



# **NIACRO Response to Prisons 2020 – Driving continuous improvement in the Prison Service**

**29 September 2017**



## NIACRO Response to Prisons 2020 – Driving continuous improvement in the Prison Service

### 1. Overview

1.1. NIACRO is a voluntary organisation that has been working for almost 50 years to reduce crime and its impact on people and communities. Specifically, its contributions have been to:

- Support the resettlement of adults leaving prison and those on community supervision including helping to build skills, confidence and employability.
- Support children, young people, families and adults whose behaviour would put them at risk of entering the criminal justice system.
- Build the capacity of mainstream service providers to offer appropriate support and training to people who have been through the justice system.
- Contribute to public debate and influence others with regards to criminal justice matters.

1.2. At the heart of NIACRO's work is a drive to reduce reoffending within the understanding that integrated and flexible approaches towards desistance are most effective.

1.3 NIACRO has gathered views from a wide range of stakeholders which have informed this response. These include: our staff; service users (i.e. those who have been in prison and their families); volunteers; and our Executive Committee. The most important of these groups is those in prisons. You can read a synopsis of their views in Appendix 1 (p14 & 15).

1.4. NIACRO has also co-ordinated a separate, collective response from the umbrella group ASFO (Accessing Services for Offenders) (submitted separately).

### 2. Preliminary Comments

2.1. NIACRO welcomes the opportunity to respond to Prisons 2020 and is pleased to note the focus on "helping the individual to change" (through the provision of timely interventions). As referenced in the Owers Report, "*Young adults are often prolific offenders, but the right intervention at this stage pays dividends, whereas the wrong intervention can embed exclusion and continuing criminality.*"<sup>1</sup> This focus provides a clear mission and purpose for the Prison Service and its partners (within criminal justice and beyond) and connects clearly with the Department of Justice's (DoJ) contribution to the Programme for Government (PfG).

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<sup>1</sup> Review of the Northern Ireland Prison Service Conditions, management and oversight of all prisons (2011)



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**2.2.** NIACRO recognises Prisons 2020's concern to build on the Owers Report and endorses Owers' call for a human rights framework to be at the heart of prison reform. As such, the UK Government's commitment to European Prison Rules agreed at the Council of Europe is paramount.

*"As well as providing the elements of secure custody, there are essentially two interlinked pillars of a good prison system. First, it must support and reflect human rights standards and ethical values. Second, it must be based on the premise that the prisoners within it can develop and change, and must provide the opportunities for them to do so. Those are the principles; in practice, the whole prison system, and each prison within it, needs to be organised around them."*<sup>2</sup>

Prisons 2020 cites the belief of the Ministerial Group overseeing the implementation of Owers' recommendations that over 90% had been delivered or signed off. However, NIACRO is not convinced that the basis for signing off recommendations was satisfactory. For example, Recommendation 6: *A clear decision should be made on the role and future of Magilligan*. Ideally, a new prison should be built in a more accessible location. Failing that, a timed programme to rebuild Magilligan for a new purpose or to refurbish existing accommodation. Whilst a ministerial statement regarding intent was made, the release of resources and the completion of a tendering process for building work would, in NIACRO's view, have been required to warrant sign-off of the recommendation.

**2.3.** This consultation must engage with the political parties to ensure sufficient political will to effect legislation and commit resources.

**2.4.** With key interventions such as Learning & Skills and healthcare outsourced, NIACRO believes there is a need to draw up governance arrangements, setting out, for example:

- the role and authority of the DoJ;
- the responsibilities passed to NIPS; and
- how these responsibilities are then passed to respective statutory bodies, namely Probation Board for Northern Ireland (PBNI), Belfast Met, North West Regional College (NWRC) and the South Eastern Health and Social Care Trust (SEHSCT); necessary to ensure, for example:
  - Sufficient accountability from those responsible for motivating students towards Learning & Skills.
  - Sufficient feedback from Learning & Skills for residential and other NIPS staff
  - Safe and adequate communications arrangements between healthcare staff and those in residential units, specifically in relation to safer custody.

