



Northern Ireland  
Assembly

Committee for Justice

# OFFICIAL REPORT (Hansard)

Maghaberry Prison Stocktake Report:  
Independent Assessment Team

18 November 2014

# NORTHERN IRELAND ASSEMBLY

## Committee for Justice

### Maghaberry Prison Stocktake Report: Independent Assessment Team

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**Members present for all or part of the proceedings:**

Mr Paul Givan (Chairperson)  
Mr Raymond McCartney (Deputy Chairperson)  
Mr Stewart Dickson  
Mr Tom Elliott  
Mr Paul Frew  
Mr Seán Lynch  
Mr Alban Maginness  
Mr Edwin Poots

**Witnesses:**

Mr Peter Bunting	Independent Assessment Team
Rev Dr Lesley Carroll	Independent Assessment Team
Mr Chris Maccabe CB	Independent Assessment Team
Mr Conal McFeely	Independent Assessment Team

**The Chairperson (Mr Givan):** I formally welcome Peter Bunting, Rev Dr Lesley Carroll, Mr Chris Maccabe and Mr Conal McFeely. Normal protocol is that we record the meeting, the Hansard report will be published in due course. Let me apologise for the delay in getting proceedings started. The Minister of Health was making a statement about child sexual exploitation, which is an area that the Committee has considered. It was important that that statement be heard, and I had to table a question on it. Hopefully, we will be able to get through the meeting as quickly as possible.

I will hand over to you at this stage. I think that Mr Bunting will begin.

**Mr Peter Bunting (Independent Assessment Team):** No. Rev Lesley Carroll will make a brief statement on our behalf. Following that, we will take questions.

**Rev Dr Lesley Carroll (Independent Assessment Team):** Thank you, Chair. We thought that it would be helpful to give a brief overview of how we got to where we got to in the report, how we were appointed and some of the key points in our stocktake.

In August 2010, the agreement was signed between the prisoners in Roe 3 and Roe 4 and the prison governor at Maghaberry prison on behalf of the Prison Service. The process of reaching agreement was led by the joint facilitation group and aimed at resolving a dispute between prisoners and prison authorities. It was further aimed at creating the pathway for a prison regime predicated on the principles of mutual respect, safety, human rights and equality. In that respect, it was agreed that all staff should be able to carry out their duties free from harm, intimidation or threat, and that the public and prisoners should have confidence in the Northern Ireland Prison Service (NIPS).

Following the signing of the Roe House agreement, four independent assessors — that is us — were appointed to assist in the oversight and delivery of the agreement. Over the four years since the agreement was signed, we as assessors have seen significant challenges to the implementation and embedding of the agreement, and we acknowledge those in our stocktake report. We set them out as:

*"The callous murder of Prison Officer David Black. (The most egregious breach of the principles underpinning the Agreement.)*

*A widespread perception amongst the prisoners that NIPS is not fully committed to the Agreement, and a breakdown in relationships between the prisoners and NIPS*

*The 'dirty protest' by the prisoners."*

That dirty protest was lengthy and took its toll on staff, prisoners and management.

In June this year, the Prisoner Ombudsman recommended to the Minister that a stocktake of the implementation of the agreement be carried out. In July, the Minister provided terms of reference to us as independent assessors to carry out that stocktake. We were invited to:

*"return to the agreed principles and undertakings of that agreement, and pass comment on the state of compliance."*

We were granted access to all Maghaberry staff and prisoners of Roe 3 and Roe 4, and we were provided with documentation, including prison policies, minutes of forum meetings, ombudsman reports, communication records and CCTV footage in relation to search procedures. In the process of the stocktake, we examined all documentation provided to us and viewed CCTV footage. We also met a wide variety of people to assess implementation across areas that were agreed in August 2010 and to pinpoint any other issues that had come to the fore in the interim. That wide evidence base enabled us to formulate conclusions.

The issues addressed in the stocktake and agreed for progress in August 2010 were prisoner forums, search arrangements, controlled movement and association. Additionally, issues that had come to light over the four years, and which were of concern to prisoners and management, were visiting arrangements, search policies, education and craftwork provision, criteria for prisoners being placed in protective custody and doubling up in cells that were more appropriately designed for one category A prisoner. We have made a number of recommendations. The Prison Service has responded to those and will speak to them for itself. We welcome its positive response.

We are clear that not all the principles of the August 2010 agreement have been adhered to or acted on and that there are still serious trust issues between staff and prisoners, not least because of concerns about staff safety. We are also clear that the Roe House agreement offers a recognised opportunity for increasing trust and the development of a safe, conflict-free environment in Roe House. We do not underestimate the difficulties arising from separated arrangements, which remain a reserved matter and, therefore, for the NIO, but we are convinced that the opportunity to resolve the outstanding matters exists, thus ensuring full compliance with the principles and undertakings of the agreement. That will take an agreed timeline, during which confidence and trust can be built, all threats — internal and external — should cease, and the prisoner forums begin to function effectively. We share with the Northern Ireland Prison Service and the prisoners a vision for the embedding of a prison system that is safe, humane and effective.

Our stocktake report is before you, and we will be pleased to answer any questions regarding that report or the process by which we reached our conclusions.

**The Chairperson (Mr Givan):** I thank Rev Lesley Carroll very much for that. For clarity, the four of you were appointed after the August 2010 agreement. Were any of you party to the negotiations that took place in arriving at the 2010 agreement?

**Mr Bunting:** Yes, Conal and I were.

**The Chairperson (Mr Givan):** Can you elaborate on who asked you to be involved in the process pre 2010? Was it the Prison Service? Was it the Minister? How did you get involved? I know that the Irish Congress of Trade Unions (ICTU) was involved.

**Mr Bunting:** We became involved because we saw that it was a very difficult situation. We saw a situation that could get out of hand and develop across society, which would lead to more violence outside and inside the prison. We took an initiative in attempting to resolve the matter. I stress that, at all times, we did it for what we thought was best for Northern Ireland. It was done on the basis of safety for the prison officers and prison staff. It retained the security of the establishment; in other words, we did it in the belief that the security of the prison should not be diluted. It was an attempt to get a resolution for very difficult situations, which, at that stage, had culminated in an ongoing dirty protest by the prisoners, which was, in many senses, a health hazard as well as a health and safety matter for the prisoners and, more importantly, the prison staff. We believed that we were intervening in a difficult situation. We have never agreed with the actions of the prisoners. In fact, we are on record — I am certainly on record many times — as holding protests against the murder of the two soldiers at Massereene. I held a public protest about the murder of Stephen Carroll, I held a further public protest against the murder of Constable Ronan Kerr, and I held a rally against the murder of prison officer Black. In all cases, I have condemned the prisoners publicly and, indeed, eye to eye in the prison, which is probably more important, realistic and pragmatic than condemning them in a newspaper. At least I have, as has Conal and this team, without equivocation, met those people in the jail, looked them squarely in the eye, condemned their behaviour and condemned the murder of David Black. At all times, I stated that those principles came first, and if they did not agree with the principles, it then becomes an attempt to build trust between the prisoners and the prison officers.

