

Witness Name: John Denvir
Statement No.: M08-IMBNI-001
Exhibits: IMBNI/01- IMBNI/64
Dated: 17 June 2025

UK COVID-19 INQUIRY

WITNESS STATEMENT OF JOHN DENVIR, INDEPENDENT MONITORING BOARD FOR NORTHERN IRELAND

Background

1. I, John Denvir, Chair of the Executive Council¹ and Independent Monitoring Board at HMP Maghaberry make this witness statement to the UK COVID-19 Public Inquiry Team in response to a rule 9 request relating to Module 8. I am duly authorised to make this statement on behalf of the Independent Monitoring Board.
2. The Independent Monitoring Board covers three prisons, HMP Maghaberry, Hydebank Wood College & Women's Prison and Magilligan. During the specific period in question, I was a member of the Maghaberry Independent Monitoring Board. Accordingly, I have had the benefit of input to this statement from Pip Jaffa (Chair of IMB Hydebank) and Margaret McCrory (Chair of IMB Magilligan), both of whom were members of the IMB board for Hydebank and Magilligan respectively for the entirety of the specified period.

¹ The Executive Council consists of 9 elected board members, three from each of the Independent Monitoring Boards at HMP Maghaberry, Magilligan and Hydebank Wood, comprising the chair, vice chair and another member of those respective Boards. The Executive Council provides strategic oversight and guidance for the IMBs. The Executive Council meet every 3 months.

3. My statement covers the specified period, 1st January 2020 to 28th June 2022. It provides an overview of the actions taken by the Independent Monitoring Board in response to Covid 19, relevant to the scope of Module 8.

Part A – Roles and responsibilities of the Independent Monitoring Board (Northern Ireland)

4. The IMB was established by section 10 of the Prison Act (Northern Ireland) 1953 and its remit covers HMP Maghaberry, Magilligan and Hydebank Wood College and Women's Prison.
5. IMB members are public appointees, appointed by the Justice Minister under the Prison Act (Northern Ireland) 1953.
6. The powers and duties of the IMB are set out in Part 16 in the Prison and Young Offenders Centre Rules (Northern Ireland) 1995 (the Prison Rules) (see Appendix 1). The Rules which specifically state, *inter alia*, that the IMB shall satisfy itself as to:
 - the treatment of prisoners including provision for their health care and other welfare while in prison;
 - the facilities available to prisoners to allow them to make purposeful use of their time; and
 - the cleanliness and adequacy of prison premises.²
7. The Prison Rules also specify that the IMB shall, as soon as possible after 31st March in any year, report to the DoJ on all or any of their year's duties under the Prison Rules, together with any changes or suggestions they may wish to make.

² See Rule 124.

8. The three prisons listed above hold prisoners from the age of 18 upwards, there are no children in any of these establishments³. There is no tailoring of the way the IMB carry out their role to take account of the age of those held in these three establishments, the approach is the same regardless of age.
9. In addition to the Prison Rules already identified, the IMB conducts its duties in accordance with the IMB guidance document (**Exhibit IMBNI/01 - INQ000611797**). During the specific period there was no additional guidance available to IMB members.
10. Appendix 2 identifies the Ministers and senior civil servants responsible for each area during the Specified Period.
11. The responsibilities of the IMB did not change during the specified period and the Prison Rules were not modified in any way for the purpose of the pandemic.

Part B – Planning prior to the pandemic

12. Prior to January 2020, the IMB did not hold or have access to any specific pandemic planning material which considered how its responsibilities in relation to the monitoring of the secure estate would be discharged in the event of a pandemic, or any other civil emergency.
13. The IMB began to plan and discuss the implications of a pandemic and lockdown for its responsibilities when the first lockdown was announced.
14. The first references made to Covid 19 in the minutes of the Boards' monthly meetings with the Governor of each prison appear at the IMB Hydebank Wood monthly meeting on 18th February 2020 (**Exhibit**

³ A baby was born in Jan 2020 during her mother's time in HBW.

IMBNI/02- INQ000611798) and subsequently at the IMB Magilligan monthly meeting on 4th March 2020 (**Exhibit IMBNI/03 - INQ000611799**) and the IMB Maghaberry monthly meeting on 12th March 2020 (**Exhibit IMBNI/04 - INQ000611800**).

15. As will be seen from the exhibits referred to in paragraph 14 the minutes relate mainly to the relevant Governors and Healthcare advising how they would discharge their duties in the case of the pandemic.

Part C – Impact of lockdown

The Prime Minister's announcement of 23 March 2020

16. The IMB members were not made aware of the Prime Minister was contemplating a lockdown any earlier than the general members of the public were through News reports and the daily Covid-19 updates from UK and local Government Officials. The work of the IMB remained the same up to the lockdown when they were told by the prison governors at each of the three prisons not to attend the prison and that the only people to attend prison were to be prison staff and some healthcare workers.
17. Outside of the conversations with the Governors referred to above, no further advice was provided by the Government or other relevant agencies about the effect a lockdown might have on IMB's responsibilities.
18. There was no work done by the IMB between January and March 2020 to understand or consider what might need to be done by it in the event of a lockdown until the lockdown was announced.
19. The IMB members were not asked to contribute to any assessment about the impact a lockdown might have upon the monitoring of the secure estate that held children and young people.

20. The IMB is not aware of any monitoring, assessment, or analysis of the impact of the first national lockdown on different groups of children and young people in Northern Ireland. Nor has it undertaken same, as it was not within the remit of the IMB to complete any monitoring, assessment, or analysis of the impact of the first national lockdown.

