

NIACRO CALLS FOR ASSEMBLY-LED PRISON COMMISSION

The recent publication of the Prisoner Ombudsman's report¹ into the circumstances surrounding the death of Colin Bell in Maghaberry prison highlights the need for a root and branch review of our prison system. NIACRO believes that this could best be achieved through a one-off, time-limited, Prison Commission which would report to the Assembly on the role and purpose of prisons in Northern Ireland.

While the Prisoner Ombudsman's report focuses on Colin Bell's death with regard to policies and practices around individual prisoners who are deemed at risk of self harm, it reinforces NIACRO's view that a systemic review is required that looks at why and how prison services are delivered. It is our view that Colin Bell's death, not

the first, is a shocking incident that could have been averted if we had a prison service that was fit for the 21st century.

Colin Bell committed suicide while on suicide watch. He was serving a life sentence for murder and was on suicide watch because he had a history of self harming. The report noted that he had self harmed

fifteen times in the four months before he died. In the days before he died, Colin attempted to contact the Samaritans helpline on 73 occasions - the line was engaged 63 times. On the night of his death, Colin attempted to hang himself on three occasions prior to his final and successful attempt. These attempts



¹ report by the Prisoner Ombudsman into the circumstances surrounding the death of Colin Martin Bell (www.niprisonerombudsman.gov.uk/publications)

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were recorded on CCTV and his body lay in his cell for almost 40 minutes before it was discovered.

The Ombudsman made 44 recommendations that addressed policies (existing and new), practices, management, human resources, corporate responsibility and non-criminal-justice services.

THE NEED FOR SCRUTINY

The Prison Reform Trust highlights the need for scrutiny as “in prisons, as in other total institutions like psychiatric hospitals and homes for the elderly, the potential for corruption and mistreatment is ever present.....The power imbalance may be legitimate and necessary - it is a prison but any system where the relationship between the parties is so unequal is susceptible to exploitation, malpractice and worse. This is the reason why external monitoring and accountability of the prison system is so essential”.²

In Northern Ireland the range of monitoring bodies is significant and gives cause for some within the prison estate to complain of ‘inspection fatigue’. While inspections and reports have been carried out by the Inspectorate of Prisons, the Criminal Justice Inspectorate, the Independent Monitoring Board, the Prisoner Ombudsman and the Human Rights Commission, it is not clear to the public how many of the recommendations have actually been implemented. Many of the recommendations made by the Prisoner Ombudsman in her recent report were concerned with

the implementation of existing supposedly established policies.

RESPONSES

The Minister, Paul Goggins, apologised to the family of Colin Bell. He set up a review team and established a new ministerial forum on safer custody. He pointed out that there were “significant failings” and that “the level of care provided to Colin in his final days was simply not acceptable”. He further talked about the need for a “modern prison service with a culture of care and accountability”.³

Robin Masefield, the NI Prison Service Director focused on “the importance of having the health and criminal justice sectors working closely together” and talked about the South Eastern Health and Social Care Trust working in liaison with NIPS to bring in “additional expertise of mental health and addictions practitioners (which) will improve the level of care provided to the many offenders who exhibit mental health or personality disorder”.⁴

Finlay Spratt, Head of the Prison Officers Association gave an interview on Good Morning Ulster. Mr. Spratt’s comments included reference to “people squealing about their human rights”, and that “prisoners locked up in their own cell are inclined to take an overdose now and again”. He also stated “the report doesn’t say that anybody was sleeping on duty, the report says that there was a person attempting to use a bed, other people are sitting around

talking and smoking and watching television”. Finally, he added “I in no way condone anybody sleeping on duty when it interferes with their job”.⁵

NIACRO’S RESPONSE

The organisation’s response is based on previous submissions made to the Northern Ireland Affairs Committee and other recent consultations:

- NIACRO has called for a root and branch review of the function of prisons, particularly in the light of the fact that society in Northern Ireland has moved out of conflict. However the prison system is still operating in conflict mode.
- NIACRO has argued that the devolution of criminal justice provides us with an opportunity to establish a smaller, yet simultaneously more effective, penal system. A penal system that develops both its care and resettlement functions will contribute to a decrease in offending behaviour and recidivism and will ultimately reduce the number of people affected by crime i.e. including victims.
- NIACRO has not sought an increase in resources for the criminal justice system, but rather a reallocation of existing resources away from what is termed “front end” criminal justice organisations such as prisons. These freed up resources should be deployed to fund diversion and resettlement

² prisonReport issue 71 (www.prisonreformtrust.org.uk)

³ NIPS news release 9 January 2009 (www.niprisonservice.gov.uk)

⁴ Ibid.

⁵ BBC Good Morning Ulster, 12 January 2009

programmes in a consistent and effective manner rather than continuing with the piecemeal approaches that are currently being adopted.

- NIACRO’s submissions to the Bamford Review of mental health services pointed out that there are serious shortcomings in mainstream psychiatric services. These shortcomings are exacerbated in prison. In essence, how are therapeutic interventions to be delivered within the context of a closed institution whose primary purpose is that of punishment? This fundamental question has not been adequately addressed by either psychiatric services or penal services.

