



OIFIG AN CHIGIRE PRÍOSÚN
OFFICE OF THE INSPECTOR OF PRISONS

COVID-19 Thematic Inspection of Limerick Prison

6 - 7 April 2021

IPS Review: 21 May - 11 June 2021
Submitted to Minister: 15 June 2021

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EXECUTIVE SUMMARY

The Office of the Inspector of Prisons carried out the fourth of twelve COVID-19 Thematic Inspections in Limerick Prison on 6 and 7 April 2021. At the time of inspection Ireland was under Level 5 COVID-19 restrictions.¹ This inspection examined twelve assessment areas across the five Inspectorate Focus Areas: Respect & Dignity; Safety & Security; Health & Wellbeing; Rehabilitation & Development; and Resettlement.

Over the course of inspection, prison staff were fully co-operative and provided great assistance to the Inspection Team. Prison staff were welcoming, identified their concerns, and proposed ideas for how the prison might better respond to COVID-19 related restrictive measures.

The Inspection Team noted a number of positive outcomes in the prison, which include:

- The prison has been successful in managing and responding to COVID-19 outbreaks in the prison.
- The prison environment appears calm. Prisoners are aware of the necessity of, and have fully co-operated with the COVID-19 measures introduced.
- Measures have been taken to mitigate the impact of COVID-19 related restrictions, such as video link calls and the addition of a Netflix channel.

The Inspection Team also noted negative outcomes for prisoners, which include:

- Prisoners in quarantine/isolation are denied the right to a shower, and are not being provided with sufficient meaningful human contact.
- Solitary confinement is being used as a measure to prevent transmission of COVID-19.
- “Slopping out” remains a continued practice in parts of Limerick prison.

The Office of Inspector of Prisons noted that the regime changes in response to the COVID-19 pandemic in Limerick Prison have become routine and adopted as a new norm. It was welcome to hear of many innovative ideas for how to mitigate the impact of COVID-19 restrictions, and the Inspectorate urges Limerick Prison to consider, in consultation with prisoners and staff, new proactive initiatives to address the concerns raised in this report.

As part of its COVID-19 Thematic Inspections the Inspectorate examines three over-arching questions:

1. How will prisons in Ireland come out of COVID-19 restrictions?
2. What are the implications of the normalisation of COVID-19 related measures?
3. How will the impact of COVID-19 restrictions on prisoners be redressed?

¹ Level 5: <https://www.gov.ie/en/publication/2dc71-level-5/#>

1 INTRODUCTION

1.1 Inspection Function of the Office of the Inspector of Prisons

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 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.

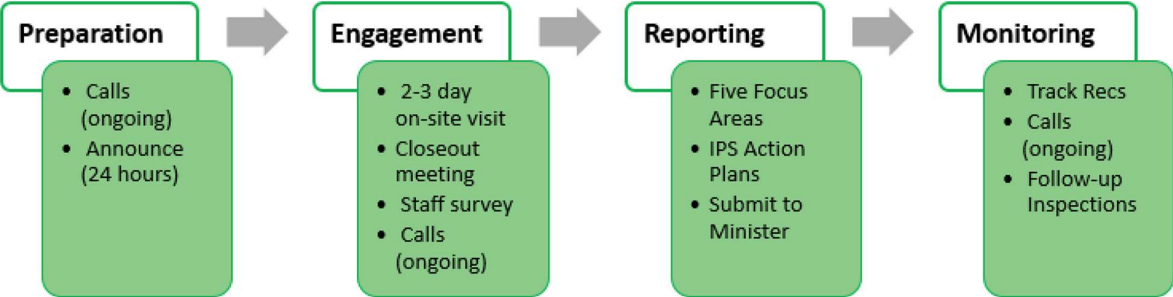
Where any matters are so omitted, a statement to that effect must be attached to the report concerned on its being laid before both Houses of the Oireachtas, and on its publication.

1.2 COVID-19 Thematic Inspections

The Irish Prison Service has adopted a number of practices in response to the need to prevent transmission of COVID-19 in Irish prisons, and to subsequently uphold Ireland’s commitment to the right to life under Article 40 of the Irish Constitution and the protection of life under Article 2 of the European Convention on Human Rights (ECHR). These measures include, amongst others, restrictions on family contact (Section 4.2), quarantine and isolation (Section 4.3), restrictions on access to exercise and activities (Sections 5.2 and 5.3) and changes to the prison regime (Section 5.1). In response to these restrictive measures, and the need to assess their impact on people living and working in prison, the Office of the Inspector of Prisons prepared a programme of COVID-19 Thematic Inspections to be carried out in all Irish prisons in 2021. The objective of these inspections is to provide a human rights informed assessment of the treatment and care of prisoners across the Irish Prison Service. COVID-19 Thematic Inspections are carried out in line with the process provided in the 2020 Framework for the Inspection of Prisons in Ireland (Figure 1), and are designed to examine the five Focus Areas detailed in the Framework, with a particular focus on the impact of COVID-19 on the prison.

Figure 1: Framework Inspection Process

COVID-19 Thematic Inspections: Process



COVID-19 Thematic Inspection visits are announced short visits of between two and three days in duration, whereby the focus of the visit is on how people in prison experience and are impacted by COVID-19 related restrictions in the prison. The information obtained through inspections visits is complemented by calls to prisons,² continuous communications with the Irish Prison Service (IPS), which includes daily or weekly updates on the situation of COVID-19 and the dissemination of an online staff survey in April/May 2021.³

COVID-19 Thematic Inspections are carried out in a systematic and risk-informed basis, in line with the Office of the Inspector of Prisons Infection Control Protocol.⁴ Based on internal information and information received from the IPS, the Inspectorate determines if a visit to a prison is (i) warranted given the risk, and (ii) in line with the principle of “do-no-harm” (ensure that risk is offset by preventive action). COVID-19 Thematic Inspections are announced, with prisons provided with at least a 24-hour notice in advance of the inspection. The Inspection Team is reduced in size, with only two or three Inspectors carrying out the inspection of the prison over a two to three day time span. Upon completion of an inspection, Inspection Team members should wait 14 days before entering another prison.

The Focus Areas of Inspection are: Respect & Dignity, Safety & Security, Health & Wellbeing, Rehabilitation & Development and Resettlement. Within the five Focus Areas, inspections may assess a number of themes, as outlined in Figure 2. Given time constraints, not all inspections will be able to examine all assessment themes.