The announcement of the second national lockdown

21. During the first lockdown, all in-person monitoring of the three prisons stopped. IMB Maghaberry felt that the lack of monitoring during the first lockdown could possibly lead to the unfair or ill treatment of prisoners when they were at their most vulnerable and so they decided to attend the prison, visit prisoners and complete their responsibilities during the second lockdown. Whilst IMB Magilligan and IMB Hydebank did not resume in-person monitoring during the second lockdown, they did make sure to keep in regular contact with the Governors as a means of monitoring during this time, something that was felt to be particularly important in circumstances where they were unable to monitor in person.

22. Further, the IMB produced posters that advised prisoners of four ways to get in touch with the IMB. These had been handed to the IMB Boards in September and put up in the three prisons at this time. This was done to make clear to the prisoners that the IMB was still operating and ready and able to assist prisoners as necessary. Prisoners are always able to call IMB on a free phone number however no requests were received during the first lockdown from any of the prisons, and so it was felt important to, in effect, advertise our services in the prisons by means of these posters.

23. In relation to Hydebank Wood, from early in the first lockdown, from around April 2020, an IMB member would attend the Governor's Boardroom every Saturday morning to review Rule 32 paperwork which would be left for them by a NIPS employee. This was continued during the

second lockdown as, in light of the experience during the first lockdown, it was felt to be a necessary monitoring mechanism and one that worked well.

24. The IMB did not consider the cumulative impact that a second national lockdown might have, nor was it asked to contribute to any assessment about the impact of a second lockdown on its monitoring of the secure estate.

25. The IMB is not aware of any monitoring, assessment or analysis of the impact of the second national lockdown on different groups of children and young people in Northern Ireland. Nor has it undertaken same, as it was not within the remit of the IMB to complete any monitoring, assessment, or analysis of the impact of the second national lockdown.

The announcement of the third national lockdown

26. During the third national lockdown the IMB Maghaberry continued to attend the prison and complete their responsibilities. As noted above, this was viewed as important in light of the experience of not attending in-person during the first lockdown. Whilst IMB Magilligan and IMB Hydebank Wood did not attend their prisons in-person during the third lockdown, they maintained regular communication with the Governor again, something that the previous lockdowns had shown to them the importance of. IMB Hydebank also continued their practice of reviewing Rule 32 paperwork on a Saturday morning. This worked well in the previous lockdowns and so was continued.

27. The IMB did not consider the cumulative impact that a third national lockdown might have, nor was it asked to contribute to any assessment about the impact that a third national lockdown might have upon the monitoring of the secure estate.

28. The IMB is not aware of any monitoring, assessment or analysis of the impact of the third national lockdown on different groups of children and young people in Northern Ireland. Nor has it undertaken same, as it was not within the remit of the IMB to complete any monitoring, assessment, or analysis of the impact of the third national lockdown.

Part D – Significant decisions which affected children and young people

Impact on monitoring visits

29. Prior to the pandemic (and during the specified period outside of lockdowns) the Board Chair (or a nominated member) prepared a rota for visits and forwarded it to the IMB Secretariat. The Secretariat issues a copy of the rota to all Board members, the relevant Governor, Care and Supervision Unit (CSU), Emergency Control Room (ECR) and security. There are normally two or three members on rota each week. The new week starts on a Monday. The first named member on the rota acts as the co-ordinator and makes contact with the other prison members who are on rota that week. Members decide who will come into the prison and which days they will cover.

30. During the visits the IMB members would cover the following areas:

- **Supporting Prisoners at Risk (SPAR)** - When it is deemed necessary to accommodate a prisoner in special accommodation for their own wellbeing, NIPS will notify the IMB Secretariat who, in turn, then notify the relevant IMB Board. They will also inform IMB Secretariat when a SPAR review of a prisoner is planned, and this will then be sent to the relevant IMB Board. There is no legal obligation to respond to SPARs, but rather members should try to visit the prisoner concerned, in the interests of monitoring prisoner welfare, when they are next in on rota.

Details of prisoners visited should be recorded in the orange Rota Visit Log Book

- **Care and Supervision Unit (CSU) Visits** - Prisoners may be placed in the CSU for their own interest, where it is necessary for the maintenance of good order or discipline or to ensure the safety of officers, prisoners and any other person [Prison Rule 32]⁴. Prisoners held in CSU may be particularly vulnerable and, therefore, during rota visits IMB members should visit the CSU at least weekly and monitor the wellbeing of all prisoners held there. Details of CSU visits undertaken must be recorded in the yellow CSU Log Book held in the IMB Office.
- **Prisoner Requests** - Prisoners may request a visit from an IMB member by either posting a request in the IMB request boxes on landings, contacting the IMB Secretariat by telephone or via Prison Staff. Members should check the request boxes on a regular basis. The frequency of checks is agreed locally, and all checks should be recorded in the orange Rota Visit Log Book to ensure other members know they have been undertaken. IMB members should visit prisoners as soon as practical after they have made their request. Prisoner queries/concerns will be varied and range from relatively trivial matters, such as missing clothes, to more serious issues, such as allegations of assault or mistreatment. Where possible IMB members try to resolve issues immediately with prison staff or relevant Governors, although this may not be possible and it may be necessary to provide prisoners with an update at a later date, such as following discussions with staff or a monthly Board meeting.
- **Area of Responsibility** - All IMB members will be allocated a specific area of responsibility by the Board Chair for the purposes of monitoring

⁴ Rule 32 – Restriction of Association - Where it is necessary for the maintenance of good order or discipline, or to ensure the safety of officers, prisoners or any other person or in their own interests that the association permitted to a prisoner should be restricted, either generally or for particular purposes, the governor may arrange for the restriction of their association.

and completion of the Annual Report. Examples of specific areas would include healthcare, education and accommodation. This does not exclude members from visiting any particular area of the prison, but rather ensures that all areas are covered in detail for the Annual Report. Time permitting, members should visit their area of responsibility and note anything of interest, positive or negative. This will be useful when completing the Annual Report. Board Chairs will also request periodical updates. IMB members may also be required to attend other meetings such as R32 reviews, adjudications, or when a Death in Custody happens.

