



Northern Ireland  
Assembly

Committee for Justice

# OFFICIAL REPORT (Hansard)

COVID-19 Response:  
Northern Ireland Prison Service

2 April 2020



part of the daily routine in our prisons. At this point, we move to a landing- or house-based regime, therefore limiting prisoner movement in each establishment. We have isolation units in place in each prison, and today, as a precautionary measure, we have three individual prisoners in isolation. We currently have no confirmed cases of COVID-19 in our prisons. We are shielding our older population and individuals who are particularly vulnerable to ensure that they have additional and appropriate protections.

As the Committee will know and as you have just mentioned, Chair, earlier this week Minister Long gave approval for the temporary early release of prisoners who satisfy the criteria for the scheme that she has put in place in response to the COVID-19 emergency. The scheme is open to prisoners who are in the last three months of their sentence and who are not excluded by virtue of the crime that they have committed — for example, terrorist offences or sexual offences — the availability of accommodation on the outside or their specific health needs. I believe that this is a proportionate response that has carefully balanced the operational needs of the Prison Service with the importance of public safety and victim sensitivity.

As a service, we continue to be guided by the advice of the Public Health Agency and our partners in the South Eastern Trust. As far as it is practicable, governors have put in place social-distancing arrangements in each prison. At this stage, we have a supply of PPE to meet current needs and further significant deliveries are on order.

As the Committee will know, a significant number of staff are absent due to COVID-19; the figure today stands at 197 and equates to 16% of our operational grades. In response and in recognition of the fact that we will require staff to work longer hours, the Minister has put in place a series of overtime payments, and I have been very encouraged by the number of staff who have already stepped forward and volunteered to work additional hours. We are also beginning to see some staff return to work after periods of self-isolation.

Central to our strategy for dealing with the implications of the virus is good communication with staff and those in our care. Sadly, the days ahead are going to be very challenging, and it will be vital that, in taking difficult decisions, we are mindful of the impact on staff and their families and on those for whom we have responsibility and their families. Keeping staff and prisoners well informed and explaining the decisions that we take and why we are taking them will be crucial. The unprecedented nature of the crisis that we face means that there is no rule book or guidebook to point us to the right answers. However, I was immensely encouraged by the very positive comments contained in letters sent to me by the Prison Officers' Association (POA) national secretary in London and, indeed, by our own area secretary in Belfast, who said:

*"I am very supportive of the stance that has been taken in Northern Ireland to ensure the best protection for staff, prisoners and their families."*

Chairman, I hope these brief opening remarks provide the Committee with some reassurance that the actions we are taking are decisive, proportionate and compassionate as we seek to deal with the uncertainty that comes with planning for the unknown.

**The Chairperson (Mr Givan):** Thank you very much, Ronnie. Let us just get straight into some of the questions.

You have 197 staff currently off work as a result of COVID-19. Is that purely to do with COVID-19 or are there additional numbers off due to other sickness?

**Mr Armour:** Yes. The 197 represents those who are off for COVID-19 reasons. Additionally, we have 94 staff off on normal — if I can put it that way — sick absence.

**The Chairperson (Mr Givan):** So, is that in excess of 25%?

**Mr Armour:** It is roughly 23%.

**The Chairperson (Mr Givan):** So, 23% of your current workforce is unavailable. Was that the determinant factor in the closure of visitations, rather than public health advice? Was it to do with staffing? Also, is that the determinant factor for the early release of those prisoners?

**Mr Armour:** Not entirely. Obviously, we need to pay close attention to our staffing levels, but with regard to the early release of prisoners, it is important that we bring our population down to help with social distancing. It also helps to reduce the number of prisoners who are sharing cells, for example, which is good practice according to the health advice that we have received. Crucially, it also means that when the more difficult days come, we will have fewer people to monitor and to manage. Monitoring is crucial to us because 32% of our population has mental health issues.

**The Chairperson (Mr Givan):** Of those 197, have any been confirmed as having COVID-19?

**Mr Armour:** Not so far. Certainly not that we have been advised of.

**The Chairperson (Mr Givan):** OK. Are those who are having to self-isolate included in that figure?

**Mr Armour:** There will be some who are self-isolating. There will be others who have underlying medical conditions, and there are some who have relatives that they have to care for. It is all of that put together.

**The Chairperson (Mr Givan):** If testing were available, could any of those people be tested and allowed to come back to work sooner?

**Mr Armour:** Yes. We are working towards getting to the point where we can test staff, and if it is appropriate for them to come back, by all means, we will get them back.