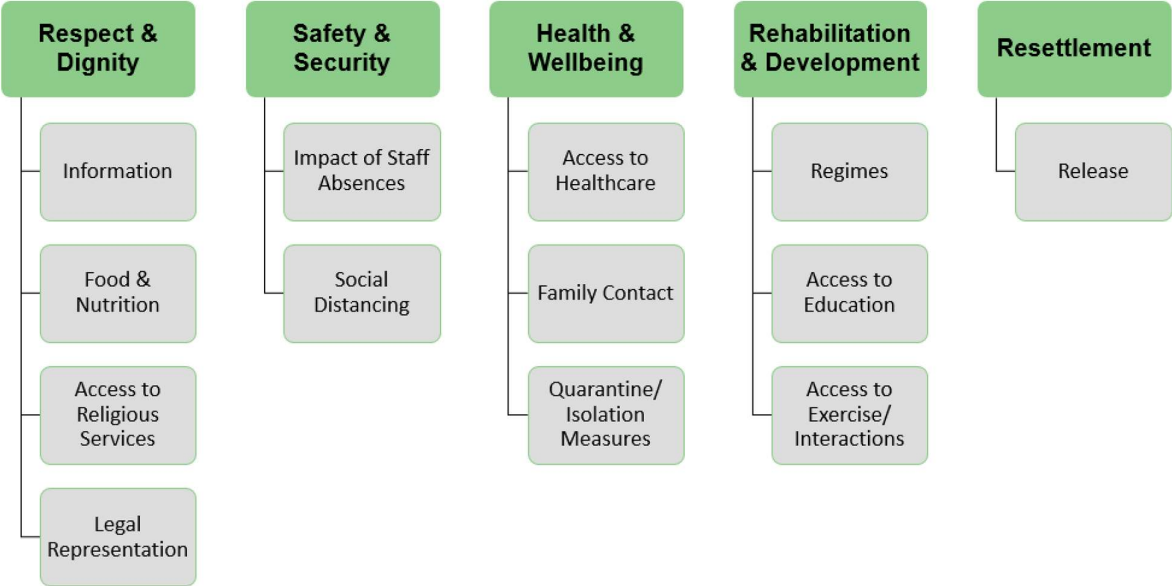
² OIP. COVID-19 Call Template, available at: <https://www.oip.ie/wp-content/uploads/2021/05/COVID-Call-Template.pdf>

³ OIP. COVID-19 Staff Survey, available at: <https://www.oip.ie/wp-content/uploads/2021/05/COVID-19-Survey-for-IPS-Staff-2021.pdf>

⁴ OIP. COVID-18 Infection Control Protocol, available at: <https://www.oip.ie/wp-content/uploads/2021/05/OIP-Infection-Control-Protocol.pdf>

Figure 2: Inspection Focus Areas – COVID-19 Assessment Themes

Limerick Prison Assessment Themes



The COVID-19 Thematic Inspection process involves the following:

- Observation of the prison environment;
- Discussions and informal interviews with prisoners and staff; and
- Documentation-review and tracing.

It should be noted that direct quotations from prisoners and staff are included in this report. These quotations describe the lived experience of prisoners and staff as shared with the inspection team.

The on-site inspection visit to the prison is complemented by ongoing telephone communications with the prison Governor. These calls are designed to: (i) identify COVID-19 related practices in the prison across the Focus Areas; (ii) highlight areas of concern that may require further attention as part of an inspection visit; (iii) monitor implementation status of IPS Action Plans developed to respond to Inspectorate Recommendations; and (iv) provide prison management with an opportunity to indicate positive advancements and challenges related to COVID-19 related restrictions in the prison. Two calls were made to Limerick Prison in advance of the inspection on 18 February 2021 and 3 March 2021.

Over the duration of the inspection process, the Inspectorate endeavours to raise awareness of the ongoing inspection and of the role of the Office of the Inspector of Prisons more generally. To this end, the Inspectorate has developed prisoner information booklets and a video. The information booklets, which are available in Irish, English (NALA Plain English Mark), Cantonese, French, Polish, Romanian, Russian and Spanish, were distributed on the first day of the on-site Inspection.⁵ The information booklet is available on the Inspectorate website and has been provided to the IPS for ongoing dissemination.

⁵ OIP Information Booklets, available: <https://www.oip.ie/information-booklet/>, available in Irish, English, Cantonese, French, Polish, Romanian, Russian and Spanish.

This Report on the Inspection of Limerick Prison, the fourth of twelve COVID-19 Thematic Inspection reports, provides a human rights-based assessment of the Irish Prison Service's response to the COVID-19 pandemic. The report examines the Focus Area themes to assess the following:

- Compliance with national legislation and international human rights standards;
- The physical and non-physical prison environment; and
- The outcome, or impact of compliance or non-compliance with legislation and/or standards and the environment within the prison setting.

The Office of the Inspector of Prisons may provide recommendations to assist the Irish Prison Service in bringing its procedures and practices in line with international human rights standards and best practice. As part of the Inspectorate's inspection and reporting processes, the Inspectorate engages the prison and the Irish Prison Service (IPS) to review the report including recommendations and determine recommendation Action Plans. The IPS Action Plan in response to the COVID-19 Thematic Inspection in Limerick Prison is provided in Section 7. The Irish Prison Service review, as received by the Office of the Inspector of Prisons, is included in this report. At this time, the Office of the Inspector of Prisons is not in a position to verify the veracity of the information provided. Where the Irish Prison Service has made a statement contrary to the findings of the Inspection Team this will be monitored on an ongoing basis by the Office of the Inspector of Prisons. The IPS Review statements in this report are provided in the manner received.

The on-site inspection of Limerick Prison was carried out over two days. The Inspection Team had full access to all required information in a timely manner.

The degree of co-operation received in the prison during the inspection was very good. The Inspection Team had immediate and open access to Limerick Prison, and all local requests for information were answered promptly. The Inspection Team would like to express appreciation to the designated Liaison Officer for the support provided to the Team during the inspection. The Inspection Team would also like to thank those in custody in Limerick Prison for their engagement. The Inspector of Prisons (Inspectorate) presented preliminary observations to the management staff of Limerick Prison at a virtual Closeout Meeting on 12 April 2021. The commentary received during this meeting was taken into account in the drafting of the report. The Inspectorate appreciates the timely and comprehensive information provided by the prison management team, and looks forward to ongoing dialogue and engagement.

1.3 Composition of the Inspection Team

The Inspection Team for the COVID-19 Thematic Inspection in Limerick Prison comprised of Chief Inspector Patricia Gilheaney and Inspector Mark Wolfe. The Inspection Team was supported by the Inspectorate Administrative Staff.

1.4 Overview of Limerick Prison

Limerick Prison is a closed, medium security prison for adult men and women. It is the committal prison for men for counties Clare, Limerick and Tipperary and for women from all six Munster counties. The men's prison accommodation is provided in wings, A, C (2, 3 and 4), D (1, 2, 3 and 4). The practice of "slopping out" continues on the A wing.⁶ The D2 wing accommodates new committal prisoners and was also utilised as the COVID-19 quarantine and isolation facility. The women's section of the prison is

⁶ CPT 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) from 23 September to 4 October 2019. Available at: <https://rm.coe.int/1680a078cxfdata>, para 30.

located on the E wing (1 and 2); this part of the prison also has committal, quarantine and isolation facilities.

On day one of the on-site inspection, 6 April 2021, Limerick Prison accommodated 225 prisoners; 198 men and 27 women, 94% and 96% IPS bed capacity, respectively. Table 1 provides the number of people in custody placed on COVID-19-related restricted regimes on the first day of the inspection. On day one of the inspection the Inspection Team was informed there were a total of 11 prisoners in quarantine, of which nine were men and two were women. There were a total of five prisoners in isolation who were either presenting as being COVID-19 symptomatic or as being suspected of having COVID-19, all of which were men.

Table 1: People in Custody, COVID-19 Restricted Regimes

Date	Quarantine	Isolation	Cocooning
6 April 2021	11 (9 men; 2 women)	5 (men)	0

1.5 Immediate Action Notifications (IANs)

The COVID-19 Thematic Inspection of Limerick Prison did not require the Inspectorate to issue an Immediate Action Notification.