31. As already noted, regular in-person monitoring of the prisons stopped during the first lockdown and different approaches were then adopted by the three IMB Boards in subsequent periods.
32. IMB Maghaberry returned to in-person monitoring after the end of the first lockdown and did not stop such monitoring again, even during the second and third lockdowns.
33. IMB Magilligan did not do in-person monitoring during any of the lockdowns but did so in the 'in-between' times. During lockdown they also maintained regular communication with the Governor as a means of monitoring. They also introduced a Covid-19 information request form during the first lockdown period (**Exhibit IMBNI/05 - INQ000611801**) which allowed them to obtain various information from the NIPS regarding the conditions within the prison.
34. IMB Hydebank Wood did not do any in-person monitoring between March 2020 and April 2021. However, they too maintained regular communication with the Governor as a means of monitoring. They also reviewed the Rule 32 paperwork every Saturday morning.

35. During the entirety of the specified period, prisoners could contact the IMB via telephone. Posters were then put up in the prisons in September 2020 advertising four methods of communicating with the IMB at the time.
36. When IMB Maghaberry returned to in-person monitoring, at least up until March 2022 there were restrictions on their movement within the prison. Individual members were asked to avoid going from one area to another in order to reduce contamination. Practically, this meant that only one of the IMB members visiting Maghaberry at a given time would be able to inspect a particular section of the prison.
37. Once IMB Hydebank Wood returned in April 2021, at least up until January 2022, there were restrictions on their movement within the prison. As with IMB Maghaberry, this meant that practically only one of the IMB members visiting Hydebank at a given time would be able to inspect a particular section of the prison.
38. The key decisions relating to how the IMB operated were made by the chair and vice chair of each IMB in discussion with the Governors. At all three locations the advice from the Governor was for IMB members not to attend the prison. This was in line with UK government advice issued on 16th March 2020 by the PM advising 'now is the time for everyone to stop non-essential contact and travel⁵'.
39. The health and safety of IMB members, staff and prisoners was the main driver in making decisions on how and when the IMB would monitor the

5

<https://www.instituteforgovernment.org.uk/sites/default/files/2022-12/timeline-coronavirus-lockdown-december-2021.pdf>

prison. Any attendance at the prison was voluntary and at the IMB members discretion.

40. At Maghaberry the IMB advised the prison service, through discussion with the governor, that they would continue to monitor the prison during the 2nd and 3rd lockdown as it was felt that during the lockdown is when the prisoners would be most vulnerable. There is no record of these discussions, or any further advice given to DOJ by the IMB.

41. There is no record that any of the IMBs were provided with a copy of the World Health Organisation guidance, published in March 2020 'Preparedness, prevention and control of COVID-19 in prisons and other places of detention.

42. As highlighted previously in this witness statement each IMB continued to independently scrutinise the condition and treatment of prisoners in the secure estate in different ways. IMB Maghaberry continued to carry out prison visits following the end of the 1st lockdown, IMB Magilligan attended the Prison outside of the lockdown period and communicated with the governor and requested information through Covid-19 information request forms. IMB Hydebank Wood met at the prison on a Saturday morning to review Rule 32 paper work.

Monitoring framework used during the Specified Period

43. The IMB guidance document (**Exhibit IMBNI/01 - INQ000611797**) was in place prior to the pandemic. This document was drafted and developed by IMB Executive Council and the Department of Justice. The IMB members in the role at the time the guidance document was produced were consulted about the content. This document was finalised in 2019 and has not been changed since, although is currently under review. The basic monitoring framework flowing from this document is reflected in the IMB's practice of monitoring as set out at paragraph 30 above.

44. Within the document the following areas are covered:

- An Introduction to the IMB and its structure
- The role of the IMB
- Rota Visit, its requirements and different areas that should be monitored
- Board and Executive Council meetings; when they should take place, agenda, attendee etc
- Administrative subjects; Travel, Training and the role of the Secretariat
- Information Security
- Dealing with Allegations and/or complaints about conduct and poor performance
- A copy of the various log books and checklists are also annexed to the guidance document.

45. The same framework continued to be used during the specified period and was not changed in any way at that time. This framework does not differentiate between establishments that hold children and young people and establishments that hold adults.

46. The framework used over the specified period would manually allow IMB members to make comparisons between the conditions and treatment prior to and during the pandemic. IMB members were able to read back over previous log books and highlight any reoccurring issues. However, the IMB noted in the visit log books that the issues raised by the prisoners before and during the pandemic remained the same. No trends were identified, and the issues raised continued to be wide and varied.

47. The IMB did not make any changes to the monitoring framework during the specified period. However, they were unable to monitor the prisons during the various lockdown periods due to restrictions.
48. When the IMB members did attend the secure establishments, they monitored the necessity and proportionality of the restrictive regime measures taken by individual secure establishments. During rota visits IMB Maghaberry did raise concerns about the amount of time new committals were held in their cells during the quarantine period and the effect this was having on their mental health. This was particularly distressing for first time committals. This issue was raised with the Governor and health care representatives. However, no action was taken as there were strict quarantine rules in place that had to be followed both in the community and in prison.
49. The IMB did not put forward any measures to mitigate any issues identified during monitoring visits. It is not the role of IMB to put forward such measures. Rather, the IMB will report issues raised during monitoring to the relevant authorities e.g. the NIPS or prison healthcare, and it is the responsibility of those expert authorities to put in place measures to mitigate any issues. Accordingly, the IMB did raise any issues with the Governor and Healthcare representatives.
50. The IMB did not identify any broader systemic issues within the secure estate during the specified period.