**The Chairperson (Mr Givan):** Are any of those individuals off as a result of not having the available PPE or because of a lack of confidence to carry out their job because there is no PPE?

**Mr Armour:** No, I do not believe that is why staff are off. The reasons that they are giving us are that they are self-isolating because they or someone in the household has had symptoms or they have underlying medical reasons. No one has indicated to us that they are off work because of PPE.

**The Chairperson (Mr Givan):** You referred to a significant order for PPE. You have indicated that you believe that you have what is currently needed. Can you detail exactly the level of the order that has gone in?

**Mr Armour:** We first put an order in for PPE back in February. So, at the very beginning, we put an order in, and we have taken delivery of equipment that has been dispersed to the prisons. That is what I mean when I say that we currently have what we need. I do not have the precise figures, but I know, for example, that we have ordered around 250,000 masks. We have ordered visors, disposable suits and goggles. I do not have the exact figures, but we are talking very significant quantities.

**The Chairperson (Mr Givan):** Will that be to kit out everybody?

**Mr Armour:** It will depend on how the situation develops, but we are working on the basis that we will have to kit out very significant numbers as the crisis unfolds.

**The Chairperson (Mr Givan):** The Minister took the decision around the criteria of prisoner. Will the governors of each establishment ultimately sign-off on prisoners who fall within those criteria? Will you elaborate on the decision-making process that the governors will now use?

**Mr Armour:** The governor will ultimately take the decision under prison rules. The process has been that we have drawn together lists of individuals who qualify. Each individual then goes through an individual assessment process. For example, prison governors are looking at those cases. We are talking to our colleagues in the probation service about those individuals, and governors ultimately take the final decision.

**The Chairperson (Mr Givan):** OK. Finally from me, if the picture continues to deteriorate with staff numbers, what is the contingency plan? I asked the Minister this question about how you can supplement the workforce so that we do not face a problem around the prison regime being able to continue to operate and looking at a further category of prisoner being eligible for release. As I understand it, the police have legal competence to be able to come in and provide assistance. Can you just outline the kind of contingency planning that is taking place?

**Mr Armour:** You will not be surprised that we have a contingency plan in place with the PSNI for a range of different circumstances. We have been looking at that plan with the police. Both the PSNI and ourselves are content with the plan that we have in place.

Moving forward, our approach to this throughout has been to take decisions when we have needed to take those decisions and to try to do that in a measured, managed and incremental way. That is how we will continue to approach this over the coming weeks.

At the moment, the regime in prisons is, as I said, landing-based or house-based, and that is where we are at this time. We have the staff to do that on a daily basis. We are still operating evening association, for example. So, whilst the regime has changed in the past fortnight, individuals are still out of cells on their landings, and we will continue to work through that process over the coming weeks. I am not looking to change things imminently, and we are certainly not anywhere near a situation where we would look for support from anyone outside the Prison Service.

**Ms Dillon:** Thank you very much, Ronnie. I have a question about the prisoners. Obviously, nobody is able to go in, so we will not hear anything, but, in fairness, we have not heard of any kind of backlash or prisoners feeling that they are being locked up for too long or any issues around not being able to get visits and things like that. I spoke to the Minister about this, and I understand that some measures have been put in place. I am assuming that, as we have not heard anything, there are no major issues, and prisoners, for the most part, are complying, probably because they understand that this is a health crisis and it is about protecting them. I would like to think that that is being conveyed to them and that that is why they understand that this is about protecting them.

There are no visits, and I understand about staff levels and all the complications about letting people out of their cells to make phone calls. All that will be difficult, with everybody using the same phone, for example, but are measures being put in place to ensure that family contact is maintained in some form, particularly where it is parental/child family contact? That is important, especially given the fact that this is liable to last months rather than weeks. If it was weeks, you would say that would be OK, but once it runs into months, that will become a problem for the prisoners being able to cope with their circumstances and not being able to have any contact with family.

**Mr Armour:** I paid tribute today to our staff, and I think that it is right that we also acknowledge and pay tribute to prisoners, the people in our care. They have been incredibly understanding of the situation. They, like the rest of us, watch their televisions every night, and they know what is going on in the world outside. They were certainly well aware, when visits were in place up until a fortnight ago, from family members who were coming in who were beginning to tell them about the restrictions on the outside. I have to say that prisoners accepted the decision to suspend visits. There was a clear recognition that we were taking that decision in their interests as much as anything else and in the interests of their families.

