



OIFIG AN CHIGIRE PRÍOSÚN
OFFICE OF THE INSPECTOR OF PRISONS

ANNUAL REPORT 2019

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FOREWORD

Minister,

I present to you the ninth Annual Report of the Office of Inspector of Prisons. Oversight of prisons by an Inspectorate is an important tool in the armoury of preventative actions to protect against degrading and inhumane treatment of people in prisons.

In 2019, the recommendations for the development of our oversight functions with the necessary fiscal and human resources were accepted by your predecessor and his officials. Throughout 2019 work was undertaken to prepare and submit relevant business cases to recruit additional members to the Inspectorate Team; prepare a Strategic Plan and commence development of an Inspection Framework for Prisons in Ireland.

This year's report provides information on the services and activities available in each prison. It also includes information on activities that were categorised as quality initiatives by the Governor in each prison. The range of activities that were available is commendable. However, it is important to point out that access to such activities during 2019 was not consistent in and across prisons due to the unavailability of prison officers who were required to provide prisoner escorts to courts, hospitals or other appointments. This access issue was particularly marked at the end of each quarter in the year, with the resultant impact being that many workshops were closed and teachers were also available in prison education centres, but no officers were available to escort prisoners to the centres.

An overview of prisons that summarises the challenges and concerns that require urgent attention is also provided. A fully functioning, robust, prisoner complaints process has been identified as being essential in the protection of human rights. Over many years this Office has highlighted that the prisoner complaints processes require attention. It is disappointing to note that again in 2019 critical concerns remain. Section 4 of this report illustrates the continuing disregard for the requirements in law to provide specific information to this Office in relation to prisoner complaints. Adherence to the relevant Prison Rules appears to be considered discretionary rather than obligatory. It is the view of this Office that the Prisoner Complaints process is not fit for purpose and requires immediate attention.

In 2019, addiction issues abounded in prison settings and the main intervention available was medically assisted detoxification. Following detoxification, limited support was available to support prisoners in their addiction journey and to remain intoxicant free. In 2018, we referenced significant mental ill-health amongst the prisoner population. This remained the position in 2019. Prisons are prisons, they are not, and cannot be considered therapeutic environments for the provision of mental health care and treatment. A cross- departmental approach is required to address this issue as it cannot be addressed solely by the Irish Prison Service and Department of Justice. We welcome the announcement of a task force to address this issue and we look forward to viewing the Terms of Reference, Membership and its subsequent recommendations in early course.

This report was delayed due to the significant impact of the COVID-19 pandemic. The Office infrastructure is heavily paper dependant and does not easily lend itself to remote working. Although this report relates to 2019, we note the specific challenges that the pandemic posed for prisoners and staff of the Irish Prison Service this year. We will report on the impact of Covid-19 in prisons in our 2020 report.



Patricia Gilheaney
Inspector of Prisons
09 December 2020

GLOSSARY

AA	Alcoholics Anonymous
ABE	Adult Basic Education
ABRSM	Associated Board of the Royal Schools of Music
ACT	Prisons Act 2007
AGS	An Garda Síochána
AVP	Alternative to Violence Programme
C & R	Control and Restraint
CBHFA	Community-Based Health and First Aid
CCTV	Closed Circuit Television
CDETB	City of Dublin Education and Training Board
CEHF	Certificate in Exercise and Health Fitness
CIT	Cork Institute of Technology
CMH	Central Mental Hospital
CMRF	Children's Medical and Research Foundation
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
DDC	Direct Digital Control
EPEA	European Prison Education Association
ESOL	English for Speakers of Other Languages
ETB	Education and Training Board
FÁS	An Foras Áiseanna Saothair
FETAC	Further Education and Training Awards Council
FSAI	Food Safety Authority Ireland
GP	General Practitioner
HSE	Health Service Executive
IASIO	Irish Association for Social Inclusion Opportunities
IBEC	Irish Business and Employers Confederation
ICPA	International Corrections and Prisons Association
ICT	Information and Communications Technology
Inspectorate	Office of the Inspector of prisons
IoP	Inspector of Prisons
IPRT	Irish Penal Reform Trust
IPS	Irish Prison Service
ITI	Industrial Trades Instructor
LSP	Life Sentence Prisoners
MABS	Money Advice and Budgeting Service
Minister	Minister for Justice

MQI	Merchants Quay Ireland
NCEF	National Council for Exercise and Fitness
NGO	Non-Government Organisation
OFA	Occupational First Aid
OIP	Office of Inspector of Prisons
OSG	Operational Support Group
PEMS	Prison education management system
PHMS	Prisoner health management system
PICLS	Prison In reach and Court Liaison Service
PIPS	Prison In-reach Psychiatric Service
PPE	Personal protective equipment
PSEC	Prison Service Escort Corp
QQI	Quality and Qualifications Ireland
RPL	Recognition of Prior Learning
SAI	Serious Adverse Incident
SIC	Statement of Internal Controls
UCC	University College Cork
VC	Visiting Committee
VIVA	Volunteers in Irish Veterinary Assistance
WEEE	Waste Electrical and Electronic Equipment
WTO	Work Training Officer

1 INTRODUCTION

1.1 What do we do?

The Office of the Inspector of Prisons was established pursuant to Section 30 of the Prisons Act 2007 (“the Act”) in January 2007. The Inspector of Prisons is appointed by the Minister for Justice to perform the functions conferred on her by Part 5 of the Act. Patricia Gilheaney is the current Inspector and was appointed on 7 May 2018 for a five year term in office subject to the provisions of Section 30 of the Act. The Inspector of Prisons is independent in the performance of her functions.

The key function of any inspectorate body is to carry out inspections and this is equally true for the role of Inspector of Prisons. Section 31(1) of the Act places an obligation on the Inspector of Prisons to carry out regular inspections of prisons. Although the legislation does not define ‘regular inspections’, international practice indicates a full inspection every three years as the sector norm.

In addition to inspections, the Inspector of Prisons may be requested by the Minister for Justice to carry out an investigation into any matter arising out of the management or operation of a prison, and if so requested, is obliged to carry out the investigation. The Inspector may carry out an investigation of her own volition.

The role of the Inspector of Prisons is as follows:

- Regular Inspection of all 13 prisons in Ireland (one of which is temporarily closed since May 2017 for repurpose and refurbishment);
- Carry out investigations of deaths in custody and also of any death of a person on temporary release that occurs within one month of his/her release;
- Carry out an investigation requested by the Minister for Justice into any matter arising out of the management or operation of a prison;
- Receive and reply to letters from prisoners in accordance with Rule 44 of the Prison Rules 2007-2017;
- Oversight of the Irish Prison Service prisoner complaints system and carry out the functions assigned pursuant to Prison Rule 57B of the Prison Rules 2007-2017;
- It is not a function of the Inspector to investigate or adjudicate on a complaint from an individual prisoner, but she may examine the circumstances relating to a prisoner complaint where necessary for performing her functions.¹

The Inspector of Prisons does not have statutory authority to publish inspection reports, investigation reports or annual reports. In accordance with Section 31 or 32 of the Act as applicable, as soon as practicable after receiving a report from the Inspector of Prisons, the Minister must, subject to the following caveats, lay it before both Houses of the Oireachtas and publish the report.

The Minister may omit any matter from any report laid before the Houses of the Oireachtas if she is of the opinion that:

1. Its disclosure may be prejudicial to the security of the prison or of the State, or
2. After consultation with the Secretary General to the Government, that its disclosure
 - a. would be contrary to the public interest, or
 - b. may infringe the constitutional rights of any person.

Where any matters are so omitted, a statement to that effect must be attached to the report concerned on its being laid before both Houses of the Oireachtas, and on its publication.

¹ Section 31(6) of Prisons Act 2007.

1.2 Who are we?

The Office comprised five members of staff, including the Inspector of Prisons, in 2019.

On 1 January 2019

Inspector of Prisons

Ms Patricia Gilheaney

Principal Officer

Ms Helen Casey

Higher Executive Officer

Vacant since March 2017

Higher Executive Officer

Vacant since September 2018

Executive Officer (Fixed Term)

Mr John Byrne

Clerical Officer:

Ms Eibhlís Burke

Clerical Officer (3 month Temporary Contract)

Mr. Angelo Walsh (contract expired end January)

Total: 5

On 31 December 2019

Inspector of Prisons

Ms Patricia Gilheaney

Principal Officer

Ms Helen Casey

Administrative Officer

Ms Fiona Feeney

Higher Executive Officer

Vacant since September 2018

Executive Officer (Fixed Term)

Mr John Byrne

Executive Officer

Mr Ross Donegan

Clerical Officer

Vacant since May 2019

Total: 5

2 PRISON VISITS 2019

2.1 Introduction

In 2019, the Inspectorate attended prisons on 57 occasions in the performance of statutory functions. In addition, the Inspector of Prisons conducted a one-day oversight visit in each prison in Ireland during November and December 2019. The objective of these visits was to provide the Inspector with insight into the day-to-day operations and activities in prisons, and to meet with prisoners and prison staff. Data relevant to each prison on the day of the visit was captured, and each Governor was requested to subsequently provide detailed information regarding the operation of the prison. A standardised template for this purpose was provided (Appendix A). This information is provided below.

2.2 Arbour Hill Prison

Arbour Hill Prison is a closed, medium security prison for adult men. It has an operational capacity of 142. The prisoner profile is largely made up of long term sentenced prisoners. On 20 December 2019, there were 132 men in custody ranging in age from 24 to 88 years.

Healthcare

Arbour Hill had the services of one GP who was contracted for nine hours per week. The nursing complement comprised one Chief Nursing Officer rostered Monday to Friday and six nurse officers who provided twenty-four hour cover, seven days a week throughout the year. The mental health needs of the men in custody were provided for by the once weekly attendance of a psychiatrist in addition to the input of two community psychiatric nurses. Dental care was provided by the attendance of a dentist and a dental nurse one day a week. There was a waiting time of between two and three months for dental treatment.

Purposeful Activity

A strong emphasis was placed on ensuring that those in the custody of Arbour Hill were engaged in purposeful activity.

Education

On committal the men were provided with a brochure on the Education Centre and they were invited to attend for interview, the aim of which was to ascertain their educational needs and to inform them of the range of classes available. The men were asked about their formal education to date, their qualifications and the age at which they left school. Students with literacy difficulties were identified and an Adult Basic Education Assessment was arranged. Attendance in the Education Centre was voluntary and students were free to attend the classes they selected.

The Inspectorate was pleased to note that the Education Centre was open for all scheduled classes during 2019. Attendance in the Education Centre and PE hall were monitored daily and recorded on PEMS (Prison Education Management System).

School attendance on the date of the oversight visit was 67, and it was the last day of regular scheduled classes before the Christmas break. This comprised of 34 men attending morning sessions (09:30 to 12:15), 33 attending evening classes (14:15 to 16:00) and eight teachers providing tuition in the mornings well and seven in the afternoon. The teaching staff demonstrated they were working as per their mission statement to “*endeavour to meet the needs of their students through helping them cope with their sentence, achieve personal development and prepare for life after release*”.

Arbour Hill prison provided a wide range of activities in the prison. The Irish Prison Service (IPS), teaching and other in-reach service staff worked together to ensure that all prisoners were engaged in purposeful activities which met their abilities and needs in managing their sentence progression prior to their release from custody.

It was reported to the Inspectorate that on average 115 people were enrolled in the Education Centre and an average of 86 men attend classes on a weekly basis. The monthly average percentage participation at the education classes was 64%.

Students were informed of new courses, special events, academic results, dates of school terms etc. by way of notice boards in the Education Centre and in the prison. Students displayed their completed art and craft work throughout the Education Centre.

Between September and December 2019, 40 forty students were assessed using the ABE Assessment tool devised by the City of Dublin Education and Training Board (CDETb). As a result ten students received one-to-one literacy classes.

During 2019, emphasis was placed on offering Quality and Qualifications Ireland (QQI) Level 2 modules for Adult Basic Education students. For many students it was the first time they received an academic certificate. The Head Teacher and management in Arbour Hill advised that being in a position to offer QQI Level 2 options has helped to integrate literacy across the curriculum. Arbour Hill were offering ten modules at this level.

Adult Basic Education: Literacy, Numeracy, Interactive Literacy. General subjects were Art, Pottery, Computers, Cookery, Physical Education, Creative writing, Glass Craft, Yoga, Music, Guidance counselling, Drama, Red-Cross programme and pre-release programme.

The following courses that led to recognised certification were on offer in Arbour Hill:

QQI Level 1

Anatomy and Physiology, Spreadsheet Methods, Desktop Publishing, Text Production, Work Processing, French and Music Technology

QQI Level 3

Biology, Database, French, Spanish, Breakfast Cookery, Health Related Fitness, Managing Personal Finances, Computer Literacy, Craft Ceramics, Craft Mosaic, Drawing, Spreadsheets, Word Processing, Internet skills, Bread, Pastry and Desserts

QQI Level 4

Computer Applications, Human Biology, Information Technology, Functional Mathematics, Health Related Fitness, Work Practice

Second level State Examinations

Eight students sat State exams, five sat the Junior Certificate and three sat the Leaving Certificate Associated Board of the Royal Schools of Music (ABRSM).

QQI Level 2

Computer Skills, Reading, Craft, Health Related Exercise, Horticulture, Using Technology, Writing, Quality and Numbers

QQI Level 3 Soft Skills Integrated Modules

Career Preparation, Personal Effectiveness, Self-Advocacy, Personal and Interpersonal Skills, Personal Care and Presentation

Open University Courses

Six students were undertaking Open University studies. Courses included Advanced Creative Writing, Science, Business, English and Literature

Associated Board of the Royal Schools of Music (ABRSM)

Five students sat exams and achieved a Distinction in Grade 1, and were awaiting results of their Grade 2 exams at the time of the Inspector's visit.

Academic Results 2018/2019

QQI assessments were carried out in December 2018, February 2019 and June 2019. In total, 54 students had 117 folders of work assessed, as follows:

- 36 students undertook QQI level 2 modules
- 23 students completed at least one QQI module at level 3
- 5 students completed the QQI Level 3 Soft Skills five modules course
- 12 students completed a QQI module at Level 4
- 6 students were successful at Level 5

Prison management reported that certification has been a subject of focus in recent years, which has received a positive response from prisoners. QQI was more popular than the State Exams with Arbour Hill students because such courses were modular based and can be completed within a shorter time frame and are not exam focused at Levels 2 and 3.

Workshops

On request, the IPS provided data on attendance at workshops. The average percentage attendance at Arbour Hill workshops during 2019 was 53%. The average percentage of workshops closed in Arbour Hill during the year was 19%.

On committal to Arbour Hill, prisoners are assigned to a workshop. The workshops included: print, Braille, woodwork, fabric, kitchen, waste management, laundry, painting, cleaning and stores.

○ *Print Workshop*

The Print workshop was open Monday to Friday. A maximum of 12 men worked in the print workshop at any one time. The workshop met the printing requirements of all Dublin Prisons and provided printed material for other State/Government agencies. Several charities and voluntary bodies also availed of the services of the print workshop.

In 2019, the print workshop produced the programme for their production of 'The Quare Fellow', Mountjoy's Prison history and the first part of the History of Arbour Hill.

○ *The Braille Unit*

The Braille shop provided transcript services, including text to Braille, text to electronic media and Braille to text. The men working in the Braille Unit are responsible for book-binding and repairing Braille machines. Those who attended the Braille workshop were able to complete 'Learn Braille Courses' up to FETAC Level 5. These courses were run in conjunction with St. Joseph's Centre for the Visually Impaired. A maximum of 14 men worked in the Braille Unit at any one time.

○ *Woodwork*

The woodwork shop manufactured picnic benches and planter boxes. Prisoners also completed personal projects such as crosses, toy boxes, blanket boxes and wooden toys. They also fitted out and repaired prisoner cells in Arbour Hill with lockers and other furniture. Several projects were completed for charitable and non-charitable bodies. A maximum of 14 men were permitted work in the shop at any one time.

The Inspector was informed that the staff and prisoners worked together to manufacture all the stage sets for their production of 'The Quare Fellow'.

○ *Fabric Shop*

The fabric workshop produced bed sheets and pillow cases for all those in custody in Arbour Hill. Those who attended were taught a variety of other skills relevant to working with fabrics, including the use of various sewing machines to create patches for local sporting clubs. A maximum of 20 men were permitted to work in the fabric shop at any one time.

○ Kitchen

The Main Kitchen operated seven days a week. As is the practice across the Prison Service, the kitchen provided a rolling 28 day menu catering for varied dietary requirements. In 2019, the kitchen was awarded the Best Prison Kitchen Award 2019 by Cater Care². A maximum of 12 prisoners were permitted to work in the kitchen at any one time. The prisoners took part in a number of training courses including, "Foundation and Proficiency", which is a new training programme introduced by City and Guilds. The men also trained in manual handling and food safety (FETAC awards through the Arbour Hill Education Unit).

○ Waste Management

A maximum of 12 prisoners were employed in the prison's waste management system. The Waste Management yard recycled and dismantled electronic machinery and materials into its base component parts for further recycling through an external company. The work undertaken achieved national recognition from organisations such as WEEE (Waste, Electrical & Electronic Equipment).

○ Laundry

The Laundry/Reception area was open 7 days a week. The laundry catered for the total needs of the prison by washing bed linen, duvets, gym clothing, work and training PPE and personal clothing of those in the custody of Arbour Hill. A maximum of 10 men worked in the laundry and gained accreditation from the Guild of Launderers.

○ Painting

Various areas of the prison were painted throughout the year by the men in custody under the supervision of prison staff.

○ Cleaning

Two general cleaners were assigned to each landing. Therefore, 12 prisoners were engaged in this work on a full time basis. In addition, there were cleaners assigned to other general areas such as visiting and waiting areas.

○ Stores

Three men were employed in the stores area where they worked under the supervision of staff. Their duties included stock control, stock rotation and temperature and condition checks of goods received.

○ Grounds Maintenance

Up to eight men were assigned to the maintenance of the grounds. They assisted in cleaning the areas including lawns and flower beds. The grounds and gardens were maintained to a high standard.

Food Safety

In 2019, 24 students completed the Food Safety Authority of Ireland (FSAI) Primary Food Safety course. The FSAI training course is compulsory for all men working in the main prison kitchen and food storage areas.

Offending Behaviours and Pre-release Courses

A therapeutic programme, led by the Psychology Service, was available to the men in Arbour Hill Prison. The first stage of the programme, Exploring Better Lives, was delivered in the Midlands Prison, and the men who completed the first stage then transferred to Arbour Hill to complete Part 2: Practising Better Lives and Part 3: Maintaining Better Lives.

The pre-release course was run twice during the 2019 academic year. Over 20 students attended each course. The Probation Service, healthcare staff and a representative from the Domestic Violence and Sex Offenders Register Unit were involved in delivery of the course. A pre-release book, 'Looking Forward' was developed in Arbour Hill.

² Cater Care is a training provider and consultancy to the food industry they delivers a range of accredited training programmes in the food business which are validated by QQI.

Restricted Regimes

During 2019 the Special Observation Cell was used for one prisoner on four different dates.

Quality Initiatives

The Governor informed the OIP of the following quality initiatives throughout 2019, some of which required multidisciplinary involvement and which provided the men involved with lifelong skills. Brief details are as follows:

○ *Listener Scheme*

The Samaritans Listener Scheme is a service for people who require emotional support in a prison setting. Prisoners act as listeners. Support is offered on a one-to-one basis to ensure confidentiality. New Listeners were trained during 2019 and were presented with certificates. Arbour Hill had fifteen trained Listeners in December 2019 who provided a continuous service to all those in custody.