**The Chairperson (Mr Givan):** With regard to the joint facilitation group, Peter, you were there from the Irish Congress of Trade Unions. Conal, whom did you represent?

**Mr Conal McFeely (Independent Assessment Team):** At that stage, I was representing a social enterprise from the community sector called Creggan Enterprises.

**The Chairperson (Mr Givan):** Subsequent to the 2010 agreement, did the Minister or the Prison Service appoint the four of you to be the formal independent assessors of that agreement?

**Mr Chris Maccabe (Independent Assessment Team):** It was the Minister of Justice.

**The Chairperson (Mr Givan):** In getting to the 2010 agreement — the initiative that you talked about, Peter — and taking it forward, did you go to the Prison Service or the Minister with an initiative and say, "Here is where we think we could be involved to come up with a solution that, in our view, would help"? Was the agreement then signed off by you, who had the authority to say, "Here is the agreement, and we are signing off on it", or did the Prison Service sign off on it, or did the Prison Service and the Justice Minister sign off on it? I want to establish who is the actual authority behind the agreement, because everyone can have a view as to what an agreement should be, and people can have a different view as to the solution. Ultimately, however, there are decision-makers, and they are the ones in authority to hold to account.

**Mr McFeely:** When we came forward with Peter with a view to trying to help the situation, we were initially invited in by the Prison Service. We had conversations with the Prison Service, and it felt that we could assist in that difficult situation at that time.

**Mr Bunting:** It was signed off — by the way, it was probably the first time in the Northern Ireland history of conflict between prisoners and the Prison Service — by the governor on behalf the Prison Service and by each individual prisoner, and, if my memory serves me right, there were 28 of them. There was obviously a time delay with some of this from 2010 to 2014, so it may not be totally accurate, Chair, but it was certainly signed off by the governor of Maghaberry, who personally signed the 2010 agreement, and by each individual prisoner.

**The Chairperson (Mr Givan):** Do you regard the 2010 agreement as being endorsed by the Department of Justice as well? Obviously, the Minister has commented extensively on it, but has it been given the formal imprimatur of the Justice Minister?

**Mr Bunting:** Was the Justice Minister there at that time?

**The Chairperson (Mr Givan):** He was, yes.

**Mr Bunting:** We did not negotiate with the Minister of Justice. We negotiated with the director of the Prison Service at that time, Robin Masefield. We had side conferences with him and with

representatives of the Minister. However, I do not think that the Minister personally became involved to the extent that he was involved in the negotiations. He was never involved in the negotiations. All the negotiations took place either within the confines of Maghaberry prison or, latterly, Hillsborough Castle, if I recall correctly.

**Mr McFeely:** Once the agreement was signed, and the dispute — the dirty protest — ended, not only did the Minister welcome and support the report but everybody across wider civil society welcomed and supported it, because it was defusing a very volatile situation that could have spilt onto the streets.

**The Chairperson (Mr Givan):** From the assessors' point of view, it is your clear understanding that the Minister welcomes and supports this agreement?

**Mr Bunting:** Sorry, Chair, are you talking about the current one?

**The Chairperson (Mr Givan):** The current stocktake —

**Mr Bunting:** Rev Lesley Carroll and Chris were not involved in the initial agreement. Conal and I are the two remaining people. After that, there were assessors. As you are quite aware, things broke down, and we had another protest in the prison; the prisoners wrecked the place, which was more cost to the taxpayer. We went back to try because we thought that we certainly had the bones of a way forward — a pathway for progress — that would protect the safety and security of the prison, protect the prison staff and get some rights for the prisoners, whereby they could get into what we term a conflict-free zone, where you could attempt to build some trust, which would eliminate the threats internally and externally to prison staff in Maghaberry and other people involved in the Department of Justice.

**Mr Maccabe:** I will add a little clarity regarding my appointment and that of Lesley Carroll. It was clear to me in the letter that I received from David Ford in 2010 that I was being appointed to do the job we are doing and to assess an agreement that he endorsed. There was no equivocation in that letter; it was a clear appointment to something that was now an up-and-running process.

**The Chairperson (Mr Givan):** That is useful. It is important that we have that on the record.

With the agreement that was reached in 2010, you, Peter, touched on the fact that it was breached pretty significantly when you consider David Black's murder and the dirty protest. When most of the officers working in Roe House left after having done their duty, they were saturated in urine that had been thrown over them. That agreement was flagrantly breached by the prisoners. You acknowledge in your report that there is:

*"Ongoing abuse of staff ... Threats to staff (including ... two viable parcel bombs ...)"*.

Several staff have had to relocate their homes. There have been threats on social media against named officers, past and present. Given the flagrant breach on the part of the prisoners, how did you come to make recommendations in the report that reward bad behaviour?

**Mr Bunting:** The answer is very simple: we accepted the 2010 agreement as the basis for delivering a conflict-free zone. I have to be very careful; I am not attempting to apportion culpability. There were ongoing difficulties, obviously, between the prison officers and the prisoners. As you and I know, some of those situations get murky and dirty. We still believed that there was an opportunity to create that environment so that the prison officers would not have to go through what you have just described. It was not a matter of rewarding good behaviour; it was a matter of trying to get to a situation that staff and everyone else involved could live with so that everything ends, and there is a conflict-free zone. Not talking to people or not attempting to resolve the difficulties is like turning a blind eye. If we were not involved, I often wonder whether there would be a continuation of threats against prison officers. I am sure that you, Chair, and the Committee agree that the last thing we want is the dead body of another prison officer. To that end, we involved ourselves in a very difficult and unsavoury task. It involved quite robust — to use polite parliamentary language — dialogue with the prisoners to ensure that the workers in the prison and the prisoners did not have to go through those scenarios time after time. Is it not better that people like us attempt, on behalf of society, to get a resolution to the ongoing situation?