NIACRO provides a range of services to prisoners and their families to support their care and resettlement. NIACRO concurs with the Prison Reform Trust that “people are sent to prison to be deprived of their liberty, not their identity and their citizenship”⁶ and that:

- A prison sentence should only be imposed when the offence is so serious that individuals cannot serve their sentence in the community.
- The voice of the prisoner should be listened to and heard.
- Prisoners and their families should be treated with respect.
- Prisoners should be held in safe conditions, providing constructive care and resettlement programmes enabling them to re-enter mainstream society.

- All matters relating to the penal system should be open and transparent.
- The public, Parliament/Assembly and those responsible for incarcerating offenders should be fully informed about the state and effectiveness of our criminal justice system.
- Imprisonment should remain the ultimate responsibility of the state in order to safeguard prisoners’ human rights.

PRISON POPULATION

Plans are being discussed which mean that NIPS may have to provide places for an increased prison population up to a maximum of 2500 by 2020. The table below compares Northern Ireland to other, culturally similar jurisdictions. As can be seen Northern Ireland is at the lower end of the imprisonment league. If we did increase our prison places to 2500 the Northern Ireland imprisonment rate would be

approximately 147 per 100,000, equaling that of England & Wales and Scotland, which most commentators recognise are systems in crisis. Why would we wish to follow suit?

PRISON COST AND EFFECTIVENESS

A new prison place costs £100,000 to build. The running cost per annum per prisoner in England and Wales has been calculated at £41,000. In Northern Ireland it currently stands at £83,000⁸. Assuming Northern Ireland was to increase its prison population to the maximum of 2500 as has been suggested the cost of the new prison places required will be £100 million. The ‘revenue costs’ for an additional 1000 prisoners (assuming NIPS attains a 10% reduction on its current per place cost) represents an almost 50% increase of the current costs of the Northern Ireland Prison Service.

COMPARISON OF IMPRISONMENT RATES⁷

	Imprisonment rate per 100k of population
England and Wales	152
Scotland.....	145
Northern Ireland.....	78
Republic of Ireland.....	76
France	96
Germany.....	89
Sweden.....	74
USA.....	756

⁶ www.prisonreformtrust.org.uk/whyprison reform?
⁷ Kings College London: International Centre for Prison Studies, 2008
⁸ NIPS annual report 2008

RESETTLEMENT – RESOURCE IT PROPERLY

Instead of building more prison places we should be asking questions about who and how many need to go to prison, what they do when they are there, how many we plan to release and how we prepare the vast majority who will be released for a return to the community. Returning to the community needs support. Indeed, practitioners talk of the need to support ex-prisoners along a range of pathways - accommodation, finance, education and training, physical health, mental health, behavioural interventions and addictions. Currently all this work is resourced in an ad hoc short term fashion. So long as resettlement work is under-valued in this way, it cannot work - good practice must be mainstreamed.

We need a balance of community penalties that work and command public confidence; a prison service doing its job of rehabilitating serious and violent offenders while containing them safely; and resettlement services that will ultimately contribute to public protection and reduce recidivism.

LOCKING PEOPLE UP

In the English and Welsh context the Prison Reform Trust has pointed out that the extraordinary rise of a prison population is not caused by more crime, or by more people being convicted. It is happening at a time of falling or stable crime.

It is caused by more punitive sentences. Since the early 1990's the average sentence from a crown

We have an opportunity to make a difference a

court has risen from 20 to 27 months. Life sentences have more than doubled.

As sentences get longer every year it becomes more “difficult, nigh impossible, to deliver effective rehabilitation in the teeth of a permanent accommodation and funding crisis”. An alternative to mass incarceration is “real political leadership to reach out to citizens and have open conversations about treating drug addiction, hazardous drinking, breaking the taboos around mental health and discussing what works to tackle crime at root. We can either build prisons until we go bust, or we can build the tools and confidence in local communities to administer crime away from the grandstanding politicians and tabloid press”.⁹

EXISTING COMMISSIONS

A useful way forward in our circumstances would be the establishment of a Commission on Northern Ireland Prisons. Commissions have already been established in Scotland, England and Wales.

The Commission on English Prisons' terms of reference were as follows¹⁰:

- To investigate the purpose and proper extent of the use of prison in the 21st Century.
- To consider how best to make use of the range of community sentences that currently exist, the

principles that should guide them and to explore new ideas.

- To consider the role of the media - both broadcast and print, in helping to re-shape the debate about the reform and proper use of imprisonment.
- To investigate those issues which drive up the prison population in an age of globalisation.
- To place any recommendations within the broader workings of the Criminal Justice System of England and Wales, giving due consideration to international development.

In Scotland the Scottish Prisons Commission was given the remit to:

- Consider how imprisonment is currently used in Scotland and how that use fits with the Government's wider strategic objectives.
- Raise the public profile of this issue, providing better information to allow a deeper understanding of the options, outcomes and costs.
- Assess the impact for courts, prisons and community justice services of early release provisions of the Custodial Sentences and Weapons (Scotland) Act 2007.