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<sup>2</sup> Review of the Northern Ireland Prison Service Conditions, management and oversight of all prisons (2011)



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**2.5** NIPS focus has moved on from containment (pre-Owers Report) to prisoner engagement and change, as outlined in Prisons 2020. The financial climate has required NIPS to drive down the cost per prisoner place (to values more in keeping with comparative jurisdictions). However NIACRO notes that, to date, reducing costs has not impacted negatively on reconviction rates.

**2.6** The PfG outcomes relevant to justice focus are community safety; reducing crime, reducing re-offending and increasing the effectiveness of the criminal justice system. However, NIPS acknowledges its connections to many other outcomes, in particular those relating to health, education and personal development. Mental health is a particular challenge for those in custody and, consequently, for NIPS staff.

**2.7** NIACRO believes that Northern Ireland needs a range of mental health provisions and that diversion away from the criminal justice system needs to be a realistic and available option. Nonetheless, NIPS must be resourced, skilled and able to deal with those experiencing poor mental health. If new legislation in relation to this was in place and additional resources available, NIPS must also be adequately prepared to respond to the challenge of safer custody and the fact that the imprisonment itself can impact adversely on those who have not had mental health concerns before imprisonment.

In a letter to Minister Claire Sugden in December 2016, NIACRO proposed investment and leadership focusing on: critical communications (including at committal); a revised focus on suicide and self-harm prevention; more resources to address the misuse of legal and illegal substances (and their availability); and support for prisoners with mental ill-health. We believe the recommended course of action is still timely and necessary. A whole-service familiarisation with necessary responses and strategies is required to address key concerns.

**2.8** NIACRO believes that the separate regime needs to be offered, as far as possible, a level of service equitable to that available throughout the rest of the estate, based on the principle of equality of access. We welcome the resources being made available through Fresh Start and are keen to see such resources deployed as soon as possible.

**2.9** NIACRO would encourage NIPS to deploy the language of desistance across all its documentation. This requires considerable leadership. Alongside this, the term “decent” as applied to this context should be given meaning.

### **3. Consultation Questions**

#### **3.1. Role of the Prison Service**

**3.1.1** NIACRO welcomes this consultation and NIPS’ evident determination to set out its strategic leadership. NIACRO values opportunities to work in partnership with stakeholders. Whilst reference is made to statutory partners/contracted bodies, that this



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could go further to reference engagement with public representatives as well as other key stakeholders and partners. It is crucial to ensure feedback from families (including the children) of those in prison and all visitors is taken on board.

**3.1.2** Reference to a healthy environment for working, living and encouraging change would be a constructive addition to the role of NIPS. More fundamentally, we would welcome references to, and acknowledgement of, the prisoners' role within Prisons 2020. The views of prisoners should be taken into consideration to understand their issues and their experience of prison life.

### **3.2. Vision**

**3.2.1** NIACRO would welcome further expansion on the concept of “change” as is stated within the vision statement. In particular, what type of change is NIPS striving for and what type of change do those in NIPS' care want to realise?

**3.2.2** **With** respect to the concept of “supporting people to change”, no acknowledgement is given to the risks and barriers (health, accommodation etc.) that are often the underlying causes of offending behaviour. There is, we believe, scope at the outset of the document to acknowledge a basic (and fundamental) principle; that we must value people, and then help them to address underlying risks that may prohibit movement towards change. It can be dangerous to assume that supporting the change process will be sufficient because we know many risk factors can undermine that process. It may therefore be more helpful to refer to “helping people to want to change or to work towards change”.

**3.2.3** In NIACRO's experience, investing in and valuing the person, alongside helping them to address risks, represents the best opportunity for lasting change. Rehabilitation and resettlement will only be effective if the principles of respect, human rights, equality and fair treatment are fundamental to the approach.

