



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

COVID-19 Response:
Northern Ireland Prison Service

28 May 2020

Forty-seven prisoners remain on temporary release; a further five are in custody on matters that are awaiting the courts; and, sadly, one individual passed away.

We have no confirmed cases of COVID-19 in our prisons. One young man remanded to us tested positive in the community. However, following a period in our isolation unit, he subsequently tested negative and was admitted to the general population. The risk of an outbreak in the prison environment remains extremely high, which is why we have a range of measures in place to mitigate the risk. That is why those measures must remain in place, although we keep them under regular review.

What is life like in prisons at this time? With the exception of those who are in isolation units, all prisoners are unlocked as normal during the day and for evening association, and we are operating a landing-based regime. Learning and skills colleagues have provided learning packs in each prison, and we are piloting virtual learning between students and teachers at Hydebank Wood. Our aim is to roll out virtual learning across all three prisons over the coming weeks.

Virtual visits have been extremely successful. In the past week, we have delivered over 631 virtual visits, plus 167 virtual legal visits. We have been working hard with the voluntary and community sector to support families. The Committee will have seen the information booklet that we prepared and distributed with the support of NIACRO.

Since I last attended the Committee, staff testing has been facilitated by the Department of Health. To date, 104 members of staff and 33 family members have been referred for testing. So far, six members of staff have tested positive, with the last member of staff testing positive on 9 May. We were the first service in the UK to implement a track-and-trace procedure for staff and prisoners who test positive. The procedure was successfully activated when the staff member tested positive earlier this month.

With regard to staffing levels, today, 72 officers are absent due to what you might describe as "normal" illness, and 115 are absent due to COVID-19. That means that almost 15% of our staff are currently absent from work. I am indebted to my colleagues in the Prison Service College and the Northern Ireland Civil Service (NICS) HR for keeping Prison Service recruitment and recruit training going. We have 45 recruits in training, with a further six intakes planned between June and December 2020. We will shortly recommence our recruitment process using virtual interviews.

We continue to work closely with prison and health colleagues in the five nations structure of which we are part. We are also linked into the EuroPris COVID-19 information-sharing structures. I have a weekly telephone call with the director general of the Irish Prison Service. Our management teams will hold a virtual meeting on 16 June.

Although access to the prison estate is restricted to essential personnel, I was pleased to facilitate visits to each of our prisons by the Chief Inspector of Criminal Justice and the Prisoner Ombudsman, both of whom reported very favourably, and, in doing so, commented on the real sense of calm and commitment to keep things as normal as possible. They also noted that our staff are doing their best for the people who are in our care, before commenting that we have every reason to be proud of them.

The Chairperson (Mr Givan): Thank you, Ronnie. It really is a credit to the organisation that you have had no confirmed cases in prisons throughout the pandemic. Most people would not have anticipated that when the pandemic started. Obviously, the precautions that have been taken and your preparedness for the pandemic are testament to the good work not just of you and your colleagues but of the individual members of staff who are on the front line.

Mr Armour: Absolutely.

The Chairperson (Mr Givan): They have had to manage all that as well. Really well done, from me, for how you have been able to achieve that.

I have just a couple of questions because you covered most of the ones that I wanted to ask in your opening remarks. I do not want to prolong proceedings unnecessarily. What planning is there to try to get back to the normal regime of facilitating visits beyond those that are virtual and to bring in outside organisations that would have come in previously to provide education and so on? Is a plan being prepared? What is the time frame for implementing that?

Mr Armour: We are working on a range of plans. We are looking at visits. We are looking at learning and skills. We are looking at the external schemes that we operate. The way in which it is working for us is that, every three weeks, the senior team and I review the measures that we have in place and take a decision as to whether we feel that the time is right to make any change. We have not made any change so far. We will review our measures again in a fortnight's time. I doubt that we will make significant changes at that stage. We have specifically not put a time frame on when change might take place, but we are working on a number of scenarios — for example, on visits and how they might look in the brave new world. For the moment, however, our priority is to keep infection out of the prisons. We are very committed to essential people only coming in to help us to do that. We want to look very carefully at what happens in the wider community as restrictions are eased before we take decisions to do likewise.