It is important to say that we are not locking people up at the moment. People are out of their cells all day and for evening association. The only difference at this stage is that they cannot go to learning and skills or to workshops. They cannot move around. They are contained within their house, but there is free movement around that and around exercise yards and so forth.

With regards to maintaining contact with the outside world, in some ways, we are very fortunate because, over the past three years, we have installed phones in 700 cells. All those individuals have the ability to make that contact in a way that is very easy and what we would think of, on the outside, as normal. We have also increased the phone credit that we are giving to people so that they can make more calls.

Those who do not have phones in their cells still have free access to phones on the landings. So, up to this point, people can make those phone calls and keep in contact. We are doing some work, and we hope to be in a position next week to introduce some virtual visits. We will not be able to do that for everybody all the time, but, where there are exceptions, we will be able to provide that facility.

Prisoners are working with us during what is a very challenging period for all of us, and I have to recognise and acknowledge that. We are doing everything that we can, as a service, to make it as easy for them as we can to maintain that contact with their families and to ensure that they get their tuck shop guaranteed. We have moved our physical education instructors from the gym, which we have closed, onto each of the residential landings, so we are doing some work around well-being and physical health on the landings as well. I cannot get away from the fact that it is all very challenging, and it is going to become more challenging.

**Ms Dillon:** The Health Minister has said that testing for staff will be ramped up. You are suffering from significant levels of understaffing because people are having to self-isolate, and we do not know whether they have COVID-19. You mentioned three prisoners and you do not know whether they have it or not, but it would make a big difference for you if you were able to identify whether they definitely do or do not.

**Mr Armour:** Well, we can do that, but it is maybe worth taking the Committee through the process in putting people into isolation. There are two categories here. First of all, if someone from the prison population's temperature rises above the threshold, or someone develops a cough or shows some of the other symptoms, then we, on advice from our healthcare colleagues, will immediately move them into isolation.

The second group of people are those that are being committed into the prison, so if we have concerns about people coming in, we will put them into the isolation unit. We are not putting prisoners who are being committed into the general population. That is a decision that we have taken: that we will isolate all prisoners coming in. If we have particular concerns, those individuals will be tested very quickly by our colleagues in the South Eastern Trust. If the test is negative, they are moved into the general population. The isolation process, so far, has been very fluid. We have been bringing people in, and if we have concerns about them, they have been tested by the South Eastern Trust. Everyone who has been tested thus far has been negative, and they have been moved back into the normal population. We do have testing arrangements in place for prisoners whom we are concerned about.

**Miss Woods:** Thank you for that overview, Ronnie. A number of my questions have been answered. I know that safeguarding was discussed a couple of weeks ago around the potential for the early release of prisoners and support services in conjunction with the probation board for those who are. Have those discussions happened and, if so, will it all be in place before anybody is released?

I know, also, that learning and skills was brought up last time, but have any alternatives been looked at — alternative or additional materials — for people who might have been using that education and activity beforehand?

Finally, and this is probably for the Department, and I tried to get some clarification from the Minister earlier this week, but where people are in prison for harassment and breaching of restraining orders, does that count as domestic abuse for the purposes of early release? That has been brought to my attention, and it is very concerning if they are going to be looked at for early release, because we obviously do not have that definition.

**Mr Armour:** If I take those in reverse, the answer to your final question is no, those people are not eligible for early release. Women's Aid, for example, has been very positive about the approach that we have taken. Where there is a concern around domestic abuse, stalking or any of the non-molestation orders and so forth that you have mentioned, those individuals are not eligible.

On materials for learning and skills, we are seeking to provide some materials. I am not saying that everybody is getting all that they would want at this stage, but we are making efforts to do that.

On the support front, there are a couple of points to make. On support for families, we have been working with NIACRO and it has established a dedicated helpline for families, and I think that that is a really positive development. On the people who are leaving us under the early release scheme, we have been working with NIACRO, Housing Rights and Extern to set-up helplines to ensure that they get the support that they need around benefits, welfare, health and well-being. Those organisations have been doing some sterling work in supporting individuals in what are challenging circumstances for them.

In addition, our colleagues in the Probation Board have offered to provide assistance to anyone who is leaving under the temporary early release scheme, even those people for whom the Probation Board would not normally have any responsibility. Again, we have provided individuals who are leaving the system with telephone numbers that they can use to get help. Finally, we have been doing a lot of work with the universal credit team in DFC to ensure that there is support for individuals with regard to benefits and so forth. A package of support measures has been put in place to cover different circumstances.