2 RESPECT & DIGNITY

2.1 Information

Central to the Respect and Dignity Focus Area is the provision of information within the prison. As part of the inspection of Limerick Prison, the Inspection Team assessed how prisoners were provided with information on committal and how they received updated information as COVID-19 preventive measures evolved. In addition to this, the Inspection Team examined how people in prison perceived the Prison Service's efforts to provide COVID-19-related information, with the intention being to determine if prisoners felt well-informed.

2.1.1 Compliance

The Irish Prison Rules 2007-2020, Rule 13, include the supply upon committal of an explanatory booklet that outlines the entitlements, obligations and privileges for prisoners. Further to this, the Rule provides for, in so far as is practicable, the provision of explanatory booklets to foreign national prisoners in a language that can be understood, and that in instances where this is not possible, or where a prisoner is not able to read or understand the contents of the booklet, that all reasonable efforts be made to ensure that the prisoner's entitlements, obligations and privileges are explained.

Section 42 of the Irish Human Rights and Equality Commission Act 2014 (the Public Sector Equality and Human Rights Duty) also requires the Irish Prison Service to eliminate discrimination, promote equality, and protect human rights of both prisoners and staff. This law is important in the context of the Irish Prison Service providing information to certain cohorts, such as Foreign National Prisoners and prisoners with disabilities.

The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules) (2015) provide more specificity about the contents of such an explanatory booklet, with Rule 54 providing that every prisoner shall be provided with written information about applicable prison regulations, rights (including methods of seeking information, access to legal advice and procedures for making requests or complaints), obligations related to disciplinary sanctions and all other matters necessary to adapt to life in the prison. The Nelson Mandela Rules also require, under Rule 55.3, that prison administrations display summaries of information in common areas of the prison, and that the written information be made available in commonly used languages in accordance with the needs of the prison population; interpreter assistance should be provided if a language is not available (Rule 55.1).

Alongside, the Nelson Mandela Rules, the Revised European Prison Rules (2020) state that at admission, and as often as necessary afterwards, all prisoners shall be informed in writing and orally in a language they understand of the prison regulations and their rights and duties in the prison (Rule 30.1). The European Prison Rules also state that prisoners are allowed to keep in their possession written versions of the information they are given (Rule 30.2).

With specific regard to COVID-19, the European Committee for the Prevention of Torture (CPT) Statement of Principles Relating to the Treatment of Persons Deprived of their Liberty in the Context of the Coronavirus Disease (COVID-19) Pandemic⁷ (Principle 4) requires that any restrictive measures taken to prevent the spread of COVID-19 should have a legal basis and be necessary, proportionate,

⁷ CPT Statement of Principles relating to the Treatment of Persons Deprived of their Liberty in the Context of the Coronavirus Disease (COVID-19) Pandemic (March 2020) <https://rm.coe.int/16809cfa4b>.

respectful of human dignity and restricted in time. All persons deprived of liberty should receive comprehensive information, in a language they understand, about any such measures.

The caveats provided for in the Irish Prison Rules 2007-2020 (“all reasonable efforts” and “in so far as is practicable”) allow for a situation in which the national legislation’s provisions in relation to information may be curtailed or denied. Further, the Irish Prison Rules place no responsibility on the prison to provide information “as necessary” after the point of committal, thereby leaving open a vacuum of information which may be filled with assumptions and/or incorrect information.

With specific focus on the right to information for women in prison, the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (UN Bangkok Rules) Rule 2 requires that newly committed prisoners be provided with information about prison rules and regulations, including information about the prison regime and where to seek help when needed, in a language they can understand. Further, Rule 17 requires that women be provided with education and information about preventive healthcare measures, including information on gender-specific health conditions.

2.1.2 Environment

Since the beginning of the pandemic, the Irish Prison Service has developed prisoner newsletters designed to inform and update prisoners of the ongoing situation with COVID-19 and general information such as measures to avoid the spread of COVID-19 and the vaccination programme for over 70s. The Inspection Team was provided with the booklets throughout 2020, with 26 newsletters developed between 20 March 2020 and 31 January 2021. Similarly, the Prison Service developed 13 staff newsletters between 20 March 2020 and 13 January 2021. Over the course of inspection, the Inspection Team observed COVID-19 information displayed throughout the prison. The Inspection Team viewed posters reinforcing the importance of social distancing, hand hygiene, and respiratory etiquette. Social distancing markings were visible on the floor and walls throughout the prison.

Information leaflets from the Office of the Inspector of Prisons were provided to the prison on the first day of inspection and were distributed to prisoners on the same day. The Inspectorate welcomed the prompt fashion in which the information booklets were distributed.

Red Cross Volunteers were instrumental in guaranteeing the information flow to prisoners. The Inspection Team were informed that it was sometimes difficult to provide information as at the start of the Pandemic it often changed.

In pre-on-site inspection phone calls with senior management the Inspection Team was informed that information was disseminated as part of the daily Governor’s Parade. Senior management noted that Level 5 had resulted in improvements in how information is moved “through the lines” of staff. Information dissemination seemed to be a focus area for senior management, who informed the Team of its efforts to share information during a COVID-19 outbreak. Prison staff communicated with prisoners to inform them of the situation and immediate steps. Senior management felt this “showed that bit of honesty to the prisoners.”

2.1.3 Outcomes

Prisoners in both the men’s and women’s wings had a good level of understanding of the need for COVID-19 restrictions, and a general acceptance of the measures in place. Due to literacy issues among the prisoner population, some prisoners reported that prison officers verbally delivered information updates. Prisoners could also receive public information from media outputs such as newspapers & television.

The Inspection Team discussed COVID-19 restrictions with prisoners along with potential concerns they had for the future. The Inspectorate recognises that it is fair to state that these discussions were not unique to the prison environment and were alike to the general national discussion such as views on national restrictions and their hopes of a return to pre COVID-19 “normality”, for example seeing family members in person. Discussions relating to the COVID vaccination programme were also in line with those in the general community, and focused on topics such as the timeline for the roll out of the vaccination plan. The Inspection Team was informed by prison management that following a recent survey of prisoners, 78% of the prisoner population were willing to be vaccinated.

2.1.4 Recommendations

Recommendation 1: In line with Rule 54 of the Nelson Mandela Rules, the Irish Prison Service should ensure that written and oral information is provided to prisoners upon entering quarantine and on an ongoing basis over the course of quarantine. This information should be designed to assist prisoners in adapting to quarantine, and should clearly outline what they can expect while in quarantine. The information should be provided in a language and form that can be understood by the prisoner; this may require the assistance of interpreters. Prisoners should be provided with ongoing opportunities to raise questions and to be informed of all matters necessary to adapt to quarantine and prison life in general.

Recommendation 2: In order to ensure effective information provision to all prisoners, in line with Section 42 of the Irish Human Rights and Equality Commission Act, the Inspectorate urges Limerick Prison to promptly introduce information dissemination by way of TV channel. The information provided on the channel should be in a language and form that can be understood by prisoners, and may require complementary modes of information dissemination.

Recommendation 3: The Irish Prison Service should provide prisoners with a written copy of the *Framework for Living with COVID-19*. Prisoners’ should be consulted, and updated on future plans related to COVID-19 restrictions including, family visits, regimes, and sentence progression as COVID-19 restrictions unfold.