The Chairperson (Mr Givan): There are 143 prisoners in the early release scheme; you gave us a breakdown of the detail of that. Is it planned that, when the release scheme no longer needs to be implemented, the capacity exists to manage those who are in and will not need to be released?

Mr Armour: The Minister has not yet taken a decision on that, but I will be communicating with her very shortly. My view is that we should keep that scheme in place. We are sitting today with 1,406 people in custody. Four weeks ago, that figure was probably around 1,370. You can see that the prison population is starting to creep up again. While the Minister has not made a decision yet, my preference and recommendation is that we continue the scheme.

The Chairperson (Mr Givan): I want to tease that out with you. The justification for the scheme was COVID-19-related. Is that still the rationale behind having it in place? There could be a concern that the temporary release scheme becomes permanent just to manage the prison population.

Mr Armour: There is no question of that being the case. We have been very clear that the temporary release scheme is one of a range of measures that we have in place to help the Prison Service to manage the challenges of COVID-19 that it faces. While I would like it to stay in place for a longer period, there is no question of it being a permanent arrangement.

Ms Dillon: Thank you, Ronnie, for your briefing, which gave us quite a bit of detail and has answered a number of my questions as well. I appreciate that.

There are just a couple of things. You are to be commended that the Criminal Justice Inspection and the ombudsman have been so complimentary. That reflects the fact that you have done a really good job, particularly in keeping COVID out of the prison population and, therefore, protecting prisoners and staff.

We talked about this issue before, so my question is further to that. In the separated prisoners' houses, there is no infrastructure, as you outlined, for virtual visiting. Those prisoners have to go through the hospital to do a virtual visit. Is that being looked at? Is there a way around that? I know that the infrastructure is not in place and that bringing contractors in now would be nonsensical when you are not bringing prisoners' families in. Is there a way of doing it, even by way of laptops with Wi-Fi or things like that, in the interim?

You talked about the success of the virtual visits. We talked about that previously, and you said that, particularly for prisoners who had not seen their families in a number of years, those were the first visits that they had had. That has been helpful to those individuals, and to their families, who have done nothing wrong at the end of the day. Their families have suffered because of the situation; they have not committed any criminal offence. Is it your intention to retain the good practice that has been learned from that and which is working for you?

Have you any assessment of why the measures that have been put in place have worked so well and why prisoners have cooperated so well? Are some of those things worth keeping because they make life better for prisoners and staff? I am not talking about making prison a holiday camp, but it is about making life better for people and producing better outcomes for them at the other end. We have had this conversation in Committee that your role is to try to help people so that, when they come out of prison, they are reformed and have a good prospect of a better life when they get out and of not ending up back in prison.

My last question probably ties into that. What is your assessment on prisoners who have had mental health issues or who have had to be under 24-hour watch in this period? Has the frequency of that

gone up, gone down or stayed static? Has there been a greater challenge for those with mental health issues? Has it maybe helped them in some way because those additional measures have been in place, or has it remained pretty much the same?

Mr Armour: I will take your last question first because it is a really interesting point about safety in prisons. One of the daily benchmarks that I get is statistics on the number of prisoners who are on the supporting prisoners at risk programme (SPAR). You will find it really interesting that, over the past number of months during the lockdown period, we have seen a decline in the number of prisoners on that scheme. In the past 24 hours, for example, a total of 13 prisoners were on the SPAR programme. A year or a year and a half ago, that figure was in the 30s or 40s, so something really interesting is happening there, and that is really positive.

Staff are working extremely hard at the moment. All prisoners are engaged on a landing-based regime, which means that they are not leaving their landing or their house blocks. We can keep landings separated. Obviously, we let people exercise and so forth. When I was in Maghaberry yesterday in Davis House — our new building — I witnessed a rowing competition, where we brought in rowing machines, and prisoners from each leg of the house were out competing against each other. They were totally socially distancing; that is one example of what staff are doing. They are running competitions and doing various things to keep people occupied and, I suppose, entertained to an extent. I think that that has helped.