**Mr Beattie:** Thank you for that. I want to briefly put on record that I think that your officers are doing an exceptional job. They may feel a little bit forgotten because of the focus on the NHS. They are not.

The circumstances are incredibly difficult. I commend them and you and all your staff for what you are doing.

I have concerns, Ronnie. There are certain things that you cannot get out of in this. Routine is incredibly important for prisoners. Can you outline what evening association is? How many prisoners does that involve? How do you maintain social distancing during evening association?

**Mr Armour:** In the same way in which we seek to do it throughout the day, Doug. Normally what will happen in a prison environment is that, during the day, individuals will be at work, education, visits or healthcare. Lots of people are moving around the prison establishment. You will have seen that yourself. Evening association is the period after the evening meal when cells are open and people can come back out, associate freely with each other, make phone calls and do the types of things that they would want to do in their houses.

We have taken a lot of steps on social distancing. I can give you some examples of that. We have moved a lot of prisoners around in order to create a little bit more space for people. We are trying to ensure that people move around the landings in an orderly and measured way so that we can create as much social distancing as we can. You have been in the square houses at Maghaberry prison. It is very tight and difficult. It is about trying our best to do that. Staff are working on that constantly. We have adjusted some of our routines and timings so that people are not, for example, all going to collect their meals at exactly the same time. We are staggering those sorts of things. Those are some examples of what we are trying to do to ensure that we have as much social distancing as we can and that we keep people moving around in a way that is manageable, proportionate and sensible, I suppose.

**Mr Beattie:** Just following on from that, Ronnie, you are under considerable pressure, with 23% of your workforce being off for one reason or another. We have not hit the peak yet. It might be an unfair question, but I am just trying to get a scale of the problem that you are facing: at what percentage of prison staff being off would you consider a complete lockdown of prisoners?

**Mr Armour:** I am not sure that I would want to get into a percentage at this stage. We are looking at our staffing levels on a day-by-day basis. Governors are very comfortable that they can run the regime that they are running at the moment with the staffing levels that they have. Obviously, we have to keep that under review as those staffing levels fall. I do not think that it would be helpful for me to start to guess percentages, but it is an issue that we keep constantly under review.

**Mr Beattie:** That is a fair answer, Ronnie. I would not want to put you in that position. I want to raise this last point because many staff have been in contact with me about PPE. Staff confidence about PPE is the biggest issue. It is not just about staff contact with prisoners but staff contact with each other. We know that there was an issue with the search station initially. I believe that the search station now has PPE, because there was a huge volume going in there. It is a huge issue that officers work in close proximity to each other, and may have to in certain circumstances. Concern about PPE is knocking some officers' confidence. I am conscious of time, but I just want to jump on this as well if you can answer it: have you any concern that the bonus that you brought in — I understand the reason why you brought in the overtime bonus — will actually drag people into work who should not come in?

**Mr Armour:** No, I do not think that that is the case. There is certainly no evidence thus far to suggest that. Our staff are sensible. The bonus arrangements have been built around averages, so, over the 12-week period, people can be off and still qualify with the hours that they do. We have tried to design it in a way that mitigates that. We encourage staff to be sensible, look after themselves and be mindful of themselves, their families and their colleagues at work. I do not have a concern about that at this point.

I absolutely take the concern that you have expressed about PPE. I am very conscious of it. We are hearing exactly the same concerns from the health service, the police and a range of others. We are actively working on that. For example, we are part of the awaited Northern Ireland order. We are doing everything that we can. We will also be guided by healthcare partners with regard to PPE. It is available to those who are working in the isolation unit, for example. I think that that is reasonable and proportionate at this stage. We did implement the use of masks and gloves at staff search. We did that at a point at which we felt that it was the right thing to do. I am very conscious about the concerns right across the public sector. We are no different.

**Mr Beattie:** I am glad that you said that, Ronnie, because it is not just a health issue but a justice issue and logistical problem.

**Mr Armour:** It is.

**Mr Beattie:** PPE is a huge issue.

**Mr Armour:** It is a worldwide issue.

**Mr Beattie:** Absolutely. Thank you.

**The Chairperson (Mr Givan):** Ronnie, thank you very much. Please pass on my appreciation for what your management team and officers are doing. As always, they are stepping up in very difficult times. I commend you for that. Thank you, Ronnie.

**Mr Armour:** Thank you, Chair.