



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

Reducing Offending Directorate: Department
of Justice; Youth Justice Agency

21 March 2024

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Ms Joanne Bunting (Chairperson)
Miss Deirdre Hargey (Deputy Chairperson)
Mr Doug Beattie
Mr Maurice Bradley
Mr Stewart Dickson
Mrs Ciara Ferguson
Mr Justin McNulty

Witnesses:

Mr David Kennedy	Department of Justice
Mr Steven McCourt	Department of Justice
Ms Beverley Wall	Department of Justice
Mr Stephen Martin	Youth Justice Agency

The Chairperson (Ms Bunting): We have representatives from the reducing offending directorate of the Department of Justice. They are going to give us an overview of that directorate. I apologise for keeping you all late. We had a considerable number of questions for the Chief Justice. Thank you for your forbearance on that. We have Beverley Wall, who is the director of reducing offending and director general of the Prison Service. Thank you for coming. We have David Kennedy,, who is the director of prisons; Steven McCourt who is the director of rehabilitation — we were just talking about that, Steven — and Stephen Martin, who is the chief executive of the Youth Justice Agency (YJA). Thank you all for coming, and, once again, I apologise for our tardiness. In the circumstances, I am sure that you will understand.

At this stage, I will hand over to you to tell us the things that you need us to hear, and then we will move into questions, if that works for you.

Ms Beverley Wall (Department of Justice): Thank you for your welcome, and we are very grateful to have the opportunity to brief you today. A number of challenges face the reducing offending directorate, and, while those challenges are in your written evidence, I would like to take a few minutes to provide some context to them.

I will start with the Prison Service. The most pressing challenge facing the service is the significant increase in the prisoner population. That increase is in the sentenced and unsentenced population and is felt most acutely at Maghaberry prison. The prison population today stands at 1,891. That is almost 500 more prisoners than there were in early 2021. Our remand population today represents 36% of the total prison population, 70% of the young male prison population and 48% of the Maghaberry population. As set out in the written evidence, the reasons for the increase in the prison population are

complex and place many challenges on our prisons. Today we have 475 prisoners sharing a cell: 375 in Maghaberry and 100 in Magilligan. We anticipate that we will open our final accommodation wing in Maghaberry by the end of this summer.

That brings me on to the second challenge. The rising population has not been matched by an increase in staffing levels in the Prison Service or with our partners in probation and health. It is becoming increasingly difficult for us to deliver vitally important work to rehabilitate prisoners and support them in their resettlement back into the community.

The final challenge that I wish to highlight regarding prisons is the growing complexities of those who are being committed to prisons. We are seeing increasing numbers who have addictions and extremely poor mental health. We know that that is a growing problem in wider society, but the prison environment means that those problems are more acute there. Our staff do an outstanding job, but they are not medically qualified. However, they are expected to support people with chronic addictions and significant mental health and behavioural issues. In delivering those support services, I cannot overemphasise the importance of our delivery partners, particularly the South Eastern Health and Social Care Trust (SEHSCT), which has responsibility for healthcare in our prisons.

On the directorate's wider work, I will highlight two areas that impact on the front line: remand and reducing offending. A range of factors has been shown to have an impact on reoffending. Those factors include poverty, mental health issues, substance misuse, homelessness and a lack of educational attainment and employment opportunities. Making real inroads into reducing offending behaviour requires effective partnership working across Departments, statutory agencies, the private sector and the community and voluntary sector. All those partners are feeling the same impacts from reducing budgets as the Department of Justice is.

I have already mentioned the impact of remand on our prisons, and the prevalence of remand continues to be a concern. The Department of Justice's permanent secretary has recently established a prison population oversight group, which he chairs. Membership of the group includes senior leaders from across the justice system, the South Eastern Trust and, more recently, the Housing Executive. Collectively, we are considering the steps that will be most impactful to address the issues at systemic and individual levels. A justice-wide working group on remand is also overseeing initiatives, including the availability and use of management information and the development of viable alternatives to remand to offer the judiciary. Adopting a wider cross-departmental approach will be crucial if we are to support individuals at the earliest opportunity in order to prevent them, where possible, from entering the justice system at all.

Finally, over the past number of years, the Youth Justice Agency, has been able to reduce the number of children in the formal justice system by working with partners using the approach of child first, offender second. That has helped improve the life chances of those children and reduce levels of reoffending. The focus has been on diverting children, where possible, from the formal justice system and on reducing the use of custody. Ten years ago, almost half of the YJA's caseload resulted in a court appearance. Last year, that figure was just over a quarter. The average daily custody population of Woodlands Juvenile Justice Centre 10 years ago was 34. Last year, it was 11. We look forward to continuing to build on that success and to transferring lessons learned, where appropriate, into the adult sphere.