○ *Red Cross*

During the year, seven new Red Cross members³ received training on an ongoing basis. The Red Cross organised in-house health awareness training programmes, health promotion projects, operation transformation, circuit training, cell cleaning, meals on wheels, mental health awareness day and hosted a weekly socialisation event every Saturday afternoon for older persons in custody. Arbour Hill had 14 members of the Red Cross at the time of the oversight visit.

○ *Library*

Arbour Hill Prison library was run by the men in custody during the hours of 09:30 to 12:00 and 14:00 to 16:00. The Red Cross volunteers operated the library between 17:00 and 18:00.

○ *AA Meetings*

AA meetings were held in the Chaplain's office three times a week and were well attended.

○ *GAISCE*

In November 2019 two of the men received GAISCE Bronze Awards⁴. The awards were presented to the two participants in front of invited family members and guests.

○ *Life Sentenced Prisoners Dinner*

An inaugural Life Sentenced Prisoners Dinner was held in 2019, where all those serving a life sentence in Arbour Hill Prison were joined by a representative from the Capuchin Missionaries and other invited guests to a dinner prepared and served by those working on their GAISCE Bronze Award. For most participants this was the first time since their incarceration that they had the opportunity to sit at a table in a group and eat a meal.

○ *Newsletter*

The Newsletter is a new initiative started in late 2019 which aims to provide informational activities and events in the prison, such as school schedule, chaplaincy service, the Red Cross Volunteer service and information on health programmes.

○ *The 3D Model of Arbour Hill Prison*

A book on the history on Arbour Hill was launched in September 2019. To coincide with the book's launch, the woodwork students constructed a large wooden 3D model of the prison.

○ *Travellers in Prison Initiative*

As part of the Travellers in Prison Initiative, representatives from the Traveller Counselling Service met with the small group of traveller men in Arbour Hill Prison once every six weeks during the year. The Initiative was working to develop a booklet designed to help men cope with life in prison.

³ Irish Red Cross Prison Programme: <https://www.redcross.ie/cbhfa/>

⁴ GAISCE - The President's Award: <https://www.gaisce.ie/bronze-award/>

- *CDETБ Sports and Cultural Committee*

Arbour Hill had two successful entries in the 'New Writers' and 'Memories' categories in the Creative Writing Competition in May 2019.

- *Art Competitions and Exhibitions*

Several students' work was selected for the Prison Art Exhibition in Kilmainham Gaol as part of the EPEA conference in June 2019.

- *Drama*

In May 2019, a group of 30 students, directed by the Drama teacher, performed a production of Brendan Behan's play 'The Quare Fellow'. The event was attended by President Michael D Higgins and Mrs Sabina Higgins. The Inspectorate was also in attendance, and appreciated the invitation to the play. The production was a collaboration between the CDETБ and the IPS. The prison workshops were involved in bringing the event to fruition. The Joinery created the elaborate sets, the Print Unit was responsible for the invitations and booklets, the Fabric shop prepared the costumes and the main kitchen provided the catering. The event was a great success and all involved are to be commended.

- *Changing Gears Programme*

The Education Centre facilitated Age and Opportunity Ireland to run a Changing Gears Programme⁵. It was designed to support people to manage changes in later life, for example changes in health, relationships, work and family situations.

- *Street Law Programme*

Four trainee solicitors from The Law Society of Ireland's Street Law Programme⁶ worked with a group of men over six afternoons to explore legal issues that affect society in general.

2.3 Castlerea Prison

Castlerea Prison is a closed, medium security prison for adult males. It is the committal prison for remand and sentenced prisoners in Connacht and also takes committals from counties Cavan, Donegal and Longford. It has an operational capacity of 340.

On 28 November 2019, the OIP conducted an oversight visit of Castlerea Prison. On that day there were 316 people in custody, with men aged 30 to 40 years being most represented in the population.

Healthcare

It was reported that one GP attended the prison five days a week - three full days and two half days, with emergency situations attended to on the same day. The GP attended each landing once a week for routine appointments. The Inspectorate was advised there was a total of 14 full-time medical staff and four part-time staff.

Addiction Support and Counselling

On the date of the visit there were 64 men awaiting access to addiction services. Of these, one was accessing medically assisted symptomatic detoxification, and 20 were accessing methadone substitution or maintenance programmes. At the time of the visit Castlerea Prison did not operate drug rehabilitation programmes.

Purposeful Activity

On 28 November 2019, the School was attended by a total of 76 prisoners, 45 in the morning and a further 31 in the afternoon. Ten teachers oversaw the following classes: art, computers, customer service, TABI, HRF, Toe by Toe, Career Planning and Health Related Fitness.

⁵ Age and Opportunity's Changing Gears Programme: <https://ageandopportunity.ie/engage/changing-gears/>

⁶ The Law Society of Ireland's Street Law Programme: <https://www.lawsociety.ie/streetlaw>

As well as the classes mentioned above there were also three workshops open on the date of the visit. Workshops were open from 09:30-12:15 and from 14:15-16:15, Monday through Friday.

Restricted Regimes

The Governor reported that one man spent six days on Rule 62 in Castlerea prison in 2019.

Quality Initiatives

Castlerea prison management informed the Inspectorate that the following quality initiatives took place in 2019:

- *Regari College*

Castlerea staff in association with Regari College established a community based initiative focused on empowering prisoner attendees to become aware of and manage their self-care, skills and confidence.

- *Mediation Course*

This initiative provided staff and prisoners with tools and techniques to resolve conflicts. The Mediation Course was run in conjunction with Maynooth University and was a first in the country. It started with a preliminary 6 week Peer-to-Peer course that, after proving successful, was also rolled out to other prisons. Castlerea sought and received accreditation from Mediation Ireland for the course. Castlerea was the only prison in Ireland in 2019 with accredited mediators. This course was run in partnership with Mediation Ireland, Traveller Mediation Group and Maynooth University, resulting in the certification of eight mediators. The Office of the Inspector was delighted to receive an invitation to the certification event, which the Inspector and a colleague attended.

- *Coaching Course*

This new initiative in 2019 allowed students who wished to be coaches to attain a full QQI Award. Various outside agencies were incorporated into the course, which was developed in partnership with Roscommon Sports Partnership. Five students successfully completed the course.

- *Personal Effectiveness Initiative*

As part of this Initiative, a group organised a "virtual 5k" event where participants walked or ran 5km. Five participants completed the event.

- *NA – Narcotics Anonymous*

Castlerea Prison commenced a Narcotics Anonymous programme in spring 2019.

- *Equine Centre*

This initiative equips the men with the skills necessary for potential employment in the equine industry following release.

- *Other Initiatives*

The Befrienders is a group of community volunteers who visits prisons. The Returning Home Project is focused on the needs of families of those being released back into the community. The B1 initiative helps break down barriers for travellers in custody.

2.4 Cloverhill Prison

Cloverhill Prison is a closed, medium security prison for adult males, which primarily caters for remand prisoners committed from the Leinster area. It has an operational capacity of 431. Prisoners aged 30 to 40 make up the largest cohort.

On 17 December 2019 the Inspector conducted an oversight visit of Cloverhill Prison. On the day of the visit there were 400 prisoners in custody.

Healthcare

The Inspectorate was informed that committals are seen the day following their committal to prison. Each landing had a set day for review by the Doctor. Emergencies were triaged daily. Prisoners coming into Cloverhill remand prison had multi-faceted issues to contend with, including severe mental ill health concerns. The Inspectorate was advised that the following healthcare resources were available throughout the year:

- Doctors: One Full time and two Locum Doctors Monday to Friday
- One Doctor working from 09:30-11:00 Saturday and Sunday
- 16 full-time Nurses working 08:00 to 20:00 and nights
- 2 full time Nurses 08:00 – 20:00 with no nights.

The Governor reported that the prison had a number of nurse vacancies.

The Prison Inreach and Court Liaison Service (PICLS) operates in Cloverhill Prison, and has the aim of facilitating and arranging diversion options from criminal justice settings to community justice settings, where appropriate. PICLS provides multi-disciplinary screening, assessment and care for people with psychiatric illness who have been remanded to Cloverhill Prison. The service reports to courts to advise regarding diagnosis, fitness to be tried and responsibility and treatment options. PICLS aims to minimise the length of stay in prison for those with major mental illness by accessing appropriate treatment facilities.

Addiction support and Counselling

The counselling service in Cloverhill Prison was a full time post, which comprises of two part-time counsellors, with the counselling Team Leader based nearby in Wheatfield prison.

Merchants Quay Ireland (MQI) provided a range of counselling interventions and release planning strategies to those in custody in Cloverhill Prison, which included motivational interviewing, relapse prevention strategies, cognitive-behavioural therapy, development of alternative coping strategies and harm reduction approaches. MQI addiction counselling was provided by accredited Counsellors who participated in the multi-disciplinary meetings. Clients were referred to MQI through Healthcare. The MQI addiction counselling service has forged strong links with various addiction counselling services and treatment facilities in the community and referred suitable clients to these statutory, voluntary and community services.

In 2019, the addiction counselling service provided 1034 client interventions. Over the course of the year, there was an active average caseload of 40 clients per month, with a waiting list of 30 people at the end of December. The Governor provided data on the support provided by MQI:

Cloverhill	Total year	Average per month
Counselling	837	70
Brief intervention	27	2
Assessments	170	14
Interventions total	1034	86

On the day of the oversight visit there were 15 prisoners on methadone detoxification and 119 prisoners on methadone substitution and 104 on methadone maintenance.

Purposeful Activity

On the day of the visit, 41 prisoners were in attendance at the school, which was presided over by seven teachers. The courses on offer at Cloverhill Prison that lead to recognised certification are:

QQI Level 2

Craft, Computer Studies, Reading, Writing, Setting learning goals, Quantity and Numbers, Shapes and Space, Pattern & Relationship, Quantitative Problems, Health and Exercise, Food Choice and HealthCare and Presentation, Career Preparation, Maths, ESOL, Health Related Fitness

QQI Level 3

Drawing, Computer Literacy, Work Processing, Spreadsheets, Personal Effectiveness, Personal and Interpersonal Skills, Self-Advocacy

QQI Level 4

English to Speakers of Other Languages (ESOL)

QQI Level 5

Sound Engineering

Second level State Examinations 2019

Students sat both Junior and Leaving certificate exams.

Associated Board of the Royal Schools of Music (ABRSM)

Music Theory Grade 1 and Grade 2

The following Workshops were open at the time of the visit to Cloverhill Prison: Kitchen, Laundry, Industrial Cleaning, and Environment. The opening hours for the Kitchen were 07:00 to 18:00. All other workshops were open between the hours of 09:15 to 14:00.

Restricted Regimes

The Governor reported there were 91 prisoners placed in Special Observation Cells during 2019. Scale range of duration was reported as follows:

- 1 - 10 days = 88
- 11 - 20 days = 0
- 21- 50 days = 2
- 51+ days = 1

There were ten men placed in isolation as an infection control measure. The duration of their isolation ranged from 2 to 58 days.

Serious Adverse Incidents

The Inspectorate was informed that throughout 2019 there was a total of 14 serious adverse incidents in Cloverhill Prison:

- 5 attempted suicides
- 6 Serious assaults on staff which resulted in protracted absences from work
- 3 deaths in custody.

Quality Initiatives

Cloverhill prison management informed the Inspectorate that the following quality initiatives took place in 2019:

- *Extended School Programmes*

In 2019, for the first time, Cloverhill Prison extended school programmes to protection prisoners.

- *Library Service Developments*

Dublin City Library Service in conjunction with the Irish Prison Service installed additional library facilities in Cloverhill Prison to extend the availability of library books and other information resources to additional landings.

2.5 Cork Prison

Cork Prison is a closed medium security prison for adult males. It is the committal prison for counties Cork, Kerry and Waterford. It has an operational capacity of 275. On 3 December 2019, the Inspectorate conducted an oversight visit of Cork Prison. On that day there were 303 in custody, with the majority of prisoners aged between 30 and 40.

Healthcare

The Governor reported that Cork Prison is staffed with one Doctor, four Nurse Officers and one Chief Nurse. On 3 December 2019 the Inspectorate was advised that there were no waiting lists for prisoners to access medical services.

Addiction Support and Counselling

The Governor provided the Inspectorate with details in relation to the provision of addiction support and counselling services on the day of the Inspectorate visit to those in custody in Cork prison.

Number of prisoners accessing appropriate drug rehabilitation programmes	176 MQI Counselling Service 8 Accessed residential treatment upon release 2 attended Mountjoy Drug Treatment Programme
Number of prisoners accessing medically assisted symptomatic detoxification	578 including 21 on day methadone detoxification. 416 (Librium/ Epilim / Non Opiate detox)
Number of prisoners accessing methadone substitution or maintenance programmes	176 (Methadone Maintenance) 1 (Suboxone / Subutex)

Purposeful Activity

All of the programmes and initiatives in the school were aimed at the development of a community within the prison in Cork. Up to 80 prisoners per session were engaged in education activities. The school provided all levels of education from basic literacy to Open University. University College Cork (UCC) and Cork Institute of Technology (CIT) both ran introductory lectures in the prison with a view to engage prisoners in further education. The school also provided access to a range of in-reach services that were available to prisoners, such as Mediation which was run for the second year. School attendance on the date of the Inspectorate's visit was 82 attendees, with classes delivered by 18 teachers. The classes available included: Music, Art, Woodwork, English, Red Cross, Computers, Singing, Pyrography, Crafts, Sewing, Horticulture and Spanish.

In addition to the educational classes there were six workshops open at the time of the visit: the gym, kitchen, training kitchen, waste management, industrial skills, laundry, and fabric/embroidery shops.

Restricted Regimes

The Inspectorate was informed that there were 49 men placed on a Rule 62 restricted regime during 2019. With the exception of one prisoner, the average period on a restricted regime was 2.6 days. There were 40 men placed on separation regimes ranging from 3 days to 21 days.

Operational Challenges

There were 4 serious incidents during 2019: one Death in Custody, two threats to staff safety and one incident involving the use of illicit drugs. There were 16 incidents of use of force by prison staff relating to prisoner relocations, nine incidents of violence against staff and 52 incidents of prisoner on prisoner violence, all of which were reported to An Garda Síochána. Cork management advised that contraband entering the prison is taken very seriously and management liaised with An Garda Síochána on an ongoing basis to stem the flow.

Quality Initiatives

There were a number of programmes and initiatives organised during 2019, which included:

- *Cork Prison Community Coaching Project*

This 12 week course was in its third year in 2019. A group of 12 prisoners studied the course, which culminated in a graduation day attended by family members. Another component of this initiative was a children's summer camp which was run in conjunction with the various sporting bodies. The Inspectorate was informed that up to 60 children attended the camp in 2019, and interest was not limited to the children of those in custody as other Cork Charities also accessed child places at the camp.

This project was recognised by the Irish Institute of Training and Development National Training Award in 2018 where it won the Best "Not for Profit" Collaboration or Partnership. The project was further honoured in 2019 when it was selected as a finalist in the 'Be Inclusive EU Sport Awards'. The project received a prize which was presented in Brussels. The Irish Prison Service was also recognised for this project in 2019. The Service was selected for an Excellence and Innovation Award presented at a ceremony in the Irish Prison Service College by the Director General.

The Inspectorate was advised by the Governor that the project strengthened the already strong community links with Cork Prison and enabled the prison to engage with prisoners and their families in new and innovative ways.

- *Alternatives to Violence Course*

A graduation of the latest cohort of participants took place on 8 December 2019, which was an event attended by family members. Eight prisoners qualified as facilitators for the AVP.

- *Red Cross*

The Red Cross continued as a community building initiative within Cork Prison and was engaged with the prisons smoking cessation programme.

- *Listeners*

The Samaritans continued to provide listener courses. Listeners provide peer support.

- *Prison Staff*

Cork Prison Male Voice Choir, which is made up of both retired and serving staff, provided entertainment at many charity events during 2019.

The Inspectorate was informed that the Prison Officers Social Club also provided a number of hampers to local charities which were raffled to raise funds. The staff and prisoners took part in a "Park Run" on the Prison grounds.

2.6 Limerick Prison

Limerick Prison is a closed medium security prison for adult males and females. It is the committal prison for males for counties Clare, Limerick and Tipperary and for females from all six Munster counties. It has an operational capacity of 220 males and 28 females.

On 26 November 2019, the Inspectorate conducted an oversight visit of Limerick Prison. On that day there were 217 males in custody and 37 females. The category of those in custody included, 11 Life Sentenced prisoners, 33 Non-Nationals, 31 members of the Traveller Community, and 46 Short-Term prisoners. There were 21 people in the Parole system. Those aged between 21 and 30 made up the largest age group in the prison.

Healthcare

The Inspectorate was informed there were eight GP sessions and 1 psychiatric session available each week throughout the year.

The GP attended each wing twice a week. Emergencies were dealt with on the day and referred to a hospital Emergency Department, if considered necessary. The Governor reported that one Chief Nurse, nine Nurses and one addiction nurse provided healthcare services.

Prisoners who requested to see a psychiatrist were triaged by the psychiatric service and an appointment was offered as considered necessary.

Addiction Support and Counselling

The Inspectorate was notified that during the year Limerick Prison did not have any drug rehabilitation programmes on offer. Counselling services were offered to prisoners. On 26 November, there were 57 prisoners accessing medically assisted symptomatic detoxification and a further 35 accessing methadone substitution or maintenance programmes.

Purposeful Activity

On the date of the oversight visit, 44 prisoners attended school and were overseen by eight teachers. Classes available included Art, Computers, Crafts, Hairdressing, Literacy, Pottery and Woodwork.

In addition to the classes mentioned above there were seven workshops open from 09:30 to 12:15 and again from 14:30 to 16:15.

Restricted Regimes

In relation to restricted regimes, the prison management provided the Inspectorate with data which indicated that in 2019 a total of 97 prisoners were placed on a restricted regime under Rule 63 of the Prison Rules, while a further 57 were placed on a restricted regime under Rule 62.

The Governor reported that those on Rule 63 were mostly on a restricted regime at their own request. Those placed on Rule 62 were placed on the Rule to maintain the good order of the prison. A total of 83 prisoners were placed in Special Observation Cells and 111 prisoners were placed in close supervision cells during 2019.

Serious Adverse Incidents

There was one death in custody in 2019. There were 11 incidents of attempted suicide, including deliberate self-harm and overdoses. In each case the timely intervention of staff meant there was no loss of life. In addition there were two serious assaults which resulted in hospitalisation due to sustained injuries. Limerick Prison reported seven incidents in 2019 which required the use of force by prison staff; 29 incidents of violence against staff by prisoners; and 34 incidents of prisoner against prisoner violence.

Additional Challenges

Attempts to smuggle contraband into prison caused difficulty for staff of Limerick prison during 2019. One prisoner escaped from the hospital and subsequently presented himself at Limerick prison. The following day it was found that he had attempted to smuggle contraband into the prison.

Criminal matters referred to An Garda Síochána

The Governor informed the Inspectorate that there were 27 matters referred to An Garda Síochána for investigation during 2019. These issues included prisoner on prisoner assaults, assaults on staff by prisoners and requests to speak to An Garda Síochána.

Quality Initiatives

Limerick Prison championed a number of quality initiatives during 2019 which included:

- *The Traveller in Prison Initiative (Tipperary Rural Traveller Group),*

An initiative which involved engagement with the Travelling community on protection.

- *Erasmus-KA2 Project*

A European-led project which taught basic numeracy, literacy, IT and soft skills through the medium of art.

- *NCEF Foundation course*

The aim of the foundation course was to enable prisoners who successfully complete the course to become eligible to apply through RPL for the L.6 CEHF course on their release. Successful completion of this programme negates the direct entry requirements of the Leaving Certificate.

