would strengthen the work of the committee and certainly render it more inclusive.

Prisoners with physical or learning disabilities may be identified on their arrival at the prison but the majority are self -identified and unless brought to the attention of the meeting, there is no data which uniquely relates to outcomes for them. The Board understands that it is planned to implement a survey of all prisoners to establish numbers and types of disability and would ask that this be carried forward without delay.

Analysis of complaints is very thorough and detailed with comparisons made month to month. For those topics that receive numerous mentions, a more longitudinal examination would identify trends and possibly suggest action that could be taken to reduce their occurrence. Problems with property and cash continually engender the greatest number of complaints with the majority concerning items lost in transit and delays in prisoners receiving items sent to them. This would indicate that the process for dealing with property is flawed and should be reconsidered. All complaints concerning discrimination, harassment or the actions of staff are rigorously examined. The latter causes difficulties in that prisoners are often unwilling to give the name of the member of staff involved. There is no clear procedure for dealing with accusations of victimisation and the Board suggests that attention be paid to this. In situations where an officer has caused offence to a prisoner it is often the case that what was said was in the nature of banter but was not perceived as this by

the recipient. Staff need to receive some training around this as humour is often an excellent means of diffusing a difficult situation but needs to be used carefully.

Members of the Board have received complaints from prisoners regarding occasions on which derogatory language has been used to address them. This has been drawn to the committee's attention and is both unprofessional and unacceptable.

Following on from the 2020/2021 report the Board is pleased to report the continuation of the excellent work with foreign national prisoners undertaken by the co-ordinating officer. All are met individually and the officer shows a good understanding of their needs and the support each requires. Regular "check-ins" enable specific difficulties to be raised and level of understanding of English ascertained. Flash cards with useful phrases have been produced and printed as a book to help with purchasing from the Tuckshop. Prisoners have also been provided with translations of Prison Rules and daily menus. Where necessary use of the Big Word translation facility is encouraged but if a prisoner in Magilligan does not have anyone else who speaks his language, Maghaberry is contacted to see if a transfer can be made of someone who speaks it. This improves communication and avoids possible isolation. All Foreign National prisoners who want employment are found work, and many undertake TESOL courses.

The Home Office is setting up a base in Stansted and, in future, this will be the point of contact for foreign nationals in Northern Ireland. Immigration surgeries are held at monthly intervals and, since prisoners may now apply for post Brexit resettlement in the UK, an immigration officer is available to help individuals with filling out their application form which has to be completed in English. This regular contact keeps prisoners informed of the status of their date for deportation or application for settlement and alleviates much of the anxiety generated by uncertainty regarding their progression.

The Equality and Diversity committee generates a large amount of data and whilst monthly comparisons are made there is no longitudinal analysis or identification of trends. To what extent does the information inform policy? The Board would like to see evidence of the application of this data.

Recommendations

- A general meeting of the prisoners' House Forum chaired by the Residential Governor be implemented for a trial period.
- The locally produced Continuous Action Plan be extended to encompass all three establishments.
- The Key Performance Measures Report be used as the basis for analysis of data for additional protected groups.
- The proposed disability survey be implemented without delay.
- The process for dealing with prisoners' property be reviewed.
- A procedure for examining complaints of victimisation be implemented.
- There should be staff training in the use of "banter."
- The data produced by the committee be further analysed and the results applied.

CHAPLAINCY

A team of Ministers representing the main Christian faiths, and who are appointed by their various churches, increased their visits to Magilligan during the year but not yet to pre-Covid levels. The physical presence of the Chaplaincy team will be most welcome as the prison enters the recovery period ahead.

The new multi-purpose House of Worship was officially opened by the Justice Minister Mrs Naomi Long on 15th October 2021, and fittingly during Prisons Week. The event was attended by leaders and representatives of the main Churches, NIPS personnel and DG Ronnie Armour and the IMB. We were pleased to note that several prisoners had been invited to attend also. But for the pandemic, this building should have been completed and operational many months ago so hopefully it will be put to good use as the prison returns to a more normal regime. We believe that the first church service will take place in the coming weeks.

Prisoners were able to virtually attend family funerals, weddings and christenings from a facility which had been set up in the mental health hub, and as it proved to be widely used and very popular, a more permanent set-up has been put into the visits hall. This ensures the opportunity is available to the men who live here to maintain

family links for such events mentioned above; the facility will commence in the coming weeks.