Communications with children and young people held in the secure estate

51. As highlighted previously in this statement, after the first lockdown IMB Maghaberry continued to visit the prison similarly to how they had prior to the pandemic, whilst IMB Magilligan and IMB Hydebank Wood stopped for specific periods of time. Prisoners were always able to communicate with IMB members via a free phone service.

52. Generally, IMB members reported that the concerns raised by the prisoners remained the same as before the pandemic. The IMB logs books attached at (Exhibit IMBNI/06 - I&S - Undisclosed), (Exhibit IMBNI/07 - I&S - Undisclosed), (Exhibit IMBNI/08 - I&S - Undisclosed), (Exhibit IMBNI/09 - I&S - Undisclosed), (Exhibit IMBNI/10 - I&S - Undisclosed) and (Exhibit IMBNI/11 - I&S - Undisclosed) highlight this fact.

53. An example of the topics discussed, and the responses received are:

- Prisoner had lost his medication – IMB member raised issue with Healthcare.
- Discussed with prisoner about his release and the date flights booked to return home.
- Prisoner with mental health issues asked to return to Maghaberry from Magilligan to see Dr Bones and where he had a mental health nurse assigned to him. IMB raised with mental health team.

54. As can be seen, these are not pandemic specific concerns, rather they are routine issues that would have typically arisen before and after the pandemic.

55. There were no concerns raised by children or young people relating to the impact the pandemic and the lockdown regimes were having on them. The only lockdown regime restriction concerns raised by the IMB was the amount of time new committals spent in their cells and the effect on their mental health as highlighted above and this was raised with the relevant Governors and Healthcare.

56. The IMB did not conduct any surveys as part of their monitoring visits or obtain any case studies which related to the impact lockdown/regime

restrictions were having on children or young people within the secure estate.

Findings/conclusions from the monitoring of the secure estate which held children and young people

57. Ordinarily, IMB members report their findings from prison visits, issues raised in the IMB boxes and Rule 32 hearings with the Governor in charge or the relevant organisation e.g. prison healthcare, Belfast Metropolitan College or another third-party service provider. If this is not dealt with adequately or is a reoccurring issue then the Board may raise it at the monthly meeting with the attending Governor. Ultimately serious or long-standing issues can be raised with the Justice Minister.
58. Apart from IMB Maghaberry during the 2nd and 3rd lockdown the IMB did not visit the prison wings which meant they couldn't visit prisoners face to face. However, any issues prisoners did have could be raised by phone and then the issues were passed on to the Governor also by telephone.
59. The Prison Rules also specify that the IMB shall, as soon as possible after 31st March in any year, report to the DoJ on all or any of their year's duties under the Prison and Young Offenders Centre Rules (Northern Ireland) 1995, together with any changes or suggestions they may wish to make. The IMB continued to submit their annual reports during the specified period.
60. The IMB are able to monitor the progress against any observations that are raised in the annual report throughout the year and raise any outstanding issues of concern with the Governor and other organisations formally at the monthly meetings.

61. The IMB also formally highlight any issues in the report that are outstanding from the previous years report. There were no changes to this process during the specified period.
62. Otherwise, the IMB does not have any legal powers to require the Prisons to change or adopt any particular suggestion.
63. During the specified period the findings at Appendix 3 were raised and highlighted in the IMB's annual reports from 2019/20 to 2022/23 (**Exhibit IMBNI/12 - INQ000611802**), (**Exhibit IMBNI/13 - INQ000611803**), (**Exhibit IMBNI/14 - INQ000611804**), (**Exhibit IMBNI/15 - INQ000611805**), (**Exhibit IMBNI/16 - INQ000611806**), (**Exhibit IMBNI/17 - INQ000611807**), (**Exhibit IMBNI/18 - INQ000611808**), (**Exhibit IMBNI/19 - INQ000611809**), (**Exhibit IMBNI/20 - INQ000611810**), (**Exhibit IMBNI/21 - INQ000611811**), (**Exhibit IMBNI/22 - INQ000611812**) and (**Exhibit IMBNI/23 - INQ000611813**). It should be noted that the three 2019/20 reports made limited reference to the Covid 19 pandemic.
64. During the specified period each IMB produced 4 annual reports. The issues raised in these reports are highlighted in paragraph 63 above. These reports were seen by the Minister and the Northern Ireland Prison Service including the Governors.
65. The IMB also attended seventy-four monthly meetings during the specified period in which the relevant Governor, and on occasion other authorities such as prison healthcare, attended. The minutes of the thirty-nine monthly meetings where issues were raised with the Governors and other relevant authorities regarding the impact the pandemic/regime restrictions were having on Prisoners can be seen at (**Exhibit IMBNI/04 -**