### **3.3. NIPS Strategic Priorities**

**3.3.1** Whilst the seven priorities listed are welcomed, it would be helpful to present how NIPS believes the seven priorities are linked (including the cause and effect relationships between them). For example, one would assume that “develop a fit for purpose estate” or “work in partnership with stakeholders” are priorities because NIPS believes they contribute towards particular effects/outcomes for prisoners and staff; however this is not clearly demonstrated.

**3.3.2** NIACRO notes that none of the seven priorities focus on helping people move out into the community. The focus remains within the establishment walls and not beyond the



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gate. NIACRO would like to see stronger reference to how people are equipped and supported to move back out beyond the gate.

**3.3.3** There remains some confusion over role and responsibilities. Some responsibilities have been removed such as the Department of Health's (DoH). Others remain such as those between DoJ and NIPS and examples would be welcome in relation to responsibilities for rehabilitation, resettlement and/or re-integration.

**3.3.4** The Owers Report and the PfG set out roles for and links between Departments. It is crucial that relevant lead Departments commit to these priorities and offer leadership to the bodies that subsequently enter into partnerships with NIPS for example, the Northern Ireland Housing Executive and the Social Security Agency, through the Department of Communities.

**3.3.5** NIACRO believes it would be beneficial if NIPS' contribution to reducing reoffending was outlined within the operational plan for the Reducing Offending Directorate

### **3.4. Our People**

**3.4.1** NIPS staff are its most significant resource in relation to their role in motivating those in their care to consider change. Clear, unambiguous communication is required to ensure their role is fully understood.

**3.4.2** Building a cadre of professional staff with knowledge for and competence in a wide range of settings and roles would be in the best interest of all staff, and provide greater work satisfaction. NIACRO values the opportunity we have to work alongside NIPS personnel in the delivery of interventions we are resourced to provide. Our staff are aware that NIPS' staff are the key change agents. They are with prisoners day and daily and part of every routine. Their influence is critically important and we acknowledge that our role is often to support the on-going work of NIPS' staff.

**3.4.3** NIACRO is concerned about the constant movement of staff, and the view often proffered that they do not have an opportunity to see the impact of their work or the evidence of positive change which takes place. Consideration should be given to study trips to partner operations, secondments or other opportunities to interact with other services providers in the context of continuous professional development.

**3.4.4** Training in diversity should be routine but recognition of the insidious nature of sectarianism should be included – not just a focus on, for example, ethnicity or gender backgrounds.

**3.4.5** Below are a number of suggestions for strengthening communications between NIPS staff and those who work in the prison environment.



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i. **More formal and regular feedback between Prisoner Development Unit (PDU) staff and delivery agents with respect to prisoner needs.**

NIACRO's experience of information sharing in Positive Outcomes for Short Term Prisoners (POST) and Family Links has been very positive. POST staff are allocated designated cases on PRISM and share an office with Prison Service staff. However, the degree of trust that this level of sharing requires takes time to establish and is often dependent on the 'goodwill' of staff (from both agencies). Formalising information-sharing protocols with voluntary organisations delivering services may help to ensure a consistent approach, which would be to the benefit of the prisoners.

ii. **A wider variety of opportunities for NIPS staff to become familiar with the voluntary services; in prison and in the community.**

Opportunities NIACRO have had to present overviews of our services have been valuable and more such opportunities would be welcomed, for the benefit of all. NIPS staff could, for example, attend the voluntary organisations' umbrella group, ASFO<sup>3</sup>, meetings from time to time. Aside from building relationships, it would help to highlight what is on offer in the prisons and communities, upon release. There seems to be scope, for Sentence Managers in particular, to be more aware of these and how they can be accessed.