In conclusion, I highlight the work of our staff, particularly those on the front line in our prisons and in the Youth Justice Agency. They perform an outstanding public service role, which, given its nature, is often unseen by the wider public. I acknowledge and thank all the different statutory agencies and those from the voluntary and community sector who play such an important role in our justice system. Although there are many challenges, it is important to highlight the point that there are many areas of best practice and innovation.

Thank you for giving us the opportunity to speak this afternoon, and we welcome any questions on the issues that I have raised or on any other area of our work.

The Chairperson (Ms Bunting): Thank you, Beverley. I will now bring in members.

Mr Beattie: Thank you, Beverley, as ever. It is great to talk to you, and a lot of the issues that I have will always be with your staffing levels. I am still concerned about resilience in your staffing levels, particularly the night staff numbers. I have been hearing reports that your night staff numbers are being reduced beyond what was agreed. Can you update us on your night staff numbers, please?

Ms Wall: Today, we are sitting with a full-time equivalent number of 1,579, against an operational staffing level of 1,628. We must bear in mind that the staffing level was set when we had a prison population of 1,450. What are we doing to address that? We continue to recruit, and we have successfully recruited at the custody prison officer level and brought it up to just above operational staffing levels. At night custody officer and prisoner custody officer levels, we are recruiting. We have recruits going through the Prison Service training college at the moment. Within the next number of months — I would say by June — we will be at the full operational staffing levels for night custody officers and prisoner custody officers.

It is fair to say that the prison population is still at 1,450, so what are we doing about that? We are reviewing our operational staffing levels at the minute to look at the levels that we need in order to run our prisons, but we are also looking at the administration side. Over a number of years, we have cut back on our staffing levels for administration, so we are looking to increase them also. We have reflected that in our budget bid for this coming financial year.

Mr Beattie: Staff turnaround is at about 10%. What are you doing to get that down? There is an attract piece to keeping them on. I put it to you that Davis House, with its 400 prisoners, is manned by three night staff. How are we getting people to want to stay if turnover is at 10%?

Ms Wall: The first Prison Service staff survey is out at the moment, because I am keen to hear the views of staff on what we need to do more of, what we need to do better and what we need to do differently. The survey is open for another couple of weeks, and I hope to have its results within a month or so. We will then be taking action. We need to take action on the staff turnover rate, Doug, but we are also focusing on support for staff. The Police Rehabilitation and Retraining Trust (PRRT) provides support for our staff through counselling and physio services as a separate support that is in addition to the Civil Service-wide support services that are available through Inspire and other organisations. We recognise the pressure that staff are under and the additional strain that is on them. That is why those additional support services are being provided.

This year, we have piloted, along with the Police Rehabilitation and Retraining Trust, a resilience programme. One hundred staff have gone through that programme, and the feedback has been really positive, so we are looking to extend the programme and make it available across the entire Prison Service.

Mr Beattie: That staff review that you put out —.

Ms Wall: The staff survey?

Mr Beattie: Sorry. Yes.

Ms Wall: The staff survey is to get the views of staff, but our operational staffing levels are also currently under review.

Mr Beattie: The previous review that we did, of the staff deployment agreement, stated that it would be a 37-hour week for staff. In Scotland, it is now down to 35 hours. Are you planning to go to 37 hours? We have talked about that before, David, have we not? Are we planning to move to a 37-hour week for prison officers?

Mr David Kennedy (Department of Justice): I do not think that we will be planning to go below the 39-hour week. It is something that was negotiated some time ago, and it would cost the Northern Ireland Prison Service (NIPS) and the public purse a huge amount of money to reduce to a 37-hour week. The Prison Officers' Association (POA) is continuing to talk to management side about that, and it did so as recently as earlier this week, but I do not think that it is achievable at this time.

Mr Beattie: You can see the staff concerns. They will be thinking, "If the Department is doing a survey now, will it look at what comes out of it and act on that, given that we had a staff deployment agreement that the Department is not now able to stick to?". I understand the reasons that you are not able to stick to it, but you have been pretty clear.

Ms Wall: I have set out my views on our pay strategy for staff. I sent them to the Prison Service Pay Review Body (PSPRB) at the end of last year. I intend for us to move to having one prison officer

grade. Having that would give us greater flexibility with our workforce and give staff greater flexibility to move within different business areas.

Mr Beattie: I raised that with your predecessor, if I remember rightly.

The Chairperson (Ms Bunting): I see that we have information in our pack, Beverley, that the Minister has instructed that the Prison Service Pay Review Body letter be published. Prison officers will welcome that. I suppose it would be more welcome if things were not always behind schedule. Nevertheless, I am sure that they will be glad to see that.

Mr Dickson: Thank you, everyone, for coming to the Committee today. I have recently had some engagement with you, and it was exceptionally useful for my coming back into this role. It was successful from the point of view that I met staff who, despite the pressures that they are under — from doubling up and all of that — are highly motivated. I was incredibly impressed by the stories that not only your staff but some of the prisoners told us about what works for them in the environment in which they find themselves. Despite all the pressures, there are some very positive stories from inside the system.