INQ000611800), (Exhibit IMBNI/24 - INQ000611815, (Exhibit IMBNI/25 - INQ000611816), (Exhibit IMBNI/26 - INQ000611817), (Exhibit IMBNI/27 - INQ000611818), (Exhibit IMBNI/28 - INQ000611819), (Exhibit IMBNI/29 - INQ000611820), (Exhibit IMBNI/30 - INQ000611821), (Exhibit IMBNI/31 - INQ000611822), (Exhibit IMBNI/32 - INQ000611823), (Exhibit IMBNI/33 - INQ000611824), (Exhibit IMBNI/34 - INQ000611825), (Exhibit IMBNI/35 - INQ000611826), (Exhibit IMBNI/36 - INQ000611827), (Exhibit IMBNI/37 - INQ000611828), (Exhibit IMBNI/38 - INQ000611829), (Exhibit IMBNI/39 - INQ000611830), (Exhibit IMBNI/40 - INQ000611831), (Exhibit IMBNI/41 - INQ000611832), (Exhibit IMBNI/42 - INQ000611833), (Exhibit IMBNI/43 - INQ000611834), (Exhibit IMBNI/44 - INQ000611835), (Exhibit IMBNI/45 - INQ000611836), (Exhibit IMBNI/46 - INQ000611837), (Exhibit IMBNI/47 - INQ000611838), (Exhibit IMBNI/48 - INQ000611839), (Exhibit IMBNI/49 - INQ000611840), (Exhibit IMBNI/50 - INQ000611841), (Exhibit IMBNI/51 - INQ000611842), (Exhibit IMBNI/52 - INQ000611843), (Exhibit IMBNI/53 - INQ000611844), (Exhibit IMBNI/54 - INQ000611845), (Exhibit IMBNI/55 - INQ000611846), (Exhibit IMBNI/56 - INQ000611847), (Exhibit IMBNI/57 - INQ000611848), (Exhibit IMBNI/58 - INQ000611849), (Exhibit IMBNI/59 - INQ000611850), (Exhibit IMBNI/60 - INQ000611851), (Exhibit IMBNI/61 – INQ000611852).

66. Below is an overview of the issues that were raised with the Governors and other relevant authorities regarding the impact the pandemic/regime restrictions were having on Prisoners. The relevant extracts from the minutes of these meetings can be seen at **(Exhibit IMBNI/62 - INQ000611853) -**

- Visits – the effect of lack of face-to-face visits on prisoners, the use of virtual visits and the expected restart of face-to-face visits.

- Clothing – the lack of new and extra clothing getting to prisoners due to covid restrictions.
- The Early Release Scheme – the introduction of the early release scheme to reduce the prison population during covid and conditions of approval.
- Prison Bubbles – concerns raised regarding prisoners leaving the bubble to attend visits and interviews.
- The progress of the NIPS covid recovery plan and the lifting of covid restrictions.
- Lack of meaningful activities and physical education for prisoners during specified period.
- The length of time prisoners being held in isolation at the committal stage or following a positive test result.
- The early lock up of prisoners in Foyleview due to illicit drugs being thrown over the perimeter fence and whether another option was plausible.
- Covid vaccination uptake.
- Covid outbreaks and the number affected.
- The lack of education and when it was likely that classes would start again.
- The restriction of IMB visits to certain areas, such as CSU, and when it was likely for restrictions to be lifted.
- The possibility of IMB visits being done by zoom and concerns raised regarding privacy.
- Accommodation issues such as cleanliness, broken facilities and infestations.
- Issue raised that the prisoners were unable to contact the Prison Ombudsman/Secretariat as the IMB freephone was only managed during normal working hours and some prisons also worked such hours.
- Healthcare and the delay in accessing services such as GP.

- IMB raised the issue of not being able to attend Rule 32s and adjudications and asked if this could be addressed.
- Concerns raised about the baby born in Hydebank Wood and whether she was missing out with interaction with other babies and children.

67. In addition to these monthly meeting and annual reports the IMB also met with the Minister on 3 occasions during the Specified period. The following issues were raised during these meetings:

- IMB executive chair queried the isolation period for those who come into prison and the impact on them. The Minister Stated that a number of COVID cases have been caught in the isolation units and given the high transmission rates in the community these arrangements are likely to be with us for some time (**Exhibit IMBNI/63 - INQ000611854**) (meeting dated 25/11/21)
- Magilligan IMB member referenced that in Magilligan yesterday there were 130 positive cases of COVID. The Minister said that this was inevitable and at this current time there are less serious health implications as a result of the milder variant. Noted the fact that the prison service had had well developed practices in place from the start of the pandemic with a realisation that it would never have been possible to keep it out of the establishments completely. Pleased on how it has been managed to date (**Exhibit IMBNI/64 - INQ000611855**) (meeting dated 16/03/22)
- Covid related issues were not discussed in the third meeting.

Part E - General assessment during the Specified Period and lessons learned

68. There has been no analysis of the impact on children and young people of the decisions made by the IMB during the specified period. However, there

were lessons learned after the first lockdown period as highlighted throughout this statement, in particular IMB Maghaberry decided that it would continue with in-person monitoring during the second and third lockdowns.

69. No further review, assessment or lessons learned process was completed since the end of the specified period about the decisions which it made in response to the pandemic, and which relate to children and young people to whom it has responsibilities as it was felt that this wasn't in the remit of the IMB.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Signed:

Personal Data

Dated: 17th June 2025

Appendix 1

PART XVI

POWERS AND DUTIES OF INDEPENDENT MONITORING BOARDS

Appointment of members

122. –(1) The members of an independent monitoring board appointed under section 10 of the Act shall hold office for a period of 3 years, or such less period as the Department of Justice may direct.

(2) Any person interested in any contract for the supply of goods or services to a prison shall not be a member of the Independent Monitoring Board for that prison.

(3) The Department of Justice may terminate the appointment of a member if he is satisfied that –

(a) he has failed to perform his duties satisfactorily;

(b) he is by reason of physical or mental illness, or for any other reason, incapable of carrying out his duties; or

(c) he has been convicted of a criminal offence, or his conduct has been such, that is not fitting that he should remain a member.

(4) The first business at the first meeting of an Independent Monitoring Board after appointment shall be the election of a chairman.

(5) The chairman of an Independent Monitoring Board may be elected for the whole term of office of the board, or, at the discretion of the board, he may be elected annually.