I emphasise that — you know this, and I know this — the republican or nationalist psyche — whatever we want to call it — is that, when things happen in prisons, it gives, to an extent, a degree of oxygen on the outside to martyrdom. I hesitate to use the word "martyrdom", but it is probably the best word. None of us wants that again. It is surely better that people like us attempt to put our own time and effort into an unsavoury task and put ourselves forward to bring about a resolution that creates something without any dilution whatsoever of the security of the prison. I keep coming back to the health and safety of workers. We must at least get the prisoners into the type of regime in which they can live without having any further excuses to engage in behaviour that costs the taxpayers of Northern Ireland huge sums of money, which is diverting finances from health, education and the austerity in Northern Ireland that we are all struggling to overcome.

**The Chairperson (Mr Givan):** I do not for one minute question the sincerity of all four of you as individuals in wanting to reach those conflict-free zones, but you are sincerely wrong in the tactics that are deployed, because, if that was the intention, you failed miserably in August 2010 because David Black was killed in 2012, two years after the agreement that two of the individuals in front of me were responsible for negotiating. Four years after the agreement in which all four of you were involved as independent assessors, those threats and the targeted direct abuse of staff continue to this very day. I do not question the sincerity. Indeed, I uphold your right to put forward solutions as you see them. It will be those in authority, who will be here as witnesses next, who need to answer me as to why they accept your sincerely wrong view to take this forward, and they are the people whom I will hold to account about that, both at director general and ministerial level, because they ultimately sign off on the work that you do. The efforts that have been brought forward are a repetition of exactly the same philosophy that has dominated Northern Ireland's Troubles and issues with terrorists in prison since the 1970s and throughout, and all you do is encourage them to ask for more and to seek more concessions and reward their bad behaviour. That is what you are doing, and I respectfully suggest to you that you are sincerely wrong in the approach that you are taking.

**Mr McFeely:** I respectfully say back to you, Chair, that the staff, the Prison Officers' Association (POA), the Prison Governors Association and the prisoners in Roe House have welcomed us being involved in the stocktake and felt that it provided the best opportunity to find a lasting solution towards a conflict-free environment. The staff, the POA, the Prison Governors Association and senior staff have all told us that the report that we have produced is balanced. They say that it also reflects all the concerns, particularly those of the staff. In that context, what we are putting forward at this point, as I said, provides the best opportunity for a lasting solution that is about ensuring that the security of the prison is not diluted, staff and prisoner safety is not put at risk, the staff are able to carry out their duties free from harm, intimidation or threat, and the embedding of a prison system that is safe, humane and free from the experience of the past. That is our position, and that is what we put in our report.

**The Chairperson (Mr Givan):** I have a final question before I bring in other members. The stocktake report is there, and there are recommendations in it. What is your view on the Prison Service moving ahead to implement some of the recommendations in the face of the ongoing threat, the abuse and the targeting of staff not having been dealt with? The Prison Service has decided, as an act of commitment on its part, that it will make changes. What is the assessors' view on that?

**Mr Bunting:** I suppose that it comes from our experience of 2010. By the way, no one regrets the murder of David Black more than we do. I do not think, with all due respect, that you have a monopoly on that condemnation.

**The Chairperson (Mr Givan):** I do not have a monopoly on it, Peter, but I sat in Mrs Black's living room. I was at David Black's funeral. I knew David Black's family personally. My family worked with David Black. I do not, for one minute, pretend to have a monopoly on this issue, but I have a sound foundation on which to have a clear understanding and view of how terrorists conduct themselves in their treatment of prison officers and their families.

**Mr Bunting:** I want to go back to the issue. The people beside me and I were highly aggrieved. In fact, for us, it was a sort of traitorous treatment, for want of a better term. We had put so much time and effort into ensuring that none of that behaviour and murder was going on. When we went into the prison, we looked the prisoners in the eye and told them that they had reneged on the agreement because they had murdered David Black.

That said, let me carry on a little bit. You are quite right. There is one difference, and there is a bit of a leap. Equally, I have to say that NIPS did not introduce aspects of the agreement, so there was a

hiatus between 2010 and 2012. The murder of David Black set it back another two years, which is understandable. We then needed a lot of time to start to convince the prison authorities and the prison officers. My concern — at least we have one common objective — is the safety of workers in the Prison Service. I hope, and I am sure, that we agree on that one. I maintain that not to proceed to attempt to get a resolution to the outstanding difficulties or the implementation of aspects of the 2010 agreement and this agreement would be detrimental to the welfare of prison officers and of Northern Ireland society.

You are quite right about who moves first. However, you will also note that there is a fundamental difference between this stocktake document and the 2010 agreement in that it specifically spells out internal and external threats. You could say that prisoners could often say, "We are not threatening anybody. It is people outside". We are saying that there is no difference. For the first time in a document, not only are we saying that they need to give up their internal, personal threats to prison officers but we are saying that their friends and supporters outside have to give up their threats to prison officers on Facebook and other social media. That is a significant difference.

Let us take your other point, which it is really for NIPS to answer. In any negotiation, there is always the question of who takes the first step or who blinks first. Our opinion is that, if NIPS takes the first step towards a gesture of goodwill, that will force the prisoners and their colleagues —

**Mr Poots:** Are these boys jokers?

**Mr Bunting:** Sorry, Edwin. Were you speaking to me?

**Mr Poots:** Yes.

**Mr Bunting:** Could you let me finish before you interrupt me, please? I will not interrupt you. Please, Edwin.

Chair, I was suggesting to you, and I have to go back now —

**Mr Poots:** You are very sensitive.

**Mr Bunting:** Sorry?

**Mr Poots:** You are very sensitive.

**Mr Bunting:** Edwin, with all due respect, I am here on a voluntary basis.

**Mr Poots:** Yes, well, we will deal with it in due course.

**Mr Bunting:** I have put four hard years of my own labour, time and effort into this. It has not been nice; it has been unsavoury. However, I did it for what I believe is the good of Northern Ireland. Please, just bear with me.

Those of us who have been used to negotiation would suggest, if you are thinking properly, that a gesture of goodwill by NIPS in implementing an aspect of this would put the prisoners and their organisations on the back foot, because it says, "We are prepared to attempt to live with this agreement, but your side of the bargain has to be the lifting of the threats that are still there, both internally and externally". Let us see how that will roll out. You should call me back and give me a good slap if it does not happen. I would then stand up and say honestly, "I am walking away from this; I have put four years into it, and it has not worked". It may not work, by the way, but at least we gave it our best shot.

**Mr A Maginness:** This has been a very useful and helpful engagement, despite the apparent tension and conflict in views. I attended the demonstration organised by the trade unions in the aftermath of prison officer David Black's murder, and there was no doubt of the great strength of feeling from fellow workers at that demonstration. There was not just a demonstration in Belfast; there were demonstrations elsewhere. I share the condemnation and revulsion.