CATERING AND KITCHENS

The kitchen continued to work under challenging conditions due to the numbers of staff suffering from Covid and being required to self-isolate. Despite these difficulties, prisoners' needs were met and any complaints received by the kitchen manager have mostly been resolved with only a few remaining outstanding.

The Board has been made aware of discontent with portion sizes. However, it has been explained to prisoners that portion sizes are standard throughout all the establishments.

During this reporting year no catering courses were conducted as a result of lockdown and staffing issues.

The kitchen caters for all prisoners taking into account medical, cultural and religious beliefs.

As previously mentioned in last year's report the kitchen is old and requires at least updating. Given the centrality of its importance a new build would be more beneficial.

Recommendations

- Kitchen be updated but more importantly a new build would be of great benefit.

TUCK SHOP

The Tuck Shop continues to provide an excellent service, making available to the prisoners a wide range of food, confectionery, health drink/ supplements, CDs DVDs, craft items and a choice of electrical items.

Prisoners choose from a standard shopping list, and their items are delivered having been packed by those prisoners who have the responsible position of working there.

Any items not readily available are sourced if possible, and then requested. The staff and prisoners who work in the tuck shop do so in small cramped conditions which limits the range of products available, are no doubt looking forward to the opening of the new premises which are currently under (slow) construction.

HEALTHCARE AND MENTAL HEALTH

The South Eastern Health and Social Care Trust (The Trust) continues to provide Health, Mental and Dental care services within Magilligan Prison. People in custody within the Prison should be afforded the same standard of care as they would receive in the community which the Board is satisfied that this service is being delivered.

Each house within Magilligan has an allocated member of nursing staff. However not every residential location has nurse triage carried out; a nurse will be present to issue medications and respond to urgent calls if required. GP referrals and waiting times are variable - dependent on patient need - although not equivalent to community services as there are registered primary care nurses on site 24 hrs a day who manage immediate medical concerns with patients face to face.

GP appointments are available same day for urgent matters which nurses discuss and triage patients with the GPs daily. Routine waiting times for non-urgent GP appointments can be up to 6 weeks but patients have access to nurses to triage any urgent issues on a daily basis. Magilligan does not have a daily GP but staff can escalate to the GP at Maghaberry if concerns are raised.

Patients are assessed for self-administration of their medication but if not suitable, medication is given by direct administration by a healthcare professional.

The management of men with prescription drug and alcohol dependence presents a major challenge to the small service within the Prison. There is one Consultant Addictions psychiatrist and three addictions nurses to cover all three prison sites. It is acknowledged the service receives approximately 50% of the necessary equivalent commissioned funding to services in GB (source RQIA Review of Services for Vulnerable adults).

There are approximately 170 people on opiate substitution therapy across all three prison sites currently and over 100 on the waiting list for induction. The numbers received from the community, with significant prescription drug dependence having not engaged with community providers, continue to rise and the service is currently managing beyond capacity in this area. People are assessed according to risk and treatment is started in line with national guidelines.

People in custody who need mental health support can be-triaged by the Primary Healthcare Residential Nurse/GP and referred to the Healthcare in Prison Mental Health Team for screening. If required, the person will either be added for a routine or urgent mental health assessment or at times, signposted to a required service, dependent on need. If there is an immediate concern in relation to a person living within prison, this should be escalated immediately to the Lead Nurse onsite and/or the Mental Health and Addiction Team Leader/Mental Health and Addiction Service Lead; Crisis Procedure should be followed. Also, concerns can also be raised through the SPAR Evo process or the Prisoner Safety and Support Team.

There are two consultant psychiatrists and one senior staff grade psychiatrist. There is a presence on all three sites every week - all are based in Maghaberry. Magilligan moved to zoom psychiatrist appointments during Covid - this has continued since easing of the Covid19 pandemic restrictions.

Waiting times to see a psychiatrist varies according to patient need. Urgent appointments are facilitated within 24 to 48 hrs. There is a good relationship with the forensics team at Shannon Clinic for those severely mentally ill patients requiring transfer.

Elderly prisoners who have a diagnosis of dementia within the prison are managed using a multi-disciplinary approach to care - depending on the severity and stage of the dementia.

From 1st April 2021 until 31st March 2022 it was noted that within the population of Magilligan Prison, there were 44 people in custody aged between 51 & 60 and 47 people in custody aged 61 or older.

The Lead Nurse attends the monthly IM Board meetings, as and when required, to deal with specific issues.