One measure that does not seem to work very well in addressing reoffending is short-term sentences and how you manage people who are given such sentences. A lot of good international work has been done on rehabilitating people serving short sentences. What are you doing to enhance that service and tackle the issue? The more people who do not come back gives you more space and resilience to do the rest of your work.

I will go through the rest of my questions quickly. One issue that came up in discussion when I did a visit was the difficulty with dealing with personality disorders. What particular plans do you have to tackle the issue of those with serious personality disorders?

The Chairperson (Ms Bunting): May I come in on the back of that one?

Mr Dickson: Sure.

The Chairperson (Ms Bunting): That was one of my questions. It arises time and time again when we visit.

Mr Dickson: Yes.

The Chairperson (Ms Bunting): Part of the difficulty is that it is not recognised, as I understand it. Not all of this is therefore in your hands. The questions that I would like to tack on to Stewart's are these: what do you need, what would you like to see done, and what can we do? It is OK for you to come and tell us a tale of woe, but if we are not equipping you with the tools that you need to deal with it, you are put in an impossible position.

Ms Wall: Steven, do you want to cover short sentences, and I will then talk about personality disorders?

Mr Steven McCourt (Department of Justice): Yes. Chair, Mr Dickson is right about the short-term sentence issue and the difficulties that it causes us. If you look at custodial reoffending, you will see that one of the big aspects of the work that we do that causes us difficulties is the issue of the remand population and short-term sentences. When the time spent on remand plus the 50% discount in sentencing is taken out, it gives us very little time to work with individuals who have been on remand and who subsequently get a custodial sentence. The custodial reoffending rate has increased over the past five years. It has risen from 42.8% to 49.1%. A large number of the people who go on to reoffend are from the short-term sentence population. Part of the reason for that is that, up until this point, we have not been able to have an effective rehabilitation programme for those serving short sentences.

We commenced a pilot on 29 January, working with a community and voluntary sector partner to develop a bespoke short-term sentence programme for people serving such sentences. We are working with Extern on that programme, which has a focused reoffending aspect to it and has been developed to deliver over a short period. It also looks at how we can develop and work with those individuals on the other factors that are in play in reoffending, such as, as you would expect, accommodation and education, as well as looking at addictions and working to support their mental

and physical health. We are looking to support them not only for a focused period during that custodial period but for a six-month period in the community. Extern has put in place four social workers to work with them specifically. Prisoners who have served short-term sentences are not supervised in the community, but now we have a team, through Extern, that works with individuals who come through the short-sentence programme. It is able to provide them with support and tailor the package to ensure that they have support mechanisms available in the community. We are looking at that at the moment. As I said, the pilot started on 29 January.

Mr Dickson: I will come in briefly again on the subject of short-term sentences. I very much appreciate the fact that those who are on remand have no requirement whatsoever to cooperate and that they would quite often be advised of that, as they are innocent and all of that. In our previous evidence session, we listened to the Lady Chief Justice tell us about the advantages of early guilty pleas and about there being a tariff and discount for that. On a no-blame basis, is it possible or practical to have a system whereby, even if people are on remand, they can gain some points, such that, if they are innocent, they will have done a bit of training — why would they not do that? — but that, if they end up being found guilty, the judge could take into account some of the things that they have done? Is that not some of the more innovative work that is going on in other places?

Mr McCourt: From what you are saying, I suppose that it is entirely possible that that may be the case. The issue for the legal profession more generally is that, in a court setting, it is not about the influence on the judge. Rather, it is more about the influence on the jury about the guilt of somebody who is involved in a particular offence. If somebody has pleaded not guilty yet engages in an offender behaviour programme in prison, what might a jury take from that?

Mr Dickson: If a firewall were to be put in, the jury would not know.

Mr McCourt: That is possible, but we do not preclude anybody from joining a programme, even if that person is on remand.

Mr Dickson: OK.

Mr McCourt: Whether a person in our care is on remand or is a sentenced prisoner, they are fully entitled, from whichever perspective they come, to engage in the support that they need, whether that be through education or an offender behaviour programme. They all go through the prison development model —

Mr Dickson: Yes, I know.

Mr McCourt: — which looks at their strengths, needs and risks. If it is considered that that programme is appropriate for them, they are quite entitled to avail themselves of it. We will signpost them to it and allow them to go on it.

Ms Wall: I will respond to your question about personality disorders, Stewart. To give you an idea of the scale, as of 1 March, 37% of our prison population had a history of poor mental health. We are seeing that at an increasing rate, and the challenge for our staff is that we are not equipped for it. They are not medical professionals. We rely heavily on our partners in the South Eastern Trust, who have responsibility for the healthcare in prison (HIP) service, and we work very closely with them. We have good working relations with them in our prisons.