There may also be opportunities for voluntary agencies to provide more input into staff training. This could include, for example, visits to organisations in the community to understand services better *and* build relationships. In the Inspire Model (women), staff (including residential staff) visited community-based organisations, to see firsthand what is available and how it is accessed (including the barriers that have to be overcome).

iii. **A designated 'Gatekeeper'.** NIPS could designate a staff member/role as the 'gatekeeper' of information about voluntary services/events in prison and communities within each of the establishments. A central point of contact responsible for maintaining and disseminating current information would help ensure better knowledge and understanding across the staff.

**3.4.6** With regard to supporting staff health and wellbeing NIACRO can offer NIPS staff places on relevant training. Ash House staff, for example, attended Trafficking/Modern Slavery training in NIACRO September 2017. Whilst NIACRO staff receive communications about incidents and safety protocol, it is unclear what support would be extended to delivery agents' staff if they were to be caught up in an incident or become subject to a security threat.

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<sup>3</sup> Accessing Services for Offenders (ASFO) is an umbrella group of voluntary organisations working with people who are or have been in custody.



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**3.4.7** NIACRO's experience of supporting prisoners and their families confirms that there is considerable scope for NIPS staff to receive specialist training for working with specific prisoner groups. The particular challenges faced by foreign national prisoners and their families was the subject of research undertaken by NIACRO in 2017 and highlighted isolation, lack of visits and poor understanding of the prison regime to be some of the difficulties experienced. Further relevant groups include: Irish travellers; gay and transgender; and those displaying challenging behaviour (including self-harm) and mental health issues.

Supporting prisoners who experience poor mental health is, of course, a very considerable challenge for staff. NIACRO has found the Mersey Trust's approach to working towards zero suicide rates has been particularly helpful and we are aware that SEHSCT is looking to adopting their approach.

**3.4.8** NIACRO welcomes NIPS' focus on the development of staff, towards greater professionalism, knowledge and competence. This benefits staff, through work satisfaction and feeling safe. But it is also in the interests of prisoners, family members of prisoners, partner organisations and the wider community. Appendix 1 highlights some of the prisoners' observations about staff preparedness. Their (unanimous) opinion was that older, more established staff members displayed greater empathy than younger, newer staff and this impacted on the 'atmosphere' of the landings and levels of aggression. This observation resonates with the observation from the report of an unannounced inspection of Maghaberry in 2015. The report published in January 2016 which expressed concern about a number of issues "*in particular a predominant staff culture which emphasised that prisoners were to be feared, and that little could be done to support efforts to rehabilitate the men held in prison.*"<sup>4</sup>.

### **3.5. Our Services**

**3.5.1** Service provision must correlate with a commitment to reducing reoffending, as outlined in the PfG; Prisons 2020 service commitments must work in synergy with those laid out in the PfG A collaborative approach will yield the greatest result in terms of reducing reoffending. If cross-departmental activities are not in clear sights, it will make it less likely that next steps agencies and subsequently NIPS will be resourced and willing to focus as they need to on the resettlement pathways.

**3.5.2** NIACRO is concerned that entitling this section as 'Our Services' does not give an accurate picture of the work being carried out across the prison service. Deliverers of functions such as housing, welfare advice, Learning & Skills and health are not cited explicitly with regard to what they currently provide (and what they ought to be providing more of). It would be beneficial to map out NIPS' links to all the statutory agencies that

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<sup>4</sup> Criminal Justice inspectorate (2017) Report on an unannounced visit to Maghaberry Prison (3-4 April 2017) to review progress against the nine inspection recommendations made in 2015.



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are currently providing services for prisoners and those they anticipate having such roles in the future.