SAFER CUSTODY

Maintaining the safety, mental health and wellbeing of prisoners has remained a priority throughout the pandemic. Despite the need to implement some restrictions staff have worked hard to provide as normal a daily regime as possible.

The weekly transfer of prisoners from Maghaberry was halted when infections were high but other than this, continued throughout the year. There is a need to improve communication with prisoners prior to leaving Maghaberry. New arrivals are often apprehensive about being moved and to help them settle in they are given a booklet providing an introduction to Magilligan. In practice the distribution of this is haphazard with frequent reports of prisoners not having received any prior information. The Board would ask that this situation be addressed without delay.

It is usual for prisoners, trained by the Samaritans as Listeners, to attend at the outset of the meeting. During the pandemic restrictions, their attendance was paused as was their ability to move freely around the prison. In order to continue to provide assistance a mobile phone was made available in each house allowing contact to be made directly with the Samaritans. This arrangement is still in place but is not entirely satisfactory as mobile reception in the prison is poor. Four Listeners remain in post and have reported a reduction in the number of calls received due to the increase in help offered by the Safety and Support team. However, the Samaritan's representative, who liaises with the prison, has indicated that training will resume in the near future.

Supporting Prisoners at Risk, (SPAR Evo) continues to provide effective support to prisoners who are distressed or experiencing a personal crisis. The Safeguarding policy sets out the process for referral if staff have concerns regarding a prisoner at risk and prisoners may self- refer if they feel in need of help. Once a concern form has been generated, a risk assessment is made and appropriate action taken. In the majority of cases the level of risk is low but a proportion of concerns require further assistance mainly from agencies such as CRUSE or Mental Health. Where a

prisoner is assessed as being at risk of self-harm or suicide, a Keep Safe care plan is produced and a monitoring regime implemented. SPAR Evo has greatly reduced the occasions on which a move to a safer cell and safer clothing is required. The notification to the IMB of a prisoner being placed on a SPAR is inconsistent and the Board requests that all SPARS are communicated to the IMB.

The Board's 2020-2021 report commented on the strengthening of Safer Custody across the prison as a result of establishing a specific Safety and Support team accommodated in a designated office. Now re-located to Halward House and with a dedicated Safer Custody landing, the team has access to an electronic care management system which helps staff to raise a concern, assess an individual's risk of self-harm or suicide and meet the needs of those in distress. SPAR Evo records are up to date, easily shared and audited. Incidents of self-harm are clearly documented and a multi-disciplinary approach is taken to those who did not require a SPAR but did need support. Reports can be produced for monthly safety meetings and all stakeholders are involved in the review process.

Care plan reports have been improved and alerts are generated so management checks can be made to ensure that they have been completed. The Safety and Support team has made a substantial contribution to improving the SPAR Evo process and the Board is pleased to be able to report on the achievement of positive outcomes.

Since the resumption of in person visits and prisoners being granted UTRs and ATRs, there has been an increase in drugs being brought into the prison. Staff and visitors entering at Reception have only been searched during the early morning shift movements. The Board expressed concern at this and was informed that to employ search staff throughout the day would be excessively expensive. Given the harm to prisoners caused by drugs and the time spent by staff in trying to prevent their supply and use in the prison the Board is surprised by this response and reiterate their request to have searching reinstated as a matter of urgency.

Previous reports were critical of the Safer at Magilligan (SAM) anti-bullying process which seemed to have had limited effect in reducing intimidation. It is now a year

since the introduction of the Challenging Anti-social Behaviour, (CAB), strategy designed to investigate and manage incidents of bullying, violence and unacceptable behaviour between prisoners. The process is based on recording evidence of an incident that has occurred or of an individual being victimised. Often staff can observe a situation arising and prevent it from escalating or enable a victim to obtain help confidentially. It is strengthened by the Tuck Shop which, by compiling weekly reports of tobacco purchases, is able to highlight discrepancies indicating that a prisoner is being pressured to purchase for someone other than himself. When asked if they would tell someone if they were being bullied the majority of prisoners replied that they were unlikely to do so. Bullying to obtain medication is still common in the prison and staff do their best to encourage victims to identify the perpetrators. While still being concerned that many prisoners are still too afraid to report intimidation the Board is pleased that CAB has created a more open climate in which anti-social behaviour is recorded, investigated and recognised as being unacceptable.