As I understand it, there is a challenge to be met with mental health legislation and health legislation in Northern Ireland. I am not an expert on health. It would be for our colleagues in the Department of Health and the healthcare in prison service to advise on that matter. It is a growing issue, whereby we are seeing more vulnerable people and people with increasingly complex mental health cases coming into prisons.

Mr Dickson: Chair, there may be an opportunity there for the Committee to do a little joint Committee work with the Health Committee.

The Chairperson (Ms Bunting): That is one area. Another issue that I discovered, on visitations, was access to drugs in prisons. We discussed that previously, as members have an interest in body scanners in prisons, Beverley. What struck me about that issue was that you are being asked to fight the drugs battle with one hand tied behind your back. Although patients are entitled to confidentiality,

in circumstances in which a number of prisoners hold their own drugs and the Prison Service has no idea in what quantities they are holding them, what they are holding or what their baseline is, it is inordinately difficult for you to tackle the drugs problem in prisons. That is therefore another area in which we would like to help.

Mr Dickson: Through joint working.

Ms Wall: We have seen an increase in the currency of drugs in prisons, because of the positive impact that the introduction of X-ray body scanners has had on prisons' safety and security. That has had a significant impact on prisoners bringing drugs and illicit substances into jails with them, because they are subject to an X-ray body scan on admission.

The Chairperson (Ms Bunting): It is a prescription problem.

Ms Wall: That reduction in drugs being brought in means that the prescription problem becomes more of an issue for us. We are working with our colleagues in the Department of Health to ensure that, where possible and when they have the resources to do so — I will always accept that they have the same resourcing issues that I do — we reduce the prescription of those drugs that have currency and are tradable in prisons. We are seeing a reduction in the amount of tradable medication in prisons, but I am, of course, keen to see that move at a much faster pace.

The Chairperson (Ms Bunting): That is fair enough. Criminal Justice Inspection Northern Ireland (CJINI) noted that, but it is important that the other side of the story be put across, because what can you do when you do not have baseline information? You are between a rock and a hard place, but some work could be done.

Ms Wall: To give you an idea, we currently have around 180 prisoners on opiate substitution therapy across our prison system, but there are about another 100 on a waiting list for that therapy. The trading of medication becomes a significant issue when you have people waiting to get therapy.

The Chairperson (Ms Bunting): Yes, and you certainly do not want people to become addicted while they are in prison if they were not addicted before they went in.

Miss Hargey: Thanks very much, Beverley. We keep following each other around.

The issues of remand and reoffending are concerning, as is the link between the two, particularly when people are not receiving rehabilitation, meaning that there is then a higher risk of reoffending. Some of the stats that link education, mental health, substance use, which we talked about, inequality and, obviously, class are concerning. It is about how those stats are being tracked. My concern is about the mindset of prisons to address the cycle of reoffending. What actions are being taken, particularly those with a focus on remand? If the number of prisoners on remand is increasing, we will not be able to fix the delay issue overnight, so what programmes are being put in place? You mentioned a working group being established. Who is on that? Is it cross-departmental in order to reflect the complexities of cases?

Body scanners were mentioned. We have been raising issues about the level of body scanner usage. That is having an impact as well, and you can even see that in the media. There is a concern that women are not being body-scanned. Are there concerns that they may be being forced to carry in substances? Have there been any concerns about that? What can be done, or what is being done, to address that? There is the bigger discussion about having a dedicated facility for women on-site. What is the plan that you are looking at, and what is the step change that is needed to deal with the issues of remand and reoffending?

Ms Wall: We are looking at viable development of the remand population through the prison population oversight group and through a working group on remand. The prison population oversight group has reps from across the justice family, including the Probation Board and the police. We recently invited Grainia Long from the Housing Executive on to that group, and she has accepted our invitation. Through that group and the working group on remand, we are, primarily through the latter, looking at how we can get better management information on remand prisoners so that we know the rates of remand, whom that population is made up of and what the reasons are for people being remanded in custody as opposed to their being afforded bail in the community.

We are also looking at alternatives such as better use of electronic monitoring technology. The Department of Justice is about to retender for that contract, and it will include an opportunity to use GPS monitoring as an alternative to remand. We are also looking at having a bail support pilot, because we recognise the extreme vulnerabilities of the female cohort that comes into prisons and the number of women who are held on remand out of that cohort. We are therefore looking at developing alternatives and support packages for those women that we could present to the judiciary to give it greater choice in making its decisions on those individuals, as opposed to their being remanded in custody. We are also developing proposals for options for bail so that the judiciary is informed of the available housing and health support options for that cadre of individuals. Steven, would you like to come in on that one?