Very importantly, I talked to Pat Ramsey MLA shortly before I came to this meeting, as he has been tasked by the SDLP with liaising with prisoners; he has carried out valuable work with prisoners in Roe

House. He made the point that it is vital that a commitment be given and action taken to prevent abuse and threats, internal and external, to prison officers working in the prison regime. That is very important. I endorse the sentiments of the Chair in relation to that. We all start from that point of view. We demand progress. This is a two-way, not a one-way, process. It is not concessions to prisoners; it is a two-way process, and I want to emphasise that point.

As you say on page 5:

*"this Stocktake has created an opportunity to get things back on track."*

I hope that that happens. I have mentioned the threats to prison officers and so forth, but you specifically say that:

*"communication is fundamental to success and that on occasions the absence of a clear and concise communication process has led to misinterpretation of the Agreement. The Prisoners' Forum should be the vehicle for processing issues of concern between NIPS and the prisoners. It is also important to maintain effective channels of communication".*

I want to know a little bit more about that. How effective could that be? What are the problems in relation to that?

Finally, an issue that I want to raise is revised family visiting arrangements, which prisoners believe will be restrictive. Could you comment on that? Incidentally, I want to commend you collectively and individually for your invaluable work; it has been very helpful in the political process.

**Mr Maccabe:** Thank you, Mr Maginness; that is kind.

The Prisoners' Forum was a vehicle that we believed from the beginning could resolve most of these problems through dialogue. It was to meet frequently to listen to prisoners and authorities, have a two-way exchange of information, and then act or not act accordingly. As far as we were concerned, a key to it was that if the answer was to be yes, say yes; if no, say no. As human beings, we all like to get a yes or a no. There was frustration because queries on both sides, but particularly from prisoners, seemed to disappear and were never followed up.

We have been focusing on the forum for a variety of reasons that the prison authorities can talk on better than we can. It has not been working, and our recommendation is that an independent chair come in; not to give some sort of dreadful independence

— I say dreadful, but I mean having independence as a driver. It should be someone who can understand and can be, if you like, an honest broker and can make sure that things are done properly and ensure that, when questions are asked, they are answered. That is where it stands at the moment; the Prison Service can explain and tell you where it is taking it. We are not trying to make it over-bureaucratic, rather a system that works. We would like to think that everything concerning prisoners that is fed to us, to staff on the wings and to governors by the prisoners, and vice versa, could be regularised. Someone who knows how to run a committee could deal with that. That is the recommendation.

Visiting is outside our remit, as, indeed, is the question of separation entirely, which is for the NIO. We commented on it in our report. We stuck our necks out because we felt that it would be a slightly hollow report if we did not comment on all the issues, but we have no remit and our terms of reference do not empower us to do that.

The prison authorities can go into detail, but there was an issue with changes to the visiting system, which the separated prisoners did not like. They felt that the changes would make things worse rather than better, although there were a lot of things that we could see that would make the system better. A crèche was being opened up with toys, and, it all looked pretty good, but when the prisoners were having a day-to-day, they told us that they would rather stick with what they had than move to the new process. I understand that that is where they are at at the moment. The visits will stay where they are, but there are still plans to improve. Those improvements depend on behaviour and on a great number of things.

We commented on some things that are outside our remit, but the immediate, instant issue of irritation with the new system has been put perhaps only on hold.

**Mr McCartney:** Thank you very much for your presentation and for the commitment and patience that it took to put this together.

Lesley mentioned a prison system that is safe, humane and effective, and we share that wish; we think that all in the prison system should be treated with dignity and respect. That should flow through to ensure that it should be in a place where there is no conflict; where people can live out their lives, both those in prison and those who work in and service it. They must be able to do that in a conflict-free zone.

As far back as 2010, the trades union took an initiative, along with Creggan Enterprises Limited. We supported that and are on the public record as saying so. The agreement reached at that time was, in our opinion, an appropriate way to address the situation at Maghaberry. The appointment of the assessors at that time was also appropriate. I think that we can all accept that there is absolutely no doubt that an opportunity has been missed in the intervening four years. We could spend a long time trying to say how or when, but, in the middle of this, we have to remember that David Black was murdered and one can easily see why prison staff felt the way that they did about that. However, I do not think that we should spend too much time now apportioning blame. The stocktake that came from an initiative from the Prisoner Ombudsman was appropriate, and we welcome the way in which it has been presented. We welcome the outcome of that and I think that, in many ways, the August 2010 principles are there and are there to be seen. Peter said when he was speaking that that has now been distilled down.

I think that the stocktake presents challenges, both for Prison Service and for prisoner, and Peter outlined his rationale for that and it is an appropriate one. Chris Maccabe made the point about people wanting clarity around a "yes" or a "no". I think that, now that the challenges are clear, those in breach of them will be seen more speedily and readily and we can call it better. Last time, we hoped that these things would be resolved, but, in waiting and hoping, we lose the opportunity.

I want to ask about the process. Do you feel that you have a role in assessing how it progresses, or do you see that now being a part of the remit of an independent chair?

**Mr Bunting:** My answer is this: I am finished; I cannot do any more. I have done what I have done. I think that we have set in train a fair compromise agreement, for want of a better term, and, if it is actually operated, it will give a fair deal to all people and all parties to the agreement. It will give prison staff a safe, secure environment, and it will give the people of Northern Ireland confidence that, when people are sentenced to prison, as dissident republicans or loyalists for that matter, they have a system that they can live with. We do not need any more protests, dirty or otherwise; we do not need any more outside protests; we do not need any more oxygen going to certain people. The compromise will produce a conflict-free zone for those who operate and work professionally in the system and those who are imprisoned in it.

I am sure that some of my colleagues may wish to become or remain involved; personally, I have come to the end of the line. I do not see myself coming forward and engaging in the process. I am retiring next year anyway, one way or another. However, I assume that, if some person tapped me on the shoulder in the future, I probably would become involved, purely for this reason: I share the view of the Chair that the deal is there and that there should be no more asks. Those are the parameters of the deal, Chair: no more asks. No more, to quote your good self, Chair, "rewards". That is the deal. There ain't no more asks in that deal. The deal is there. It took probably four years to reach and that is the end of the line, as far as I am concerned personally. If everyone who signed up to it adheres to it, there ain't no more to give from the Prison Service, and no more asks should be demanded by the prisoners. That is the deal.