Board members frequently find that Use of Force incidents are not recorded with sufficient detail for an adequate assessment of proportionality to be made. It is disappointing that despite Governor's Orders instructing staff to deploy body worn cameras when incidents occur many staff fail to do so, as there are many occasions where they could provide definitive evidence and the Board calls for their use to be made compulsory in all situations where control and restraint are employed.

Recommendations

- Booklets providing an Introduction to Magilligan Prison be provided to all transfer prisoners prior to their departure from Maghaberry.
- Board members are made aware of any prisoner placed on a SPAR.
- Searching of staff and visitors at the prison Reception be re-instated as a matter of urgency.
- The wearing of body worn cameras be compulsory in all situations in which control and restraint are employed.

SEGREGATION – CARE AND SUPERVISION UNIT (CSU)

Segregation – the restriction of association, may be used as a deterrent for prisoners charged under Prison Rule 32 pertaining to the maintenance of good order

and discipline, as a means of safeguarding a prisoner's personal safety or as a result of being awarded a period of cellular confinement (cc), awarded through the adjudication process.

During this reporting year it has been necessary to implement protective measures in order to reduce the incidence of infection from Covid 19. One wing of the CSU was designated to provide quarantine accommodation for prisoners who had either tested positive for the virus or were required to isolate for a period of time. Whilst confined in these cells, prisoners had limited human contact and could only be offered showers on days 4 and 10 on provision of a negative test. Phone calls were facilitated late in the afternoon to enable stringent cleaning between each call and there was limited access to the exercise yard. Board members continued to make regular visits to the CSU and expressed concern regarding the conditions in which the men were being held. However, they were acutely aware that the need to provide isolation had to be balanced against the lack of any other viable accommodation on the prison estate.

Restrictions imposed by last year's lockdowns led to a corresponding reduction in the number of offences resulting in a Rule 32 and, although there had been a gradual return to a normal regime, few instances of segregation were extended beyond 4 to 5 days.

The Board is concerned that prisoners with complex mental health needs frequently remain in the CSU for long periods awaiting referral to specialist hospital accommodation where they can receive assessment and treatment. Adverse mental health may also underline the behaviour of other individuals who are also placed in the CSU as there is no other suitable alternative. This situation has pertained for some considerable time and requires the Minister's urgent attention.

In order to establish fitness to be placed in segregation, prisoners are assessed by a member of the Primary Healthcare team within two to four hours of being moved to the CSU. Where an extension to a prisoner's segregation under a Rule 32 is to be sought, a further Healthcare assessment is provided. This is not undertaken for prisoners who are being held on cellular confinement, who may be segregated for up

to 14 days and whose mental health may have deteriorated in this time. The Board feels that these prisoners should also receive a further Healthcare assessment.

The daily regime in the CSU is similar to that employed in the prisoners' usual accommodation with access to showers and time outside. Due to the limitations of the building, there is a lack of privacy to make phone calls and, other than the therapy garden, no area suitable for association or activities. Staff are willing to facilitate time out of cell and contact between prisoners but cannot do so without suitable space. The Board is aware that a new build is planned for the prison but would ask for renovations to be made to the current CSU building to provide an area for association.

Governance of extensions to Rule 32s and placement on cellular confinement has greatly improved over the period covered by this report. Prisoner Placement forms are now produced at the point of transfer stating the reason for its imposition, requiring any medical concerns to be brought to the attention of NIPS and requesting the continuation of education if relevant. It is still the case that Healthcare is rarely represented at reviews other than providing a written report. The introduction of weekly Oversight meetings with multi-disciplinary input, ensure exit strategies are put in place and identify if further support is required.

Adjudications continued to be held throughout this post Covid 19 period initially, limited to serious disciplinary matters and paused during the peak of Omicron variant infections. The majority of offences involved disobeying an order, possession of an unauthorised article, presence of drugs, failed drug test or refusal to provide a sample. There has been a marked increase in the latter as the prisoner prefers to spend time in cellular confinement rather than be tested and found to have drugs other than his own prescribed medication in his system.

The Board is concerned that prisoners awarded CCs are only permitted to make one phone call of ten minutes duration a day. This does not apply to those men on Rule 32 who may make unlimited calls. This seems unfair and requires review. The Board has also queried awards of cellular confinement coupled with the removal of privileges which have appeared to be particularly harsh given the offence committed.

Although prisoners may ask the Governor why a certain decision has been made, there is a general feeling that there is no point in doing this as it will not be reconsidered.