The Scottish Commission reported in July 2008¹¹ and made 23 recommendations that were quite radical and simultaneously progressive in their principle and content. The Scottish recommendations went beyond the immediate Scottish Prison Service function and not only

⁹ Guardian 27 January 2007 - Juliette Lyon, Director, Prison Reform Trust

¹⁰ www.prisoncommission.org.uk

¹¹ Scotland's Choice: Report of the Scottish Prisons Commission (Scottish Prisons Commission, 2008)

portunity for change that will nd now we must seize it.

examined imprisonment but also looked at prosecution and court processes, sentencing and managing sentences, community justice, prisons and resettlement, developing an open prison estate and pursuing a target of reducing the prison population.

In Northern Ireland the opportunity for change in the penal system could have taken place within the context of the Criminal Justice Review which had its origins in the Good Friday Agreement. Unfortunately the matter of the role and the purpose of the prisons was largely set aside given that the service was already undergoing significant restructuring at that time particularly around the closure of the Maze. So while policing reform was being addressed through Patten¹² and the rest of the criminal justice system was experiencing reforms to varying degrees, the prison system, although referenced, was largely ignored. Colin Bell's death occurred in part as a consequence of this omission and it is now time to rectify the situation.

Nearly a decade after the Criminal Justice Review it is useful to reflect on the principles guiding the Scottish Prison Commission which were that -

- Punishment must be visible, swift and fair.
- Communities should be at the heart of penal reform and action.

- Prison populations must be controlled to achieve...wider strategic objectives.

Northern Ireland should adopt these principles to build and develop a prison system that works to reduce offending behaviours and reduce the numbers of those affected by crime.

CONCLUSION

This article has attempted to address complex issues that have been raised explicitly and implicitly in the Prisoner Ombudsman's report. It is clear from the report that Colin Bell's death could have been averted. However, it is also clear that root and branch reform is required to achieve a prison system that actually works in the context of a modern society.

Such a process will require political will and leadership and it is NIACRO's view that it can happen, particularly in the context of the devolution of criminal justice and the establishment of a Department of Justice. When this occurs the allocation of appropriate resources will become the responsibility of the Assembly. It is our view that a penal system that in the parlance of today is "fit for purpose" and dedicates adequate resources to diversion, care and resettlement, will make a greater contribution to reducing re-offending. The Assembly will eventually have to choose between a prison regime

which is simply punitive, with its attendant high costs, and a resettlement-led approach which will not only reduce crime but free up resources for hospitals, schools and roads.

Alongside this, leadership within the criminal justice system and the Prison Service must also address issues of policy, culture and practice. The changes required need to be led from the top and the message has to be understood by all that failure to deliver practice that respects the rights and needs of the individual prisoner and which also addresses care and resettlement issues will have serious consequences for those concerned.

NIACRO believes that a body similar to that established in Scotland and England and Wales, that is a Prison Commission that is of Northern Ireland, has to be brought into being. No doubt there will be many who will not agree with much of what is said in this article. However, it might be a fitting epitaph for Colin Bell and those who died unnatural deaths in custody, if their deaths inspired the creation of a penal system that had, at its heart, the principle of respect for the individual prisoner and the objective of becoming a world leader in care and resettlement of those who are incarcerated. We have an opportunity for change that will make a difference and now we must seize it.



Pat Conway makes a point to the European Commission's Lenia Samuel alongside NIACRO's Heather Reid and Síle McClean

Jobtrack is one of NIACRO's biggest programmes of work. Its key aim is to support adult offenders into employment. Funded under the European Structural Funds' Competitiveness and Employment measure, Jobtrack is also supported by the Probation Board and the Prison Service.

Jobtrack's predecessor ReachOut, which ran from 2005 to 2007, was funded by the EU's EQUAL programme. It supported 398 participants, of whom 58% completed the programme. Of these, 135 (59%) got a job, and 40 (17%) took up further education. The staff who had worked on ReachOut moved into Jobtrack.

A couple of months ago Employment Minister Reg Empey



officially launched the first round of 76 projects funded under the European Social Fund 2007- 2013 – one of them being Jobtrack. The event also celebrated the successes

of EQUAL, and was attended by Lenia Samuel, Deputy Director General in the EU's Directorate-General for Employment, Social Affairs and Equal Opportunities.

NVQ SUCCESS

It's not only the Jobtrack trainees who have something to celebrate. At an awards ceremony for people working in the criminal justice system who have achieved NVQs, NIACRO's Billy Clarke and Denise Mac Dermott were congratulated by Justice Minister Paul Goggins as two of only seven people to gain an NVQ Level 4 in Youth Justice Services.