Mr McCourt: In addition to what Beverly has rightly said about management information and understanding exactly what remand looks like to us, we have developed a remand dashboard, which I can share with the Committee. It takes a sophisticated look at remand in the Prison Service. Not only does it show what remand looks like in any particular establishment but it tracks people by different aspects, such as whether they are women or young men. That is therefore one area. Another area that we are looking at, aside from alternatives to remand, is how we can work across the Executive, with a focus not only on the justice system but beyond it.

In the justice system, we are looking at alternative ways in which to support the judiciary, such as increased use of community sentencing, because we know from the outcomes of a diversionary approach that 49% of custodial offenders who exit prison will reoffend within 12 months but that the reoffending rate for community sentences and diversion is down to 17%. It is not appropriate in all cases, but we are working with the Probation Board to see whether it is possible to extend enhanced combination orders (ECOs) to make them another viable alternative.

We are also looking at having a five nations working group, because, although remand is a significant issue for us, an increasing prison population is equally significant as an issue across these islands. We have set up that working group with England, Wales, Scotland and, indeed, Ireland to look at how they address prison population issues and at what we can learn from those comparable areas, particularly from the steps that they have already taken. In percentage terms, Ireland's remand population is much lower than ours, which is 36%, but it has viable alternatives in place, and, when you look at it per 100,000 of the population, you will see, from looking at remand in general, that it is broadly comparable. We are very much focusing on that area to see what lessons we can learn and take forward as quickly as possible.

Ms Wall: I will move on to your question about body scans for women. Although our overall approvals for body scanning would allow us to use X-ray body scans for women, we have not done so as yet. We are watching England, which is proposing to do that, so we would rather learn from it. There is a very low level of radiation from X-ray body scans, but we want to see how it plays out in England before we consider using them with our female population. As to females coming under pressure to bring in substances, we now operate in Hydebank a separated regime for learning and skills, so females and males are not in education together. They are kept separate.

We are moving to make developments, including capital developments, in the female estate. We plan to develop a number of independent living units to support women in the step down. We have a step-down unit in Murray House, which is outside Hydebank prison, but we have identified that as being a rapid step down for women, so we need to support them by preparing them for release and moving back into communities. David, do you want to say something else about X-ray body scanners?

Mr Kennedy: Yes, thank you. We are aware that we are using X-ray body scanners on only a third of the population at Hydebank, and we are mindful that it is a mixed site, but we do not have any concerns that the female population is being put under pressure. It is a well-managed site. Some Committee members have seen it. There are really good relationships, and the numbers are certainly manageable.

X-ray body scanners are only one element of our suite of techniques, equipment and technology to prevent contraband entering the prison. In fact, drug testing, which happens throughout the male and female sites, indicates that we have had the same success with stopping drugs from entering prison establishments at Hydebank as at the other two sites. We continue to keep a constant eye on that.

Ms Ferguson: I want to ask about body scanners. Have you done data analysis and research on the use of body scanners? For instance, how often do you use body scanners, and how does the length of

time that someone is put into isolation after their use compare with elsewhere? Has any comparative analysis been done? Concerns have been raised about the amount of time that someone is kept in isolation after the use of a body scanner.

Mr Kennedy: X-ray body scanners are not new. I first visited an establishment in His Majesty's Prison and Probation Service (HMPPS) six years ago, and that is when we started our path to implement X-ray body scanners. The technology and radiation authority is very specific about how we use them. We have taken on the best guidance and brought in the best possible UK-wide experts to assist us in developing that. We realise that that has increased the number of people who are held in isolation under rule 32, because it is doing what we want it to do. We took a very measured decision that there would be no other adverse impact on any individual who received a positive scan. X-ray body scanners will put people into the care and supervision unit (CSU) under rule 32, but, equally, they will get people out of the CSU when they have a negative scan. We continue to encourage and work with people who are held under rule 32 for a positive scan to do whatever they need to do to achieve a negative scan.

Ms Ferguson: I understand, and I have read your guidelines and criteria. I downloaded them to get the ins and outs of it. My point is about the length of time that someone is kept in isolation and coming in and out to get scanned. Is there any variance here compared with elsewhere? Someone could be held in isolation for a month on the basis of the results of continual scans. Is that normal? I do not know, but, given that their use has been running for six years, do you know whether that is normal?

Mr Kennedy: Yes, absolutely normal.

Ms Wall: It is in all of our best interests — those in prison and us — to ensure that people move into or return to a normal prison regime as quickly as possible, so we do not keep people separate from the rest of the prison population unless they have a positive body scan. We retest and rescan regularly, and, as soon as the test moves to negative, the individual is immediately moved back into the prison population.

Ms Ferguson: That is good to know, but, for our information, it would be useful if you could send forward any data that you have on the number of people in isolation and the length of time that they are kept there

The Chairperson (Ms Bunting): Will you furnish us with that information? Deirdre, are you finished with your questions?

Miss Hargey: Yes.