(6) The board may elect, for such a term of office as it decides, a deputy chairman who shall preside at any meeting at which the chairman is not present.

(7) The members shall continue in office until the date of the first meeting of their successors.

Proceedings of boards

123. –(1) The board shall meet at the prison once a month to discharge its functions under these rules.

(2) The quorum at a meeting of the board shall be 3

(3) The powers of the board shall not be affected by vacancies in its membership or any defect in the appointment of a member.

(4) The board shall keep minutes of its proceedings and a copy of the minutes shall be sent to the Department of Justice as soon as is practicable after any meeting.

(5) At each meeting of the board a rota shall be arranged to ensure that the prison is visited by at least two visitors before the board's next meeting; these arrangements shall be made in such a way as to ensure that all parts of the prison are visited at reasonable intervals.

(6) A member visiting a prison shall report on his visit to the board.

General duties of boards

124. –(1) The Independent Monitoring Board for a prison shall satisfy itself as to –

(a) the treatment of prisoners including provision for their health care and other welfare while in prison;

(b) the facilities available to prisoners to allow them to make purposeful use of their time; and

(c) the cleanliness and adequacy of prison premises.

(2) The board shall enquire into and report upon any matter which the Department of Justice refers to it.

(3) The board shall direct the attention of the governor to any matter which it considers calls for his attention, and shall report to the Department of Justice any matter which it considers should be reported to him.

(4) The board shall inform the Department of Justice immediately of any abuse which comes to its knowledge in connection with the prison.

(5) In the exercise of any of its powers a board shall satisfy itself, in consultation with the governor, that the exercise of power will not –

(a) undermine the security and good order of the prison;

(b) prejudice the efficient operation of the prison; or

(c) prevent the proper treatment of prisoners.

Visits by board members

126. –(1) Members of the board shall have free access at any time to all parts of the prison to which they are appointed, and to all prisoners and may interview any prisoner out of sight and hearing of prison staff.

(2) In exercising their rights under this rule members shall take into consideration the matters referred to in rule 123(5).

(3) The governor shall allow the board reasonable access to any of the records of the prison, but this shall not entitle the board to see records which the governor must keep secret under a duty of confidentiality.

Annual report

127. The board shall, as soon as possible after 31st March in any year, report to the Justice Minister on all or any of their year's duties under these rules together with any advice or suggestions they may wish to make.

Appendix 2

The Ministers and senior civil servants responsible for each area during the Specific Period.

Role	Name	Relevant period
Minister of Justice	Naomi Long	Took up office on 11 th January 2020
Special Advisor	Claire Johnston	From 11 th January 2020
Permanent Secretary	Peter May	In post until April 2022
	Richard Pengelly	Took up post in April 2022
Director – Reducing offending and Northern Ireland Prison Service	Ronnie Armour	
Director – Prisons	Austin Treacy	In post until April 2021
	David Kennedy	In post from May 2021
Head Governor HMP Maghaberry	David Kennedy	In post until April 2021

	David Savage	In post from May 2021
Head Governor HMP Magilligan	Richard Taylor	Until April 2021
	Gary Milling	From May 2021
Head Governor HMP Hydebank Wood	Gary Milling	Until April 2021
	Richard Taylor	From May 2021

Appendix 3 – Question 41

Sub Question	Title	Findings
41a	time spent in cells	See comments below under Isolation of those with COVID-19 symptoms.
41b	time spent in isolation and/or alone in cells	- the Board noticed an increase in recommended extensions of 'up to 28 days'. This was mostly when a prisoner was suspected of concealing drugs on the basis that this recommendation would be considered by a HQ Governor and then the Oversight Committee would review the situation weekly. This was a concern as 28 days of isolation is a long period – HBW 2019/20 - The IMB found that there was an urgent need for access to in-patient facilities for prisoners with severe mental health disorders – Magilligan 2022/23. - The IMB noted its continued concern about the mental health of prisoners housed within the CSU, particular in surroundings which are unlikely to be conducive to an improvement in the prisoners' condition – Maghaberry 2019/20. - The IMB continued to note it's concern about the length of time some prisoners are being held in the CSU – Maghaberry 2020/21).

		• The IMB recognised and commended the work of the CSU Officers in dealing with prisoners who present as difficult and challenging individuals – Maghaberry 2020/21. • The IMB noted grave concerns around an individual who still remained within the CSU almost three years after his arrival there. The IMB recognised the complex nature of the individual and that all involved continued to do their best for him, but nevertheless noted concern that this individual could remain in this position for an indeterminate period of time – Maghaberry 2022/23.
41c	the provision and frequency of education	• In April 2019, the Board acknowledged a noticeable change in culture amongst NIPS staff, with more of an emphasis on education and work as well as prisoner well-being – HBW 2019/20 • The IMB noted a substantial improvement to management and course provision - Magilligan 2022/23. • The IMB noted with pleasure the increased emphasis on employability skills and encouraged the establishment of contact with a greater number of potential employers – Magilligan 2022/23. • The IMB welcomed the news that students who transferred between

		establishments were now able to maintain their progress in learning and their qualification, which was not the case in the last reporting year – Maghaberry 2020/21.
41d	the provision and frequency of healthcare;	● Healthcare in Prison gathers feedback from prisoners about the impacts of reduced medication, to identify whether this includes receipt of 'adverses' or restriction of association under Prison Rule 35/4 or Rule 32 – HBW 2019/20 ● The IMB noted that Healthcare in Prison continued to work with NIPS staff and prisoners to promote trauma informed practice and associated activities – HBW 2019/20. ● The IMB noted that the range of health promotion activities developed for/with both women and young men throughout the year continued and recognised it as a significant contribution to the health and well-being of those involved – HBW 2019/20. ● The IMB noted that mental health provision (medication and/or therapeutic support) received by prisoners in the community before their entrance into custody is continued, without the requirement of additional assessment or referral – HBW 2019/20. ● Primary Healthcare at HBW is involved with students