**Mr McCartney:** OK. From our visits to Maghaberry, and indeed from talking to prison governors and prisoners, I know that there is an issue about people held outside the separated regime. I know that there is a recommendation on that. Do you intend servicing that issue with the NIO, or do you see it as the responsibility of the Department to meet your recommendation that an independent assessment be made of the reasons why people are not considered eligible for admission to separated accommodation?

**Mr McFeely:** As a result of including that clause in the agreement and of the stocktake being published, we have been requested to send a copy of the document to the Secretary of State and to

the Northern Ireland office. The Northern Ireland Office has been in contact with us; it is looking at that particular aspect of the agreement. The isolation of prisoners in the care and separation unit (CSU) was outside the original terms of the agreement. However, it was raised and we felt it important to flag it up because we believe that the current procedure, which involves the prolonged separation or isolation of prisoners — one prisoner in particular was held in isolation for over three and half years — needs to be raised from a humanitarian point of view. The Northern Ireland Office and the Secretary of State have indicated that they will respond to that aspect of the document.

**Mr McCartney:** OK. All the other recommendations are fairly straightforward, so taking them as read is the appropriate way to address them. However, there is reference to an issue that became part of the August 2010 template, and also the issue of man hours, and that is the full-body strip-searching.

You use the term "multi-mode threat detector". I assume that you have seen that in operation somewhere. Can you elaborate on that?

**Mr McFeely:** Searching has been an area of contention, particularly when exiting and entering the prison. Our recommendation is that the Northern Ireland Prison Service move more towards the intelligence-led searching of prisoners. We have looked at that piece of equipment. It is used in the prison system on the island; in fact, it is used in Portlaoise prison.

In that situation, we are merely reflecting what was in the latest report of Criminal Justice Inspection Northern Ireland in October 2014, which said that full-body searching should be looked at slightly differently. We are also drawing on the final report of Dame Anne Owers in October 2011, which was a review of the Northern Ireland Prison Service. Her report stated that the system should move away from the current process of full-body searching, as it was intrusive and invaded the privacy of all prisoners. We see this recommendation in line with that, and we know that it is something that the Northern Ireland Prison Service has said it will explore to see whether it meets the required criteria. It would be in addition to the use of the body orifice security scanner (BOSS) chair.

**Mr McCartney:** Thank you. I have a final point or broad comment, Chair. I believe that this offers us a way forward. Peter has said that he has come to the end of the road. I am not sure about the other three of you; I am not going to put you on the spot today. Our party welcomes and commends you for your efforts over the past number of years. You have done a good service towards trying to ensure that our prisons can be conflict-free. Thank you very much.

**Mr Frew:** I have been on the Committee for only a short time, so I have not been studying your work to this point in great depth. I am not questioning your sincerity in any shape or form; let me make that very clear. Whilst the stocktake report could be a massive body of work, it is, surely, a snapshot of a situation, here and now. I want you to describe for me the longevity of the report and, indeed, whatever deal is done. Although negotiation has been completed, it seems that the Prison Service will continue to do a, b and c, which could be to review the issue of full-body searching, monitor family visits, education provision or reviewing. Can you explain the longevity of the deal and how you can be so sure that it will stick?

**Mr Bunting:** I do not have a crystal ball, Paul, but I do believe one thing. Will the review stick? That is up to both parties. There is a degree of sincerity now, which might not have been there before, to resolve this issue once and for all and to create a conflict-free prison society. You ask how long it will last. I do not know; I cannot answer that question. All I know is that, from my background and experience, when you make an agreement, you stick to it until such a stage that either party wishes to change it. One assumes that that will take the form of some form of negotiation. With regard to the term "review", I understand the context in which you ask the question. Technology is always advancing. We need to review a situation in the context of the principles of the security of the prison and the welfare of the staff. When you go through airports, you will see all sorts of means of protecting aeroplanes' safety.

I was in Cuba recently with one of your colleagues, where, as in Portlaoise prison, they have a scan with a piece of cotton that can tell you whether you have been in contact with drugs in the last 14 days or with various elements of what one could probably describe as constituents of explosives.

You could also have a full-body scan, which you will see in some airports. However, as I understand it, the difficulty is that there could be a health hazard for prisoners; there may indeed be a health hazard for the staff operating it. The jury is out at the moment; I do not know what the difficulties are.

However, there may be a more humane way, rather than scrutinising somebody's bodily orifices. In that context, when I visited Portlaoise jail, I was informed by the then governor, a chap called Governor Connolly, that they could scrutinise a bodily orifice all day long, but they still could not see anything inside it. I suggest that there may be technological advances that give greater security to the Prison Service and to prison officers. That is where that review point comes in.

**Mr Frew:** I accept that, but advances in technology will happen anyway. Why did you see fit to have it in your stocktake report? It looks to me as if you are giving an excuse to prisoners to, at some point down the line, change or review their stance on the stock-take review or the agreement.

**Rev Dr Lesley Carroll:** It is important to understand the terms of reference for the stocktake. We had to look at all the issues set down in the 2010 agreement, one of which was searching. Moreover, the stocktake was not a negotiation; it was a stocktake. In the process, we saw that there were other issues that needed to be looked at; that is why other issues are recommended for review as well. The parameters are set down in the Roe House agreement. The bottom line that we have emphasised in the stocktake is that, unless the fundamental principles of the Roe House agreement are adhered to, there is nowhere to go. That is the bottom line; that is the negotiation.

**Mr McFeely:** In addition, we have not set out to appease anyone in the stocktake. As Lesley said, it is a stocktake of what was there. In our recommendations we make it abundantly clear that they are all predicated on the fact that all threats, internal and external, disappear. The Northern Ireland Prison Service, the prisoners, and maybe even the families and communities that the prisoners come from, flagged up to us that there was an impasse that was not going anywhere. That had to be broken for the greater good of the Prison Service, the staff who work in it, for prisoners' overall well-being and how that impacts on the wider community. So, in that context, we think that the stocktake and the recommendations at this stage provide a unique opportunity. We believe, perhaps naively, that this is the end game and, in that context, Peter made the point that the prisoners — this is in the paper — themselves are saying that this is the way forward. They have now welcomed the stocktake. They also want the situation resolved, and we think that that is the best way forward.

**Mr Frew:** I am sure that they would welcome this. You use the word appeasement.

**Mr McFeely:** I was referring to what was flagged up to us.

**Mr Frew:** I never used that term but, to be honest with you, that is probably the only way to describe it. Having said that, I know that you have all had a horrendous job to do. If I were here when you started the process, I would probably have surmised that, at the end of the process, it would not work. When you negotiate, whether in business or otherwise — you are all experienced — both parties have to bring something to the table. However, it seems to me that the only thing that prisoners brought to the table was that the threats would disappear and that they would behave with the conduct that we expect in society anyway. So, it cannot be balanced. How can it be balanced when all one party has to do is stop doing what it is doing? There is no pain. In a negotiation or balanced deal, there is give and take, but there has been no give on the side of the prisoners. How could they? What do they have to give?