Billy Clarke and Jeff Barr, Manager of the Koram Centre in Strabane, help Justice Minister Paul Goggins make the point at the awards ceremony



CELEBRATION DAY

Last autumn, NIACRO launched the new Jobtrack contract, which will run from 2008 to 2011, and celebrated the achievements of previous programme participants. The event at Queen's University also acknowledged Jobtrack's work with employers on the fair recruitment of individuals with convictions and launched the revised guidance document "Working with Conviction". So a pretty big day for Jobtrack.

Guest speaker Brian McCaughey, Chief Probation Officer, spoke warmly to the Jobtrack trainees who were getting awards. "You should be proud of your achievements; your efforts, your determination to succeed and for not giving up", he said. "Well done to you all."

Alastair Smyth, who gained his LGV licence under Jobtrack, paid tribute to the programme at the event. "Thanks to NIACRO for all their help and support during my time in custody and on release", he said. "I found them to be one of the few agencies to offer a really good service, and the only one offering help around finding work and financial assistance for training courses. Oonagh Burns started the process in Magilligan, and then Claire Humphreys in Maghaberry where we discussed my future employment options and NIACRO agreed to cover the cost of the LGV licence training. I now have my LGV licence and I have found employment as an LGV driver. I don't know what I would have done without NIACRO's help – thanks again."

Working With Conviction

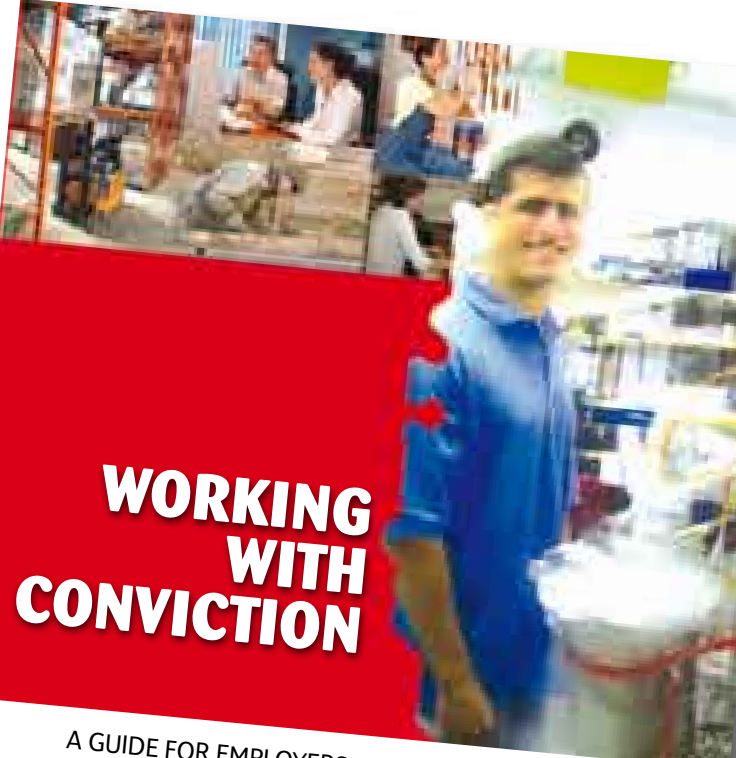
For all the 35 years of its existence, NIACRO has been in contact with employers and training organisations to open up as many opportunities as possible for ex-offenders.

It makes sense. In Northern Ireland there are around 110,000 people with convictions, excluding motoring offences, and a 2002 Home Office report stated flatly, "It is a statistical certainty that many people with convictions are currently active in the workforce." A survey by the Chartered Institute of Personnel and Development in the same year showed that employers' experiences of employing ex-offenders were far more positive than negative, and that re-offending when in employment is very rare indeed.

And yet ex-offenders face many barriers to employment. The difficulty, as so often with discrimination, lies in the assumptions – unexamined and unchallenged fears and expectations about the behaviour of offenders. There is also the tendency to see offenders as a homogenous

group. They aren't. They are as different as the population as a whole, and they have become involved with the criminal justice system for different reasons. And one of the best ways to help them stay away from that system in the future is to offer education, training and the chance of a job.

So NIACRO offers advice, training and support to employers who want to be fair to applicants and employees with a criminal conviction. The free telephone advice line dealt with 350 – 400 enquiries in each of the last two years, and 1109 people from 424 organisations across Northern Ireland took part in training



WORKING WITH CONVICTION

A GUIDE FOR EMPLOYERS



sessions, an increase of 60 percent. Staff from Jobtrack and its predecessor, ReachOut, have been in demand for local, national and international seminars, conferences and consultation events.

HANDBOOK FOR EMPLOYERS

One element of our work with employers is the short handbook “Working with Conviction: a guide for employers”. First published in 1995, the handbook has been completely revised. The new edition includes up-to-date information on the amendments to the rehabilitation of offenders legislation, the challenging new legal requirements designed to protect children and vulnerable adults, and developments in the employment of politically motivated ex-prisoners. It is accompanied by two information DVDs, one designed for employers and one

for job-hunters. We had the DVDs translated into Dutch, French, German, Greek, Latvian and Portuguese, at the request of partner organisations with whom we have worked on employment issues over the last few years.