Given that IMB members must be informed when a prisoner is placed on a Rule 32 and are statutorily obliged to attend case reviews where an extension application is being sought, it is frustrating that that the protocol for contacting a Board member is still problematic. Often members are notified too late to be able to attend, the time of reviews may be changed at short notice or the review may be cancelled. Once more the Board requests that this situation be addressed as a matter of urgency.

Prisoners accommodated in the CSU are often extremely challenging. The Board wishes to compliment the staff on their professionalism in managing them.

Recommendations

- That the Minister gives urgent attention to the lack of specialist hospital accommodation to treat severe mental health disorders.
- Prisoners awarded cellular confinement should receive Healthcare assessment equivalent to that of Prisoners held on Rule 32.
- That renovations be made to the CSU to incorporate an area for association.
- Prisoners awarded cellular confinement should be granted equal access to telephone calls.
- A consistent method of notifying IMB members of Rule 32 extensions be implemented without delay.

PRISONER DEVELOPMENT AND RESETTLEMENT

The Prisoner Development Unit (PDU) is a multi-agency approach focusing on robust needs analysis, risk assessment and reduction of risk through structured Personal Development Planning, ensuring prisoners will be supported, challenged and motivated throughout their time in custody. PDU recognises the need for prisoners to be managed according to their individual needs, strengths and risks they may present before being released after time served for their return into the community.

Within PDU there are Personal Development Planning Co-ordinators who are responsible for preparing and co-ordinating interventions by supporting and preparing prisoners for resettlement and re-integration back into the community on their release.

During the COVID restrictions the PDU offered inmates of Magilligan the following:

- Victim impact was complete in house bubbles with NIPS staff;
- Fight for myself with a through the gate approach. Inmates that were time served could link in via zoom to attend the course;
- Probation during Covid hosted the BBR and Resolve programmes via Webex but later in the year adopted a hybrid approach;
- Webex meetings were facilitated for inmates requiring 1 to 1 psychology;
- Adept were seconded to the Trust so programme delivery during COVID was limited. Part delivery of the programme returned in December 2021;
- CRUSE and NEXUS continued via zoom contact and still do so. However in 2022 it is hoped that face to face appointments will return;
- Santa zooms and 12 days of Christmas, whereby fathers could have a zoom call with their children with Santa joining the zoom link with a Christmas message for the child/children;
- Homework Club took place via zoom on evenings in the PDU so that fathers had the opportunity to help their child with their homework; and
- Barnardo's completed needs assessments via zoom as working remotely, however linked in with the Santa zoom/homework club initiative.

Prisoner development is delivered to all sentenced prisoners and offered to all prisoners remanded in custody for more than 30 working days. The service is not determined by the sentence type or length of sentence but is according to the assessed needs, strengths and risks which each prisoner will have an entry and exit procedure - again recorded on PRISM with the aim of placing priority on the protection of the public from serious harm and supporting and reducing the likelihood of re-offending.

VISITS

During the reporting period there were 20,183 virtual, and 2093 face-to-face visits due to continuing Covid restrictions. The importance of prisoners meeting their families cannot be over-emphasised, especially for those with young children, and great effort appears to have been made by prison staff to facilitate, when possible, the opportunity to do so.

At the beginning of the reporting period there was a very limited number of screened or closed visits held once a week when numbers were extremely restricted and children were not permitted.

Very modern ZOOM 'pods/ booths' were installed in H1, 2 and 3. These allow for more prisoners to make use of the facility, and whilst supervised, allow a greater degree of privacy for the individual and their families. When logistics allow, we look forward to a time when the men in Foyleview get to enjoy a greater degree of privacy prisoners there choose to keep their communications minimal. We are led to understand that work is ongoing to improve facilities there and hope that it is sooner rather than later.

At the end of this reporting period, and as the prison begins its post-Covid recovery programme, it is anticipated that a full programme for in-person visits will commence. In due course it is hoped to have all screens removed, and also have longer family visits on Saturdays.

It is clear that the booking office is under-staffed. This is a very busy area and going forward post-lockdown it is hoped that some thought be given to additional help in this area.

Recommendations

- Foyleview phone/Zoom facilities be improved as a matter of urgency.
- Additional staff be deployed in the booking office.

LIST OF IMB MAGILLIGAN MEMBERS 2021-22

Margaret McCrory

Tanya Quinn

Anne Rowe

Diane Mackey