		during the committal process, when individuals are also screened by a member of the Mental Health team who 'grades' concerns regarding required interventions. In the future, there is the potential to administer a Speech, Language and Communication Needs assessment while prisoners are on the committal landing - HBW 2019/20 • The IMB noted that the high prevalence of mental health needs in Maghaberry prison remained of great concern. It noted that whilst there has been some work in this area aimed at addressing these needs, there were a number of areas which required greater development – Maghaberry 2019/20. • The IMB acknowledged good practise in relation to Covid prevention systems (2020/21). • The IMB recognised the work being carried out to provide a platform for rehabilitation – Maghaberry 2020/21. • The IMB noted that Engagement Lead and Focus groups were contributing to a better understanding of healthcare among prisoners – Maghaberry 2020/21. • The IMB recognised the staff within healthcare who provide a high level of care and empathy to prisoners who on occasions can be
--	--	--

		challenging – Maghaberry 2020/21. • The IMB continued to have significant concerns about the self-administration of prescription drugs and noted that it continues to monitor the situation – Maghaberry 2021/22. • The IMB noted that it appeared from the evidence available to it that the level of care provided within the prison was equivalent to that provided in the community – Maghaberry 2021/22. • The IMB continued to have concerns around a number of specific individuals where significant improvement in their mental well-being had not been evident, as well as concerns about their outcome in the long term – Maghaberry 2021/22.
41e	the provision and frequency of physical education;	• The IMB found that during the year there were extended periods when, in line with COVID-19 restrictions in the wider community, the Gym was closed. It also noted, however, that the Gym staff endeavoured to provide a programme of activity across the residential areas throughout. When the Gym was closed from April to July 2020, the Gym staff provided a limited range of activity to residents within their domestic bubbles, including no-contact football, walks and running, utilising

		outside areas - HBW 2020/21. • The IMB recognised the work undertaken by staff to maintain as normal a regime as possible - Maghaberry 2020/21. • The IMB noted that physical and mental health & wellbeing, and ultimately the rehabilitation of prisoners through physical activity, contributed to a safer and stable environment – Maghaberry 2020/21. • The IMB noted that senior management showed a clear understanding of the importance of PE staff and looked to minimise the number of times staff were redeployed even when there were significant pressures on staffing numbers – Maghaberry 2022/23.
41f	the provision and frequency of a programme of enrichment activities	• No findings
41g	the provision and frequency of training courses;	• In terms of provision, a partnership with Fresh Start includes specialists who work with individuals on a 1:1 basis, including those with dyslexia. During this monitoring period, BMC registered 704 registrations with 628 accreditations across all delivery areas and 39 students completed Essential Skills, Literacy or Numeracy - HBW 2019/20 • Covered under education.
41h	the provision of washing facilities;	• The IMB noted that the quick action on the introduction of sanitation systems undoubtedly

		contributed to low Covid incidents - Maghaberry 2020/21. • The IMB noted that issues around the standard of cleanliness of Foyle House needed to be addressed – Maghaberry 2020/21).
41i	the amount and type of external support provided, including mental healthcare and advocacy services;	• Covered under healthcare above
41j	the adjudication of charges;	• The inspectorate noted that the number of adjudications was “higher than we would expect for this type of prison”, although similar to its previous inspection - HBW 2019/20 • The IMB noted that the NIPS continued to work with the Speech and Language Therapist to develop accessible information for prisoners, identify individual communication needs, implement effective strategies for ensuring that prisoners understand what has been said to them, and anticipate expected responses – HBW 2019/20. • The IMB noted that they were unable to attend adjudications but that moving forward they were hopeful that this would change – Maghaberry 2020/21. • The IMB noted that it needed to further interpret information supplied in relation to adjudications and recommended that structures be put in place to increase the IMB’s confidence around equality

		and fairness – Maghaberry 2020/21. • The IMB noted that a lack of numbers of board members meant that the monitoring of adjudications had been difficult and that therefore the IMB's ability to give any type of full assurance remained difficult. It also noted that it hoped to be in a position to improve upon that moving forward – Maghaberry 2022/23.
41k	the frequency and/or type of visits permitted (including visits by professionals, as well as family members/carers);	• Approaching the end of this reporting period in March, visits were suspended in all Northern Ireland prisons in response to Covid-19 and 'virtual' visits were facilitated through use of Zoom and Skype – HBW 2019/20. • During the reporting year, there were 10,307 bookings, resulting in 18,596 adults and 3752 children visiting Magilligan. Of these, there were 7,836 males 10,683 females and 77 unknown (no title declared). 1803 female and 1949 male children attended. These figures show a substantial decrease on last years – Magilligan 2019/20 • In Hydebank Wood, Skype and (from mid-April) Zoom were used to enhance communication by prisoners with their families and friends. In addition to those within Ash House, 'virtual visits pods' were established

		in various sites around the campus – HBW 2020/21 • Socially distanced visits were introduced in Hydebank on 27th July 2020 – HBW 2020/21. • 16605 virtual visits took place during this reporting year, inclusive of court and legal business for prisoners. In total there were 2127 and 573 legal and court visits respectively. Overall, an increase of 63% has been recorded compared to the previous year's visits figures – Magilligan 2020/21 • Separated prisoners raised concerns about virtual visits and the potential return of face-to-face visits as Covid restrictions were being eased in the community, as they were concerned this change was not being reflected within the prison regime. The IMB raised these concerns with prison management – Magilligan 2021/22 • During the reporting period there were 20,183 virtual, and 2093 face-to-face visits due to continuing Covid restrictions – Magilligan 2021/22 • As we came to the end of the reporting year there has been an increase in “face to face” visits, educational activities and a gradual feeling of relative normality returning to within the prison – Maghaberry 2021/22
--	--	--