- *Tusla Investing in Children Award*

An award granted in recognition of Limerick prison's efforts to maintain parent in custody relationships with their children.

- *St. Mary's Church Community Award*

An award granted to Limerick Prison for its upkeep of the prison grounds.

- *Limerick Prison/Bedford Row Family Project in 2019 achieved the Investing in Children Membership Award™*

Limerick Prison was the only prison to achieve this in Ireland. The Inspectorate was informed that the award had been in the making for a few years as an effort by parents and family members in custody and their children. This award and membership was given to the prison by Tusla in recognition of its efforts to involve children and young people in dialogue leading to change.

- *Other Initiatives*

- AVP Levels 1 and 2, both for male and female prisoners
- The Women's Voice in connection with the Irish Human Rights Commission
- Library Literacy Programme – The Writer's Group/Education Department

2.7 Loughan House

Loughan House is an open, low security prison for males aged 18 years and over, and who are regarded as requiring lower levels of security. It has an operational capacity of 140.

On 4 December 2019, the OIP conducted an oversight visit of Loughan House, on that day there were 119 prisoners in custody ranging in age from 20 to 71.

Healthcare

The GP service in Loughan House provides three clinics a week. On the date of the visit there was one Nurse on duty.

Addiction Support and Counselling

During 2019 there were no prisoners in Loughan House accessing drug rehabilitation programmes, medically assisted symptomatic detoxification or methadone substitution/maintenance programmes.

Purposeful Activity

On 4 December, 49 prisoners in Loughan House attended classes in the school with seven teachers delivering the courses in the morning and four in the afternoon. The morning classes included PE, Art, Woodwork, English, Maths, IT and Home Economics. Afternoon classes included Creative Writing, IT, PE and Maths. In addition, there were four workshops open on the day of the visit. The workshops were open from 09:00 to 14:00.

Quality Initiatives

There were a number of initiatives in Loughan House during 2019, which included the following:

○ *GAISCE*

September 2019 saw Loughan House presented with its first ever GAISCE Gold award by An Uachtarán Michael D Higgins in a ceremony at Loughan House. The Inspectorate was informed that this was a great occasion for all in Loughan House, but especially for the recipient and his family.

○ *Annual Christmas Lunch*

In late November, Loughan House hosted approximately 60 senior citizens from the locality to a Christmas lunch. The meal was prepared by catering staff and those in custody and entertainment was provided by the music teacher and some of his students.

○ *Red Cross*

The Red Cross project continued to be a great success. Workshops were delivered in the community to those on the Community Return Scheme⁷. Two volunteers from Loughan House spoke at the Community Based Health and First Aid (CBHFA)⁸ International Conference in the Irish Prison Service College in April, which portrayed the program and Loughan House in a very positive light.

○ *Symposium, Re-entering Employment*

In March 2019, a symposium was held which heard from various charities, prisoner advocacy groups and potential employers regarding ex-offenders gaining employment upon release. The afternoon provided an opportunity for those in custody to meet potential employers.

The Inspectorate was advised that representatives from IASIO, IPRT, Probation, PACE, Pathways, Jobcare, Fr McVerry Trust, Travellers in Prison Initiative, Cork Alliance and a number of Social Enterprise representatives attended the event. As a result of this symposium the Inspectorate was told that a number of courses were identified which were subsequently delivered on-site including: Safe Pass training, forklift operation, brick and block paving, OFA, Manual Handling and Work at Height. Loughan House issued approximately 130 industry related certificates during 2019.

○ *School Bikes Africa*

This well-established project grew during the course of 2019. The Inspectorate was advised that Loughan House has refurbished nearly 4000 bikes for onward shipping to Africa since the project commenced. This project received an IPS Excellence and Innovation award in 2019. The project was also a nominee for a Civil Service Award. During 2019 six men completed a City and Guilds Bicycle Mechanics course which was run onsite in conjunction with The Bridge Project¹ and Róthar.

○ *Bothar*

As part of this initiative, 43 calves were reared on the grounds of Loughan House in 2019 for charity partner, Bothar. Those involved in this work received training in Animal Husbandry through a voluntary veterinary organisation called Volunteers in Ireland Veterinary Association (VIVA). In October, Loughan House held its annual open day which was attended by farmers and their families who donated calves during the year and who presented certificates to 20 of the men on the day.

○ *Northwest Hospice*

The Sunflower Project, with the Northwest Hospice in Sligo, continued in 2019. A total of 3500 sunflowers were grown in polytunnels for NWH. The sunflowers were sold on "Sunflower Day"

⁷ An incentivised scheme for the supervised release of qualifying prisoners who complete unpaid community work as a condition of their early release.

⁸ CBHFA is a partnership between the Irish Red Cross, the Irish Prison Service and the Education and Training Board. Groups of 'Special Status' Irish Red Cross inmate volunteers train in CBHFA in each of the prisons and contribute towards a healthier & safer prison environment.

throughout the region with all monies raised going towards the daily running of the Hospice and its home care team.

Loughan House registered for Ireland's Biggest Coffee morning where all takings from the coffee shop were donated to this very worthy cause.

- *An Bonnan Bui Parkrun*

In June, "An Bonnan Bui" Parkrun was established in Loughan House. Every Saturday the prisoners, staff and members of the public who were registered park runners participated in this event.

- *Yellow Ribbon Run*

Throughout the world, ex-offenders face challenge in overcoming societal discrimination. Initiated in 2004, the Yellow Ribbon Project supports ex-offenders in their re-integration back into society. The first ever Irish Yellow Ribbon Run was held in Loughan House on the 28th of September 2019. This was a joint initiative between The Irish Prison Service and The Probation Service.

2.8 Midlands Prison

Midlands Prison is a closed, medium security prison for adult men. It is the committal prison for counties Carlow, Kildare, Kilkenny, Laois, Offaly and Westmeath, with an operational capacity of 870.

On 9 December 2019, the Inspectorate conducted an oversight visit of Midlands Prison. On that day there were 839 people in custody, with men aged 30 to 39 making up the largest group in custody.

Healthcare

The Governor reported the Midlands Prison had two Doctors, one Chief Nurse Officer and 22 Nurses assigned. On the date of the visit there were 15 medical staff on duty.

Waiting lists to access medical services on this date were as follows:

Addiction Nurse	10
Addiction Counsellor	55
Chiropodist	48
Dentist	67
Optician	83

Addiction Support and Counselling

Addiction Counsellors had an active caseload of 67 on 9 December 2019. There were two people on methadone detoxification and 85 on methadone maintenance.

Purposeful Activity

On the date of the visit, 173 students attended classes. Some students attended more than one class, culminating in 586 attendances on 9 December. A total of 32 teachers delivered these classes. Classes available were:

- | | | |
|-----------------|-----------------------|--------------------------------|
| • Maths | • Art | • Business Studies |
| • Computers | • Conflict Resolution | • Creative Writing |
| • English | • ESOL | • Education Guidance |
| • History | • Home Economics | • Home Crafts |
| • Amber Flag | • Metalwork | • Model Making |
| • Music | • PE | • Yoga |
| • Pottery | • Spanish | • Spinning |
| • Stone Carving | • Upholstery | • Personal Care & Presentation |

Accreditation in the Midlands Prison were available from the following: QQI Levels 1 to 5, The Open University, Associated Board of the Royal School of Music and State Examinations Commission (Junior & Leaving Certificate).

The Inspectorate was informed that the Midlands Prison facilitates 24 Workshops attended by 534 prisoners. The following workshops were open on 9 December:

- Horticulture 1
- Carpentry
- Furniture Restoration
- Printing
- Engraving
- Laundry
- Factory Gym
- Painting & Light Maintenance
- Horticulture 2
- Welding
- Gym G Division
- Computers
- Kitchen
- Waste Management
- New Gym
- Computers E Division
- Building Skills
- Gym E Division
- C 1 Left Gym
- Picture Framing
- Staff Mess
- Industrial Cleaning
- Sports Hall
- Computers G Division

Certification was awarded to those who successfully completed various Work Training programmes during the year:

Work Training Certifications

Area	Accreditation	Comment
Laundry	Guild of Launderers	10 men completed the Certificate programme
Building Skills	City & Guilds	10 men at various stages of Basic Construction Skills
Carpentry	City & Guilds	5 men at various stages of Basic Carpentry Skills
Horticulture	QQI	19 men have engaged at level 3 and 4
Furniture Restoration	In house training course	6 men have completed an in house training course delivered to the QQI level 5 Furniture Restoration Course
Industrial cleaning	In house training course	92 men have completed a basic cleaning course
Computers	ICS Skills	10 men completed equal skills
Chemical training		26 men completed training on chemical awareness
Catering	City & Guilds	12 men completed the Catering Foundation Course
Basic Manual Handling	In house training course	176 prisoners completed a basic manual handling course

Restricted Regimes

Over the duration of 2019, 32 prisoners were placed on a restricted regime under Rule 62, and 89 prisoners were placed in separation under Rule 63.

Serious Adverse Incidents

The Governor reported a number of serious incidents occurred during 2019 which included:

Deaths in Custody	4
Attempted Suicides	2
Self-Harm	7
Serious Assault	25
Collective indiscipline	1

Operational Challenges

The Governor advised that there were a number of drone sightings and/or drone drops of contraband into the prison in 2019. The Inspectorate was also informed that attempts to bring contraband into the

Midlands Prison through visits also presented a problem. There were 36 visitors arrested in the screening area during 2019. In addition, there was one attempted escape from hospital.

The Governor reported that there were 11 incidents where use of force by prison staff was necessary to carry out prisoner relocations. There were 22 incidents of violence against staff by prisoners reported and 107 incidents of prisoner on prisoner violence reported. There were 32 alleged criminal matters referred to An Garda Síochána which related to:

- Assaults
- Bullying
- Contraband finds
- Attempted Escape
- Requests from prisoners to speak to An Garda Síochána
- Sexual Assault
- Indecent Behaviour

Quality Initiatives

A number of positive initiatives/programmes were operated during 2019 which included:

○ *hAPPi Project (Horticulture)*

The Inspectorate was appraised of a four-year research project run in conjunction with Psychology and Work & Training designed to positively impact on prisoners' mental health, increase rates of physical activity and develop work ethic and skills through horticulture. In September 2018, University College Cork commenced research into the Psychological effects of this project on 12 offenders.

○ *Traveller Peer Support Group*

The Traveller Peer Support Group started in October 2019 and was attended by nine men every Thursday. The first five weeks consisted of classroom-based sessions covering traveller culture and planning of a project. A handball tournament was organised and the group participants made traveller wagons, small rocking horses and copper coal buckets. Their plan was to donate the items to Temple Street Hospital when completed.

○ *Traveller Pride Workshop*

This workshop was attended by 17 men. The group discussed traveller culture, family values and sang songs relating to traveller culture, and was reported to be a great success.

○ *Time Server Magazine*

The management informed the Inspectorate that this publication has grown in popularity, with over 800 copies issued bi-monthly. The magazine team provides entertainment through the magazine, and created the Time Server Yearbook 2019.

○ *Furniture Restoration*

The Furniture Restoration workshop were supported by a furniture restoration expert. The men who attended this workshop restored antique pieces from the Office of Public Works.

○ *Building Skills*

A stonemason delivered a course to a group of men in 2019. The Inspectorate was informed that this course was very well received by all participants, especially the elements of the course designed to introduce participants to willow making crafts and wood carving.

○ *Enhanced Citizens Information Services - Midlands*

Enhanced Citizens Information Services have been introduced to the Midlands Prison in accordance with a new national framework agreed with the South Leinster Citizens Information Service and the national Citizens Information Board. New information services, promotional material and web-based resources have been developed and it is planned to extend similar services to other prisons in 2020.

- *Cuisle Cancer Care Centre*

In January, the staff in the Midlands Prison took part in Operation Transformation, an initiative to raise funds for the Cuisle Centre. The woodwork workshop made two multi-functional work desks for the centre.

- *Barber's Workshop*

A Barber's workshop, 'ConHair', was introduced as a new Work & Training activity on one wing in November 2019. This workshop was managed by a prisoner with support from the Chief Work & Training Officer and staff on the wing. Those who availed of the service made a donation of €2 to charities.

- *Engraving Workshop*

The Engraving workshop designed and produced Christmas decorations made from polished brass and donated 50 decorations to the Cuisle Centre. In addition, this workshop produced presentation award plaques for the Red Cross and the Civil Servants One Vision Awards.

- *Sonas Music Festival 2019*

Various workshops created props for the music festival, ranging from picnic benches, to lanterns, wooden sunflower props and musical keynotes.

- *Star Centre at the Holy Family School Portlaoise*

The workshops donated children's picnic benches, a buddy bench, bird feeders, nesting boxes, planter boxes, a play kitchen and a shelf unit to the school.

- *Scoil Bhride Lackagh Kildare*

The metal workshop created a game for a family fun day which, the Inspectorate was advised, was an enormous success and continues to be used at other events.

- *Klub Kildare and Clonaslee GAA*

The workshops made three jump boxes for the gym, as well as garden furniture pieces for a Clonaslee GAA charity auction.

- *Dried Kindling Wood*

In November 2019, Midlands workshops provided the dried kindling wood collected in the workshops to local senior citizens groups. The Inspectorate was informed that the initiative proved to be an enormous success with the senior citizens groups in Monasterevin, Stradbally and Timahoe areas.

2.9 Mountjoy Prison

Mountjoy Prison is a closed, medium security prison for adult males. It is the main committal prison for Dublin city and county. It has a bed capacity of 755.

On 19 December 2019, the Inspectorate conducted an oversight visit of Mountjoy Prison. On that day there were 700 prisoners in custody, with those between 30 to 40 years of age making up the largest group of those in custody.

Healthcare

The Governor reported the prison was staffed with three Doctors, 20 Nurse Officers and one Medical Officer. On the day of the oversight visit the following waiting lists were in place:

Optician	2 months
Dental	1 week
Chiropodist	2 - 3 months
GP	2 days

Addiction Support and Counselling

On the day of the visit, 32 men were accessing drug rehabilitation programmes; four were accessing medically assisted symptomatic detoxification; and 193 of the men were accessing methadone substitution or maintenance programmes.

Purposeful Activity

On the day of the visit, 173 prisoners were in attendance at school, with 17 teachers delivering courses. Classes available at Midlands Prison were:

Morning

Leaving Certificate History
QQI Level 2 English
Computers
QQI Level 3 Soft Skills
Art
Crafts
Yoga
Cookery (life sentenced persons only)
Music (keyboards)
Music (guitar)
Addiction group facilitated in the School

Afternoon

Career Guidance / Pre-release
Leaving Certificate History
Mindfulness
Literacy (spelling group)
Crafts
Circuit Training
Music
Psychology group facilitated in the school
Cookery
Yoga

Evening

Mindfulness

The following workshops were open at the time of the visit fabric shop, computer shop, catering, bakery, kitchen, staff mess, laundry, waste management, industrial cleaning, industrial skills west and three gyms.

Restricted Regimes

The Inspectorate was advised that 232 men were placed on a restricted regime under the following Prison Rules in 2019:

Rule 63 =	229
Rule 62 =	2
Rule 64 =	1

Prisoners on a Rule 63 restricted regime were protection prisoners. These prisoners stayed on protection for the duration of their sentence unless they signed off protection and returned to the normal regime. The Inspectorate was advised that those placed on Rule 63 are reviewed monthly. Details of Rule 62, 63 and 64 are at Appendix II.

The Inspectorate was informed that Special Observation Cells were used throughout the year, but a specific number delineating usage was not provided.

Serious Adverse Incidents

There were 10 incidents of self-harm reported in Mountjoy Prison during 2019.

Quality Initiatives

The prison management provided the Inspectorate with the following details of educational and other quality initiatives in 2019, which included:

○ TEDx MJ

Mountjoy was the first prison in Ireland to host a TEDx talk, highlighting the challenges faced by ex-prisoners in reintegrating back into society.

○ IBEC Keepwell Mark

Mountjoy was the first prison in Ireland to achieve the IBEC keepwell Mark, which is an audit based assessment of staff welfare initiatives.

○ Instructional Leadership Programme

This initiative was a national Professional Development Programme designed to enhance learning and teaching repertoires in schools. Mountjoy Prison was the only prison-based Education Centre to be selected to participate in the programme.

○ TL21 Programme

Mountjoy Prison was selected for involvement in the Maynooth University led TL21 Programme. This workshop, based on Continuing Professional Development for teachers and school leaders, promoted innovative practice and professional learning communities in post-primary schools. Mountjoy Prison was the only prison-based Education Centre to be involved in this initiative.

○ EU-funded Gruntvig Project

This project focused on the further development of two programmes: the Resilience Training Programme and Philosophy in Prison.

○ Other Initiatives:

- Comedy Show (C&D Wing) and Bingo (A&B Wing) - October 2019
- Gaisce Support Leaders Training - October 2019.
- Progression Unit Prisoners and SOLAS staff choirs' collaboration culminated in the creation of a charity musical CD for Simon Community
- Newstalk Pat Kenny Show to Education Centre - October 2019
- Blood Pressure Testing, World Stroke Day - October 2019
- Afternoon Tea with Cabra Day Centre and Phibsboro Men's Shed, International Day of the Older Person - November 2019
- Blood Pressure Testing, World Diabetes Day - November 2019
- Guest lecture on Mohammad Ali's visit to Ireland - November 2019
- Street Law Programme, 4 weeks duration - November/ December 2019
- Resilience Training Programme, delivered twice during 2019

2.10 Mountjoy Female Prison (Dóchas Centre)

The Dóchas Centre is a closed, medium security prison for females aged 18 years and over. It is the committal prison for females committed on remand or sentenced from all Courts outside the Munster area.

On 19 December 2019, the Inspectorate conducted an oversight visit of The Dóchas Centre. On that day, there were 146 people in custody, with an age profile ranging between 18 to 67 years.

Healthcare

The Inspectorate was advised by local management that there were no waiting lists to attend primary care services. On the day of the visit, there was one Doctor, one Chief Nurse Officer and one Nurse on duty.

Addiction Support and Counselling

The Governor reported that throughout 2019 there were one to two prisoners a month accessing appropriate drug rehabilitation programmes. On the date of the oversight visit, there were 69 prisoners accessing methadone substitution or maintenance programmes. In addition to the above, prisoners were also able to avail of medically assisted symptomatic detoxification. On 19 December, there were 29 prisoners on Valium detox and two on Librium detox. Furthermore, an estimated 25% of the prison population was on Methadone detox in 2019.

Purposeful Activity

On 19 December, there were eight classes in progress, attended by 48 prisoners who were overseen by eight teachers.

There were three workshops open, which were the Kitchen, Industrial Cleaning and Computers. The workshops remained open for between four and eight hours.

The Inspector was informed that the routine was to unlock at 08:00, lock back from 13:00 to 14:00, unlock again between 14:00 and 19:30, and lock back from 19:30 until 20:00. During lock back women have free movement within their own house and yard.

Restricted Regimes

The Inspectorate was advised that no prisoner was placed in isolation during 2019. One prisoner was placed in separation for a period of 51 days on foot of intelligence from An Garda Síochána in relation to a threat to the person's life.

Operational Challenges

There was one incident of serious self-harm in 2019, which resulted in death 11 days later. The Inspectorate wishes to express condolences in this matter. (RIP). The Inspectorate was advised that throughout 2019 staff encountered eight incidents of attempted suicide, all of which were found and treated onsite by medical staff.

Quality Initiatives

The prison identified the following as quality initiatives: Red Cross/Samaritans; Family Visit Room; Parenting Classes and Knitting Group / Book Club.