The Chairperson (Ms Bunting): Good, because I have a list.

Mr Bradley: Thank you very much for your presentation. I have had two visits to Magilligan prison. One was back at the height of the Troubles, and the other was when I was lucky enough to play a select few football games at Magilligan and Hydebank over the years. They were very well looked after, I must say.

When it comes to rehabilitation, what opportunities exist in the Prison Service for education, higher education, job skills and placements etc? Are you working closely and collaboratively with the local regional colleges etc to prepare people for opportunities to get back into employment when they come out of prison as opposed to into a life of reoffending? What prospects are there for new building work to take place at Magilligan in the near future?

Ms Wall: I will take the Magilligan building work question, but, first, I will pass to you, Steven.

Mr McCourt: You are probably aware that we have a service level agreement in place with the further education colleges, with the lead college being Belfast Met, which oversees that. We spend some £3-6 million a year in relation to further education in the prison system. For Magilligan, we also partner with North West Regional College as part of that. We have a full suite of education provision across all three establishments. I will explain how it links with employability. Obviously, as I said earlier, we work across the Executive in order to make the system work much better. In particular, in relation to the Departments for Communities and the Economy, we focus on how we can work with employer services to align what we do in prison with where employment opportunities are in the community. We

know the needs of the people in our care. We know where they will reside on release and what training provision we have given them. We can align the two, working alongside DFC employer services branch to link in with employers. Also, DFC work coaches now work in prison establishments. They are working in Maghaberry, and we are introducing them into Magilligan and then Hydebank Wood. That is to join the system up and improve the provision that goes through each establishment and then links into an employer base outside for job opportunities.

One of the other areas that we are working on to increase provision in that link with employers is the creation of an employer advisory board. At the moment, we work with business in the community, and we are looking to take that to the next stage of creating a group of employers who work among themselves. That will very much mirror what goes on in England and Wales: looking at like-minded employers who are willing to give people with convictions an opportunity for employment to see how we can broaden the range of employers who are prepared to work with us and link into job opportunity. We want people to go through the prison gate and into employment. We want to create that provision as much as we reasonably can.

Mr Bradley: I am sure that you are aware that a new regional college is opening in Coleraine in September. That will be another opportunity for you. As the Lady Chief Justice said, anybody can make a mistake. People who have made a mistake end up in places like Magilligan, but that does not mean to say that their life is over. If there is an opportunity, they can get back into the mainstream and rearrange their life. Every opportunity should be given to them. I am all for it.

Ms Wall, will you tell me about new bricks and mortar?

Ms Wall: Yes. You are aware that Magilligan is a very old prison estate. A new kitchen facility is the key issue at Magilligan. We have the outline business case nearing completion for that, and we expect it to be complete by the end of March, the end of this month.

The next thing in the plan for Magilligan is additional accommodation blocks. You will be aware that we have H-blocks that go back to the 1970s. Halward House is the most modern accommodation there. We are looking at an extension to that block to allow us to house more prisoners in better accommodation on that estate. Magilligan is a challenging estate and our oldest.

The Chairperson (Ms Bunting): Ciara, have your questions been covered, or have you more?

Ms Ferguson: I will be short and sweet. Obviously, I am very passionate about early intervention. I will focus on you, Stephen, the work that you do and the success that you have had.

Then, for comparison purposes, I will ask Steven about rehabilitation. You mentioned a range of courses. It is imperative that there is a well-being wrap-around programme for an individual on their journey, as you mentioned, Steven, for when they leave the gate. I would be interested if you had any stats — maybe not now — on the positive impact that you make entirely within the prison. I will maybe hear some good examples. It would be heartening to hear that.

Stephen, what is the golden nugget that has created success? Is it the wrap-around, or is there other stuff that we could learn from the success that you have had at the Youth Justice Agency?

Mr Martin: The main focus has been on a shared ethos. Child first, offender second is not just an ethos that the Youth Justice Agency buys into. The Public Prosecution Service, the police and, increasingly, the courts, also buy into that ethos. There is a common ethos. The police have dedicated youth diversion officers who work solely with young people. The Public Prosecution Service has specialist prosecutors who focus on cases with young people. Obviously, our whole focus is working with children. That has been really critical.

However, it is about taking a needs-based approach. In looking at the child first, you look at what the child's needs are — their emotional needs, their family support, their living arrangements and their connection to education. Fundamentally, the three things that are key to a child reoffending are their living arrangements, their mental health and their connection with school. We have done a number of things: we have good partnerships with education other than at school (EOTAS) and a number of schools to reconnect children with education.

We have robbed Peter and Paul to do a bit of dedicated mental health work, which has been really successful. We have a clear focus on families. If we go in and work with a child, we support not just

the child but the family. Sometimes, we stretch well beyond what we are meant to do, but in the best interests of the child. We are not there 24/7, but the parents, the siblings or the grandparents are, so a lot of what we do is to support the family. That has really paid dividends, and Beverley gave some of the figures earlier. The number of young men in Hydebank now is about a third of what it was a number of years ago. The work that we have been doing is a contributory factor to that.