One employer who has been very supportive of NIACRO’s efforts is Paul Connor, a bricklaying contractor in Belfast and a partner in Baillie Connor Training Consultancy which provides training and NVQs for the construction industry. “I have always believed in and been committed to fair employment and what I am looking for is the best skilled workforce that I can find”, he said at the ceremony in Queen’s. “If I find someone with the skills I need and the desire to work, I’m prepared to give them a chance.” All of Paul’s office staff have been through the NIACRO training on employing people with criminal convictions – they have

found it very helpful, giving staff the chance to voice any concerns and have their questions answered.

In testimony to the NIACRO employment service, Paul said: “I have actually found that someone with a criminal conviction who is offered a second chance will appreciate it more and work harder to prove themselves; and this is after all what every employer wants! Employing people is always a gamble and no-one ever knows everything about the background of their workforce. However, employing through NIACRO, you actually have that knowledge, and also the support mechanism to deal with any problems should they arise. I intend to be working with NIACRO for many years to come and have no hesitation in recommending them to other employers in my position.”

•••J•O•B•F•A•I•R•S•••

A new development of our employer work began early last year, with the first Job Fair. This brought together Jobtrack participants and some of the employers who support our work on employability.

The sessions give clients a change to meet employers face-to-face and get advice on how to make the most of their job applications. They can discuss skills and development; benefit from one-to-one advice from people involved in the recruitment process; find out what employers expect on an application form. The sessions are intended to enable clients to make the most effective use of their job-hunting time.

We have run five more Job Fairs since that first one, in Armagh, Ballymena, L/Derry, Omagh and Belfast. The Belfast event was particularly successful with over 60 clients coming along. As well as employers from the construction and retail sectors, they could meet and

talk with staff from The Prince’s Trust to give advice on self-employment, and DEL who had information on statutory training and employment programmes.



Karen Moroney of IKEA advises a Jobtrack client



Olwen Lyner challenges the panel at the Criminal Justice awards event

CJ AWARDS

We were delighted that Jobtrack was the runner-up this year in the Criminal Justice Awards “Outstanding contribution to working with offenders” category. We congratulate the other award winners, including our colleagues in Extern for their work at the Innis Centre. Speaking at the event, Criminal Justice Minister Paul Goggins paid tribute to all the people “doing exceptional jobs which really make a difference”.

PRISONER OMBUDSMAN

The new Prisoner Ombudsman, Pauline McCabe, invited four members of our Adult Forum, from Jobtrack and APAC, to take part in a team training day for her staff and Independent Monitoring Board members. Along with three NIACRO staff members, they made a great contribution, raising difficult topics and speaking frankly and with a balanced view of the experience of being in prison.

The Forum members raised something that our AGM speaker Eric Allison is strong on – the difficulty of complaining, or even raising an issue, in prison. Prisoners believe that officers can make things difficult for people who complain, sometimes openly and sometimes subtly. Or they may be dilatory in actually giving you the form. “Many prisoners”, said Thomas, “believe that complaining is futile and it’s best not to make complaints if you want a quieter, an easier, life.”

None of the trainees was aware that Ombudsman complaint forms should be available on every landing in all three prisons, and they asked that NIACRO staff in prisons should check this out – which of course we will do. (The Independent Monitoring Board checks to see if these forms are available – and often find that they are not.) Pauline explained that very soon there would be a freephone number direct to the Prisoner Ombudsman and that this should significantly ease the problem of making complaints. The two women ex-prisoners were sceptical about the value of the monthly meetings between the Governor and women prisoners in Hydebank.

HEALTH CARE IN PRISON

Another important issue for prisoners is access to medication. Many prisoners fear, sometimes with reason, that their medication,

of whatever nature, will be withdrawn. The point was made that since early 2008, Health Trusts are responsible for health care in the prisons, though it is not yet clear what this change has meant – for better or worse – for prisoners. (NIACRO News will carry an article on the new health regime in one of its 2009 issues.)

All the ex-prisoners agreed that “there are certainly some very good staff in the prison service” but that there was also bullying in all establishments. They also agreed that some Governors had made changes for the better and that initiatives like the resettlement strategy and the safer custody initiative for vulnerable prisoners and those with mental health problems showed real progress.

CEO Olwen Lyner and Director of Services Pat Conway met with the Prisoner Ombudsman in November. They raised with her some of our key concerns, such as the lack of focus on care and resettlement compared to the concentration on security, and the value of supportive services like maintaining family links and child-centred visits.

FAMILY SUPPORT GROUPS

An important development of the Family Links service over the last few months has been the setting up of eight- to twelve-week support groups for people with a family member imprisoned. They've taken place across Northern Ireland – five so far, more planned in spring 2009 - and been very well received by the participants.

The support group in Belfast, for example, met for 12 weeks and ended with a Christmas dinner. It had nine members, aged 22 to 70, eight women and one man. He wasn't just a token man. He was wonderful at putting a man's point of view while sharing many of the same struggles. Each week six or seven people came - if they couldn't it was usually due to a sick child or a doctor's appointment or an unexpected prison visit.