Obviously, we do not have visits at the moment. We know that visits and external schemes can be supply routes to get drugs into prisons, so it has been much easier to manage that. I think that that has contributed. A range of things is contributing to the safety of prisoners and keeping the population as calm and stable as possible. In fairness to the people in our care, they are watching the news on their TVs and know what is happening on the outside. Lots of families are very happy with the virtual visits and not having to come to the prison, with the risks that that would involve for families and individuals. I found it strange that, although we suspended visits on 23 March, a number of prisoners had already asked me, when I visited the prisons on St Patrick's Day, when we would be stopping visits. People recognised and realised the risk not just for them but for their families. All those factors have helped to maintain the situation.

Your second question was about virtual visits. I absolutely want that to be a permanent feature in the new world after COVID-19. It has been a tremendous success for us, not only for foreign national prisoners, for example, who have not had visits from family members maybe in years but for the men and women who can see their families in their home environment. They can see their pets and all those things. That has had a tremendous effect on people, and sometimes we take those things for granted without realising the impact. We want to keep virtual visits. It will also cut down on travelling time — for example, for young mothers who travel to Magilligan from Belfast or elsewhere. It will help in all of that, so that would stay.

You had a question about separation. All prisoners have access to virtual visits, and the overwhelming majority accept that. Separated dissident republican prisoners are not accepting virtual visits at the moment.

You are right to say that it would not be appropriate to bring contractors on site. There are ongoing legal communications on that issue, so I want to be very careful in what I say and not cut across what is happening elsewhere.

I am confident that we could afford the same degree of safety to all prisoners who wish to avail themselves of virtual visits at this time. I encourage all prisoners to do that, but I understand that that is not the position we are in. We will keep it under review.

Mr Dunne: Thanks, Ronnie, for your update. Well done in managing the prisons during these most difficult times. The restriction of movement of persons in and out of the prisons was a big factor in controlling that.

Mr Armour: Absolutely.

Mr Dunne: You have 115 staff off due to COVID-19, and testing is available for staff. Is that on a voluntary basis?

Mr Armour: It is on a voluntary basis, yes. Testing is available if you are symptomatic. Of those 115, around 90 have shielding letters or shielding requirements. They will not, I suspect, be coming back in the short term. The remainder of the 115 are off because they are feeling unwell or may have symptoms. We are focusing the testing on those people.

Mr Dunne: That is roughly 25 of them.

Mr Armour: The figure changes daily, but it is around that.

Mr Dunne: Where do they go for testing?

Mr Armour: They go to one of the testing sites — the one at Balmoral, and I think that there is one in the north-west. They go to one of the normal Department of Health testing sites.

Mr Dunne: Are they secure from a security point of view?

Mr Armour: They are indeed. Staff make arrangements through the Prison Service for those tests. They can go themselves independently, but we encourage them to do it through the service because we can work to ensure their safety and a speedy response.

Mr Dunne: Six staff have tested positive. Is that right?

Mr Armour: Yes. Five of them tested positive fairly early in the process. When I was in Maghaberry yesterday, I met one of the staff who had tested positive early on and is now back in work. As I said, one staff member tested positive earlier this month.

Mr Dunne: There are still around six off because of the —

Mr Armour: No. Of those six who tested positive, a number are back at work.

Mr Dunne: An information booklet was produced for families. I understand that prisoners have bank accounts. Is that right?

Mr Armour: We operate a system whereby money can be lodged. Visitors used to hand money over, and it was lodged, but we now do that through a credit card-type system so that no cash changes hands. It is a better system for us in the current climate.

Mr Dunne: As a matter of interest, can prisoners purchase things online?

Mr Armour: No, they do not purchase things online. They purchase things from our tuck shops. There is an extensive range of things for them to buy, or family members could purchase for them online and leave those purchases into the prison, but they themselves do not order things online.

Mr Dunne: That is not available to them.

Mr Armour: No.

Mr Dunne: You mentioned virtual visits, which you are keen to retain.

Mr Armour: Very much so.

Mr Dunne: I understand that virtual visits happen once a week. Is that right?

Mr Armour: No, it can be more than that; it can be up to twice a week. We are still rolling this out. As I said earlier, we had 631 last week. We are trying to build that up week on week. Some may have had more than one visit. Each visit lasts about 20 minutes.