2.2 Food & Nutrition

One of the measures implemented by the Irish Prison Service to prevent the transmission of COVID-19 in Irish prisons has been to change how food is delivered in the prison. At the outset of the pandemic, beginning in March 2020, the Prison Service provided food to people in custody who were cocooning by distributing boxed meals to cells. The Inspectorate noted in the July 2020 report, “Ameliorating the Impact of Cocooning on People in Custody – A Briefing”, that it is “important that people (...) are brought meals (and) informed about what is on offer and asked which portions they do and do not want.”⁸ Further, the Inspectorate urged the Prison Service to commit to better consultation with people subjected to public health measures or restricted regimes about their food and to consider models used in hospitals for food selection. Given the recommendations made by the Inspectorate in regards to food provision for individuals cocooning, the Inspection Team considered as part of the COVID-19 Thematic Inspection how food was provided in Limerick Prison. The Inspection Team examined this issue with a particular focus on food availability, accessibility to the Tuck Shop, and provision of food for people in quarantine.

⁸ Office of the Inspector of Prisons and Maynooth University, “Ameliorating the Impact of Cocooning on People in Custody – A Briefing” (July 2020) <https://www.oip.ie/wp-content/uploads/2020/07/Ameliorating-the-impact-of-cocooning-on-people-in-custody-a-briefing.pdf>.

2.2.1 Compliance

The Prison Rules 2007-2020 establish a number of standards on food and nutrition. The Rules state that prisoners should have a sufficient quantity of food that is properly prepared and well presented (Rule 23.1). The Rules allow, in so far as is practicable, for a prisoner to observe dietary practices of religion and culture (Rule 23.2) and to have any dietary needs met for any medical conditions (Rule 23.3). The Prison Rules also allow for sufficient clean drinking water to be available to each prisoner each day (Rule 23.4). The Prisons Act Section 35 (1) (2) (c) legislates for regulation and good governance of the treatment of prisoners, including but not limited to, their diets.

According to the Nelson Mandela Rules, prisoners should receive food that is healthy and at usual times (Rule 22). Prisoners should have drinking water whenever they need (Rule 22). Food should also be regularly inspected by a physician or competent public health body (Rule 35).

The European Prison Rules state that the food provided should take into account the age, health, physical condition, religion, culture and the nature of prisoners work (Rule 22.1). Food should provide a suitable amount of protein & energy (Rule 22.2). Food should be served hygienically (Rule 22.3) with reasonable intervals between meal times (Rule 22.4). Clean drinking water should be available at all time (Rule 22.5). A medical practitioner or nurse can order a diet change when required on medical grounds (Rule 22.6).

The Irish Prison Rules 2007-2020 are largely in compliance with international standards, but are limited in application by the clawback clause, “in so far as is practicable” in reference to observation of cultural or religious or dietary needs.

The UN Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (UN Bangkok Rules), Rule 48, outlines food provision requirements for women in prison, with a specific focus on women who are pregnant or breastfeeding. These include provision of adequate and timely food and assurance that the nutritional needs of women who recently gave birth are met.

In May 2021, the CPT published a ‘minimum decency threshold’ for prisons. As a minimum, the CPT states that prisoners should have ready access to clean water and adequate food both in quantity and of nutritional value. Failure to meet this minimum decency threshold can lead to situations in which prisoners are exposed to inhuman or degrading treatment.

2.2.2 Environment

There is one kitchen in Limerick Prison, and it prepares all food for the prison. The kitchen was staffed by three members of prison staff and 17 prisoners, all of whom were men. Women prisoners did not have access to jobs in the kitchen. However, they were employed in the serving of meals in the E Wing. The menu runs on a 28 day cycle across the entire prison estate. In pre-onsite inspection calls with the Governor, the Inspection Team was informed that special dietary requirements can be requested via the Doctor. Other dietary requirements such as vegetarian or Halal meals were catered for without issue.

The Inspection Team observed the kitchen in operation and noted the kitchen was clean. Prisoners who worked in the kitchen area appeared highly competent in food preparation. The Inspection Team was informed that prisoners received relevant training in food hygiene. This training in food hygiene is beneficial to prison operations but also provided prisoners with a skillset that is transferable to future community employment.

Prisoners collected their meals at the servery. Prisoners who were in quarantine or isolation had meals delivered to them in Kraft boxes by a prison officer who was wearing full Personal Protective Equipment (PPE).

The Inspection Team observed that meals were served at very close intervals early in the day. This meant prisoners were not provided with meals after the evening meal was served at 16:00/16:30. The next meal served after 16:30 was breakfast the next day at 08:00. This was a period of approximately 16 hours between served meals.

Table 2: Meal times in Limerick Prison

Time	Meal
Breakfast	08:00- 08:30
Dinner	12:10- 12:30
Tea	16:00-16:30

Limerick Prison Tuck Shop continued to run as normal throughout the pandemic. The Team was informed that the Tuck Shop provided a sense of normalisation for prisoners; they were able to visit the Tuck Shop in-person and this provided an opportunity to “get them off the prison wing,” as noted by a member of staff. Prisoners in quarantine or isolation could request Tuck Shop items to be delivered to the cell.

2.2.3 Outcomes

All prisoners, both men and women, who spoke with the Inspection Team expressed a level of satisfaction with the quantity and quality of the meals served. For prisoners in quarantine the Inspection Team received mixed feedback regarding the delivery of food. One prisoner claimed the food was delivered to their cell and placed on top of the in-cell toilet. This comment was overheard by a nearby prison officer who at a later stage strongly denied that this occurred.

The Inspection Team visited the Tuck Shop, spoke with staff and witnessed prisoners making purchases. Prices in the Tuck Shop are at cost plus 5%, this is a recent positive change as the Inspection Team was informed that previously Tuck Shop prices were at the Recommended Retail Price (RRP). Prisoners spoke highly of the Tuck Shop. The Inspection Team commends the options available, in particular the healthy options such as fresh fruit. The Inspection Team welcomes any additional measures that the prison service can introduce to bolster a healthy diet amongst the prison population. It is also a positive that prisoners could physically attend the Tuck Shop.

2.2.4 Recommendation

Recommendation 4: In line with the Nelson Mandela Rules, (Rule 22.1) and European Prison Rules, (Rule 22.4), the Inspectorate recommends that the scheduling around meal times be amended to ensure meals are served at reasonable intervals and at times reflected in the community: breakfast (morning), lunch (midday) and dinner (evening).

OIP Comment: The Inspectorate has recommended in both the Mountjoy Prison and Cloverhill Prison COVID-19 Thematic Inspection reports that the scheduling around meal times be amended. This recommendation has been accepted by the Prison Service on both occasions. The Inspectorate welcomes the Prison Service’s intention to roll out an amended meal schedule, following a successful pilot scheme in Castlerea and Mountjoy Prison Progression Unit, but that this was curtailed due to industrial relations issues. The Inspectorate encourages an early resolution to these issues, keeping in mind that such issues should not undermine adherence to human rights standards, as outlines in Rule 22.1 of the Nelson Mandela Rules and Rule 22.4 of the European Prison Rules.

2.3 Access to Religious Services

The Chaplaincy Service provided in Irish prisons is instrumental to ensuring pastoral care, dissemination of information and maintenance of familial contact. As such the Chaplaincy is uniquely positioned to support prisoners as they experience COVID-19 related restrictions.