**Mr Bunting:** Let me answer that, Paul, if I can. You come from a different view from us, but I understand why you come from that view. Let us say that when we go into Roe House we turn right. On the left-hand side, there are two storeys where, for example, there are prisoners out on the landing all the time, unlike in Roe House, where only three are allowed on one landing and three on the other. The people on the left are ordinary prisoners, for want of a better term, and the separated prisoners are over here and have to go through turnstile after turnstile. These guys here have no turnstiles, yet the interesting thing is that the guys whom we term the ordinary prisoners have assaulted more prison officers than the separated prisoners. So, I suggest to you — you could equally come back and say they are supposed to be more difficult when they have some form of military whatever — that the end game for all of us is to create an environment where people do their time in a safe and secure prison and do not go round, like the guys on the other side, beating up, threatening, hitting, punching, spitting and coming back to the situation that the Chair explained — we were there, and he is quite right — of a urine-saturated environment.

Somewhere along the line, there has to be an alternative, and, if one alternative is not working, even in the negotiations that we are talking about outside or whatever, we switch strategies to ensure that, somewhere along the line, we get an environment that both parties can live in without diluting the substantive issues: security in the prison, no escapes, none of that carry-on and the safety of prison

officers. I understand your frustration in asking, "Who is giving?": I think that we are all giving, but the end game is that we do not have the prison wrecked any more, which costs money; we do not have threats to prison officers any more, externally or internally; and we do not have people attempting to escape from the prison any more. That should give us a degree of security.

**Mr Frew:** What if that changes tomorrow?

**Mr Bunting:** It is like anything: if you breach the agreement, the agreement is off the table.

**Mr Frew:** What happens then?

**Mr Bunting:** I do not know, Paul. Maybe somebody else will volunteer to go in there, because I am done with it. You may find that facetious, but, after four years, as far as I am concerned — I have told the prisoners this as well — I have had enough of it. It is difficult, as you say, but at least I can hold my head up and say that I looked them in the eye and told them that they broke the agreement and they murdered David Black. I told them that to their face — sitting from there to me. I did not issue statements — which I did, by the way. Like other people, like the prisoners, I received death threats for condemning dissident republicans.

It is wonderful sitting here — whoever — and being critical, and that is grand. I know that you are not being critical for the sake of being critical and that you are trying to get to the rationale behind it, but I believe that we have done some sort of a service for the people of Northern Ireland. I cannot answer your question about what the future holds. By the way, it would not surprise me if, at some stage in the future, somebody breaks the agreement. We do not know. However, all I can say is that, for everybody within the parameters of that, that is the end of the agreement. The parameters are there, and it is up to both sides to work it, nobody else.

**Mr Frew:** I want to clarify something: I may be critical, but I am asking questions because those are the questions that the public would expect me to ask, because I am the public.

**Mr Bunting:** No problem. All I am suggesting is that nobody can answer the question. If we did not have this, what is the alternative?

**Rev Dr Lesley Carroll:** I totally get the view that, if all that we are doing is expecting people to behave like human beings, then what is the big deal? We should have expected that in the first place. I work in north Belfast and have worked there for 25 years, so I have stood in the house with the prison officer and with the RUC officer who were chucking their stuff into black bags — they are not there anyway. Their family are there; they have already gone — and got them out as quickly as we could. That should not continue to happen in this day and age in the society we live in, with the agreements that have been reached and with the hopes that we have. Anything that I can do to stop that happening in the future, I will do. Like Peter said, there are no guarantees. We can only do our very best so that that does not have to happen to people again.

**Mr Maccabe:** You mentioned timing and when this will happen. We say, in bold in our report, that we believe that there should be a timeline of six months for this, and that is important to us to resolve any outstanding issues. OK, to be idealistic, we would like them all to be resolved, but our expectation is that, at the end of six months, we will know where we are. Electronic searching is a problem. To find a safe system seems to be the holy grail that may never be found. We have reinforced and emphasised that to the prisoners over and over, but there is a desire on all sides to keep on looking. That is the only promise that can be given about that.

Although we are a totally united group, and my friend Peter and I talk about everything, and I have heard Peter's opinion about his immediate retirement — leaving the field with honour — I personally feel an ownership of this until the six months have worked their way out, because we have made recommendations, particularly about a chair and a reorganised and reinvigorated prisoners forum. We have a relationship — I will not say whether for good or bad — we have a good relationship with the Minister; with his senior management in the Prison Service; with the people in the prison, who are infinitely and tirelessly courteous to us when we visit, which impresses me very much; and, as far as it goes, with the prisoners as well. A phasing-out rather than an abrupt end of our role would be better just to see that through. We have committed so much to it, and I would like to continue for a little while longer down that way. That is my own view.

**Mr Poots:** I have no doubt that all of the members here today are well-meaning in what they are attempting to do and that their desire for a peaceful environment in the prison is appropriate. However, having the right motivation does not necessarily deliver the right outcomes and policies. I do not believe that they are doing that.

In my history of life — I have now got the grey hairs to demonstrate that I have been around for a reasonable period — I have never witnessed the rewarding of bad behaviour to have an outcome other than more bad behaviour. I think that that concept of actually rewarding those who behave badly is flawed and is one that you have got wrong in the initiation of your process. These prisoners are not in prison because they have shoplifted to the value of 60 or 70 quid; they are amongst the most dangerous people in Northern Ireland. Therefore, to go down a route which makes that particular wing in Maghaberry more and more like an open prison is highly dangerous. It is highly dangerous for prison staff. We received phone calls from representatives of the Prison Officers' Association last week who have expressed concern that there are lethal weapons in that facility. To relax the means of actually identifying them in searches strikes me as being very dangerous. I represent a constituency which has more prison officers in it than any other in Northern Ireland. I am not getting feedback from them that they are happy with your recommendations — far from it.

**Mr McFeely:** Clearly, when we set out on this particular process, we set out on a process that was inclusive in which we talked to staff when we went into the prison. We asked to meet the representatives of the POA. We also asked to meet the Prison Governors Association in the prison. Each of those organisations were happy and did not object at all to the process that we were undertaking. Indeed, when we were in the prison last week, they told us that they felt that the report was extremely balanced and that, for the first time in quite a number of years, of all of the reports that have been written over the years about prison conditions in Northern Ireland, *[Inaudible.]* report actually reflected their view. They have also been telling us that they want this impasse to be broken.