41l	access to phone calls and/or video calls;	• The IMB noted that it continued to monitor issues around the availability of telephone communication – Maghaberry 2021/22. • The IMB noted that issues with telephone communications remained a persistent problem in Davi and that it would continue to monitor this situation – Maghaberry 2022/23.
41m	<i>the provisions for new arrivals into the secure estate;</i>	• The IMB noted it was not possible for its members to monitor these areas of the prison due to Covid restrictions – Magilligan 2020/21. • The IMB noted that limited monitoring had taken place due to the pandemic, but that the IMB regularly visited Foyle House to monitor the general cleanliness of the reception area, with instances reported to management which were acted upon by staff - Maghaberry 2020/21. • The IMB recognised that that periods of isolation were difficult for both prisoners and staff - Maghaberry 2021/22. • The IMB noted that the process and policies in relation to telephone usage was ad-hoc on occasions and required to be improved - Maghaberry 2021/22. • The IMB noted that it would continue to monitor the treatment of those being held in custody in terms of how they were treated in

		reception especially those who did not have English as their first language - Maghaberry 2022/23.
41n	isolation of those with COVID-19 symptoms;	● Isolation Units were established for females and males. A2 was used as a landing for women requiring shielding – HBW 2020/21. ● Any prisoner displaying symptoms of COVID-19 was isolated in their cell and a swab was taken. If this was positive, they would have been sent to the Isolation – HBW 2020/21. ● In March 2020, a male Isolation Unit was opened on a landing in Elm House to quarantine all male committals, who were isolated for 14 days. This Unit was also used for any young men showing symptoms of COVID-19 – HBW 2020/21. ● An Isolation Unit was established within the former Willow House to accommodate women during their first two weeks in custody – HWB 2020/21). ● During Covid 19, there was a committal and isolation landing where new committals spent a number of days before proceeding to general population. The number of days varied in accordance with changing public health and NIPS guidelines throughout the pandemic – HBW 2021/22. ● The IMB frequently raised concerns about the

		committals who were required to be in isolation for 14 days due to the Covid-19 pandemic on entry to prison. It was found that, as necessary as it was, the impact of this isolation for those with mental health issues - or those who were detained for the first time - was especially tough. Agencies were able to carry out some virtual visits and staff organised quizzes and special activity packs for quarantined landings to try to mitigate against the negative effects of isolation – HBW 2021/22. ● During this reporting year it was necessary to implement protective measures in order to reduce the incidence of infection from Covid 19. One wing of the CSU was designated to provide quarantine accommodation for prisoners who had either tested positive for the virus or were required to isolate for a period of time. Whilst confined in these cells, prisoners had limited human contact and could only be offered showers on days 4 and 10 on provision of a negative test. Phone calls were facilitated late in the afternoon to enable stringent cleaning between each call and there was limited access to the exercise yard. IMB members continued to make regular visits to the CSU and
--	--	--

		expressed concern regarding the conditions in which the men were being held. However, they were acutely aware that the need to provide isolation had to be balanced against the lack of any other viable accommodation on the prison estate – Magilligan 2021/22. ● An isolation unit was put in place by the prison for new committals, where they remained for fourteen days to minimise the risk of Covid being introduced into the prison. During this time, they were visited by healthcare staff on a regular basis. The IMB raised some concerns and continue to have concerns about the mental health impact of this isolation whilst recognising the need. It was noted that the IMB would continue to monitor the situation moving forward – Maghaberry 2020/21. ● On occasions the IMB had concerns regarding the cleanliness of Foyle House and the isolation associated with the 14-day period where prisoners were unable to leave their cells, albeit it was recognised that the period of isolation was part of the Public Health Authority recommendations – Maghaberry 2020/21. ● The isolation periods saw prisoners under 23 hour daily lock up, with 1 hour
--	--	---

		assigned for a shower and limited exercise. IMB concerns were around the number of showers each prisoner could avail of within the 14-day isolation period Maghaberry 2020/21. • The IMB noted issues relating to isolation periods around Covid restrictions which were detrimental to the mental well-being of a number of prisoners e.g. a prisoner put into initial isolation for 14 days on arrival at the prison may be required to attend court on day 7 and on their return to the prison have to recommence the initial 14-day isolation period again. The IMB acknowledged this was in line with PHA guidance but were acutely aware of the adverse impact and raised concerns with prison management – Maghaberry 2021/22.
41o	regime restriction variations and or inconsistencies between establishments;	• No findings
41p	different groups of children such as looked after children and children with SEND; and	• No findings
41q	any other findings the IMB considers to be relevant.	• N/A

Abbreviations

HMP	His Majesties Prison
IMB	Independent Monitoring Board
NPM	National Preventive Mechanism
CSU	Care and Supervision Units
R32	Rule 32 hearing
DOJ	Department of Justice
HBW	Hydebank Wood College and Womens Prison
MGN	HMP Magilligan
MGY	HMP Maghaberry
CJINI	Criminal Justice Inspectorate of Northern Ireland
NIPS	Northern Ireland Prison Service
PDU	Personal Development Unit
NMRC	National Medical Research Council
SVP	St Vincent de Paul
PHA	Public Health Agency
SET	South Eastern Health Trust
IFA	Irish Football Association
GAA	Gaelic Athletic Association