2.3.1 Compliance

The Irish Prison Rules 2007-2020 provide that each prisoner shall, in so far as is practicable and subject to the maintenance of good order and safe and secure custody, be permitted to practice and comply with the rules, observances and norms of behaviour of the religious denomination of which he or she is a follower or member (Rule 34(1)) and shall not be refused access to a chaplain of any religious denomination (including a chaplain of a religious denomination of which the prisoner is not a member) (Rule 34(6)).

The European Prison Rules, Rule 29.2, expand on the provisions provided in the Irish Prison Rules to place a duty on the Prison Service to organise the prison regime insofar as is practicable to allow prisoners to practice their religion and follow their beliefs. This includes enabling private visits from religious representatives.

In relation to women in prison, Rule 54 of the Bangkok Rules provides that prison authorities shall recognise that women prisoners from different religious and cultural backgrounds have distinctive needs and may face multiple forms of discrimination in their access to gender- and culture-relevant programmes and services. Accordingly, prison authorities shall provide comprehensive programmes and services that address these needs, in consultation with women prisoners themselves and the relevant groups.

2.3.2 Environment

Limerick Prison has one full time and one part-time Chaplain. Prison management informed the Inspection Team that Chaplains were actively encouraged to maintain continued communications with prisoners on the prison landings. At the time of inspection, the Inspection Team was informed that under Level 5 restrictions prisoners could not attend religious services in person. Prior to the implementation of COVID-19 restrictions, two mass services, one for men and one for women, were held each Sunday.

One compensatory measure the Limerick Prison Chaplaincy Service provided was the recording and broadcasting of church services on the Chapel television. This was available to all prisoners across the prison. Where possible Limerick Prison facilitated prisoners to virtually attend funerals of close family members. The Inspection Team was informed that the Chaplaincy services have worked with the Prison School to develop and broadcast educational films every Wednesday.

The Chaplaincy Service provided other events such as discussions on addiction which were hosted by an external guest addiction counsellor. The Chaplaincy service engaged with the psychology service and assisted in providing meditation every Tuesday. This engagement stopped in January 2021 due to Level 5 restrictions. The Inspection Team was informed of plans to upgrade the Chapel TV from analogue to a digital transmission. The Inspection Team was informed that the Chaplaincy Service has recently received a new camcorder which will enable new material to be recorded and put on the Chapel television station. Limerick Prison also accommodates prisoners of other faiths and beliefs by allowing external religious leaders / officials to access prisoners when requested.

2.3.3 Outcomes

Chaplaincy services and in person engagement has continued throughout the pandemic. This constant presence provides a level of reassurance to both men and women prisoners. Religious services continued, with mass being recorded and shared via prison TV; the Inspectorate welcomes this initiative. Online funerals were identified by the Chaplain as a “good thing - funerals filmed, works really well. Prisoners seem to benefit from watching funerals and feel part of it and can engage with family in a way.”

The Team was informed that the Chaplain distributes monetary contributions from St Vincent de Paul to prisoners with no other means. The Chaplaincy Service provided in Limerick Prison should be commended for their continued commitment to providing pastoral care throughout the pandemic. The Inspectorate would like to further commend the way in which the Chaplaincy service engaged with other areas such as the school; addiction services and psychology to provide the men and women in Limerick Prison with a range of supports over the duration of COVID-19 related restrictions.

2.4 Access to Court and Legal Representation

Limerick Prison is a committal prison for men and women for counties within the Munster region. On day one of the inspection there were 198 prisoners in the men’s prison, 59 of whom were on remand. There were 27 women in the prison, eight of whom were on remand. At the time of inspection 30% of the overall prison population were remand prisoners.⁹ With one third of Limerick Prison accommodating remand prisoners, access to the courts and legal representation was a central focal point of the COVID-19 Thematic Inspection.

2.4.1 Compliance

Article 14 (3) of the International Covenant on Civil and Political Rights (ICCPR), which was ratified by Ireland ratified in 1990, states:

In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality: (d) To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed.¹⁰

Under Article 6 of the European Convention on Human Rights, an individual has a right to a fair trial. In this respect, adequate access to legal representation is essential to allow an individual remanded into custody effectively participate in court proceedings.

The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) outline a number of standards regarding access to legal representation. On admission, prisoners should receive written information on their rights to access legal advice including information on legal aid schemes (Rule 54). Prisoners should have adequate opportunity to communicate and consult with a legal adviser (Rule 61.1). Should they need interpretation during this process the prison should allow them access to an independent competent interpreter (Rule 61.2). A prisoner should be able to access legal aid and not be charged for this (Rule 61.3), which also applies to remand prisoners (119.2). Furthermore, remand prisoners should be provided with writing material for any defence preparation (Rule 120).

⁹ IPS Statistics (6 April 2021) https://www.irishprisons.ie/wp-content/uploads/documents_pdf/06-April-2021.pdf

¹⁰ ICCPR (1966) Article 14, <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

The European Prison Rules support the Nelson Mandela Rules by stating that consultations between prisoners and their legal advisers should be confidential (Rule 23.4). Prisoners should have access and keep in their possession documents relating to their legal proceedings (Rule 23.6).

The Irish Prison Rules 2007-2017 largely align with international standards around legal representation. Prisoners are entitled to have privacy during visits with a legal advisor (Rule 38.1). Visits by a legal adviser can take place at any reasonable time (Rule 38.2) and when needed an interpreter can be present (Rule 38.3). Prisoners are also entitled to send and receive letters from their legal adviser (Rule 44.1.a). A prisoner can send a letter to his legal adviser without it being opened before it is sent (Rule 44.3). Any letter sent to a prisoner by his legal adviser can only be opened in the presence of the prisoner. This is strictly to examine that it is such a letter (Rule 44.4). Prisoners are entitled to make a telephone call to his legal adviser (Rule 46.5). Legal documents cannot be retained by a prisoner officer or a member of An Garda Síochána during a search (Rule 7.2). Prisoners are also entitled to privacy when communicating with their legal advisor using video link (Rule 42).

Under the *Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020*,¹¹ it provides for applications to be made for the use of video-link in criminal proceedings. In 2020 the use of remote courts hearings expanded from 30 to 58 courts in Ireland and hearings with more than double the number of cases heard via video-link compared to 2019.¹²

The United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (UN Bangkok Rules) make specific reference to access to legal advice and access to consular representative (Rule 2).

2.4.2 Environment

As a result of COVID-19 related restrictions, Limerick Prison designated eight video conferencing rooms on the men's A2 landing and one on the women's E Wing. This enabled prisoners to access court proceedings remotely. There were consultation rooms beside the court rooms where prisoners were able to consult in private and hold discussions with their legal counsel using videolink.

The screen located in the video conferencing room was an estimated 24 inches in width. The Inspection Team was satisfied with the level of privacy in the video conferencing rooms. At the time of inspection, Limerick Prison was undergoing building expansion. Once completed, the Team were informed that A Wing will no longer accommodate prisoners. Senior management informed the Inspection Team that the A wing will then be utilised to increase the number of video terminals. The A Wing will also be considered as a location for future training opportunities. Video link court access assisted in ensuring timely access to the courts for many prisoners.

2.4.3 Outcomes

Prisoners reported a level of satisfaction with the current measures. The Team did not hear about any concerns from prisoners in relation to gaining access to their legal representation or their participation in court proceedings. Senior prison management informed the Inspection Team that if requested legal representatives were able to make a professional face to face visit once the correct PPE is worn.