**3.5.3** With respect to how well NIPS prioritises resettlement and rehabilitation and what could be done differently to support transition, a number of observations and suggestions are outlined below:

- i. **Personal Needs Plans.** We believe these should be developed in line with SMART objectives i.e. to be Specific, Measurable, Attainable, Relevant and Timely. Examples of this include providing appropriate and relevant services, training and development which suits the needs of the individual. Feedback from prisoners, for example, questioned the correlation between what courses etc. are offered through Personal Needs Plans assessments and what is available.
- ii. **Continuity between prison and community for prisoners being released is critical to reducing reoffending.**
  - A warm 'handover' from NIPS to PBNI (for those to be on licence) as prisoners near release is, NIACRO believes, critical. We have already highlighted that we believe there is scope for NIPS to give greater consideration to its purpose in preparing people for release, and working closely with PBNI staff, NIACRO believes, lies at the heart of this.
  - Continuity of access to services upon release is, we believe, also critical. So that (for example) if a prisoner is receiving Cruse counselling in prison or attending a Belfast Met course, there ought to be a policy of continuity of access in the community. This would require the full commitment of service providers and NIPS.
  - Recognition for prisoners who have achieved a qualification or completed a course of programme in custody is incredibly important. NIACRO staff are aware that prisoners often leave prison without certificates for their achievements in custody. Addressing this would represent a positive step in the resettlement process.
  - More thorough preparation for prisoners regarding what will happen on the day of release by providing an Action Plan for Day 1.
- iii. **Work towards rehabilitation must start at the very earliest stages of a sentence** and services which help to address major barriers such as housing, ought to be in place at an earlier stage pre release and this should include the universal offer of photographic ID and advice on opening a bank account.
- iv. **Further initiatives that may help support resettlement** include, for example:
  - Community-based services coming into the prisons to expose staff and prisoners to what is/will be available, perhaps offering 'taster' sessions.
  - Use of 'peer mentors', employers and others



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- Overcoming the barrier to engagement for ‘non walkers’. They may seem like poor attenders but the reality is often that an escort was not available. NIACRO would like to see further exploration of other ways by which escort support could be provided (by other prisoners, voluntary or agency staff).
- v. **Prison Regime:** feedback from prisoners in particular highlighted the extent to which they felt that prison regime continues to have priority over any resettlement agenda.

**3.5.4** The assistance with resettlement and rehabilitation that the Community & Voluntary Sector can provide can include:

- i. Services and support through and beyond the gate.
- ii. Engagement with and support for families. The potentially valuable role of family members is not adequately recognised in Prisons 2020. However, many family members possess a wealth of knowledge about a prisoner’s particular difficulties and ‘triggers’. NIACRO would welcome family members having more opportunity to contribute to safety plans and being briefed about licence conditions upon release, believing they can often have an invaluable role in supporting resettlement and helping to avoid recalls.
- iii. Opportunities for NIPS staff to take part in events / meet with families. For example, the visit by NIPS Director General to NIACRO’s SCOPE programme afforded him the opportunity to hear directly from families (particularly the children of prisoners) about the practical realities of prison visiting.

### **3.6. Our Infrastructure**

**3.6.1** Some progress has been made towards modernising the infrastructure but it is appropriate to keep the estates strategy under review and we welcome an engagement in the process. The use of prison estates to help reduce reoffending is critical. Past reviews focused on the need for increased provision and were based on the prediction of failure of the system itself and the inevitability of a rise in recidivism.

**3.6.2** With respect to recidivism rates, two developments are note worthy; Enhanced Combination Orders and intensive mentoring services for prisoners upon release. Reset (mentoring) was introduced by PBNI (delivered by NIACRO) in 2015 in response to the rise in DCS and ECS recalls. An evaluation of Reset concluded that mentoring has a positive impact, helping people to make progress with, for example: housing; employability; addictions; and social networks, all to support the desistance from further offending<sup>5</sup>.

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<sup>5</sup> PBNI (2016), NIACRO Reset Final Evaluation Report.



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**3.6.3** NIACRO believes that any review of NIPS prisoner population predictions should be undertaken independently.