2.11 Portlaoise Prison

Portlaoise Prison is a closed high security prison for adult males. It is the committal prison for those sent to custody from the Special Criminal Court, and prisoners accommodated there include those linked with subversive crime. It has an operational capacity of 291.

On 12 December 2019, the Inspectorate conducted an oversight visit of Portlaoise Prison. On that day there were 235 people in custody, ranging in age from 18 to 72.

Healthcare

The Governor reported that the prison received the services of one locum Doctor, one Chief Nurse Officer and nine Nurse Officers.

Addiction Support and Counselling

On the date of the oversight the Inspectorate was advised that there were 14 men accessing drug rehabilitation programmes, with a relapse prevention course scheduled for January 2020. None of the men were availing of medically assisted symptomatic detoxification and seven were accessing methadone substitution or maintenance programmes.

Purposeful Activity

On the date of the visit, 86 prisoners attended classes in the prison school. There were 14 classes available overseen by 23 teachers. The Governor provided the following student participation data.

1 student	7 hours
2 students	6 hours
21 students	5 hours

36 students 3 hours
26 students 2 hours

Total participation: 284 hours Average participation: 3.3 hours

Eight workshops were open on the date of the visit and were attended by 101 prisoners over the course of the day. The workshops opened from 10:00 to 12:00, and again in the afternoon from 14:00 to 16:00. Among the classes and workshops available to prisoners were the following:

- Sports Injuries
- Computers
- Social Studies
- Creative Writing
- Music
- Business Studies
- Occupational First Aid
- Computer Graphics
- English
- ESOL
- Upholstery
- Home Economics
- Physical Education
- Art
- Communications
- Geography
- Stone carving

Restricted Regimes

In 2019, two men were on restricted regime under Rule 62. One man was on Rule 62 for a prolonged period. He transferred into Portlaoise Prison during quarter one of 2018 and had been on a restricted regime for many years prior to his transfer to Portlaoise. He remained on Rule 62 on the date of the visit, on foot of Court Order. The second man was on Rule 62 since September 2019.

Subversive prisoners were accommodated separately in the prison, they had no association with the general prisoner population.

A total of 31 prisoners were kept in separation on security grounds. These men had a scheduled but limited regime. The Inspectorate was advised that those on a restricted regime had limited out of cell time. Additionally, a large number of prisoners were transitioned off Rule 62 to the general population.

Serious Adverse Incidents

There were a total of four serious adverse incidents recorded in Portlaoise Prison in 2019. There was one incident of self-harm, a death in custody (natural causes) and two staff were injured following intervention in a fight between prisoners.

Operational Challenges

The Governor reported 19 incidents in 2019 which necessitated the use of force by prison staff in carrying out prisoner relocations and in response to prisoner on prisoner violence, intoxication and verbal abuse.

There was one incident in which prison staff were injured as a result of prisoner on prisoner assault. There were four incidents of prisoner on prisoner assaults recorded.

Criminal Matters referred by the Prison Management to An Garda Síochána

The Inspectorate was informed that three criminal matters were referred to An Garda Síochána in 2019 in relation to alleged threat towards an officer, criminal damage and assault by a prisoner on a prisoner.

Disciplinary Hearings

In 2019, there were 154 prisoner disciplinary hearings resulting in imposed sanctions.

Quality Initiatives

In 2019, the following quality initiatives and projects were implemented:

- Health and Wellbeing Week for prisoners and staff - January 2019
- Expansion of the Red Cross Programme
- Expansion/Introduction of the Samaritans Listener Scheme

- Initial engagement with the Living Strong Programme (for 2020 launch)
- Regime establishment in A Block (building on 2018 initiatives).
- Engagement with the ICRC in relation to prisoners in custody as a result of conflict, continuing from 2018
- Engagement with subversive prisoner for first time in relation to Parole Board and Work Training Certifications
- Revision and continual improvement of Work Force Planning through budgeted and expeditious use of Annualised Hours.
- Establishment of a series of functional compliance committees, building on 2018 progress and in pursuit and/or establishment of compliance methodologies
- Enactment of Regime Management Plans

2.12 Shelton Abbey

Shelton Abbey is an open, low security prison for males aged 19 years and over who are regarded as requiring lower levels of security. It has an operational capacity of 115. Shelton Abbey opened as a prison in 1973 and is situated on 25 acres of gardens and grounds, with an adjoining 55 acre working farm.

On 12 December 2019, the Inspectorate conducted an oversight visit of Shelton Abbey. On that day there were 109 people in custody.

Healthcare

Those in custody in Shelton Abbey have access to a Doctor from Monday to Friday and access to a Nurse seven days a week. They also have access to a dentist, optometrist, physiotherapist, and psychologist.

Addiction Support and Counselling

There were no prisoners accessing drug rehabilitation, detoxification or any other type of addiction support services on the day of the oversight visit. However, prisoners could link in with Merchants Quay Ireland (MQI) if they required support.

Purposeful Activity

On the day of the visit there were 12 classes in progress, which were run by six teachers and attended by 31 men. There were two workshops in operation on the day which were open Monday to Friday from 09:30-12:30 and from 14:15-16:15, with availability up to 18:30.

Among the amenities available for prisoners were:

- | | | |
|--|--------------------|-----------------|
| • Professional Kitchen | • Visiting Room | • Walking Track |
| • Communal Dining Room | • Recreation Rooms | • Men`s Shed |
| • Indoor and Outdoor Gyms | • Football Pitch | • Barber Shop |
| • Training Kitchen for Life Sentenced Prisoners
(external chef visits weekly) | | |

Quality Initiatives/Projects

One of the main quality initiatives in Shelton Abbey was the opportunity to purchase a mobile phone with call and text features only. This initiative allows the men to maintain family contact, an ethos which Shelton Abbey strongly supported and promoted as part of the men`s progression.

In addition to the above scheme a large number of men were afforded Daily Temporary Release to pursue the following external activities:

- Family Visits
- Compassionate Temporary Release (Child Birth, Sick Family, Family Funeral etc.)
- For local resocialisation purposes
- To take up employment, both paid and voluntary
- To engage in training courses, education courses and sporting activities

Shelton Abbey also ran many initiatives and projects in conjunction with the following NGO's and Community Based Organisations:

Dogs for the Disabled	Sunbeam House	Men`s Shed	Bóthar
Dogs Trust	Legion of Mary	Tinahely Show	Pieta House
Red Cross	Samaritans	PAVEE Point	CMRF
Arklow Cancer Support Group	Wexford Marine Watch	Arklow Town Council	NA (Narcotics Anonymous)
Wicklow Hospice	Bray Wanderers Soccer Club	GA (Gamblers Anonymous)	AA (Alcoholics Anonymous)

2.13 Wheatfield Prison

Wheatfield Prison is a closed, medium security prison for adult males and for sentenced 17 year old juveniles. It has an operational capacity of 540.

On 17 December 2019, the Inspector conducted an oversight visit of Wheatfield Prison. On that day there were 491 people in custody, with the majority of prisoners aged between 30 to 40 years.

Healthcare

The Governor reported one Chief Nurse Officer and four Nurses on duty on the date of the oversight visit, two of whom were agency staff. There was also a GP and Dentist present in the prison.

Addiction Support and Counselling

On 17 December 2019 there were 114 prisoners on methadone maintenance. The Governor reported there were 2.5 counsellors attached to Wheatfield Prison, and 455 individuals were seen in 2019. Of these, 243 individuals attended group work, which included the Christmas self-care programme. The average monthly caseload was 100 clients. The waiting list at the end of December was 71.

Among the new initiatives introduced in 2019, was the Peer to Peer Relapse Prevention Programme in partnership with the Red Cross, the enhanced Christmas programme, self-management, self-regulation and harm reduction programmes over Christmas. Details of MQI interventions are as follows:

Interventions	Total year	Average monthly
Counselling	1339	111
Brief intervention	1014	84
Assessments	202	17
Group work	1007	87
Interventions Total	3562	297

In 2019, the psychology team provided Anxiety/Depression, Emotion Regulation and Mentalisation-Based Therapy groups to their clients. They also provided Parole Board Reports and Risk Assessments, Individual Therapies and ongoing consultation to the wider prison population.

The Governor reported 11 documented incidences of self-harm during 2019. These ranged in severity from very serious (that could have resulted in loss of life) to superficial wounds that were reported post-incident to the healthcare team.

Purposeful Activity

On the date of the Inspectorate's visit the school hosted activities for the prisoners to celebrate Christmas. In attendance were 43 men in the morning and 35 men in the afternoon, with certificates presented to those who completed a variety of courses.

There were also a number of workshops and essential services available to the men. Six workshops: construction, joinery, metal, print, picture framing and industrial cleaning were open on the day of the visit. The morning sessions were attended by 49 men while 44 men attended the afternoon sessions. There were seven essential services for prisoners to partake in, which were laundry, kitchen, staff mess, waste management, grounds, stores and industrial cleaning. There were varying opening times for each of these services but the total attendance in the morning session was 58 men while a further 42 men attended in the afternoon/evening periods. The men had access to three gyms which were open on the day of the visit.

Restricted Regimes

Three prisoners were placed in Close Supervision Cells for stays of between 24 and 48 hours. In 2019, 18 prisoners were subjected to Rule 62 for periods ranging from 7 to 14 days, and 77 prisoners were placed on restriction under Rule 63.

Serious Adverse Incidents

In 2019, two Deaths in Custody were recorded. One attempted suicide was recorded, and due to staff intervention the life of this person was saved. One report of alleged sexual assault and one report of alleged assault with a weapon were reported to An Garda Síochána.

Operational Challenges

Drones were detected at Wheatfield Prison in 2019. In addition, there was one escape from Court, where the person was returned to custody 15 minutes later. There was also one escape from a hospital, and the person was subsequently returned to custody.

Additional Challenges

There were 44 occasions in 2019 where C&R staff were deployed. There were 12 assaults on staff by prisoners, and 11 incidents of prisoner on prisoner violence.

Criminal Matters referred by Prison Management to An Garda Síochána

There were 115 criminal matters referred to An Garda Síochána during the year including, assaults, seizure of contraband, threats and racial abuse.

Quality Initiatives

Wheatfield management informed the Inspectorate of the following positive initiatives which took place during 2019:

- **Red Cross**

In July, 10 volunteers graduated from the Red Cross Volunteer program and a new class began with 22 participants. The Inspectorate was informed that the main focus for the Red Cross programme during 2019 was mental illness, health and overdoses. The volunteers also assisted with various activities organised in collaboration with the school including sporting activities, guest speakers and various workshops that facilitated large numbers of attendees.

- **Listener Programme**

In 2019, 13 prisoners qualified as Listeners in Wheatfield Prison.

- *GAISCE*

The GAISCE president's awards commenced in Wheatfield in 2019, and 24 people competed the award. In order to achieve this award those who participated had to commit to community involvement in the prison, develop and learn a personal skill and participate in physical recreation. There is no dedicated time for staff to engage with these programs. Staff who enabled the facilitation of this program did so on a voluntary basis in conjunction with their assigned daily duties, which is to be commended.

- *Toastmasters*

In 2019, Toastmasters commenced in Wheatfield Prison, and 22 men were involved during the course of the year.

- *In-reach Services*

A new services area was opened in the prison in 2019. Consultation rooms were designated for all services, which included the installation of computer access. A video link facility was provided for funeral web streams, video calls with family and professionals and other communications as required.

- *Training Kitchen*

In December, the Training kitchen in the Staff Mess received a special recognition award from external auditors for quality systems adopted in the kitchen.

- *Life Sentenced Prisoners*

Guests from Loughan House, the Parole Board and IPRT visited and presented as part of a Life Sentenced Prisoners forum during the 2019 sentence review. Over the course of the year, 14 LSP were accommodated on the Independent Living Skills Unit, and 36 neutral venue visits were arranged for LSP to meet family off-site.

- *Social Enterprise*

In 2019, social enterprise was developed as an employment option for prisoners on release. Employers were invited into Wheatfield Prison to learn about the talent available for employment upon release. Staff also visited social enterprise facilities to further develop and strengthen links. The Inspectorate was informed that Wheatfield Prison was the first prison to commit to recycling their waste mattresses. The prison's recycling centre operated as a social enterprise which provided employment for some men post-release.

- *Workshops and Charitable Projects*

In 2019, Wheatfield Prison engaged in a number of charity projects, which involved many workshops. For example, prisoners in the kitchen made Christmas puddings which were sold to staff with the funds going to Jigsaw, a Youth Mental Health Charity.

Prisoners who worked in the picture framing workshop framed various sports memorabilia for charity fundraisers as well as framed Long Service Medals for presentation to staff.

The Construction workshop carved memorial stones for various community gardens, as well as provided the stonework for the Wheatfield and Cloverhill Memorial Gardens.

A hand carved rocking horse and bench from the joinery workshop were donated to a community in County Kilkenny. In addition, a hand carved rocking horse was donated to Crumlin Children's Hospital, which is located in a play area for patients and visiting children. A further donation was made to an animal rescue which funded the rescue and care of up to a dozen dogs. The joinery workshop also made and donated a statue for the Samaritans and Buddy Benches for various schools and gardens.

The Prison received an award from Ballyfermot Civic Centre in recognition the workshops providing benches and a carved stone feature for the opening of a new Services Memorial Garden in 2019.

Wheatfield Prison's metal workshop created the Civil Service Excellence Awards, designed by the ITI in charge of the workshop. These were presented by the Taoiseach at the Civil and Public Service Awards.

2.14 Additional Quality Initiatives across the Prison Estate

The Inspectorate welcomes information on the wide range of initiatives available in Irish prisons across the prison estate, many of which involve multi-agency collaboration in their implementation. Hereunder are notable developments made in 2019:

- *Kickstart Fund for Social Enterprises*

A €1m 'Kickstart' fund was approved for Dormant Accounts funding in 2019. This funding follows the successful pilot 'Kickstart' fund awarded in 2018, and is to be allocated to social enterprises to enable recruitment of ex-offenders.. There were more than 50 social enterprises nationally that actively recruited ex-offenders, thereby increasing opportunities for progression to paid employment.

- *Art Exhibitions*

The Irish Prison Service, in conjunction with the ETB Prison Education Service, hosted three major exhibitions of creative work by people in custody in 2019. An exhibition entitled 'UNLOCK' was hosted in Kilmainham Gaol to coincide with the European Prison Education Association Conference hosted in Dublin. A major exhibition entitled 'Open Minds' was hosted in Rua Red Gallery in Dublin and later in the Hunt Museum in Limerick. The Inspectorate attended the Limerick exhibition and was impressed with the work exhibited. All exhibitions were very well received and had high visitor numbers.

- *National roll-out of Pilot Medical Card Scheme*

The provision of temporary medical cards to eligible prisoners pre-release has been rolled-out nationally in partnership with the HSE National Medical Card Unit.

- *New Industrial Cleaning Qualification*

In 2019, a new 'Cleanpass' qualification was in the process of being rolled-out in prisons through the Industrial Cleaning Work Training Offices. This industry-recognised accreditation will qualify prisoners to work in a wide range of industrial, commercial and healthcare cleaning environments.

- *New Foundation Certificate in Education and Fitness*

Training has been provided to gym officers to enable them to deliver structured foundation level training in exercise and fitness in prison gyms.

- *Single Use Plastics*

The Care & Rehabilitation Directorate were working closely with prisons in 2019 to minimise and remove where possible, Single Use Plastics from the prison environment. This initiative is in line with Government and European policy on Single Use Plastics.

3 OVERVIEW OF PRISONS

This section provides an overall summary of the prison estate in Ireland. Categories of persons in custody on the dates of the Inspectorate oversight visits are provided in **Table 1**.

Table 1 : Categories of Persons in Custody (as per date of OIP visit)

Type of Prisoner	Non-National	Traveller	Sentenced	Remand	Life Sentenced	Short-term	Parole
Arbour Hill	13	4	134	2	26	1	32
Castlerea	79	70	245	68	28	59	22
Cloverhill	117	28	69	330	0	42	1
Cork	37	n/a	232	69	16	69	n/a
Dóchas	44	35	109	37	11	29	48
Limerick	33	31	142	39	11	46	21
Loughan House	15	7	119	0	13	2	13
Midlands	151	35	769	70	76	90	72
Mountjoy	51	42	672	26	66	110	54
Portlaoise	24	24	233	3	30	17	19
Shelton Abbey	2	2	115	0	21	1	22
Wheatfield	94	27	439	53	72	76	103

Healthcare in Prisons

As detailed in previous reports from this Office, the right to health is fundamental to and indivisible from the attainment of all other human rights. This right is enshrined in a number of international covenants and instruments, to which Ireland is a State party.⁹ Health can be divided into two categories – physical health and mental health.

Recommendation 10 of the Council of Europe’s Recommendation (98)7 concerning the ethical and organisational aspects of healthcare in prisons, requires that prison healthcare services provide medical, psychiatric and dental treatment and implement programmes of hygiene and preventive medicine in conditions comparable to those available to the general public.

The Irish Prison Rules state that the Minister shall arrange for the provision of primary healthcare services in all Irish prisons¹⁰. Provision of services includes dental, psychiatric and other healthcare services,¹¹ as the Minister considers appropriate. When the state deprives people of their liberty, it

⁹ Report of the Office of Inspector of Prisons (2016) Healthcare in Irish Prison.

¹⁰ Rule 99(1) Prison Rules 2007-2017.

¹¹ Rule 99(5) Prison Rules 2007-2017.

takes on a duty of care to look after the health of people in its custody both in terms of the conditions under which it detains them and of their individual treatment while in custody.

The United Nations Economic and Social Council has stated that the right to the highest attainable standard of health included in Article 12 of the International Covenant on Economic, Social and Cultural Rights comprises of four essential elements:

- Availability: sufficient functioning healthcare facilities, goods, programmes and services must be available;
- Accessibility: healthcare facilities etc. have to be available to everyone within the jurisdiction of the State without discrimination. This element also requires that services are physically accessible and affordable for all;
- Acceptability: healthcare facilities must be respectful of medical ethics and culturally appropriate; and
- Quality: health facilities must be scientifically and medically appropriate and of good quality.

The Irish Prison Service has a responsibility to ensure effective access for prisoners to medical care and also to establish conditions that promote the well-being of those in the custody of the State. Healthcare, appropriate to that available to members of the public with a medical card, is available to all prisoners in Ireland. The Irish Prison Service Healthcare Standards 2011 outlines the range of healthcare services available to those in custody which include: Primary care, Psychiatric, Dental, Optical and Drug Treatment Services.

As an element of her 2019 oversight visits, the Inspector requested data on various functions of the prison, including provision of healthcare. Unfortunately, not all Governors provided data on waiting lists for medical services. However, the Office of the Inspector is aware, based on letters from prisoners and Inspectorate visits to prisons during the year that there are waiting lists for various services in a number of prisons. It is expected that this data will be more comprehensive in future Annual Reports. In recognising that there exist waiting lists for some services in Irish prisons, the Inspectorate is conscious that those in the community are also subject to lengthy waiting periods to receive some medical interventions. However, the Inspectorate would like to see improvements made in some of the waiting times for services available in the prison system and staffed by the IPS or through in-reach services, such as GP appointments, consultations with psychiatric and psychological services, and addiction counsellors.

Mental Health Services

Ireland is State Party to the International Covenant on Economic, Social and Cultural Rights which provides for the right of everyone to “the enjoyment of the highest attainable standard of physical and mental health”¹² The European Prison Rules 2006 recommend that “Persons who are suffering from mental illness and whose state of mental health is incompatible with detention in a prison should be detained in an establishment specially designed for the purpose.”¹³ Where persons suffering from mental illness are detained in prisons, the European Prison Rules recommend “special regulations that take account of their status and needs”¹⁴ should be put in place.