¹¹ Irish Statute Book, *Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020*

¹² EuroPris, Videolink-Maximising Resources for Service Delivery, M O' Mahoney, Europris, 11 November 2020 cited in Penal Reform International (2021) *Global Prison Trends 2021*, <https://cdn.penalreform.org/wp-content/uploads/2021/05/Global-prison-trends-2021.pdf>

2.4.4 Recommendation

Recommendation 5: Video link court access cannot be a long-term substitute for a prisoner's right to attend court. In line with Article 6 of the European Convention on Human Rights, all measures must be taken to ensure that a prisoner can effectively participate in remote court hearings.

OIP Comment: The Irish Prison Service partly accepted this recommendation in response to it being made in the COVID-19 Thematic Inspection of Cloverhill Prison Report. The commentary provided by the IPS noted that video link court access is not the default, but that the pressure of providing prisoner escorts (funded for 12,000 escorts but carrying out in excess of 33,000 prisoner escorts each year) creates a situation in which services in the prison may be closed to facilitate prisoner escorts. As a result, the IPS has accelerated its roll out of video technology, with a reported excess of 60% of all court escorts now being carried out via video link.

While video link access to courts helps to alleviate pressure on staffing services in the prison, the Inspectorate is concerned about the suitability of this mechanism by which to facilitate access to courts. The impact of remote court hearings on sentencing outcomes is not fully yet known. However, research indicates remote court hearings may result in increased unfairness/access to justice issues for prisoners.¹³ Various factors must be considered when using video link in remote court hearings as identified in Irish law, such as the complexity of the hearing, the age of the individual, and his/her physical and mental capacity.¹⁴

In May 2021 the Bar Council of Ireland released a joint statement with the Bar Council of England and Wales, the Bar Council of Northern Ireland and the Faculty of Advocates of Scotland in which they warned against the widespread instruction of remote video hearings and that it is suitable "only for short uncontroversial or procedural business." Among the disadvantages cited by the barristers were less effective hearings because of less satisfactory judicial interaction. They outlined how managing witnesses, especially in cross-examination was also less satisfactory if done remotely and could have an adverse impact on the quality of the evidence given. The Joint Statement also argued that remote hearings delivered a "markedly inferior experience," and that the benefits of human interaction in physical hearings could not be ignored.¹⁵

A 2020 study¹⁶ on the widespread use of video links for court matters found the following of note:

- *Parties did not fully appreciate the seriousness or finality of proceedings when conducted remotely and therefore did not avail themselves of the procedural safeguards available to them— including legal advice.*
- *Partly-video hearings impaired a defendant's ability to communicate with their legal representatives when they were finding proceedings difficult to follow.*
- *Technical issues with technology could make it more difficult for parties to follow proceedings.*
- *Partly video hearings could impact negatively on perceptions of party and witness credibility.*
- *The use of remote hearings made it more difficult for the court to identify vulnerability and put in place reasonable adjustments to ensure effective participation.*

¹³ Written Evidence submitted by the Equality and Human Rights Commission, <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/public-account/committee/transforming-courts-and-tribunals-progress-review/written/106341.html>

¹⁴ Irish Statute Book, Part 6, Section 33 2(d) of Prisons Act 2007.

¹⁵ Law Society Gazette (4 May 2021) <https://www.lawsociety.ie/gazette/top-stories/remote-hearings-have-multiple-and-multi-faceted-drawbacks--four-bar-councils/>.

¹⁶ See, N. Byrom (2020). What We Know about the Impact of Remote Hearings on Access to Justice: A Rapid Evidence Review. London: Nuffield Family Justice Observatory/The Legal Education Foundation. Available at: https://www.nuffieldfjo.org.uk/app/nuffield/files-module/local/documents/nfjo_remote_hearings_vulnerable%20groups_rapid%20review_20200506.pdf

2.5 Other Issues

In the process of inspecting Limerick Prison, the Inspection Team made a number of observations that warrant inclusion in this report.

Cell Conditions

Rule 18.1 of the Prison Rules 2007, which states that all such “*cells or rooms therein as are intended for use in the accommodation of prisoners are, in respect of their size, and lighting, heating, ventilation and fittings available in the cells or rooms in that prison or that part, suitable for the purposes of such accommodation.*” Furthermore, the Committee for the Prevention of Torture (CPT) states “cells, including furniture, should be in a decent state of repair and every effort should be made to keep the living areas clean and hygienic.”¹⁷

Many cells on D wing were in a poor state of repair and in need of refurbishment. One cell was found to have a damaged window that could not be securely closed, which resulted in exposure to the outside elements. The cell also had a damaged smoke alarm which was loose from its ceiling fixture. The Inspection Team was informed in a post on-site inspection call that this smoke alarm was repaired and that all non-operational smoke alarms create an alert notification for the maintenance department. Many of the cells on D wing were damaged with paint. The Inspection Team was informed by prison management that this was due to previous prisoner vandalism.

“Slopping Out”

The practice of “slopping out” continued for prisoners accommodated on the A wing of the men’s prison. It is the view of the Inspectorate that this ongoing practice constitutes inhuman and degrading treatment. In-cell sanitation is necessary in order to fulfil basic human rights. The COVID-19 pandemic has brought additional focus on the importance of hygiene & sanitation as it is key in maintaining and protecting human life. The practice of “slopping out” should have no place in any Irish Prison and should be eradicated; this has been noted on numerous occasions by the CPT and the Inspectorate.¹⁸

The cessation of construction on the prison as part of the pandemic restrictions has had an adverse impact on the completion date of the new building to replace the A Block. The original completion date was August 2021. The Inspection Team was informed that construction works would be completed before the end of 2022. The new facility is designed to bring to an end the practice of “slopping out” in Limerick Prison.

Period Poverty

Women prisoners informed the Inspection Team that the range of sanitary products available in the shop was limited to sanitary towels, and that tampons were unavailable. Women who had limited or no funds spoke about their embarrassment relating to feminine hygiene and “period poverty.”¹⁹ The UN Bangkok Rules Commentary on Rule 5 provides that sanitary materials should be “available to women under conditions in which they do not need to be embarrassed asking for them (for example either dispensed by other women or, better yet, accessible whenever needed).” The February 2021 *Period Poverty in Ireland Report*²⁰ states that “The Irish Prison Service, on foot of a survey carried out by the Red Cross Project, changed its approach to the provision of free period products to its female population

¹⁷ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) *Living space per prisoner in prison establishments: CPT standards* (2015) <https://rm.coe.int/16806cc449>.

¹⁸ OIP (2011) Report on an Inspection of Limerick Prison by the Inspector of Prisons Judge Michael Reilly 25th November 2011, 2.18 (<https://www.oip.ie/wp-content/uploads/2020/04/Inspection-of-Limerick-Prison.pdf>); CPT Report to Ireland (n 6).

¹⁹ Period Poverty refers to inadequate access to menstrual hygiene, including period products (e.g. sanitary towels and tampons), washing and waste management facilities and education. See, <https://www.amwa-doc.org/period-poverty/>

²⁰ Government of Ireland (2021) *Period Poverty in Ireland: Discussion Paper*. Stationery office, 3.

and now provides each female prisoner with a period pack each month, to reduce the stigma associated with having to request these products.” This was not the situation described by the women in Limerick Prison.

2.5.1 Recommendations

Recommendation 6: In line with the CPT standards on living space (2015), the Inspectorate recommends that the prison address the poor condition of cells on D wing. Cells should be examined and appropriate action taken to ensure basic living conditions are provided.