The support groups vary according to the needs and wishes of the members, but they offer a wide range of sessions including self-esteem sessions, cooking on a budget, relaxation techniques. The groups have found that this eclectic mix of classes has worked for them and they have stated that they like the variety. Most sessions start with a cup of tea and a home-made scone, and the sharing of news. Then people

may spend some time looking at a topic that may have come up in a previous session, exploring feelings and how to cope with difficult emotions of anger and shame. There have been tears and patient listening to hard stories. People share information and what they have done in a similar situation. So there is a lot of learning. We talk about children and issues around prison visits. We have also spent time making apple tarts and biscuits as well as Christmas cards and table arrangements. Working with the hands can be so relaxing and make some conversations easier.

UNDERSTANDING THE CRIMINAL JUSTICE SYSTEM

One of the programmes that will be running soon is an "Introduction to the Criminal Justice System". This will give family members clear and understandable information

about the process that their family member will undergo once they have been arrested.

We have had a variety of guest speakers, from the Prison Service for example. On all occasions that there has been a guest speaker members have enjoyed the experience and felt that they have gained a lot from them. For example: "I found this session was brilliant and helped me when I was down and I got a lot of understanding. Being able to talk to people including the Family Officer was an outstanding help to me and I wish to thank you for all the help that you have been able to give me and understand what I am going through."

We can't solve all the problems people in the group have to cope with. We can't do anything about the pain of being separated from a loved one, of having to struggle with money, have the sole responsibility for children. Still the groups become a space where each member feels accepted and heard. Nobody judges. 'We are all in the same boat' is a phrase you often hear, and NIACRO's support workers Sinead Barr and Mathilde Stevens want to put on record their admiration of the resilience of people handling such difficult situations.

In the last issue of NIACRO News, we featured a visit from the Guardian’s Prison Correspondent Eric Allison who came to talk to staff at a planning day last summer. We were so impressed with what he had to say, drawing on his own lengthy experience of offending and of prison regimes, that we asked him back to address this year’s AGM. We used one of Eric’s repeated calls as a badge for the event – “Listening To The Prisoner”.



Studying the figures

AGM: LISTENING TO THE PRISONER

Just as staff had been in June, NIACRO’s members and guests were gripped by Eric’s calm but devastating analysis of prisons and the prison system, and of what makes an offender. There were plenty of questions, from both the professionals and lay people. The first was directly about his thoughts on the victims of his own crimes. He described his own “moral standard” (no violence; only steal from rich people) through which he could convince himself that they were victimless – a view he later revised.

In reply to other questions, Eric endorsed the value of restorative justice, spoke on the “savagery” of prisoners not being allowed to attend family funerals (with a typically humorous account of his own unescorted attendance at his father’s funeral, to the considerable anxiety of the prison governor who had taken the risk of giving him this opportunity). He challenged the apparent complacency with which the authorities foresee a rise in the prison population. As well as noting the bizarre logic which first builds the prisons and then naturally fills

them, Eric made the point that politicians think that the public want revenge, but that a properly conducted survey tends to show that this isn’t the case.

On media treatment of criminal justice matters, he agreed that even the Guardian was guilty of not covering positive stories, but described the development of a relationship between the paper and near-by Pentonville Prison. “What happens in prison”, he said, “is of massive importance to us all – but we don’t hear about it.” He claimed there are many current miscarriages of justice in which prisoners are being denied the chance to get their story out.

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NIACRO RESPONSE TO FINE DEFAULT CONSULTATION

Each year, around 2000 people are sent to prison for non-payment of a fine – about 30 are in custody at any one time. In the majority of cases the fines are for less than £600, sometimes much less. More than half of the people involved have committed a driving offence, and for more than a third of these, the original offence was driving without insurance. The average length of time spent in prison is four days.

This clearly represents a huge waste of public resources, and seriously reduces the capacity of the Prison Service to give other prisoners the attention and variety of services and support which will help them not to re-offend. Yet the fine is a very frequently-used penalty in magistrates' courts.

Secretary of State Shaun Woodward raised the issue in January 2008 at the launch of Criminal Justice Week, making the point that the idea of large numbers of debtors in prison was “disturbingly Dickensian” and a “failed policy”. There were questions in the House of Commons in March to Criminal Justice Minister Paul Goggins. In July, the NIO issued a consultation document on the subject, with, according to the accompanying NIO news release, the key aim of reducing the numbers of fine defaulters who end up in prison.

NIACRO is certainly in agreement with this aim, and indeed also with the Minister's statement that “The Criminal Justice System should reserve custody for serious, dangerous and violent offenders”. We were however made uncomfortable by the hardline tone of the statement – “Offenders should not be given the easy way out of having their fine cancelled by a few days in prison. At the moment we are too soft on fine defaulters and that has to change.” What we really need are more innovative and effective alternatives to prison.