Cloverhill Prison has a dedicated landing which caters solely for prisoners with mental health issues. This environment is not ideal, as noted by the European Committee for the Prevention of Torture (CPT), based on its 2019 visit to Cloverhill Prison. The CPT indicated “there is a need to substantially reinforce the mental health team working on the unit.”¹⁵

¹² ICESCR, Article 12.

¹³ European Prison Rules (2006), Rule 12.1.

¹⁴ European Prison Rules (2006), Rule 11.2.

¹⁵ Report to the Government of Ireland on the visit to Ireland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) 23 September to 4 October 2019 (CPT/Inf (2020) 37), 6.

While the healthcare services in Irish prisons are provided mainly by the IPS, there are also some in-reach services. In-reach mental health psychiatric services are provided by the Central Mental Hospital (CMH), namely Prison In-reach Psychiatric Service (PIPS) which is provided at no cost to the IPS as this service is funded by the HSE. This is an excellent service, but regrettably due to the number of prisoners presenting with mental ill health the pressure on this service was unable to meet the demand in 2019.

The Irish Prison Service has access to a limited number of places in the Central Mental Hospital for prisoners who require residential mental health treatment. However, those requiring treatment exceed the beds available at the CMH.

The Inspectorate is aware of the constant lengthy waiting list to secure a place for treatment in the Central Mental Hospital (CMH). Unfortunately, the Inspectorate was unable to establish how many prisoners were on the waiting list at the end of the year. However, in April 2019, there were 26 severely mentally ill patients on a waiting list, whom Professor Harry Kennedy, Clinical Director of the CMH, described on RTE Radio on 9 April 2019 as “*a danger to themselves and others.*” He reported they were “being kept in prisons because there are no beds available to them at the Central Mental Hospital”. Professor Kennedy also said his team has a “caseload of around 250 people in the prisons with severe mental illnesses or disorders”, and noted these people “get more and more ill, and it is more difficult to treat them when we eventually do get them in”.¹⁶

As a State, Ireland is currently not meeting its obligations to ensure adequate healthcare provision for mentally ill prisoners who are not receiving the treatment they require. Many of these prisoners are accommodated on an extremely restricted daily regime. While the Inspectorate understands that limited out-of-cell time is a measure imposed to ensure the safety needs of mentally ill prisoners and others in the prison, these restrictions amount to inhuman and degrading treatment. The treatment of mentally ill prisoners must be addressed as a matter of extreme urgency.

Education and Rehabilitative Activities

The Prison Rules, Rule 27(2) requires that, while in custody a prisoner may, “engage or participate in such structured activity as may be authorised by the Governor including work, vocational training, education, or programmes intended to increase the likelihood that a prisoner, when released from prison, will be less likely to re-offend or better able to re-integrate into the community.”¹⁷

To enable this, there is an obligation on prison officers to contribute to the rehabilitation and reintegration of prisoners into the community.¹⁸ Prison officers are also obliged to interact with each prisoner in a manner that supports his or her rehabilitation and general welfare.¹⁹ In so far as is practicable, each convicted prisoner should be engaged in authorised structured activity for a period of not less than five hours on each of the five days of the each week.²⁰

It is acknowledged by the Inspectorate that prisoners on protection pose a challenge for prison management. Prisoners may be on protection for a variety of reasons. There are various regimes for dealing with protection prisoners in the prisons where they are accommodated. The fact that prisoners are ‘protection prisoners’ cannot be used as an excuse for depriving them of adequate structured activity, appropriate education, recreation and out of cell time.

The Governor “in so far as is practicable” is to provide a flexible programme of education for prisoners “in partnership with community based education bodies”.²¹ The education and vocational training

¹⁶ J McCarthy (9 April 2019) Mentally ill Patients being kept in prisons due to bed shortages, RTE. <https://www.rte.ie/news/2018/0429/959038-central-mental-hospital-patients/>

¹⁷ Rule 27(2) Prison Rules 2007-2017.

¹⁸ Rule 85(3)(iv) Prison Rules 2007-2017.

¹⁹ Rule 86(1)(b) Prison Rules 2007-2017.

²⁰ Rule 27(3) Prison Rules 2007-2017.

²¹ Rule 110(1) and (5) Prison Rules 2007-2017.

provided in each prison is to be designed in such a way as to help prisoners occupy their time while in prison and achieve personal development, as well as to “improve their prospects of employment after their release.”²²

As is illustrated in the above section on oversight visits conducted by the Inspectorate in 2019 (Section 2), there is an impressive range of courses and classes on offer throughout the prison estate. However, the Inspectorate was informed by prison management and teachers in many of the prisons that there are frequent difficulties in escorting prisoners from their accommodation to classrooms and workshops. This situation is often due to prison officers who were assigned to a particular post being reassigned to fill an alternative post that is considered to be more critical, due to staff shortages. Consequently, a relatively small percentage of the overall prison population has access to education and/or training facilities.

The Inspectorate fully appreciates that certain prisons, which have a transient population, such as Cloverhill Prison, which has a very high number of remand prisoners, may find it more difficult to achieve regular attendance at school. However, the Inspectorate encourages the IPS to consider new approaches which would ensure that those who wish to gain an education from basic literacy to more advanced qualification are given every opportunity to do so, thereby ensuring that those individuals will be better equipped to gain employment upon release.

As outlined by the former Inspector of Prisons, “the management of prisoners and their rehabilitation deserves a separate review leading to a report in its own right.”²³ It is the intention of this Office to undertake a thematic review of this area within the next two years.

On request, the IPS provided the monthly average school attendance for each prison in the year 2019. The percentage attendance reflects 11 months of data, as all schools are closed for the month of August. **Table 2** provides the average education unit attendance per prison in 2019:

Table 2: Average Education Unit Attendance (11 months, 2019)

Education Unit	Total Annual Population 2019	Total Annual Participation 2019	2019 Participation %
Arbour Hill	5,528	3,558	64.0%
Castlereagh	11,312	3,814	34.0%
Cloverhill	16,100	3,086	19.0%
Cork	12,002	5,986	50.0%
Dochas	5,532	3,186	58.0%
Limerick	9,841	4,311	44.0%
Loughan	4,367	3,172	73.0%
Midlands	32,737	11,789	36.0%
Mountjoy	21,798	6,750	31.0%
Portlaoise	9,502	4,850	51.0%
Shelton Abbey	4,360	1,955	45.0%
Progression Unit (Mountjoy Prison)	6,140	3,686	60.0%
Wheatfield	20,064	4,995	25.0%
TOTALS	159,283	61,138	38%

²² Rule 111(1)(a)(b) and (e) Prison Rules 2007-2017.

²³ Section 5.50: Office of the Inspector of Prisons (2015) Culture and Organisation in the Irish Prison Service A Road Map for the Future.

Workshop Attendance

The commentary on each prison provided in Section 2 of this report notes the excellent work and charity and community involvement, as well as accreditations attained by those men and women working in the wide range of workshops available in Irish prisons. However, the limited accessibility of the workshops in some prisons is extremely disappointing. When considering the average attendance it is necessary to consider that a number of these 'workshops' are considered to be 'critical' and therefore require prisoners to attend on a daily basis. The critical workshops include the prison kitchen, the laundry, waste management and grounds maintenance.

The reason put forward by local management for the underutilisation of workshops was their inability to provide supervision as Work Training Officers were consistently redeployed to security duties. This situation is extremely concerning. The Inspectorate strongly encourages the Irish Prison Service to facilitate more prisoners to attend workshops on a regular basis and to ensure that the closure of such important rehabilitative facilities is only a last resort measure.

On request from IPS HQ, the Inspectorate was provided with the percentage attendance and the percentage closure of workshops during 2019 (see **Table 3**).

Table 3: Attendance and Closure of Workshops by Prison, 2019 (%)

Prison	Average % Prisoners attending Workshops 2019	Average % of Workshops closed during 2019
Arbour Hill	53.00%	19.00%
Castlereagh*	30.00%	16.00%
Cloverhill	7.00%	19.00%
Cork	17.00%	30.00%
Dochas**	42.00%	64.00%
Limerick	31.00%	36.00%
Loughan	89.00%	0.00%
Midlands	21.00%	15.00%
Mountjoy	11.00%	23.00%
Portlaoise	23.00%	19.00%
Shelton Abbey	38.00%	1.00%
Wheatfield	21.00%	21.00%

Restricted Regimes

Across all Irish prisons, with the exception of the two Open Centres, a number of those in custody, were subject to a restricted regime in 2019. The majority of those subjected to a restricted regime were 'protection prisoners'. Prisoners on protection had limited opportunity to recreate, and most had no access to education or workshops. The duration of time spent on a restricted regime varied. The Inspectorate is aware of one person being on a restricted regime in excess of 12 months, of another person on 97 days of a restricted regime and two others exceeding 50 days on restricted regimes.

The Office of the Inspector has received letters from a number of people on protection informing the Office that their families found it extremely difficult to secure a visit with them during 2019. There were also letters received by the Inspectorate which stated that the acoustics were poor in visiting facilities, and it was difficult to hear visitor(s) on screened visits.

4 PRISONER COMPLAINTS PROCEDURE

The Inspector of Prisons has a statutory role in relation to general oversight of the Irish Prison Service Prisoner Complaints System. It is not a function of the Inspector of Prisons to investigate individual complaints, but the Inspectorate may examine the circumstances relating to a complaint where necessary for performing the functions of the Office.²⁴

Monthly Returns of Prisoner Complaints

The IPS provide the Inspectorate with high level data related to prisoner complaints. Such information is required to be provided on a monthly basis by an appointed Prison Liaison Officer in each prison. Submission of these returns is due on the first Friday of each month. In the absence of a relevant submission, a reminder is sent to the prison concerned to request the data. In order to finalise the analysis for 2019 a certain amount of follow-up between the Inspectorate, the Prison Liaison Officers and Irish Prison Service Headquarters was necessary. The availability of the data enabled the Inspectorate to conduct statistical analyses.

These monthly returns provided details on:

- all new complaints registered in the prison for that particular month;
- the nature of the complaint;
- to whom the complaint was assigned for investigation; and
- updates on ongoing investigations.

Categorisation of Prisoner Complaints

Each complaint was assessed and categorised by the Governor of the relevant prison in line with the Irish Prison Service Policy for Prisoner Complaints²⁵. The complaint categories are as follows:

- **Category A** - complaints made by a prisoner alleging serious ill treatment, use of excessive force, serious intimidation/discrimination or threats by a member of staff.
- **Category B** - mid-range in terms of seriousness such as; discrimination, verbal abuse of prisoners by staff, inappropriate searches etc.
- **Category C** - service level complaints (complaint about visits, phone calls, reception issues missing clothes, not getting post on time, not getting appropriate exercise, etc
- **Category D** - complaints against professionals such as dentists, doctors etc.
- **Category E** - complaints made by visitors to the prison.

Inaccurate Data provided to the Inspectorate

The Inspectorate identified a discrepancy in the number of Category A complaints notified to the Inspectorate in 2019 and the actual number of Category A complaints categorised.

The first discrepancy came to light when the Inspectorate received the Executive Summary of four investigation reports in respect of complaints of which the Inspector had no prior notification, contrary to Rule 57(B)(4) of the Prison Rules 2007-2017.

²⁴ Section 31(6) Prison Act 2007.

²⁵ Irish Prison Service Policy for Prisoner Complaints, May 2014.

As a result of such discrepancies, the Inspectorate cannot place confidence in the accuracy of the data provided by the Irish Prison Service.²⁶ It is extremely concerning that legal obligations in relation to the notification of prisoner complaints, the appointment of investigators and/or provision of interim reports, as required under the Prison Rules, have not been observed.

On 12 June 2019, the Inspectorate issued a letter to the Director General expressing concern at how a particular Category A complaint had been investigated, with particular reference to the investigation process employed and how certain conclusions were made by the investigator. The letter requested an internal review on how complaints are handled. In reply the Director General advised that a new prisoner complaints system, which will include training for investigators, was in development.

Despite the correspondence between the Inspectorate and the Director General of the IPS there was no noticeable improvement in the management of the Prisoner Complaints procedure in the latter part of 2019. In fact, only one notification of appointment of an investigator was received by the Inspectorate between July and December 2019. Furthermore, eight of the 20 notifications received in 2019 were received after the investigator, whose appointment the Inspectorate was being notified of, had already submitted their investigation report.

The attempts of the Inspectorate to validate the prisoner complaints data provided by the IPS contributed to the delay in finalising the 2019 Annual Report. Prisoner complaints are extremely important in the protection of prisoners' human rights and it is imperative that accurate data be provided to the Inspectorate so the Office can have confidence in the information that is detailed in Inspectorate reports.

Deficiencies relating to the Operation of the Prisoner Complaints System

The shortcomings of the prison complaints system has long warranted critique from this Office, with the former Inspector of Prisons noting the need for an open and transparent prisoner complaint procedure. In line with national and international obligations related to complaints procedures, this Office has provided guidance through various reports namely:

- Guidance on Best Practice relating to Prisoners' Complaints and Prison Discipline (2010)
- Suggested Prisoner Complaints Model for Irish Prisons (2011)
- *Review, Evaluation and Analysis of the Operation of the present Irish Prison Service Prisoner Complaints Procedure* (2016)

The 2016 report documented a number of significant concerns relating to the operation of the Prisoner Complaints Procedure, and made 17 recommendations for improved efficacy, all of which were accepted by the then Minister.

In 2019 a number of letters²⁷ were received from prisoners raising concerns about the complaints system. In addition to these, in the course of visits to prisons the Inspector was notified of shortcomings with the system which were brought to the Inspector's attention by both prisoners and staff. These included:

- Complaint forms not being easily accessible;
- Fear of the consequences of making a complaint;
- Complaints not being investigated;
- Inordinate delays in the investigation of complaints;
- Copies of complaint forms not being provided to the complainant; and
- Results of investigations not being provided to the complainant and/or respondent(s).

²⁶ In addition to the discrepancies acknowledged herewithin, in 2020, whilst making an enquiry into a specific complaint, the Inspectorate was informed of 11 Category A complaints relating to 2018 which had not been previously notified to the Office. Therefore, the data provided on page 15 of the Inspectorate's 2018 Annual Report relating to Portlaoise Prison is incorrect; and instead of the 79 Category A complaints noted, this number is in fact 90 Category A complaints.

²⁷ Rule 44 Prison Rules 200-2017 provides grounds for prisons to write confidentially to the Inspector.

While “(i)t is not a function of the Inspector to investigate or adjudicate on a complaint from an individual prisoner (...) she may examine the circumstances relating to the complaint.”²⁸ Through examination of the issues brought to the Inspectorate’s attention, it was determined that a number of Irish prisons no longer had complaint forms available on the landings. Prisoners stated this discouraged them from making complaints. The absence of easily accessible complaint forms meant that prisoners wishing to make a complaint had no option but to ask for a complaint form from a member of staff. Prisoners informed the Inspectorate that they sometimes felt intimidated and fearful of potential adverse consequences of making a complaint when it became known of their intention to do so by some staff.

There is no provision on a complaint form to prompt the complainant to date the complaint. The complaint form provides for (i) name; (ii) Prisoner Number; and (iii) Cell/Location, which is followed by ‘Details of your Complaint’ (see copy of complaint form at Appendix III). As there is no prompt for a date, very few prisoners date their complaint. This means the Inspectorate has no way of knowing how long a complaint awaits categorisation by the Governor.

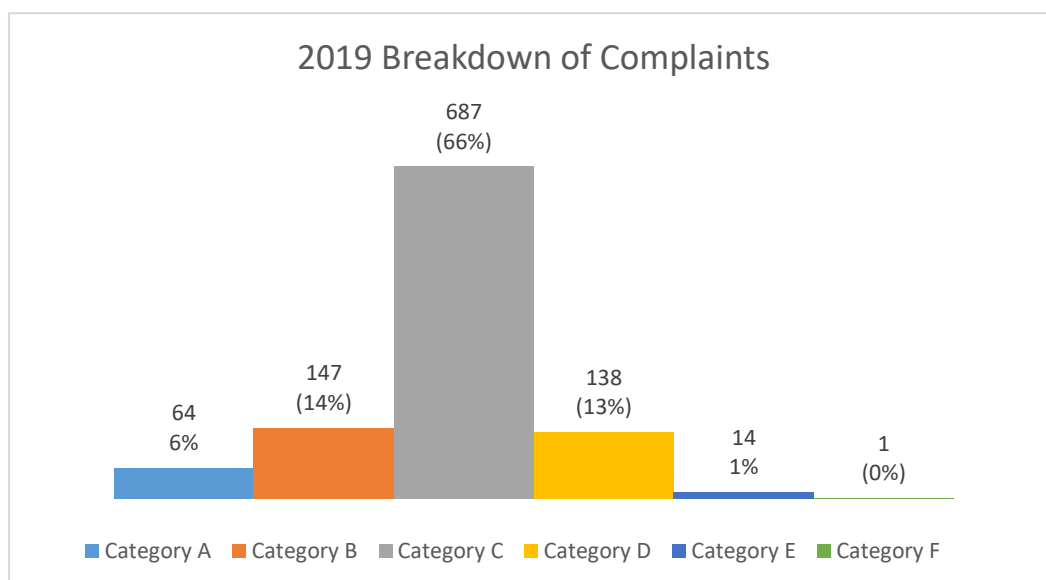
To ensure transparency of the complaints process the Inspectorate strongly recommends that provision for a ‘Date’ be made on Prisoner Complaint forms.

Individual Prison Returns

A component of the 2019 Inspectorate oversight visits involved providing the Prison Governors with a template whereby they were requested to furnish information about the prison, which included prisoner complaints. Provided hereunder are a summary complaints by category for the year 2019, as well as details of the complaints recorded in each prison, as provided by the respective Governors and notified to the Inspectorate during the year.

Figure 1 provides the quantity and category breakdown of prisoner complaints registered during 2019. This analysis is based on the data received by the Inspectorate from Prison Liaison Officers’ monthly returns. Loughan House and Shelton Abbey, both Open Centres, recorded no complaints in 2019.

Figure 1: 2019 Breakdown of Complaints by Category



²⁸ Section 31(6) Prison Act 2007.