**3.6.4** More effective use of technology would benefit staff and prisoners and there may be value in exploring how other prison across UK/Ireland have introduced safe access of internet and IT infrastructure for prisoners. Other initiatives could include, for example:

- i. Telephones in interview rooms so that staff can make calls for referrals etc. there and then.
- ii. Better options for Skype and email for family contact.
- iii. ‘Prison Voicemail’<sup>6</sup> to facilitate communication between prisoners and contacts outside through the exchange of voicemails.
- iv. Secure access to internet for prisoners, particularly with respect to preparing for the roll out of Universal Credit, opening bank accounts etc.
- v. A digital strategy that would help people in NIPS care to be ready for the world they are returning to.

### **3.7. Our Partnerships**

**3.7.1** References to partnerships are justice-centric, although we recognise the centrality of NIPS’ relationship with PBNI, as both organisations strive towards defining their respective contributions towards resettlement and rehabilitation. We believe that the closest possible working arrangements (including information sharing protocols) need to be in place from the point of release. This will involve, at times, our service deliverers working in prisons and in the community, alongside NIPS and PBNI.

We believe the commitment to the development of a strategic document as to the unique relationship between NIPS and PBNI will be a crucial opportunity to articulate a unified and transparent approach to the leadership and delivery of many of the resettlement issues that need to go through the gate with the released prisoner. We would welcome an engagement in the development of the document as the work is undertaken .

**3.7.2** In NIACRO’s response to PBNI’s Corporate Plan (2016), we noted a change in the Board’s use of language, in line with its commitment to desistance; to ensuring their clients have access to appropriate services that will support desistance, whilst being held to account for their offending behaviour.

**3.7.3** It may be helpful for NIPS to engage in a debate about the nature of its relationships with a range of agencies, to help distinguish between partners and delivery agents. This

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<sup>6</sup> Prison Voicemail: <https://prisonvoicemail.com/>



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would provide a clearer framework for collaborative working, for example, for the relationship between NIPS and the voluntary organisations delivering in the prisons.

### 5. Conclusion

**5.1.** NIACRO welcomes the opportunity to respond to this consultation and looks forward to working with NIPS in the future. Key will be the ability to realise and allocate resources to enable those who have offended to realise their potential to make positive contributions to the community.

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### Appendix 1

#### Quotes from Service User Consultation

##### On Prison Staff:

- *“The younger staff don’t have the same understanding of some people’s needs and are quicker to charge, or to send people to the blocks, without understanding their needs.”*
- *“Life is difficult when you don’t get on with the landing staff. You get moved to a new landing but that might mean you are moved away from your friends and the people who look out for you.”*
- *“Learning to know triggers (for the prisoner and Prison Officer) – simple things can be triggers – is so important.”*
- *“Prisoners and staff doing some things like going to the gym together, or a football match to build trust – just to get talking about things in common, building some human understanding, so I’m not just a number.”*

##### On Prison Care and Mental Health:

- *“We’d rather see them giving counselling and getting to the root rather than always dolling out meds.”*
- *“You feel safer in with the drugs, with your food and everything provided. I couldn’t cope with the outside world”*

##### On Rehabilitation Opportunities/Services:

- *“The routine of getting out is what helps you with your day.”*
- *“It’d be really good to bring in ex-prisoners who have been though it all and can understand what people are going though to talk to the prisoners, to give them a sense of hope from someone who really understands.”*
- *“It would be good if the Prison Service could have a presence on the outside where you could go to access medical and educational records – things you might need to have from when you were in prison – and a single point of contact from the prisons to voluntary organisations like NIACRO.”*
- *“I deserved my sentence but the prison environment doesn’t prepare you for release.”*

##### On Visiting and Family Contact:

- *“A bit more space for visits would be good so you could have a bit more sense of privacy”*
- *“I feel isolated from visitors, having to sit at the other side of the table. It’d be nice to be able to go and get the tea, just to feel more normal or human.”*



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### On Infrastructure:

- *It affects people in the prison and on the outside when phone calls are restricted. NIPS say that they recognise the importance of family contact but they don't give you enough phone contact."*
- *"These are the things that trigger frustration and you look for something to calm you and you look for the drugs."*