The consultation document made clear that the NIO still sees the fine as an effective deterrent and punishment. However, for people on very low incomes, fines may not be the most appropriate ways of dealing with offending behaviour. There is also a problem of consistency with wide variations between courts and indeed between sentencers in dealing with similar offences and people of similar financial means. NIACRO has in the past called for those who pass sentences to have good information on the financial circumstances of the offender at the time of sentencing.

It should be possible for individuals to have some choice in how their fine is concluded. If they have been unable or unwilling to gather the required sum of money, they should have an opportunity to work off their debt through schemes in the community.

OTHER APPROACHES

We were puzzled that some of the proposed ways of dealing with default seemed to be more appropriate to dealing with the original offence per se or as an alternative to a fine – for example, Attendance Centre Orders, removing a driving licence, or curfew restrictions. A new community-based option for dealing with fine default was introduced in the Criminal Justice Order 2008, the Supervised Activity

at the heart of the problem
the lack of alternative
available

FINE DEFAULT

Order, though it has not yet come into operation. This however has to be put in place by the sentencer at the time of passing sentence, ie the sentencer will in effect have to say, "This is the amount of your fine, and if you do not pay it within the proper time, you will have to spend X hours [between 10 and 100] on a Supervised Activity Order".

We were particularly concerned about the proposal to deduct fine payments directly from wages or benefits.

We welcomed the recognition in the consultation document that the present arrangements do little to help people make their payment within the time limits. The NIO proposes a pilot scheme of "fines officers". This might well have some success and we wait with interest the evaluation of the project. It is suggested that this role could be extended to have a statutory remit in terms of "managing" the fine. It would be important to know what powers this role would have in terms of sanctions. Any advantage in transferring enforcement powers from the police to a fines officer depends on the latter having a range of constructive alternatives available.

We know that 50% of people who are fined wait until the police enforce the warrant before paying. They pay the fine to avoid going into custody and may at that point have to borrow money from others

to do so. It is NIACRO's experience that some people borrow money from relatives, loan sharks or moneylenders in the community in order to avoid custody. Paying off these debts has led to further problems.

At the heart of the problem is the lack of alternative penalties available, especially in magistrates' courts. We are disappointed that an opportunity has not been taken to broaden the range of lower tariff sentences available to the courts offering real alternatives to imposing fines, particularly those which have a direct bearing on the behaviour which led to the offence.



Justice Minister Paul Goggins talks to a Jobtrack client on a recent visit to Amelia House

CORPORATE PLAN 2009-2012

Work continues on our new corporate plan which will come into operation on 1 April 2009. We have so far held a staff planning day and consulted with service users (both adults and young people) via our new user forums. In the case of the adult forum, we were delighted that Eric Allison, in Amelia House for the AGM, was able also to share his wisdom and experience with forum members earlier that day. They were impressed by his understanding of what they were saying, and the energy with which he now pursues prisoners' rights as a journalist.

We also invited friends and colleagues from some of the statutory and voluntary organisations we work with to Amelia House in November, focussing in particular on our family and children's services. Olwen Lyner outlined some of the current services and how they have adapted, and will continue to adapt, to social, economic and political changes. The discussion covered, among other topics, the role and opportunities for volunteering in NIACRO, and the value of Youth Employability work and hopes that it could be extended outside Belfast. On volunteering, we stressed that we're hoping to extend our use of volunteers into more of our services – not only to enrich the services, but also to open up the criminal justice system to more lay people and hence the wider society.

We're still keen to hear from our readers – if you have any thoughts on what we should be focusing on as we draft and develop the plan, please get in touch with us via the website, or email jackie@niacro.co.uk or write to us at the address on the back of NIACRO News.

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penalties



animated discussion at the volunteer forum

CHRISTMAS VOLUNTEER FORUM 2008

This year's Christmas Volunteer Forum centred on an awareness session on 'Rights, Responsibilities, Relationships and Sexuality'. Roisin Flanagan, the Speakeasy Project Worker from the Family Planning Association, led the discussion. She dealt with issues raised by volunteers matched with young people, including young people and sexual health, relationships, language, boundaries and confidentiality, and answering questions.

Volunteers and staff alike found the session to be topical and interesting with lots of practical tips on how to support young people. The forum ended with Christmas lunch which was enjoyed by all.

Forums are organised twice each year to support volunteers, provide an opportunity to mix with other volunteers and staff, share information and learn from experts

about issues that have arisen for volunteers in their role.

We are always keen to hear from anyone interested in volunteering – especially men! - so if you have 2-3 hours free each week or fortnight and want to find out more about the opportunities available, contact our Volunteer Co-ordinator. vivienne@niacro.co.uk.

STAFF COMINGS AND GOINGS

We are pleased to welcome six new staff to NIACRO:

William Armstrong, Senior Practitioner with Jobtrack.

Catherine Ward Gallagher and Diane Millar, Employment Support Tutors with Jobtrack.

Betsy Cameron and Marie Legge, who will staff the new trolley service in Hydebank.

Garreth Wright who joins the Belfast Caps team.