Castlerea Prison

Castlerea prison management reported recording six Category A complaints in 2019, while advising at the time that five investigations were ongoing. The sixth complaint was recorded as vexatious/without foundation/out of scope. However, during the period of 1 January to 28 November 2019, the Inspectorate was notified of seven Category A complaints through the prison's monthly returns. On review, the Inspectorate noted that one of these complaints was dated 20 December 2018 but that the notification had not been received until 21 January 2019. This delay in notification led to a discrepancy in the figures. The status of Castlerea Prison complaints at the end of December 2019:

Type of Complaint	Not upheld	Resolved	Partially upheld	Withdrawn	Ongoing	Vexatious*	Refer to PSEC
Category A (7)	1				5	1	
Category B (13)	10			1		1	1
Category C (109)	80		10	7	3	9	
Category D (33)	5	28					
Category E (1)	1						
Category F (1)	1						

* Vexatious, without foundation, out-of-scope

Cloverhill Prison

The template form returned to the Inspectorate indicated the recording of 14 Category A complaints in Cloverhill Prison in 2019. However, on checking the information provided by the Governor on the template form against the notifications of Category A complaints received over the course of 2019, monthly discrepancies were identified as the Inspectorate was only notified of 12 Category A complaints. The Inspectorate is in communication with Cloverhill Prison to clarify the position and address this anomaly. The status of the 14 Category A complaints was reported as follows:

Type of Complaint	Not upheld	Upheld	Ongoing	Released*
Category A (14)	2	1	7	4

* Released prior to completion of investigation

Cork Prison

The Governor of Cork Prison reported recording the following complaints:

Type of Complaint	Not upheld	Ongoing	Released*
Category A (2)	1	1**	
Category B (5)	1	4	
Category C (3)	2		1
Category D (1)	1		

* Released prior to completion of investigation ** Ongoing as of 3 December 2019

Limerick Prison

The Governor of Limerick Prison reported recording the following complaints:

Type of Complaint	Not upheld	Ongoing
Category A (1)		1*
Category B (3)	2**	1
Category C (3)	2**	1
Category D (3)	3***	

* Under investigation at the time of the oversight visit

** No grounds for complaint

*** No grounds for complaint (2), without foundation (1)

Midlands Prison

The Governor of the Midlands Prison reported recording the following complaints:

Type of Complaint	Not upheld	Upheld	Partially upheld	Withdrawn	Ongoing	Vexatious*
Category A (7)	3			1	3	
Category B (43)	24	5	5	2	5	2
Category C (212)	149	49	13			1
Category D (4)	2	1	1			
Category E (6)	4	1			1	

* Vexatious, without foundation, out-of-scope

Mountjoy Male Prison

The Governor of Mountjoy Prison reported recording the following complaints. The status data was incomplete in regards to category B complaints.²⁹

Type of Complaint	Not upheld	Upheld	Resolved	Partially upheld	Withdrawn	Ongoing
Category A (6)					1	5
Category B (19)	11		1		2	4
Category C (102)	23	9	59	2	5	4
Category D (14)	13		1			
Category E (2)						2

Mountjoy Female Prison (Dóchas Centre)

Following the Inspector's visit, the Dóchas management provided an update on seven Category A complaints, which they stated as having been reported during 2019. However, the Inspectorate had been notified of eight Category A complaints in the monthly returns received over the course of the year. The Inspectorate confirmed with IPS that Dóchas reported eight Category A complaints in 2019.

The status of seven Category A complaints on 19 December 2019 is provided in the chart below. In addition to these, Dóchas management reported being notified of category B, C, D and E complaints. The status of category B complaints was not provided, and the Office is following up on these with the Dóchas Centre. The status of the A, C, D and E complaints was as follows at the end of 2019:

Type of Complaint	Not upheld	Closed	Partially upheld	Ongoing/ Outstanding
Category A (7)	3		1	3
Category B (7)				
Category C (29)		27		2
Category D (4)	2			2
Category E (1)				1

²⁹ Mountjoy Prison provided the Inspectorate on 7 December 2020 with additional information regarding the status of category B complaints in 2019. This category B status update included the following: 14 not upheld; 2 withdrawn; 2 relating to CRS (appeals) – informed of different avenue; 1 relating to P19 appeal – informed of different avenue; and 1 lost (dating back to August 2019, never resolved).

Portlaoise Prison

The Governor of Portlaoise Prison recorded the following complaints status on the date of the oversight visit:

Type of Complaint	Not upheld	Partially upheld	Withdrawn	Ongoing
Category A (7)			1	6
Category B (3)				3
Category C (27)	7	12		8
Category D (6)				6
Category E (4)				4

Wheatfield Prison

The Governor of Wheatfield recorded the following Category A complaints, as of 17 December 2019:

Type of Complaint	Not upheld	Ongoing
Category A (15)	2	13

Wheatfield Prison also recorded a number of category B, C and D complaints over the course of 2019. In the return provided by management of Wheatfield Prison the Inspectorate was informed that there was an 'outcome' in respect of two of the four Category B complaints, 47 of the 74 Category C complaints and 20 of the 26 Category D complaints. Unfortunately, the Inspectorate was not provided with information about the nature of the 'outcome'. The Inspectorate will pursue this and report further in the 2020 Annual Report.

Reporting Obligations under the Prison Rules

There are reporting obligations on the IPS in relation to allegations of a serious nature such as assault or use of excessive force against a prisoner or ill treatment, racial abuse, discrimination, intimidation, threats. These obligations are set out in Rule 57B of the Prison Rules 2007-2017, as follows:

- Governor shall, within seven days of being notified of such a complaint notify the Inspector of Prisons, Rule 57B(4).
- In accordance with Rule 57B(5)(a), the Inspector of Prisons must be notified of the appointment of the persons or persons appointed by the Director General to investigate the complaint.
- If the Director General decides not to appoint an investigation team she must arrange for the Inspector of Prisons to be advised of the decision and the reasons for the decision as per Rule 57B(5)(b).
- In accordance with Rule 57B(10)(a) Inspector must be provided with a copy of every report submitted by an investigation team, including an interim report where the investigation is not completed within three months.
- In accordance with Rule 57B(10)(b) a copy of any report and the Governor's finding and decision shall be forwarded by the Governor to the Inspector of Prisons or if the Governor is the subject of the complaint the Director General shall forward a copy of the report to the Inspector of Prisons. As per Rule 57B(11) if a complainant is not satisfied with the outcome of the investigation, he or she may write to the Inspector of Prisons of the Irish Prison Service stating why he or she is not satisfied in accordance with Rule 57B(12). The Inspector of Prisons shall have oversight of all investigations carried out under this Rule, shall have access to any material relevant to any such investigation and may investigate any aspect that he or she considers relevant."

Analysis of Category A Complaints

In 2019, the Inspectorate received notification of 67 Category A complaints from a total of nine prisons (**Table 4**). Arbour Hill, Loughan House and Shelton Abbey had no Category A complaints recorded.

Table 4: Category A Complaint Notifications to the Inspector of Prisons

PRISON	2019 NOTIFICATIONS OF CATEGORY A COMPLAINTS
Castlerea Prison	8
Cloverhill Prison	12
Cork Prison	1
Dóchas Centre	8
Limerick Prison	1
Midlands Prison	7
Mountjoy Prison	8
Portlaoise Prison	7
Wheatfield Prison	15
TOTAL	67

The number of notifications and reports received in accordance with Rule 57B, are recorded in **Table 5**. It should be noted that the information provided in this table is based on notifications received from the Irish Prison Service, and the Inspectorate was not in a position to verify the data received.

Table 5: Notifications in accordance with Rule 57B Prison Rules 2007 - 2017

Rule 57B Prison Rules 2007-2017	Notifications received relating to 2019	Relating to 2018	Total received in 2019
Notifications of Category A complaints	63	4	67
Governor notification to OIP within 7 days of being notified of the complaint [57B(4)]	51	2	53
OIP shall be notified of the appointment of the investigator [57B(5)(a)]	20	11	31
Complaints deemed by the IPS Director General of the IPS to be vexatious, without foundation, or outside scope of rule and terminated. OIP is notified of the decision and reasons for the decision [57B(5)(b)]	1	0	1
Complaints withdrawn by prisoners and Director General decides investigation should be terminated. OIP is (a) advised and (b) the reasons documented [57B(5)(c)]	N = 2 (a) 2 (100%) (b) 2 (100%)	N = 1 (a) 1 (100%) (b) 1 (100%)	N = 3 (a) 3 (100%) (b) 3 (100%)
Complaints that proceeded to Investigation	61	4	65
Full investigation reports received by OIP	15	17	32
Interim reports submitted to OIP	2	0	2
Number of investigation reports received where complaint was grounded or upheld	5	2	7

The requirements of and compliance with Rule 57B, are summarised in **Table 6**. The statistics provided in this table are drawn directly from the notifications received from the Irish Prison Service, as shown in **Table 5**.

Table 6: Requirements of and compliance of Rule 57B

Rule 57B Prison Rules 2007-2017	% Compliance 2019	% Compliance 2018
Governor notification to Inspector of Prisons within 7 days of being notified of the complaint [57B(4)]	53(79%)	65(82%)
OIP shall be notified of the appointment of the investigator [57B(5)(a)]	20(29%)	0(0%)
Complaints deemed by the IPS Director General to be vexatious, without foundation, or outside scope of rule and terminated. Inspector of prisons is notified of the decision and reasons for the decision [57B(5)(b)]	N = 1 1 (100%)	N = 4 4 (100%)
Complaints withdrawn by prisoners and Director General decides investigation should be terminated. The OIP is (a) advised and (b) the reasons documented [57B(5)(c)]	N = 3 (a) 3 (100%) (b) 3 (100%)	N=7 (a) 7(100%) (b) 5 (71%)
Complaints that proceeded to investigation	65(97%)	68 (86%)
Full investigation reports received by OIP	15(23%)	22(32%)
Interim reports submitted to OIP	2(3%)	0(0%)
Number of investigation reports received where the complaint was grounded or upheld	5(31%)	2(9%)

Table 6 provides a comparison of 2018 and 2019 adherence with Rule 57B. The most notable improvement is progress made in relation to the notification of the appointment of an Investigator. The Inspectorate was not notified of appointments of Investigators in 2018. A total of 31 notifications were received in 2019. Thirty notifications were received in one day in July 2019. Ten of these referred to complaints that had been made in 2018. These notifications were received following a letter from the Inspectorate to the Director General in which concerns were raised regarding the operation of the Prisoner Complaints procedure.

The Inspectorate was notified of the appointment of an Investigator in respect of 20 complaints made in 2019 but the Inspectorate had already received the investigation report in respect of eight of the complaints prior to receiving notification of the appointment of the Investigator.

On review of the reports received the Inspectorate determined that the average time taken to appoint an external Investigator was 12 days. However, in respect of six complaints there was a delay of up to two months. A delay in the appointment of an external Investigator is extremely concerning as crucial evidence can be lost and the recollection of key witnesses and ability to secure evidence such as CCTV footage may prove difficult.

The Executive Summary of the investigation report was received in respect of 32 complaints in 2019. On examination of these reports, the Inspectorate found that timelines to complete investigations exceeded that specified in Rule 57B (10) in 52% of cases. The completion time for these investigations ranged from 47 to 284 days. The Inspectorate found that the average time to complete

these investigations was 149 days, which was almost two months in excess of that specified in the Rule.

Of the 67 prisoner complaints, the Inspectorate was notified of in 2019, the Office received notification of 53 within the specified timeframe. Of the 14 late notifications, the average time it took to notify the Inspectorate was 22 days, with the longest delays being two and five months respectively. In fact, one complaint only came to the attention of the Inspectorate on receipt of the investigation report, four months after the complaint was notified to the Governor.

According to Rule 57B(10)(a), “If an investigation is not completed within 3 months from the date of the complaint an interim report shall be submitted to the Governor.” This Rule further states, “the Inspector of Prisons shall be provided with a copy of every report submitted under this paragraph...” As regards the 37 cases not completed within the specified three months, the Inspectorate did not receive an interim report. This is of grave concern to the Inspectorate.

There were 52 complaints made in the first nine months of 2019. Given that the timeline for completion of an investigation, as set out in the Rules is three months, any complaint made in the final three months of the year would not necessarily be completed within this timeframe. Therefore out of a total of 52 complaints (made up until the end of September 2019), which could be expected to be completed, 16 (30%) were finalised. It is concerning to the Inspectorate that such a high percentage of the most serious category of complaint is not being finalised within the specified timeframe.

The information provided by the Governors on category B, C, D, E and F complaints indicates a large number of these as ongoing. The Inspectorate requests that these investigations be finalised as soon as possible.

Failing to keep complainants and respondents updated on the status of complaints causes unnecessary stress and upset for both complainants and respondents. Prisoners who contacted the Inspectorate advised that it was difficult to ascertain if their complaint was being investigated or mislaid. Again, the Inspectorate strongly requests that the complainant be provided with a copy of their complaint and kept updated as is required by law.

It is clear that there are serious deficiencies in the Prisoner Complaints System, as is evidenced by the provided analysis (pages 41-49). In many instances, the law was not complied with by the Irish Prison Service. The concerns highlighted by the Inspectorate in previous reports on Prisoner Complaints have not been allayed. The deficiencies and failure to comply with the law is of the gravest concern and once again the Inspectorate calls on the Irish Prison Service to address their non-compliance as a matter of extreme urgency.

In 2019, the Inspectorate met separately with Senior Officials of the Irish Prison Service and with the Director of the Office of the Ombudsman to discuss progress on the implementation of the recommendations in the Inspectorate’s 2016 report,³⁰ as related to the respective Bodies.

In July 2019, the Inspectorate was updated on the proposed new Prisoner Complaints Information Management System and received a demonstration of the system. The Inspectorate was advised that the new Prisoner Complaints system would be rolled out by the end of 2019. Unfortunately, this timeline was not achieved.

The Inspectorate urges the Irish Prison Service to prioritise the roll-out of the new Prisoner Complaints Information Management system and to ensure that staff and external Investigators are provided with appropriate training.

³⁰ Office of the Inspector of Prisons, Annual Report 2015-2016. <https://www.oip.ie/wp-content/uploads/2020/04/Annual-Report-2015-2016.pdf>

5 LETTERS FROM PRISONERS

In accordance with Rule 44(1)(h) of the Prison Rules 2007 – 2017, a prisoner is entitled to send and receive an unopened letter from the Inspector of Prisons.

In 2019, the Office of the Inspector of Prisons received 46 letters from 34 prisoners. These letters came from nine separate prisons, with no letters received from Cork Prison, Limerick Prison or Loughan House. **Table 7** provides details of the month each letter was received and from which prison:

Table 7: Letters from Prisoners under Rule 44 of the Prison Rules

Prison/ Place of Detention	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sub Total
Arbour Hill			1						1				2
Castlerea	1				1	1							3
Cloverhill				1				2	2	1			6
Dóchas					1	1							2
Midlands	2	2	1	1			3		1		2		12
Mountjoy	4				3	1		1			1	1	11
Portlaoise	1		1	2	1		1	2					8
Shelton Abbey											1		1
Wheatfield										1			1
Total	8	2	3	4	6	3	4	5	4	2	4	1	46

Thirteen letters received in 2019 requested a meeting with the Inspector. The Inspector met with ten of the individuals who requested a meeting. As regards the remaining three meeting requests, one person had been released and two were unavailable on the date of the visit. These individuals were contacted by letter and will be met at a future date.

Figure 2 provides a breakdown of the issues raised in the letters received by the Inspectorate.

Figure 2: Nature of Letters received from Prisoners (Rule 44)

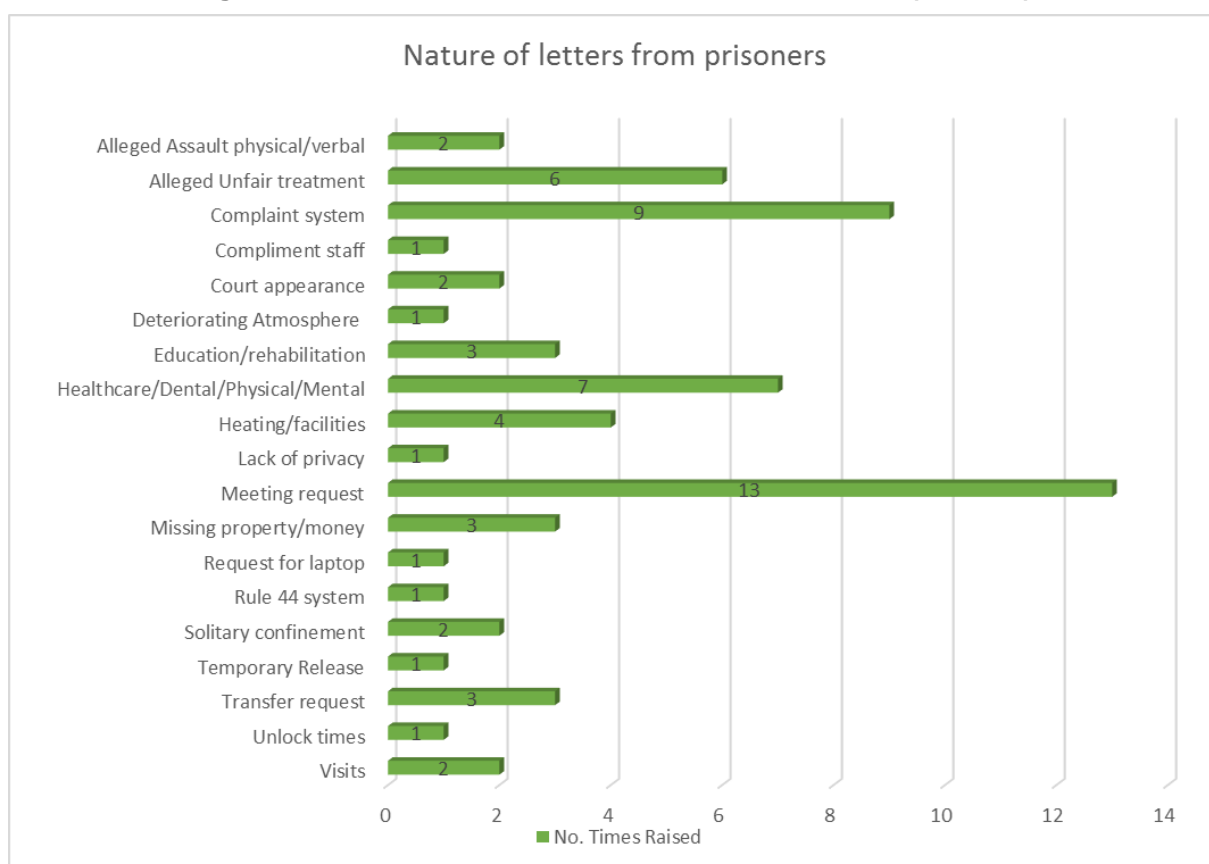


Table 8 provides a comparison of the amount of Rule 44 letters received from each prison in 2019 compared to that of 2018.

Table 8: Rule 44 Letters, Comparison with previous year

Prison/ Place of Detention	Total Letters 2019	Total Letters 2018
Arbour Hill	2	3
Castlerea	3	9
Cloverhill	6	9
Cork	0	1
Dóchas	2	1
Limerick	0	2
Loughan House	0	0
Midlands	12	13
Mountjoy	11	13
Portlaoise	8	5
Shelton Abbey	1	8
Wheatfield	1	7
Total	46	71

6 INVESTIGATIONS

6.1 Deaths in Custody

Pursuant to Section 31 (2) of the Prisons Act 2007, the Minister for Justice has requested the Inspector to carry out an investigation into each Death in Custody (DiC), including the death of a person within one month of Temporary Release /release on Licence in the community.

The objectives of the Inspectorate DiC investigations are to:

- Establish the circumstances and events surrounding the death, including the healthcare provided by the Irish Prison Service (IPS);
- Examine whether any changes in IPS operational methods, policy, practice or management arrangements could help prevent a similar death in future;
- Ensure that the prisoner's family have an opportunity to raise any concerns they may have, and take these into account in the investigation; and
- Assist the Coroner's investigative obligation under Article 2 of the European Convention on Human Rights, by ensuring as far as possible that the full facts are brought to light and any relevant failing is exposed, any commendable practice is identified, and any lessons from the death are learned.

Unfortunately, there has been a backlog in the Inspectorate's deaths in custody investigations and reporting since 2014. This situation has been due to insufficient staffing resources. On 1 Jan 2019 there were 13 ongoing investigations at various stages in the process, 12 of which were deaths which occurred in 2018, and one which occurred in 2017.