In that context, they felt that the stocktake and what we are proposing is obviously a route map out of that. Clearly, at the end of the day — and we feel that we are actually in prison ourselves — the fact is that we have looked at, researched and analysed this and given the information that has been given to us by the Northern Ireland Prison Service and others. We are actually simply saying that we are not relaxing the searching procedure at all. We argue that what we are actually proposing enhances it and makes it safer for everyone. We argue that what we have proposed for searching does not dilute the safety of the prison, but, as I have said, enhances it. In that context, we stand or fall on the particular recommendations that we have put forward. I suggest that we should not throw away this opportunity to actually resolve the current situation in Roe House.

**The Chairperson (Mr Givan):** There is no one else, but — sorry, Mr Elliott wants in. I will bring him in in a moment. You are familiar with the conditions document that the republicans submitted. One of their demands is to end the policy of controlled movement and daytime and night-time lock-ups. Obviously, your stocktake has recommended allowing up to six out under controlled movement. The view is that your recommendation is a step towards what they want to achieve. In the light of all the demands that were issued in that conditions document, are you satisfied that your stocktake will be the end of the matter in respect of republicans' pursuit of what they envisage in that document?

**Mr Bunting:** That is a good question. I repeat that what is written down there is the agreement. I just could not envisage ending the lock-up. I do not think that anybody would envisage that there would be no lock-up at night-time or lock-out in the morning. I just want to emphasise that our agreement is here. That is what we have put before you.

Obviously, there is a view, whether there be six on the landing at any stage or whatever out. Even if you multiply them, prisoners have always told us that you can have as many prison officers in that particular wing, and they would like to move round the place. To go back to my answer to Paul earlier, if they breach, threaten or overpower the agreement, they lose whatever gains they may have in it. It puts them all back to square one. So, the onus from your question is that if I were one of the prisoners and I have something that makes my life easier and I want to build up an atmosphere in the prison which, at least, gets me through with some form of "quality of life", why would I damage something which Edwin and Paul think is a terrible thing and view to be rewarding bad behaviour? Why would prisoners damage it?

I have stated that, from my particular point of view, the parameters and principles are enshrined in this agreement. It incorporates stringently the agreed principles, which I do not need to repeat. Therefore,

I believe that while the prisoners may have wonderful ideas and might want a sun deck or whatever else they might need —

**The Chairperson (Mr Givan):** Swings and slides as well as sun decks, I think.

**Mr Bunting:** All that I suggest to you is that the deal is here. The parameters are here. They were set out in 2010 and are set out here. You have to build up the trust scenario as well, so that eventually there could be some degree of more movement in the prison. Again, it all comes back to the non-breaching of what we termed an agreement, which has to be adhered to by both parties.

**Mr McFeely:** In addition to that, it is important that everything is obviously predicated on what was in the August 2010 agreement. All it was in respect of is in that document, which the prisoners informed us that they did not leak. They do not know where it came from. In that context, the agreement is quite clear. It never talks about the jail's being thrown open so that they can move all round the place. It is quite specific. It talks about supervised free flow, which means that, in fact, it will be controlled by the Northern Ireland Prison Service and the staff who work in it.

**Mr Bunting:** It is not going back to a Maze situation.

**Mr Poots:** The logic of behaving badly and then being recompensed for doing so is one that will actually entice people to repeat the same actions over and over again. They bag the concession, then behave badly again and bag further concessions. Unfortunately, the individuals before us have fallen into that trap.

**Mr McFeely:** It is also important to say that a political decision was made here by politicians that, because of the unique situation that exists in this part of the world, there was a necessity for separated conditions. That document —

**The Chairperson (Mr Givan):** Let me correct that, Conal: direct rule precipitated separation.

**Mr McFeely:** And that was endorsed here, so the fact is that there was —

**The Chairperson (Mr Givan):** It certainly was not endorsed.

**Mr McFeely:** With the greatest respect, there is now a separated regime for republicans and loyalists. You and I are members of the public and we have to deal with that reality. At the moment, we are attempting to deal with the realities in Northern Ireland, and, unfortunately, this issue, like lots of other issues, is clearly when the past comes up to haunt us. People are simply saying that we cannot go back to the Maze. I can assure you, from my experience of Maghaberry prison, that it is a prison within a prison and is not a Maze scenario.

**Rev Dr Lesley Carroll:** Having gone through the four years of this and not knowing republican wings — I knew loyalist wings before it, but not republican wings — as far as I am concerned, the parameters are here. They can be pushed against and challenged and people can dislike them, but the parameters are here. Nothing can be done and, in our view, nothing should be done that compromises the safety of anybody in Roe House, and that means staff as well as prisoners. If people think they can move the parameters, they can try, but it ain't going nowhere.

**Mr Elliott:** Apologies; I had to go out to another meeting. Thanks for that. There are some issues of clarification first. The briefing documents and the report talk about the agreed principles and undertakings of the agreement. I can see the agreed principles but I cannot see the undertakings. I assume that there were a series of undertakings.

**Mr McFeely:** There were a considerable number of undertakings in terms of what changes would take place. What is being missed here is that the Northern Ireland Prison Service has implemented quite a number of the changes based on the undertakings that it gave in the August agreement — in fact, a considerable number. The breakdown was in and around the two core issues of what the prisoners call controlled movement and the issue of exiting and entering a prison.

**Mr Elliott:** In 2010, there was a list of undertakings, OK? That is what you had to work towards.

**Mr McFeely:** We referred to that. Lots of those have been —

**Mr Elliott:** Yes, I see all the issues that have been implemented and not implemented, but it does not give me a list of the undertakings. Were the Prison Officers' Association and the prison officers themselves party to that agreement?

**Mr Bunting:** At the time, we would have assumed, because we were dealing with the —

**Mr Elliott:** Assumed? Peter, you are normally much more specific than that. You do not assume very much.

**Mr Bunting:** I am trying to suggest to you that we were dealing with a number of governors. The original 2010 agreement was signed off by the governor and each prisoner. They all signed it at the time. There were 28 prisoners, and the governor signed off on their behalf. We were not dealing directly with the POA, but one would assume that there had been communications on a regular basis. That is one of the recommendations we have in there, because there was no communication. It is very hard to start apportioning culpability, which I referred to earlier, because I think that the lack of communication between the governors who we were dealing with and who signed off on the agreement and the prison officers contributed to huge unrest among the prison staff. They apparently were not consulted somewhere along the line, and that communication broke down and the forum did not really take off as it should have. For us, that would have been the mechanism or the vehicle for sorting out a lot of the problems and allowing the agreement to be implemented on the basis on which it should have been and in the ethos and culture of a better environment. I do not have a copy handy, but I am sure that we can give you a copy of the August 10 agreement.