We said goodbye to three people who made very important contributions to the care and support of young people while with NIACRO. Based in the Derry office, Denise Mac Dermott was Senior Practitioner in Mentoring and having completed her Practice Teaching Award (coming first overall) she has moved on to Partnership Care West as a Practice Learning Centre Manager.

Aisling Cartmill started in NIACRO as Senior Practitioner, Community Safety and then moved to lead the IR scheme. For now, Aisling has gone travelling!

Martina McCooey was seconded to NIACRO from the Youth Justice Agency for five years, and has led the development of Caps, based in Armagh, to the successful programme it has become. She has returned to the YJA.

GERMAN VISITORS TO NIACRO

Last summer, NIACRO was approached by the German network “Haftvermeidung durch soziale Integration” which they translate as “Social Integration for the Prevention of Imprisonment”. They had heard about our work (through the EU funding grapevine – transnationalism works!) and wanted to come to Northern Ireland to hear more about it. We were delighted to agree to the visit and nine representatives of the network arrived in Belfast on 30 November for a short but busy round of visits and discussions.

HSI is a European-funded network of 19 criminal justice organisations in the state of Brandenburg. The network has a lot in common with NIACRO. It believes that resettlement and support for offenders is the most likely way to reduce offending. The partner organisations also believe that increasing people’s employability is a key way of providing that support, and that bringing all the relevant services together is the most effective way of getting results.

On their first day, the group heard all about NIACRO’s Jobtrack, Youth Employability and resettlement support services, and in turn made presentations on their own work. We and they also had a good discussion about the value and difficulties of transnational co-operation.

Next day it was off to Magilligan prison where they met Governor Gavin Clendinning, toured the education and workshop facilities, met staff from prison, probation and the Northlands addiction treatment NGO, and visited Foyleview Resettlement Unit.

CO-OPERATION

HSI was very impressed by the levels of co-operation between NIACRO and the criminal justice services, and also by our work with employers – especially the training and advice line. They want to develop this and we will continue supporting them to do so. They were also impressed with the openness and frankness shown by the statutory service representatives they met, though they were surprised at how tight the security was at Magilligan (notably the frequent use of the hand monitoring system) although it is classified as

a medium risk establishment with Foyleview classified as low security.

In turn, NIACRO was somewhat overwhelmed at the thought of working across 15 different partnership arrangements and we were keen to hear how communications could be sustained! We were also interested, especially in the context of the current proposed changes to the fine default system [see our response to the current changes in Northern Ireland elsewhere in NIACRO News], in the approach taken in Brandenburg.



The visitors at Magilligan. Could that be Service Manager Heather Reid under the hat?

New Training on offer at NIACRO

The Advice Service delivered its inaugural Benefits and Tax Credits in the Criminal Justice System training course to staff from the Northern Ireland Prison Service in the autumn.

This two day course, which is accredited through the Open College Network Northern Ireland, is being offered by NIACRO in association with Advice NI. The focus of the course is the effect of imprisonment on benefit entitlement, the impact on families and what can be done to support resettlement. The course also examines the incentives available for anyone moving from benefits into employment.

This course aims to improve understanding of social security issues in the context of the criminal justice system and to enable prison staff to deliver a basic standard of advice to prisoners,

prisoners' families, offenders in the community and released prisoners.

The topics covered in the course are:

- the basis for welfare provision;
- the voluntary sector's role in the criminal justice system;
- basic entry criteria for entitlement to social security benefits and tax credit;
- the impact of imprisonment on benefits and tax credits;
- the implications for benefits of going into work or training;
- the effect imprisonment has on families.

Feedback from the prison staff who participated in the initial training course was very encouraging. Some comments from the participants include: "The course was very well laid out and the training material was excellent; all very well organised and information was relayed in simple and understandable terms; Excellent delivery in a relaxed atmosphere, very enjoyable."

You can get more information about the course from Barry McMullan at NIACRO, Tel: 028 90320157 ext 221 or barry@niacro.co.uk

In 2007-2008, NIACRO's advice service dealt with 2526 queries from 1025 service users in the three prisons and the Prisoner Assessment Unit.

FACTS & FIGURES

The evidence shows that crime is down and victimisation levels are at an unusual low, yet the public seem more fearful and concerned about crime and criminality than ever before. It's not clear why. One's instinct is to lay this at the door of the popular media, always happy, it seems, to present the worst picture possible and unable or unwilling to analyse the complexities of crime and criminality. Unwilling, too, to cover the solutions which really work, like restorative justice, diversionary work with young people, or putting resources into helping people get into training or employment.

NIO has published its latest statistical bulletin on people's perceptions of crime (Research and Statistical Bulletin 17/2008). The NI Crime Survey is carried out regularly and includes comparisons with figures from England and Wales.

A FEW OF THE FINDINGS

- » NICS 2007/08 respondents were more positive in their perceptions of crime levels within their local areas than at the regional level.
- » Based on NICS 2007/08, women were much more likely than men to have high levels of worry about crime and personal safety.
- » Northern Ireland respondents display higher levels of worry about crime than their counterparts in England and Wales.

You can download the bulletin from the NIO website www.nio.gov.uk