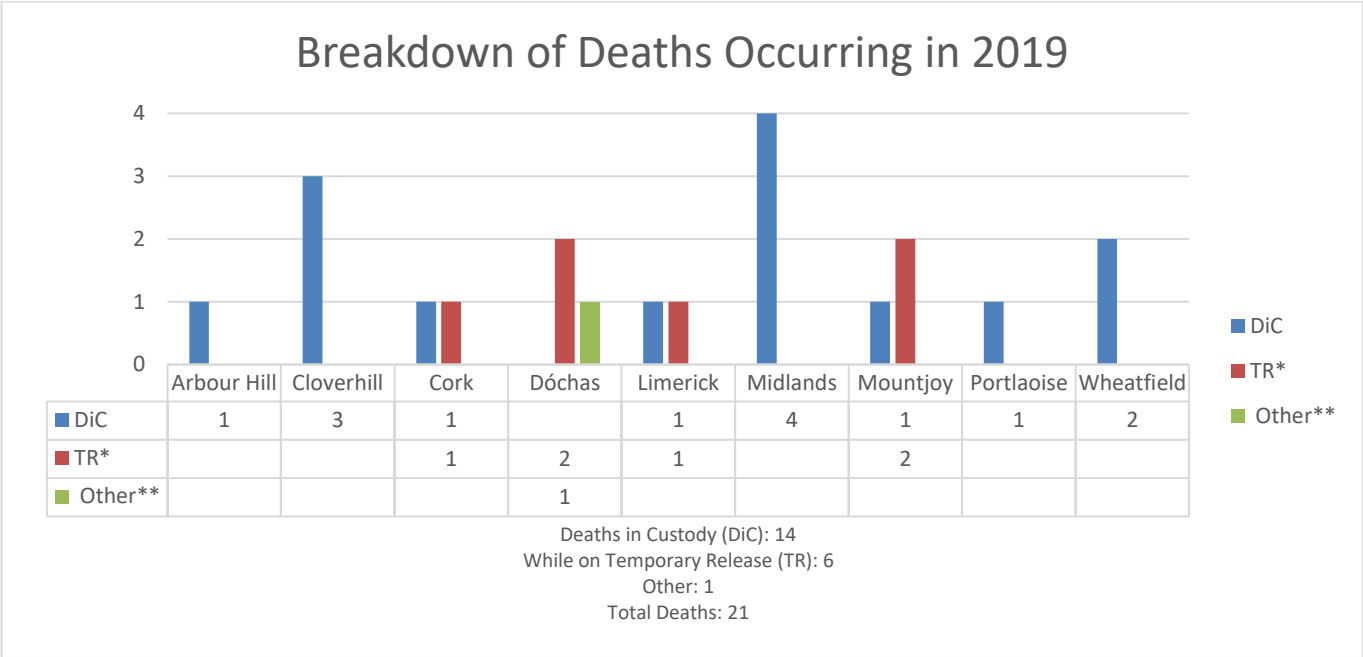
The Inspectorate was notified by the IPS of 21 deaths that occurred between 1 January to 31 to December 2019, inclusive. This included one death of a person that occurred in a hospital following their transfer from a prison for treatment after a serious incident of self-harm. At the time of death the person was no longer in custody.

In 2019, there were three investigation reports published, and 12 draft reports submitted to the Director General of the Irish Prison Service for review, comment and development of an Action Plan to address the Recommendations. On 31 December 2019 the Inspectorate awaited responses from the IPS in respect to eight draft reports, and three reports had been submitted to the Minister for publication. The Inspectorate received and was considering the IPS comments in relation to one report.

On 31 December 2019 there were 19 ongoing DiC investigations relating to deaths which occurred in 2017, 2018 and 2019.

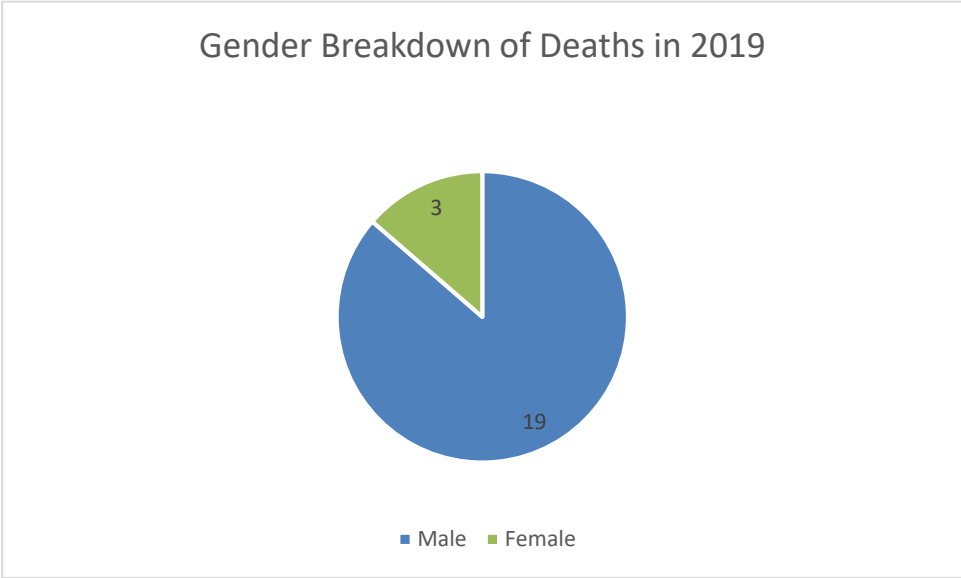
Figure 3 provides a breakdown by prison of the deaths that occurred in 2019, and **Figure 4** does so by gender. It is the intention of the Inspectorate to report on additional information, such as age, nationality and race in future years.

Figure 3: Deaths occurring in 2019 by prison



*** One person who was found unresponsive while on remand, was transferred to hospital and placed on life-support. While on life support, the charges against this person were withdrawn and shortly after this person died. Although the person in question was not in custody at the time of death, the Inspectorate decided to investigate the circumstances surrounding the death.*

Figure 4: Gender breakdown of deaths occurring in 2019



In 2019, the Inspectorate continued to encounter difficulty in obtaining certain prison medical records because (i) next of kin contact details were not completed in the official records, or (ii) the deceased person had not provided the details, or (iii) the details were out of date.

Without access to these medical files, the ability to conduct thorough investigations into deaths is inevitably hindered as access to relevant material is either delayed or inaccessible.

In 2018, the Inspector sought independent legal advice as to her powers under the Prison Act 2007 to access relevant medical records in cases of deaths in custody. The advice received was that the Inspector has authority to access such records. This advice is at variance with advices provided to the Irish Prison Service and the Inspector of Prisons by the Office of the Attorney General, who recommended legislative amendment. The continued practical difficulties posed by the restriction to access medical files was brought to the attention of the Minister for Justice on 22 November 2019. These difficulties are also referred to in the Inspectorate's DiC investigation reports. The Minister replied on 18 November 2019 and indicated he shared the concerns expressed and stated the intention to address the issue in legislation as soon as possible. The options under consideration were inclusion in the development of the Inspection of Places of Detention Bill, or whether there was a more expedient channel by way of any miscellaneous provision legislation in train.

Irish Prison Service Action Plan

Prior to 2019, all DiC investigation reports were submitted to the Minister for Justice, whose officials engaged directly with the Irish Prison Service before publication of these reports. Commencing in 2019, all draft DiC Reports are submitted to the Director General of the IPS, by the Inspectorate, for review, comment and development of an Action Plan in response to recommendations made. The Director General was asked to provide Specific, Measurable, Achievable, Realistic and Time-bound (SMART) Action Plans, where timelines are stated for proposed actions and responsibility is assigned to address of each recommendation. By way of assistance, the Inspectorate provided a template Action Plan to the IPS. It is the intention of the Inspectorate to monitor progress by the IPS, against the Action Plans.

In 2019, there were three investigation reports published. Two reports preceded the requirement to provide an Action Plan. Attached at Appendix IV is the IPS Action Plan in response to recommendations made in the DiC report in relation to Mr G in Limerick Prison in 2017.³¹ The Appendix Action Plan includes an additional column that provides an update on the status of these recommendations as of 31 December 2019, which was provided by the IPS.

6.2 Investigation into Alleged Wrongdoing in the Irish Prison Service

On 22 November 2018, the Minister for Justice, under section 31(2) of the Prisons Act 2007, requested that the Inspectorate carry out a preliminary investigation into allegations of wrongdoing within the Irish Prison Service. The Terms of Reference for the investigation were provided on 8 December 2018. The stated purpose of the preliminary investigation was to establish, as far as possible, the facts relating to claims made in a Supplemental Affidavit sworn by an Assistant Chief Officer on 19 November 2018 in the High Court (785JR/2018). The Inspector was asked to:

Carry out an investigation into the allegations of wrongdoing in the Prison Service, including allegations of knowledge of, and cooperation in, alleged activities involving An Garda Síochána by the Prison Service, contained in a sworn Affidavit by named Officer on 19 November 2018 in judicial review proceedings in the High Court, to establish as far as possible the facts in relation to those allegations, and submit a report to the Minister on her investigation, containing any findings of fact and any recommendations for further action, by the end of February 2019 or as soon as possible thereafter.

The investigation report was submitted to the Minister on 12 March 2019, and published by the Minister on 25 July 2019.³²

³¹ OIP Investigation Report in relation to Mr G (25 April 2019) <https://www.oip.ie/wp-content/uploads/2020/04/Report-into-the-death-of-Mr-G-2017.pdf>.

³² Preliminary Investigation by the Inspector of Prisons Pursuant to Section 31(2) of the Prisons Act 2007 Into Allegations of Wrongdoing in the Irish Prison Service (12 March 2019) <https://www.oip.ie/wp-content/uploads/2020/04/Report-by-Inspector-of-Prisons-pursuant-to-section-312-of-the-Prisons-Act-2007-into-allegations-of-wrongdoing-in-the-Irish-Prison-Service.pdf>.

The investigation team identified oral and documentary evidence which was corroborative of a number of the allegations made in the Affidavit.

The investigation covered the period of 2010 to 2013. The Investigation recommendations included the following:

- An urgent review of the Operations Support Group (OSG) to examine: the current remit and governance of the OSG, its work practices, policies and procedures and its reporting lines.
- Determine if there is an operational necessity for such a unit within the IPS and if so, to ensure that such a unit has a clearly defined scope of responsibility and it operates to best practice.
- The processes and procedures for approval of invoices should be revised so that the approver of all invoices is in possession of full knowledge regarding procurement and delivery of goods / services received.
- All staff in prisons should be ultimately accountable to the most senior governor of the prison to which they are assigned.
- The IPS should as a matter of priority introduce a Code of Ethical behaviour based on the Council of Europe Code of Ethics for Prison Staff. Breaches of the Code should be considered a serious disciplinary matter, with sanctions up to and including dismissal.
- IPS policies and procedures in relation to information gathering, surveillance and CCTV should be reviewed and finalised as a matter of priority.
- All persons, including staff, entering a prison should be subject to a stringent screening process.
- Procurement of any outside service/goods by the IPS, or any of its constituent parts, should adhere to appropriate public sector procurement procedures.

7 CPT VISIT

A delegation of the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) carried out a visit to Ireland from 23 September to 4 October 2019. It was the CPT's seventh visit to the country. The main objective of the CPT visit was to review the progress in the implementation of the Committee's recommendations since its previous visit in 2014. In relation to prison matters, the CPT's interest was primarily the treatment of older prisoners and prisoners on restricted regimes, as well as the provision of health care.³³

The Inspectorate met with the CPT delegation on 23 September 2019. The Inspector exchanged views with the delegation on the prison system in Ireland and provided the delegation with a range of information and reports, which included:

- Draft Strategic Plan for the Office of the Inspector of Prison
- A discussion paper on preparing for a general prison inspection in Ireland by end 2020;
- Concerns regarding the Prisoner Complaints system
- Information on Rule 44 of the Prison Rules 2007-2017 for period 1 Jan to 30 Jun 2019;
- Financial information;
- Reports:
 - 'Healthcare in Irish Prisons' Report, November 2016;
 - Inspector of Prisons Annual Report 2018;
 - Report regarding the Review of the Operational Structure and Resources of the Office of the Inspector of Prisons;
 - Inspector of Prisons Annual Report 2018
 - 'Review, Evaluation and Analysis of the Operation of the present Irish Prison Service Prisoner Complaints Procedure' report (April 2016); and
 - 'Culture and Organisation in *the Irish Prison Service – A Road Map for the Future*', November 2015

Upon conclusion of a two week visit, the CPT delegation met with officials for a second time, at which point the Inspector of Prisons was in attendance, to present details of preliminary findings.

The CPT report in relation to the 2019 visit to Ireland was published on 24 November 2020³⁴.

³³ Council of Europe anti-torture Committee visits Ireland (8 October 2019) CPT. <https://www.coe.int/en/web/cpt/-/council-of-europe-anti-torture-committee-visits-ireland>

³⁴ Council of Europe anti-torture Committee publishes 7th periodic visit report on Ireland (24 November 2020) CPT. <https://www.coe.int/en/web/cpt/-/council-of-europe-anti-torture-committee-publishes-7th-periodic-visit-report-on-ireland>

8 CHAPLAINCY

The Inspectorate received a copy of the Chaplains 2019 Annual Reports from each of the prisons. The information contained in these Reports will assist and inform the Inspectorate in the development of its programme of oversight activities.

The role and contribution of prison Chaplaincy within the Irish Prison Service has a central position in the provision of support services to the whole prison community, which includes prisoners and staff and also their families and other stakeholders in the community. This is a significant number of people to which Chaplains deliver a service given there are approximately 4000 people in custody and 3000 members of staff. The Chaplains are also the key bridging point for families of those in prison. While the role of the Chaplaincy comes into sharp focus at times of crisis for the organisation, particularly in the area of deaths in custody, the function of the Chaplaincy is wider and broader than often realised. A deeper look reveals a complex terrain of unpredictable and difficult circumstances attended to by Prison Chaplains, which often requires that they be available for service seven days a week with after-hour calls.

The Chaplains organised and managed many programmes over the course of 2019. These included Mediation, Group work, Bereavement Support, Mindfulness Sessions, Reflection on Scripture and Carol Singing.

There was a chaplaincy service available in all prisons in 2019, but it was extremely difficult for the Chaplains to meet the requirements of their service as the chaplain-to-prisoner ratio varies from prison to prison. By way of example, on a given day in one location the ratio was approximately one chaplain to 800 prisoners, and in another location on the same day the ratio was one chaplain to 130 prisoners.

Given the critical service provided by the Chaplaincy, the Inspectorate recommends an independent review of the Chaplaincy Service. An independent review would provide clarity on: the Chaplain-to-prison ratio, whether or not a 24-hour a day, seven day a week service is essential, the Chaplaincy reporting structure and role, if any, in policy development and attendance at meetings such as multi-disciplinary, local management and senior management forums, and the prison Chaplaincy services as compared with Chaplain services in HSE settings.

The IPS began a competitive recruitment process for the position of Head Chaplain in December of 2019. The Inspectorate believes that the appointment of a Head Chaplain will assist in maximising the role of Chaplaincy within the prison system through appropriate supervision of Chaplaincy, standardisation of service provision and input at a senior level into IPS strategic policy development; thus placing the Chaplaincy voice as prisoner advocate at the centre of planning for the future direction of the Irish Prison Service.

The Inspector accepted an invitation from the Interim Head Chaplain to participate in a Chaplain's Forum on 5 September 2019, which was held at the Irish Prison Service Training College. The forum provided an opportunity for the Inspector to exchange views and network with serving Chaplains. In particular, the role of the Chaplaincy in relation to deaths in custody notifications and engagement with the family of the deceased was discussed.

9 VISITING COMMITTEES

Prison Visiting Committees are a group of individuals drawn from society and appointed to each prison in Ireland under the Prisons (Visiting Committees) Act, 1925. They are appointed by The Minister for Justice for a term of three years. Their role is to visit the prison to which they are appointed on a regular basis to listen to any complaints prisoners may wish to make to them and to examine the quality of the prison accommodation and the facilities and services available to the prisoners. The Visiting Committees provide an annual report to The Minister for Justice outlining their findings from the previous year.

In January 2019, the Inspectorate met with the Dóchas Visiting Committee at their request. The Committee had serious concerns regarding the treatment of some women by certain officers. The Committee also brought this concern to the attention of the then Governor. The Committee were particularly concerned about one woman in the Dóchas Centre whom they believed was not afforded the protection to which she was entitled while in the custody of the State. The Inspectorate was informed that this particular woman had been transferred to Limerick prison and the view was expressed that her transfer to Limerick Prison could potentially adversely impact on the individual's wellbeing and particularly on her parole process. The Committee wondered what, if any, action had been taken against the officer(s) concerned.

Subsequent to the meeting with the Visiting Committee, the Inspectorate raised these concerns with the Governor who informed the Inspectorate that prison management were aware of instances of alleged inappropriate behaviour by some members of staff. The Inspectorate was informed that one incident had been reported to An Garda Síochána and that there was an internal investigation under way. In addition, the Governor advised there were four prisoner complaints being processed that alleged inappropriate behaviour by staff.

At the end of 2019 the prisoner concerned remained in the custody of Limerick prison.

10 INSPECTION OF PLACES OF DETENTION BILL DRAFT SCHEME 2014

In 2018, the Inspectorate was invited by the Department of Justice to make a submission on the Inspection of Places of Detention Bill Draft Scheme 2014. The Inspector submitted her views on 20 September 2018. At the end of 2019, the Heads of the Bill were in preparation.

11 EXTERNAL COMMUNICATION

11.1 Events Attended

The Inspectorate availed of a range of opportunities to meet with stakeholders both within and external to the IPS, including but not limited to the following:

International Corrections and Prisons Association (ICPA) Conference

The Inspector is a member of the International Corrections and Prisons Association (ICPA), which is an established expert network on external prison oversight and human rights. The Inspector contributed to the expert network in 2019.

Roundtable Event on Implementing the Public Sector Equality and Human Rights Duty

This event was aimed at regulatory and oversight bodies to assist in understanding the statutory obligations to implement Public Sector Equality and Human Rights Duty. The event was hosted by the Irish Human Rights and Equality Commission on 27 November 2019. *In attendance.*

Regulatory Conference

The Inspector of Prisons participated in a panel discussion at a conference on Regulatory, Compliance, Fact-Finding Investigations: Best Practice, Common Challenges and Future Directions, at the School of Law, University of Limerick, 24 October 2019. *Panel Discussion Participant.*

Bedford Row Family Project 20th Birthday Celebration

The Inspector of Prisons was pleased to be invited to attend a celebration to mark the 20th year of the Bedford Row Family Project in Limerick on 25 September 2019. The Bedford Row Family Project supports families of prisoners, and in particular children of prisoners. *In attendance.*

Prisons: the Rule of Law, Accountability and Rights (PRILA) Conference

The PRILA project, based out of the School of Law, Trinity College Dublin, held a conference on the Oversight of Prisons: Perspectives from the USA and Europe which took place in Trinity College on 19 June 2019. *In attendance.*

The Association for Criminal Justice Research and Development (ACJRD) Seminar

The ACJRD seminar on the Bail Supervision Scheme took place on 10 September 2019 at the offices of the Irish Youth Justice Service, Dublin 2. *In attendance.*

The 22nd ACJRD Annual Conference, *Behind Closed Doors: Crimes of Violence, Coercive Control and Abuse in Family and Intimate Relationships*, took place on 11 October 2019, in The Richmond Education and Event Centre, Brunswick St. North, Smithfield, Dublin 7. *In attendance.*

Irish Criminal Justice Agencies Conference

The 6th Annual Irish Criminal Justice Agencies Conference took place on 04 June 2019 in Dublin Castle. The theme for the conference was *Sexual Offences: The Challenge of Balancing Rights in the Criminal Justice System*. *In attendance.*

Progress in the Penal System 2019 Launch

The Irish Penal Reform Trust (IPRT) launched its third annual reports on Progress in the Penal System on 25 October in the Irish Human Rights Commission, Dublin 2. *Panel Discussion Participant.*

Symposium: Implementing Restorative Justice in Law, Policy and Practice

The Restorative Justice: Strategies for Change project team held its second national symposium of 2019, with a focus on Implementing Restorative Justice in Law, Policy and Practice. The symposium was hosted by the University of Limerick's Centre for Crime, Justice and Victim Studies on 22 November 2019. *In attendance.*

Irish Human Rights and Equality Lecture 2019

The lecture by Professor Phillippe Sands QC took place at the Pillar Room, Rotunda Hospital, Dublin 1 on 16 December 2019. *In attendance.*

Irish Prison Service College

On 12 July, 20 August and 19 November, the Inspectorate addressed Recruit Prison Officers in training, and provided them with an overview of the function of the Office. The Inspector took this opportunity to impress upon the Recruits the importance of their role as Prison Officers in ensuring that the human rights of prisoners are preserved in their day-to-day interactions with those in custody.