**Mr Elliott:** OK. I appreciate that. To be clear, did you get the feeling that those who had to implement that on the ground — in other words, the prison officers — were not party to that agreement in 2010?

**Mr Bunting:** I honestly do not know, to be fair. I would suggest —

**Mr Elliott:** I find that rather strange, Peter. I have to say, that, if you have gone through a stocktake and a review, you have not been able to make a judgement as to whether prison officers were —

**Mr Bunting:** My colleague spoke to the prison officers. He can answer that.

**Mr McFeely:** In terms of the stocktake?

**Mr Elliott:** When you were carrying out the stocktake, was there clear evidence or information that the prison officers who had to implement this were party to the agreement in 2010 or not?

**Mr McFeely:** Our negotiations at that particular time were with senior governors and the director general of the Prison Service.

**Mr Elliott:** Not the prison officers. So the prison officers who had to implement this were broadly ignored in this process: is that what you are saying?

**Mr Bunting:** We are not saying that, because they would have seen us in there every day. They would have asked: "What is he footering around in here for? What are they doing in here?"

**Mr Elliott:** But you had no discussion about what was going on —

**Mr Bunting:** We had a discussion with them on —

**Mr Elliott:** — or your role or theirs. I find it very strange that the people who were at the coalface of this — the actual prison officers — seemed to be generally ignored in this process.

**Mr McFeely:** Will you not accept that there was a responsibility on the governors at the time and the director general, who obviously invited us in and allowed us to facilitate this particular process on their behalf, to ensure that their staff were kept up to speed on this? Clearly, from our point of view, when we were in negotiating that particular agreement, and given the tension in the particular communities and the spill-out of that, we were given a task to facilitate an agreement between the Northern Ireland

Prison Service and those prisoners at that time. That was our remit. There were others who had a responsibility to ensure that the system opened up those channels to keep people informed. You cannot throw that responsibility back on us at that time.

**The Chairperson (Mr Givan):** Nor would it be fair to say, just because you were in the building flitting about, to expect staff to relay their views about an agreement that you were putting together. When I am in and out of Maghaberry, 90% of the time the staff are polite and do a professional job. On the odd occasion, I will be berated about why the exit scheme did not include 45-year-olds rather than 50-year-olds and so on, but I do not think that it is fair to say that, just because you were in the building, it was the extent of the process for the prison officers.

**Mr Maccabe:** For the record, since the agreement was signed and Lesley Carroll and I joined the team and it became the assessment team, one of the very first meetings that I remember having along with Conal McFeely was at Millisle, meeting the POA. As soon as the agreement was there — and that is all I can speak for — we made it our business, and we have repeated those meetings, most recently, as you have heard, with the Governors Association and others as part of this review. It became central to us. It was one of the key players, and we identified a wide range of key players. Representatives of the staff were always there, and we have kept in touch since. We are talking about history. I do not know what happened then but I know what has happened since. Today, it is absolutely recognised as a duty of — *[Inaudible.]*

**Mr Elliott:** Is it fair to say that you are indicating to me, Conal, that you put some of the blame back on the senior authority of the prison staff and the prison management because they did not communicate with the prison officers? Are you saying that you did not feel that it was your responsibility to do that, but that, since then, there has been progress at doing that through your channels?

**Mr McFeely:** From the period when the agreement was signed off, the assessment team was put in place and we were told that we would come in and assess the particular agreement, the first thing that Chris and I did as assessors was to make it our business to go to the people concerned to say, "Look, this is what is happening, and it is important that your members know exactly what we are doing." We have been doing that for the past four years. I think that it would be unfair to say that the staff within Roe House were also fully aware, because the document was circulated to staff. My understanding was that, within 24 hours of the document being signed off on by the governors —

**Mr Elliott:** Yes, but they were not part of the agreement. They were given a *fait accompli*. Is that right?

**Mr McFeely:** I do not know if it was a *fait accompli* at that stage.

**Mr Elliott:** They were given the document after it was agreed. They were given the agreement.

**Mr McFeely:** They were aware that we were negotiating that agreement, and they had, at times, very robust conversations with me and Peter.

**Mr Elliott:** Would you say that they felt they were part of the agreement or not?

**Mr McFeely:** They were aware that an agreement was being negotiated.

**Mr Elliott:** They were aware of it, but they were not part of it.

**Mr Bunting:** The agreement was there, Tom, but it was never implemented anyway.

**Rev Dr Lesley Carroll:** They were members of the Prison Service, and the agreement was with the Prison Service. I understand what you are saying: it was not negotiated face-to-face with the officers on the wing. Nevertheless, they are members of the Prison Service, and the agreement was signed by the governor on behalf of the Prison Service.

**Mr Elliott:** I am merely trying to establish what role the prison officers on the ground had.

**Mr McFeely:** The key point from that, if we bring things right up to date in terms of the stocktake, is that we have made every effort to talk to staff, the POA and the Prison Governors Association.

Everybody was fully aware of what the stocktake was about. All we can do is say that the feedback that we are getting from the NIPS is that it is broadly supportive of this attempt to break the impasse.

We have also said to the prisoners, "Look, we can't keep coming in here over a four-year period. We are trying to find a way out of this impasse." They have also said that they want a way out of the impasse, and we are simply saying that what we have laid down in the stocktake is the endgame for everyone.

**Mr Elliott:** One final question, Chair. It may not be relevant to their answer, but, from your discussions with the prisoners, do you feel that they get it that they are supposed to be in there for punishment?

**Mr Bunting:** I can quite honestly answer that. I do not think that that would be their view. I repeat: we have very robust difficulties with the prisoners. I am a toothless tiger, Chris is something else, Conal is a spook and Lesley is something else. It is quite rough when you go in there.

**The Chairperson (Mr Givan):** Last one, for clarity: did the POA sign off on the recommendations in the stocktake? Did it officially endorse it, or is it just the Prison Service management that has endorsed it?

**Rev Dr Lesley Carroll:** We were asked to do a stocktake by the Minister. It was, therefore, for us to give the stocktake report to the Minister. In the consultations we spoke to the POA, as we have said, but it was not for us to ask the POA to sign off.

**The Chairperson (Mr Givan):** OK. Thank you.

**Mr McFeely:** Thanks very much, Chair. Hopefully you will not see me here again. *[Laughter.]* On this issue, anyway. Thanks very much.