Recommendation 7: In line with the UN Bangkok Rules (Rule 5) and the Irish Prison Service’s commitment to providing free period products, the Inspectorate recommends that both sanitary towels and tampons be provided without charge to all prisoners who may require them, and that this be done in a way that reduces stigma and embarrassment.

3 SAFETY & SECURITY

3.1 Impact of Staff Absences

At the time of the inspection, the Team was informed that a new COVID-19 related measure on prison escorts had recently been implemented across all prisons as a strategy to minimise the mixing of staff from various prisons across the estate. The new measure requires that the prison with the most prisoner escorts on the day holds responsibility for supplying the necessary staff for the escorts. Limerick Prison has had a number of COVID-19 related staff absences, either due to COVID-19 positive test results or close contacts. The Inspection Team was informed that at one stage there were 27 staff related COVID-19 absences.

3.1.1 Compliance

The European Prison Rules, Rule 83(a), require that prison authorities ensure prisons are adequately staffed at all times in order to maintain a safe and secure environment and to meet requirements of national and international law. Rule 83 (b) of the European Prison Rules state that prison authorities should introduce systems of organisation and management that “are capable of withstanding operational emergencies and returning to ordinary standards at the earliest opportunity.” With specific reference to the situation of COVID-19, the CPT Principles CPT provide that staff availability be reinforced and that staff should receive professional support (Principle 3).

3.1.2 Environment

Staff absences directly impact on implementation of the Regime Management Plan (RMP) in the prison. The Regime Management Plan, which is unique to each prison and agreed upon by the Prison Service and the Prison Officer’s Association, sets out posts of priority to be covered in a prison to ensure the security of the prison, safety of the staff and the safe custody of prisoners. The RMP outlines the priority of posts and services, and determines how and when officers need to be redeployed to provide escorts and cover other posts.

The Inspection Team was informed by prison management that Limerick Prison was the second largest committal prison in Ireland. As a result, there was a constant requirement to facilitate the movement of prisoners to courts and external medical appointments. The Inspection Team was informed that this often resulted in up to 20 staff members being off-site. This has led to staff shortages in the prison, which in turn meant staff were redeployed and posts were not covered as a result. Due to the Pandemic and the introduction of remote video link court proceedings, the number of staff on site at Limerick Prison has been bolstered.

3.1.3 Outcomes

It appears that new initiatives put in place to mitigate the impact of COVID-19 restrictions, such as virtual court proceedings, has had the benefit of increasing on-site staffing in Limerick Prison.

It was reported to the Inspection Team that the prison has been well supported by Irish Prison Service Headquarters, including with the provision of additional staffing hours when needed.

3.2 Social Distancing

In April 2020, the Irish Prison Service staff newsletter, “COVID-19: What It Means for Prison Staff” focused on the need for staff to enforce social distancing. The newsletter suggested the following “practical ways of social distancing”:

- Avoid the canteen if you cannot sit two meters apart from others
- Avoid crowded rooms / busy areas particularly at popular times e.g. locker rooms
- In an office environment, re-arrange the furniture so you don’t directly face others
- Drive your own car to work
- Smoke on your own or stop smoking
- Politely ask others not to invade your space

Despite the Irish Prison Service efforts to implement social distancing in prisons, prisons are a difficult context in which to physically distance. Prisons are often overcrowded, poorly ventilated, and with limited space and resources, prisoners must share phones, showers and common areas.²¹ Similarly, staff may share small offices and locker rooms, and eat in common areas. While social distancing is recognised as the most effective way to prevent transmission of COVID-19, it is not practicable at all times in the prison context; additional measures such as proper use of PPE and improved sanitation and hygiene practices are needed.

3.2.1 Compliance

Given that it is not always possible to social distance in prison settings, the World Health Organization recommends the continuous use of a medical mask for prison staff when making contact with detainees at distances of less than 1 metre, during security and health checks, and during transfer of COVID-19 cases to other prisons or hospitals. WHO guidance on management of masks in prisons²² includes:

- Perform hand hygiene before putting on the mask.
- Inspect the mask for tears or holes, and do not use a damaged mask.
- Place the mask carefully, ensuring it covers the mouth and nose, adjust to the nose bridge, and tie it securely to minimize any gaps between the face and the mask. If using ear loops, ensure these do not cross over as this widens the gap between the face and the mask.
- Avoid touching the mask while wearing it. If the mask is accidentally touched, perform hand hygiene.
- Remove the mask using the appropriate technique – untie it from behind, avoiding touching the front of the mask.
Replace the mask as soon as it becomes damp with a new clean, dry mask.
- Either discard the mask or place it in a clean plastic resealable bag where it is kept until it can be washed and cleaned. Do not store the mask around the arm or wrist or pull it down to rest around the chin or neck.
- Perform hand hygiene immediately after discarding a mask.
- Do not reuse single-use mask.
- Discard single-use masks after each use and properly dispose of them immediately upon removal.
- Do not remove the mask to speak.
- Do not share your mask with others.

²¹ S. A., Kinner, et al, “Prisons and Custodial Settings are Part of a Comprehensive Response to COVID-19” (2020) 5 *Lancet Public Health*, e188-189.

²² World Health Organization, “Preparedness, Prevention and Control of COVID-19 in Prisons and Other Places of Detention Interim Guidance” (8 February 2021) 25-27.

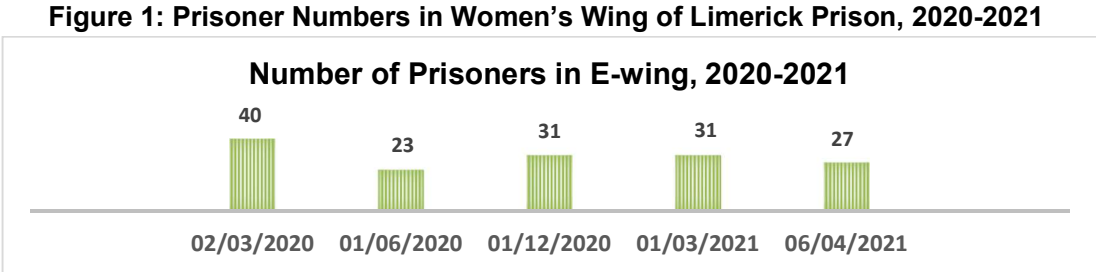
In terms of hand hygiene and the need to prevent the spread of COVID-19, the Health Service Executive in conjunction with the WHO and the Center for Disease Control and Prevention²³ recommends the following etiquette to be observed:

1. Wet your hands with warm water and apply soap.
2. Rub your hands together palm to palm until the soap forms a lather.
3. Rub the back of one hand with your palm and fingers spread so you wash between fingers. Repeat with the other hand.
4. Interlock the top of your hands and rub your fingertips - this cleans your fingertips and knuckles.
5. Then finally grasp your thumb tightly and twist to make sure your thumbs are cleaned. Repeat with the other hand.
6. This should take at least 20 seconds.
7. Rinse your hands under running water.
8. Dry your hands with a clean towel or paper towel.