An invitation to address newly promoted Assistant Chief Officers on 15 October was accepted. This provided an opportunity for the Inspectorate to emphasise the pivotal leadership role vested in this cohort of prison staff.

11.2 Stakeholder Engagement

The Office of the Inspector of Prisons continues to work alongside and in dialogue with our delivery Partners, including the Department of Justice, the Irish Prison Service and other key stakeholders. Throughout 2019 the Inspector of Prisons met with a number of stakeholders and interested partners to exchange views and build relationships.

The Inspectorate participated in meetings with:

- Central Mental Hospital - Clinical Director at the National Forensic Mental Health Service
- Garda Inspectorate - Chief Inspector
- Irish Penal Reform Trust (IPRT) - Executive Director
- Jesuit Centre for Faith and Justice - Advocate
- Office of the Ombudsman - Director General
- Prison Healthcare South Eastern Trust (Northern Ireland) - Director of Adult Services and Prison Health Care
- Regulation and Quality Improvement Authority (Northern Ireland) - Director of Assurance
- Travellers in Prison Initiative - Co-ordinator
- Chaplains Forum
- Conferences/Seminars
- CPT Delegation
- Department of Justice Officials
- Director of the Office of the Ombudsman
- IPS Senior Management
- Visiting Committees

12 CORPORATE INFORMATION

12.1 Financial Information

The Office of the Inspector of Prisons is funded under the Justice Vote (Vote 24), for which the Secretary General is Accounting Officer. In 2019, the Office received an allocation of €496,000. There was an overspend of €150,000, compared to the original allocation of €496,000. The overspend was in non-payroll costs and the reason for this was primarily due to the cost of temporary office accommodation in Dublin, required external professional services support and an increase in travel and subsistence costs due to the number of death in custody investigations.

	2019 Budget Allocation	2019 Actual Outturn	Saving (+) Overrun (-)
Pay	€370,000	€347,000	+ €23,000
Non-Pay	€126,000	€300,000	- €174,000
Total	€496,000	€646,000	- €150,000

12.2 Protected Disclosures

The Office of the Inspector of Prisons has adopted the Protected Disclosure Policy of the Department of Justice as its policy on protected disclosures in the workplace. In line with the reporting requirements, it is confirmed that there were no protected disclosure reports received in 2019.

12.3 Public Sector Equality and Human Rights Duty

The Office of Inspector of Prisons embraces and is committed to ensuring it fulfils its responsibilities under Section 42 of the Irish Human Rights and Equality Commission Act 2014, which places a positive obligation on public bodies to have, in the performance of their functions, regard to the need to eliminate discrimination, promote equality of opportunity and protect the human rights of staff and the persons to whom services are provided. Accordingly, in 2019, the Office of the Inspector of Prisons placed this duty at the centre of its activities.

12.4 Governance and Internal Controls

The Inspector of Prisons is a statutory office established under the Prisons Act 2007. The Inspector is appointed by the Minister for Justice and is independent in the performance of her functions.

During the course of 2019, the Inspector of Prisons liaised with the Department of Justice to establish an Oversight Agreement, in accordance with the Code of Practice for the Governance of State Bodies (2016). The Oversight Agreement, which remained the subject of discussion at the end of 2019, will set out the broad governance and accountability framework within which the Inspectorate operates. The draft Agreement defines the key roles and responsibilities which underpin the relationship between the Inspectorate and the Department.

The “comply or explain” provision of the *Code of Practice for the Governance of State Bodies (2016)* has been applied to the Office of Inspector of Prisons. As the Office falls under the Justice Vote (Vote 24), it does not have its own Internal Audit Unit or Audit and Risk Committee. Furthermore, it is not required to produce Annual Financial Statements. The Office has access to the Department’s Internal Audit and Internal Audit and Risk Committee in relation to financial governance. The Department’s Financial Management Unit reports on the Office’s income and expenditure in its monthly management reports. The monthly reports are reviewed by the Inspector and procedures are in place to ensure expenditure is authorised in accordance with the Department’s policies and procedures. The office is compliant with tax law obligations.

All Irish public bodies are obliged to treat public funds with care, and to ensure that the best possible value for money is obtained whenever public money is being spent or invested. The Public Spending Code is the set of rules and procedures that ensure that these standards are upheld across the Irish public service. The Office of the Inspector of Prisons has adhered to all relevant aspects of the Public Spending Code.

A Data Processing Agreement is in place between the Department of Justice and the Office of the Inspector of Prisons. In accordance with clause 5.7 of the Corporate Governance Assurance Agreement dated 5 March 2017, made between the Department of Justice and the Office of the Inspector of Prisons, the ICT Division in the Department provides the Office of the Inspector of Prisons with ICT services.

The Code of Governance for State Bodies 2016, requires the provision of a Statement of Internal Controls (SIC). The SIC applies to all controls operating in the Office of the Inspector of Prisons, including ICT matters. On 16 May 2019, the ICT Division in the Department of Justice confirmed that to the best of their knowledge and belief, adequate ICT controls, as set out in a Statement of Assurance, were in place and operating effectively in 2019.

In 2019, the Office of the Inspector of Prisons developed a Risk Management System and associated Risk Register. A copy of the Risk Register was provided to the Department of Justice at Governance meetings.

Procurement undertaken by the Office in 2019 was carried out in consultation with Departmental officials and the Office of Government Procurement.

12.5 Freedom of Information

In 2019, the Office of the Inspector of Prisons received three requests under the Freedom of Information Act 2014. Of these requests, two were in respect of non-personal information and one was in respect of personal information. Each of the requests were partially granted. No cases were appealed to the Office of the Information Commissioner.

APPENDIX I

Data Request to Irish Prison Service

Purpose – Data Request to Irish Prison Service

The Office of Inspector of Prisons (OIP) wishes to engage with the Prisons Estate in order to provide an overview of each of the Prisons in the OIP Annual Report 2019. The Annual Report must be submitted to the Minister for Justice and Equality before the end of March 2020. The OIP would like to gain insight into the day-to-day operation of each prison and to be made aware of any quality initiatives / projects that may be incorporated into the Annual Report.

The Inspector will gather information that is accessible on the day of a visit to a Prison. Where information is not accessible, a soft copy version of this document can be provided for completion and signature.

Prison	
Date of visit by Inspector	
Return completed by (name)	
Return completed by (position)	
Signature	
Date	

Ref.	Data point	Response
	<i>Information Available and Relating to Day of Visit (where feasible)</i>	
1	The ratio of staff to prisoners	Staff: : Prisoners:
2	The number of prisoners	No:
3	The number and rank of staff (continue as appropriate)	No: Rank:
4	The gender breakdown of staff	Female: Male:
5	The number of foreign national prisoners	No:
6	The number of prisoners from the Travelling community on day	No:
7	The number of sentenced and remand prisoners	No of Sentenced: No of Remand:
8	Number of life sentence prisoners	No:
9	Number of prisoners in short-term imprisonment (twelve months or less)	No:
10	Number of prisoners in the parole system	No:
11	Age Profile of the Prisoner Population	Age Profile:
12	Data regarding the level of doctor and nursing service – ratio of medical staff to prisoner population	Doctor No: Nursing No: Medical Staff No: : Prisoner No:
13	Data regarding waiting times to access medical services for prisoners	
14	Number of prisoners accessing appropriate drug rehabilitation programmes	No:
15	Number of prisoners accessing medically assisted symptomatic detoxification	No:
16	Number of prisoners accessing methadone substitution or maintenance programmes	No:

Ref.	Data point	Response
	<p align="center">Information Relating to 2019 - Complete on day of visit where information readily available Where not available on day information can be returned at later date</p>	
17	Data on the average number of hours of constructive activity (education, skills and work opportunities) prisoners engage in on a daily basis across the prison estate and by prison	<p>School attendance on specific date: Date: No. attending: No. of teachers: Classes Available:</p> <p>No. of Workshops open: Date: Hours of Opening:</p>
18	Data regarding the average number of hours prisoners are out of their cells on a daily basis	
19	Data regarding the average exercise and association times prisoners have each day	
20	Data on Category A complaints made and outcomes in 2019	<p>No of Category A Complaints: Outcomes E.g. <i>X Ongoing</i> <i>X Withdrawn</i> <i>X Terminated</i> <i>X Upheld</i> <i>X Partially Upheld</i> <i>X Not Upheld</i> <i>X Vexatious / Without Foundation / Out of scope</i></p>
21	Data on all other category of complaints made and outcomes in 2019 (Category B, C, D, E, F)	<p>No of Category B Complaints: Outcomes:</p> <p>No of Category C Complaints: Outcomes:</p> <p>No of Category D Complaints: Outcomes:</p> <p>No of Category E Complaints: Outcomes:</p>

Ref.	Data point	Response
		No of Category F Complaints: Outcomes:
22	Information on the number of prisoners in isolation or separation regimes including data regarding the length of their stay in such areas	Isolation Regimes No: Information on Lengths of Stay: Separation Regimes No: Information on Lengths of Stay:
23	Data on Serious Adverse Incidents (SAI's) Serious Adverse Incidents include for e.g. Deaths in Custody, attempted suicides, self-harm, serious assaults, attempted murders etc.	Total No of SAI's during 2019: <i>Further Information (add as required)</i> Type: No: Outcome: Type: No: Outcome: Type: No: Outcome:
24	Any breaches of prison security during 2019	No: Detail:
25	Details of any escapes or attempted escapes	Escapes No: Detail: Attempted Escapes No: Detail:
26	Data regarding drugs finds in 2019	<i>Example Information</i> Search Carried Out No: Drug Find No:

Ref.	Data point	Response
27	Data regarding any use of force by prison staff	No of Incidents: Further Information:
28	Data regarding the use of violence against staff by prisoners	No of Incidents: Further Information:
29	Data regarding the use of violence against prisoners by prisoners	No of Incidents: Further Information:
30	Data relating to any criminal matters referred by the prison management to An Garda Síochana (AGS)	No. of Criminal Matters Referred to AGS: Further Information (breakdown of what the criminal matters related to):
31	Data regarding disciplinary proceedings and outcomes within the prison to include data regarding potential adverse outcomes for foreign national prisoners and those from minority communities	
32	Information on quality initiatives / projects developed / piloted / implemented / reviewed in 2019	

APPENDIX II

Restricted Regimes – Applicable Rules

Rule 62 – Prison Rules, 2007

Removal of prisoner from structured activity or association on grounds of order

62. (1) Subject to Rule 32 (Exercise) a prisoner shall not, for such period as is specified in a direction under this paragraph, be permitted to -

- (a) engage in authorised structured activities generally or particular authorised structured activities,
- (b) participate in communal recreation,
- (c) associate with other prisoners,

where the Governor so directs.

(2) The Governor shall not give a direction under paragraph (1) unless information has been supplied to the Governor, or the prisoner's behaviour has been such as to cause the Governor to believe, upon reasonable grounds, that to permit the prisoner to so engage, participate or associate would result in there being a significant threat to the maintenance of good order or safe or secure custody.

(3) A period specified in a direction under paragraph (1) shall not continue for longer than is necessary to ensure the maintenance of good order or safe or secure custody

(4) Where the direction under paragraph (1) is still in force, the Governor shall review not less than once in every seven days a direction under paragraph (1) for the purposes of determining whether, having regard to all the circumstances, the direction might be revoked.

(5) A prisoner in respect of whom a direction under this Rule is given shall be informed in writing of the reasons therefor either before the direction is given or immediately upon its being given, and shall further be informed of the outcome of any review as soon as may be after the Governor has made a decision in relation thereto.

(6) The Governor shall make and keep a record of -

- (a) any direction given under this Rule,
- (b) the period in respect of which the direction remains in force,
- (c) the grounds upon which the direction is given,
- (d) the views, if any, of the prisoner, and
- (e) the decision made in relation to any review under paragraph (4).

(7) The Governor shall, as soon as may be after giving a direction under paragraph (1) (c), inform the prison doctor, and the prison doctor shall, as soon as may be, visit the prisoner and, thereafter, keep under regular review, and keep the Governor advised of, any medical condition of the prisoner relevant to the direction.

(8) The Governor shall, as soon as may be after giving a direction under paragraph (1) (c), inform a chaplain of the religious denomination, if any, to which the prisoner belongs of such a direction and a chaplain may, subject to any restrictions under a local order, visit the prisoner at any time.

(9) The Governor shall, as soon as may be, submit a report to the Director General including the views of the prisoner, if any, explaining the need for the continued removal of the prisoner from structured activity or association under this Rule on grounds of order where the period of such removal will exceed 21 days under paragraph (4). Thereafter, any continuation of the extension of the period of removal must be authorised, in writing, by the Director General.

Rule 63 – Prison Rules, 2007

Protection of vulnerable prisoners

63. (1) A prisoner may, either at his or her own request or when the Governor considers it necessary, in so far as is practicable and subject to the maintenance of good order and safe and secure custody, be kept separate from other prisoners who are reasonably likely to cause significant harm to him or her.

(2) A prisoner to whom paragraph (1) applies may participate with other prisoners of the same category in authorised structured activity if the Governor considers that such participation in authorised structured activity is reasonably likely to be beneficial to the welfare of the prisoner concerned, and such activity shall be supervised in such manner as the Governor directs.

(3) The Governor shall make and keep in the manner prescribed by the Director General, a record of any direction given under this Rule and in particular

- (a) the names of each prisoner to whom this rule applies,
- (b) the date and time of commencement of his or her separation,
- (c) the grounds upon which each prisoner is deemed vulnerable,
- (d) the views, if any, of the prisoner,
- (e) the date and time when the separation ceases

Rule 64 – Prison Rules, 2007

Use of special observation cell

64. (1) Subject to paragraphs (6) and (7) a prisoner shall, where the Governor so directs, be accommodated in a special observation cell designated by the Minister under Rule 18 (Certification of cells or rooms) for the purposes of this Rule, for such period, not exceeding 24 hours, as is specified in the direction concerned.

(2) A direction under paragraph (1) shall not be given, in relation to a prisoner, unless it is necessary to prevent the prisoner from causing imminent injury to himself or herself, or others and all other less restrictive methods of control have been or would, in the opinion of the Governor, be inadequate in the circumstances.

(3) A prisoner to whom a direction under paragraph (1) applies shall be examined by the prison doctor as soon as practicable after he or she has been accommodated in a special observation cell pursuant to such direction.

(4) If the prison doctor advises that a prisoner to whom a direction under paragraph (1) applies should be accommodated other than in accordance with such direction the Governor shall consider the matter and shall, if he or she decides against the advice of the prison doctor, record the reasons for his or her action.

(5) A prisoner to whom a direction under paragraph (1) applies shall be observed by a prison officer at least once every 15 minutes while he or she is being accommodated in a special observation cell.

(6) Subject to paragraph (7) a period specified in a direction under this Rule shall not exceed 24 hours, but the Governor may, having consulted the prison doctor and considered all other matters, if exceptional circumstances exist that would warrant the extension of the period, direct that the period be extended for not more than four further periods none of which shall exceed 24 hours commencing on the expiration of the first-mentioned period.

(7) The Governor may extend the periods provided for in paragraph (6) that a prisoner may be accommodated in a special observation cell but only after submitting a report to the Director General explaining the need for such an extension and receiving written authorisation from the Director General for such an extension.

(8) The Governor may require a prisoner's clothing, including underwear, to be removed before the prisoner is accommodated in a special observation cell where he or she considers that items or parts of the prisoner's clothing may be used by the prisoner to harm himself or herself, or others, or to cause significant damage to

property, and such removal of clothing shall be carried out with due regard to decency and the dignity of the prisoner.

(9) No prisoner shall be left unclothed in a special observation cell, but may be provided with appropriate clothing in the interests of his or her safety.

(10) The Governor shall visit any prisoner accommodated in a special observation cell under this Rule not less than once on each day that he or she is so accommodated.

(11) A doctor shall visit a prisoner accommodated in a special observation cell under this Rule at least daily and as frequently as the doctor believes it necessary.

(12) The Governor shall, in the manner prescribed by the Director General, record -

- (a) any direction given under this Rule and its terms,
- (b) the date and time of the commencement of a period specified in a direction under this Rule,
- (c) the grounds upon which the direction is given,
- (d) the date and time of the termination of a period specified in a direction under this Rule,
- (e) all visits received by a prisoner to whom a direction under this Rule applies during any such period,
- (f) any request made by such prisoner to be permitted to meet with or receive a visit from a prison doctor, psychologist, healthcare professional, or chaplain, and the action taken by the Governor in response to such request,
- (g) any request made by such prisoner to be permitted to meet with or receive a visit from his or her legal adviser, and the action taken by the Governor,
- (h) any other significant occurrences, or requests of the prisoner, during such period and any other comments or observations of the Governor relating to any direction under this Rule,
- (i) any report issued under paragraph (7).

(13) Under no circumstances shall a prisoner be accommodated in a special observation cell for purposes of punishment.

Irish Prison Service Complaint Form

Turn to other side of Sheet

APPENDIX IV

Irish Prison Service Action Plan in response to Recommendations in Death in Custody Investigation Reports published in 2019

The Inspectorate published three Deaths in Custody investigation reports in 2019. Of these, two reports preceded the adoption of the Action Plan requirement.

IPS Action Plan, with update on the status of the Actions provide by the IPS as at 31 December 2019, in respect of the recommendations made in the investigation report into the circumstances surrounding the death of Mr G 2017 which was published on 13 June 2019.

Recommendation	Action(s) Required	Person(s) Responsible	Date for Completion	Status as at 31 December 2019
Special Observations Failure by officers to carry out essential duties should be subject to the Disciplinary (Code for Officers) Rules.	IPS to implement guidelines on disciplinary sanctions for Special Ob's policy breaches	Director Of Human Resources	Ongoing	Responsibilities and obligations of staff and consequences for failure to carry out duties without reasonable cause addressed by the Director General through written correspondence to all staff. Guidelines for Disciplinary sanctions to be formally published by end April, 2019 – complete
All property in the possession of a prisoner who is committed to prison should be fully recorded and a detailed description entered in the prison records. A centralised Policy and Standard Operating Procedures should be developed to provide clarity in relation to the return of personal items following a death in custody.	IPS will develop a Policy and SOP for personal items –	Operations	N/A	Review of prisoner property policy requires all property to be recorded on PIMS. All property is now returned to NOK as provided by the prisoner and recorded on PIMS. Closed
A centralised Policy and Standard Operating Procedures should be developed to ensure the Nurse in-change is notified immediately when a new committal has in his/her	The IPS confirms that it has a current Healthcare Standard Operating Procedure which governs the	Care and Rehabilitation	End 2019	Complete

possession medication and/or medical related material.	<p>Committal process.</p> <p>The Irish Prison Service is committed to a review of its current Standard Operating Procedure</p>			
No medical items should be placed in an area to which Nurses do not have 24 hour access.	As above previous	Care and Rehabilitation	To be completed by end Q2 2019	Completed and arrangements put in place to ensure all medical items/aids/appliance were delivered directly to nursing staff on committal.