Mr Dunne: Are the visits in a private room or other private environment?

Mr Armour: It depends. I was in a room in Magilligan on Tuesday where three virtual visit stations were set up. I was in Davis House in Maghaberry yesterday and saw one virtual visit machine in a room. There is a degree of privacy, but there is staff supervision as well.

Mr Dunne: It is monitored.

Mr Armour: Yes. We supervise them during the virtual visit.

Mr Dunne: Thanks, Ronnie.

Miss Woods: Thank you, Ronnie. I echo the Chair's statement that having no cases in the Prison Service throughout this is absolute testament to the work of your organisation and the measures that you have had to put in place, albeit that they are not ideal.

I have a couple of questions. The first follows on from what Linda said about the mental health of prison officers and prisoners. You said that 13 prisoners were on the SPAR programme yesterday. Is the SPAR programme delivered by the trusts remotely or are people available?

Mr Armour: There are prison officers and healthcare staff on the ground, so it is being delivered in each of the establishments.

Miss Woods: OK, brilliant. This follows on from your answer to Linda about the level of drugs in prisons. Is the level similar to before or has there been a notable decrease?

Mr Armour: We do not have visits or external schemes at the moment. Very often, it is while on the external schemes that people can be pressurised to try to bring things back in. The level of drugs in prisons has very significantly reduced as a result of the suspension of those two arrangements.

Miss Woods: Do you still have enough personal protective equipment (PPE)? Are there any issues there? If we were to have a second wave in general society, would you be prepared for that?

Mr Armour: Yes. I want to pay tribute to my staff in estates management. They have worked extremely hard to secure a number of contractors for us and to ensure that, throughout this process, we have had adequate levels of PPE. I have a meeting with all the governors every morning at nine o'clock at which we review our PPE levels. We have more than adequate supplies at the moment. We continue to have very significant orders pending on a rolling basis. I am very comfortable with the levels of PPE that we have at the moment and cannot foresee an issue at this stage. Now, things can change, and we keep that under review. However, we have very significant quantities in place and on order, and we will continue that on a rolling basis.

Miss Woods: Thank you. Finally — this is not COVID-related, Chair, but just out of interest — does the Prison Service have any responsibility for Larne House holding centre, or is that strictly with the Home Office?

Mr Armour: We have no responsibility for Larne House.

Miss Woods: Thank you.

The Chairperson (Mr Givan): Are you able to quantify the very significant reduction in the prevalence of drugs? Are there figures for that?

Mr Armour: I do not have figures. We are certainly looking at that. The number of finds has gone down significantly. I do not have specific figures, but governors are reporting to me regularly that the fact that we do not have visits or external schemes means that the route into a prison for drugs is now very limited. That speaks for itself in many ways. The South Eastern Trust is still administering prescription medications to a significant range of prisoners, but the number of illegal substances coming in has been greatly reduced.

The Chairperson (Mr Givan): That will have knock-on, positive consequences for the management of prisoners who need to be on prescription medication rather than illicit drugs. Is that coming through in the management of those prisoners? Any withdrawal can create an initial tension. However, now that

the situation has stabilised, are we seeing positive benefits for prisoners who need to be taken off drugs?

Mr Armour: Undoubtedly. The challenge for us, moving forward, will be when normality begins to return. Earlier, you asked me about our recovery planning. That is a key area for us because I have concerns that, if drugs start to come back into the prison environment, prisoners' tolerance levels will be lower. There is a risk for us as a service and for the individuals. A range of work is going on to see how best we can manage that, both to restrict supply and to support individuals who come into our care with addiction issues, of whom there are a significant number, as you know.

The Chairperson (Mr Givan): That is interesting. I am curious to see the outworkings of that. Do any members on the line want to ask questions?

Ms S Bradley: Yes, Chair, if possible.

The Chairperson (Mr Givan): Of course, Sinéad. Go ahead.

Ms S Bradley: Thank you, Chair. I have just two points. First, I would like to be briefed on prisoners who have received shielding letters. Are they mostly in the release scheme or in the isolation units?