Ms Ferguson: Thank you. That is brilliant. That is really where we want to see the investment to turn it around so that fewer people go to prison and more people are being supported at the front end. Thank you, and well done.

Ms Wall: We are really seeing the impacts of that early intervention among the young male offender population. We are seeing a reduction in numbers there. Once people arrive in an adult male prison, what we see playing out there are the factors that have come to play through a failure of individuals to get qualifications at school. Seventy-four per cent of those in our adult population have left school with few or no qualifications, and the majority have left before the age of 16 or earlier. We are playing catch-up when they come into the adult population. That early intervention is absolutely key to driving down the numbers in our prisons.

Ms Ferguson: I know that the stats are there, particularly on education, but there is some innovative work at a small scale through the tackling paramilitarism programme and in neighbourhoods and communities. It is about pulling out such programmes, seeing their success and considering how their roll-out can be expedited across the North. There is excellent work being done for young people before they leave school as well.

Mr McCourt: We have only 14 young men who are sentenced in Hydebank Wood.

Ms Ferguson: That is a really positive downward trend.

Mr McNulty: There are 470 prisoners sharing a cell. When it comes to reducing reoffending, what are the partnering processes for prisoners, and to what extent does sharing a cell aid or detract from potential rehabilitation?

Ms Wall: Sharing a cell is certainly not ideal. Our preference would be that a very small minority of prisoners share a cell, and certainly significantly fewer than we currently have. There are some instances where it is helpful to share a cell, such as a prisoner who is feeling vulnerable and needs some support with them. If they have a prisoner who can support them, it is helpful to have them sharing a cell. By and large, however, that is not a recommended approach, and we do not like to have the numbers that we have sharing.

Mr McNulty: What about as a consequence of the —?

Ms Wall: We have no option, given the limitations of our prison estate. Magilligan prison runs at full capacity all the time now: it runs 400 prisoners, plus 100 doubled up. It is full. When you get into doubling up and prisoners spending more time in cells, tensions in the prison environment, between prisoners and between prisoners and staff, increase. We would prefer not to be doubling up at the level that we are doing it.

Mr Kennedy: Every prisoner is subject to a cell-sharing risk assessment on committal, but, if the roll continues to rise, we will have more prisoners doubling up.

Mr McNulty: Seventy-four per cent of prisoners left school at age 16 or before without qualifications. To what extent are special educational needs a contributory factor in why prisoners offend in the first place? To what extent is the Education Department responsible for an overloading and overburdening of our prison system?

Ms Wall: We work with Belfast Met to deliver learning and skills in each of our prison establishments. It has recruited and employed special educational needs advisers in the prison system. They, our staff and other partners in prison pick up individuals whom they feel have special educational needs and refer them to the special educational needs coordinator.

Mr McCourt: As Beverley said, Belfast Met has a special educational needs tutor. In Hydebank Wood Secure College, of the 176 students who were assessed, 136 were identified as having special educational needs. In Maghaberry, of the 115 who were assessed, 86 were identified as having special educational needs. It is a significant factor in determining the potential reasons why a child left school early. From our perspective, early intervention, prevention and how we can keep children in school has a particularly significant effect on the potential of their entering the justice system later.

Mr McNulty: You could say that an education system that is overwhelmed with demand for children with special educational needs has a knock-on effect on our prison system, which could be overwhelmed as well. There is a lesson in that for the Education Department.

You talked about the child-first ethos in youth justice. I congratulate you on your successes and the obvious compassion that you have when performing your roles. Well done.

The Chairperson (Ms Bunting): Thank you very much for your time thus far. The Northern Ireland Audit Office stated in its report:

"The Department told us that its Strategic Framework for Reducing Offending, published in 2013, remains fit for purpose."

The Audit Office disagrees, saying that the framework has not taken account of the rising prisoner population, short-term prisoners and remand prisoners. I appreciate that you touched on this to some extent, Beverley, when you talked about the remand oversight group, but what are the changes that might make a difference? Can you answer that? Maybe that is one for the Department rather than you, but you are at the coalface.

Ms Wall: We could always do with additional resources for staff and the important partners that work with us on supporting rehabilitation. It is a key issue. We are doing some really innovative work to support the rehabilitation of prisoners. Steven talked about the short sentence programme. We are working with colleagues in the Department for Communities to bring in work coaches to support people when they leave us, and when they are preparing to leave us, to go into employment. The call team from the Department for Communities also regularly comes into prisons to give advice and support to prisoners and their families about the welfare support that is available to them on release. There are also housing advisers. A key factor in someone not reoffending is that they have decent suitable accommodation. We are bringing housing advisers into prisons to support people to find suitable accommodation in advance of their release. That is all key work that we are doing that is having a really positive impact.