Secondly, while I commend everybody for doing such a good job to keep COVID-19 out of prisons, I seek reassurance that, in the unfortunate circumstances that it did manage to infiltrate the prison population, an emergency contingency plan is in place. Is there sufficient space to further isolate prisoners if required?

Mr Armour: There are a number of issues there. You touched on the shielding issue first. We have a significant number of prisoners whose age or underlying medical condition means that we need to take specific action to maintain their safety. We do not have them in isolation, but we have brigaded them together. For example, in Magilligan, we have brigaded many of the older men together on one or two landings, and we are very strict about who can and cannot go on to those landings. We are shielding them in that way.

Isolation is slightly different. Today, we have 117 prisoners in our isolation units, not because they have symptoms but because they are new committals to the prison system. As part of our precautionary measures, everybody who comes into prison now is put into an isolation unit for a period of 14 days before release into the general population. As I said earlier, we have had 232 committals. We cannot take the risk that some of those are, without our knowing it, carriers. We are putting those individuals into the isolation units, and, when the 14 days are up, they are moved out. Therefore, they are kept separate from the general population.

With regard to your question about a case or outbreak of COVID-19, which, as I said earlier, is still a very strong possibility, we have plans in place for how we would manage that. We can ramp up those plans as we need to. Yes, we have arrangements in place to try to ensure that we stop the spread of the virus if it should get into our prisons.

Ms S Bradley: Thank you very much.

The Chairperson (Mr Givan): Does any other member on the line have a question?

Ms Dolan: Thanks, Ronnie. That was very useful. When the Minister was with us a couple of weeks ago, she mentioned that a number of prisoners released under the early release scheme had been returned to prison. What is that number now? Has it increased or remained the same?

Mr Armour: As I said earlier, 143 prisoners were released early. Nine were returned for reoffending. Of that nine, four have subsequently been released as time served, so they are no longer in the prison system. That gives you an idea of how close to release those people were. One is currently out on bail having been released by the courts. We have recalled four further prisoners for reported breaches, and two of those individuals have subsequently been released as time served. In total, we are talking about nine returned for alleged reoffending and four recalled for reported breaches. The figure is broadly the same as it was when the Minister briefed the Committee. There may be a difference of one. I am not entirely sure about that.

Ms Dolan: Yes, so there might be a difference of one. That is fine, Ronnie. Thank you.

The Chairperson (Mr Givan): Paul, do you have anything to add or are you content?

Mr Frew: I have nothing to add. Well done, Ronnie, and keep up the good work. The figures are very impressive. Given the tight, controlled situations that the Prison Service has to work under, it is a remarkable achievement. That has been noted.

The Chairperson (Mr Givan): I agree with that.

Mr Dunne: Chair, may I make a point?

The Chairperson (Mr Givan): Yes, Gordon.

Mr Dunne: The chaplains, I understand, are unable to visit. Do the prisoners have access to online church services at the moment?

Mr Armour: It is not strictly true that the chaplains are unable to visit. Some chaplains are going into prisons and visiting prisoners, including those in our isolation units, although they are donning PPE to do that. I have to say that our chaplains always have done, and continue to do, a fantastic job. For example, at Hydebank Wood, they give a very short service every week over the tannoy system. They are still very active. We have been very careful to ensure and to encourage that individuals receive the spiritual support and guidance that, under prison rules, they are absolutely entitled to have.

Mr Dunne: Can they access online services? Is that possible?

Mr Armour: No. Prisoners do not have access to the internet in the way that you or I do, so, they cannot just log in and watch something online. They can listen to something on the radio, for example, but not online.

Mr Dunne: There are some limited visits by chaplains at the moment.

Mr Armour: Some of our chaplains are older men who are, of course, shielding, but chaplains are still actively engaged in all prisons. We encourage that, and we want to facilitate it. I see chaplaincy as an essential service in a prison.

Mr Dunne: Very good. Thanks, Ronnie.

The Chairperson (Mr Givan): Ronnie, thank you very much for your ongoing work and for taking the time to come to the Committee today. As always, it is much appreciated. We look forward to having you back to discuss matters not related to COVID-19.

Mr Armour: OK. Thank you.