Mr McCourt: Re the Northern Ireland Audit Office's comment about the need to update the strategy, the issue, from our perspective, is that the grounds of the strategy are broadly right. We know that it is right. The Audit Office is quite right to say that a number of factors relate to the increasing prison population on remand and that we need to look at that. We are doing so, and we are committed to bringing forward a new strategy on reducing offending — looking at the desistance strategy of 2015 and incorporating that to bring forward a new strategy. We will come to the Committee with that in due course. I have two hats in the Department: one for prisons and one on reducing offending. We are looking at that.

One of the other areas that the Audit Office rightly challenged us on was how we know what works for those who do not go on to reoffend. How do we know what the material factor was — whether it was in prison, the result of something that happened in the community or they had just matured — in whether they went on to reoffend, or not, as the case may be? We are working across the Executive to look at what information we have and how we track people who leave custody and go into the community. We know whether they do or do not reoffend within that 12-month period. We certainly track that, but how do we track whether there were any material differences in their time in custody that may or may not have had an impact on whether they went on to reoffend? We are looking at that. We are tracking that 2020-21 cohort to look specifically at those among them who reoffended and those who did not, and what lessons can be learned?

One of the other areas where we have tried to work across the Executive, with DFC and others, is in looking at whether we can track people for accommodation, employability or whatever. That has just proved much too difficult: we cannot merge databases in that way. That is one of the areas that we are looking at. Specifically for the short-sentence programme, we are tracking people who move into the community who heretofore were not tracked, because they were not being supervised in the

community. We are tracking them through Extern to see what has happened in that period in order to learn lessons and move that back into the custodial context to do something different, if we need to.

The Chairperson (Ms Bunting): It will be really interesting work. Thank you for bringing that to our attention. That will be really useful. We would like to follow that with you, if we may.

I have a couple more questions. On the staff survey, given the nature of having to do more with less, like everywhere else, and the considerable pressures that there are when prisoners are sharing and locked down for extended periods because you do not have the resources to take everybody to do their rehabilitation work, how do you consider staff morale to be at present? What do you expect from the survey?

Ms Wall: My sense, when I go into each of the prisons, is that morale is good, but I will await the results of that survey. Pay is always a factor. It is unfortunate that the pay settlement for this year has taken quite so long to deliver. It will be in staff's April pay, but staff have been entitled to that for some months now, and we have not been able to pay it. That is always a factor, and that inability to make a pay settlement to staff early in the year will, I expect, have an impact on the results that we get from that survey and the comments that we get in respect of pay and reward for their services.

The Chairperson (Ms Bunting): It is important to acknowledge that the Prison Service was at the front line in some of Northern Ireland's darkest times. Prison officers held that line. Certainly, I would like to record my gratitude to those men and women who held it, and still do, in very difficult circumstances.

Stephen, I have just a brief question for you, in case you felt overlooked, as you got only a few questions. The 'Youth Engagement Statistics for Northern Ireland April 2022 to March 2023' bulletin, out of the gate, states:

"There were 3,753 cases relating to young people coming into formal contact with the criminal justice system in 2022-23. This is an increase of 1,266 (50.9%) from 2021-22."

Essentially, that represents a 51% increase from the previous year. That is an alarming figure, bearing in mind the focus on prevention and early intervention. How do we account for that? What is going wrong? Is it not working? What is happening there? It is hailed as a success story, and yet we see statistics like that. How does that balance out?

Mr Martin: We were surprised at that figure because it does not tally with our caseload. We have done a bit of digging in our organisation to try to understand that. We think that quite a lot of the figure was the police clearing up some long-standing cases. We are not sure that it is a real figure. Our caseload has not gone up. The bit of our caseload that has gone up is the earlier-stage diversion, where we take young people out of the formal system or do not let them into the formal system. Our statutory work has been coming down. We found the figure difficult to explain, and it did not tally with our caseload. Our current surmise is that it is the police clearing some outstanding cases with cautions. The cases are not making their way to us.

The Chairperson (Ms Bunting): Maybe we can take that up with the police. Does anyone have anything else? Are the witnesses content that there is nothing else that the Committee needs to know? OK. Thank you for taking the time to be here today. It has been really valuable to hear from you directly. Beverley, prior to the constitution of the Committee, you were good enough to arrange visits for the justice spokespersons to a number of the prisons. We ended up not going to Maghaberry, as that visit would have been just for me, and the Committee is going anyway. I appreciate that there is disruption when any of us come into the prison. Thank you for that. It was educational, and the entire Committee will benefit from that visit. Please express our gratitude to the governors, staff and everyone whom we met. They were exceptional, and they were very open with us, which is necessary if we are to work together for the betterment of the system. Thank you very much indeed.

Ms Wall: Thank you.