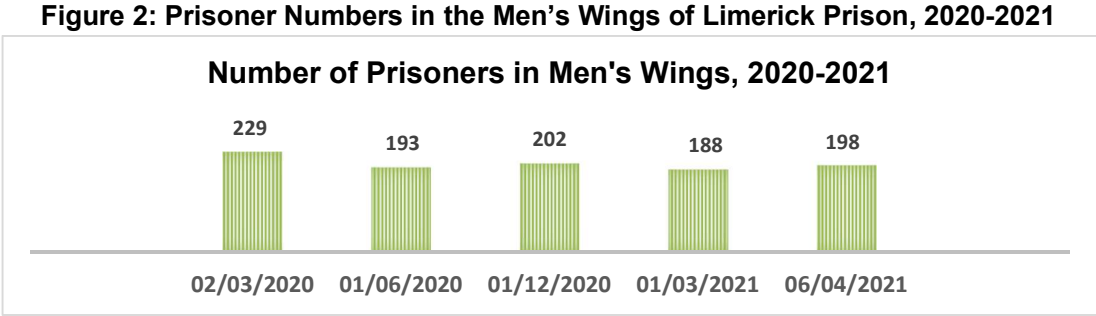
3.2.2 Environment

During the course of the inspection it was evident that prisoners did not adhere to social distancing. In reality, given the dimensions of prison landings and that certain wings are comprised of double occupancy cells, it is not always possible to socially distance.

Since the start of the pandemic, the population of women in Limerick Prison has decreased, with a total reduction of 32.5% in the population of women in Limerick Prison from between 2 March 2020 and the first date of the inspection, 6 April 2021 (Figure 1).²⁴



Similar to the reduction of the population of women accommodated in the E-wing of Limerick Prison, the men’s population has reduced over the duration of COVID-19 (Figure 2); a total reduction of 13.5% in the population of men in Limerick Prison between 2 March 2020 and 6 April 2021.



²³ Center for Disease Control and Prevention, “Show Me the Science - How to Wash Your Hands” (9 December 2020) and can be accessed here (<https://www.cdc.gov/handwashing/show-me-the-science-handwashing.html>)
²⁴ IPS Statistics, 2020 Prison Population: <https://www.irishprisons.ie/information-centre/statistics-information/2015-daily-prisoner-population/>; IPS Prison Statistics, 2021 Prison Population: <https://www.irishprisons.ie/information-centre/statistics-information/2015-daily-prisoner-population/2021-prison-population/>

Reduction in prison numbers helps to reduce the number of people cell-sharing, which in turn minimises the risk of COVID-19 transmission and enables prisoners to practice social distancing. The Inspectorate welcomes the overall reduction of the numbers of people in Limerick Prison, and would like to see this trend continue.

3.2.3 Outcomes

Temperature checks were carried out on entry to Limerick Prison. Hand sanitisation dispensers were located throughout the prison and all dispensers encountered by the Inspection Team had an ample supply of hand sanitiser. There were posters throughout the prison reinforcing the importance of social distancing, hand hygiene, and respiratory etiquette.

Prisoners rely on adequately stocked cleaning products to ensure they can maintain good sanitary standards in their cells and landing areas. Where stocks run low for a long period of time, this may result in poor hygiene issues for prisoners. The Inspection Team was satisfied with the level of cleaning products available to prisoners. PPE was available to staff and a number of prisoners wore face masks while engaging with the Inspection Team.

It was evident that prisoners were concerned that prison staff may transmit COVID-19 into the prison. This concern did not extend to fellow prisoners as they were part of a “bubble.” It would appear, as with the external community, certain age groups and demographics were more concerned about the risk of COVID-19 transmission and therefore more willing to wear masks and adhere to social distancing, where feasible.

All staff with whom the Inspection Team observed or came into contact with wore face masks.

4 HEALTH & WELLBEING

4.1 Access to Healthcare

Access to healthcare in Limerick Prison over the course of the pandemic has largely mirrored the situation in the general community, with medical appointments and elective procedures being significantly delayed or cancelled in 2020. Hospital appointments recommenced in 2021.

4.1.1 Compliance

Underpinning healthcare provision in a prison setting is the Principle of Equivalence. The CPT Standard on Health Care Services in Prisons mandates that “a prison health care service should be able to provide medical treatment and nursing care, as well as appropriate diets, physiotherapy, rehabilitation or any other necessary special facility, in conditions comparable to those enjoyed by patients in the outside community.”²⁵ The Principle of Equivalence operationalises the principle of non-discrimination, as enshrined in the Mandela Rules, Rule 2:

In order for the principle of non-discrimination to be put into practice, prison administrations should take account of the individual needs of people in prison, in particular the most vulnerable. Measures to protect and promote the rights of people in prison with special needs are required and should not be regarded as discriminatory.

The provision of prisoner healthcare is a state responsibility, and therefore prisoners should receive the same standards of healthcare that are available in the general community. This ethical obligation to give all relevant information to patients is enshrined in the Medical Council Guidance on Professional Conduct and Ethics.²⁶

In addition, Article 12 of the International Covenant on Economic, Social and Cultural Rights recognises the right of everyone to the enjoyment of the highest available standard of physical and mental health.

In relation to women in prison, the revised European Prison Rules (2020) require that states develop specific gender-sensitive policies and enact positive measures to meet the distinctive needs of women prisoners. Rule 34.3 states that particular efforts must be made to protect women prisoners from physical, mental or sexual abuse and that access to specialised services must be provided for women prisoners. The UN Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (UN Bangkok Rules) Rule 10(1) provide that “gender-specific health-care services must be at least equivalent to those available in the community” and also that women prisoners be allowed to request examinations by healthcare staff who are women.”

4.1.2 Environment

On the dates of inspection, the Irish Prison Service was operating based on its 28th version²⁷ of the “IPS Risk Assessment for People Presenting to and in Prisons - Clinical Criteria for Prisoner(s) to be Tested.” The algorithm outlines the criteria as follows. The algorithm outlines the criteria as follows:

²⁵ CPT Standard on Health Care Services in Prisons (1993) CPT/Inf(93)12-part <https://www.refworld.org/pdfid/4d7882092.pdf>

²⁶ Medical Council, “Professional Conduct and Ethics” (<https://www.medicalcouncil.ie/existing-registrants/-professional-conduct-and-ethics>), and <https://www.medicalcouncil.ie/news-and-publications/reports/guide-to-professional-conduct-and-ethics-for-registered-medical-practitioners-amended-.pdf>, 33.5.

²⁷ The Inspectorate learned in the days following this inspection that amendment had been made to the 28th version. The 29th version had an error and was subsequently updated to the 30th version, as of 12 April 2021.

1. A prisoner with acute respiratory infection - sudden onset of at least one of the following: cough, fever, Shortness of breath (SOB). Consider other aetiology that may explain the clinical presentation. If general population only 1 swab is required on symptom onset. OR
2. Special consideration should be made for atypical presentations, particularly in our high risk prison population. Vigilance is required for the following: Loss of sense of smell or taste, Fever, Cough, SOB, lethargy, confusion, loss of appetite, unexplained change in baseline condition. If general population only 1 swab is required on symptom onset. OR
3. A prisoner who has been identified as a close contact of a confirmed case must be tested on Day 0 (Day the index case gets a positive result) AND Day 7 (8 days after last exposure to the index case) -(if day 0 and day 7 are within 24 hours only 1 test is required on Day 7). All close contacts must remain in isolation for 14 days inclusive even if they return 2 negative results. OR
4. All new committals (N/C) must be tested on Day 7 (8th day in custody). OR
5. If symptomatic N/C test on day of symptoms onset and Day 7 (if within 24 hours of each other test on Day 7) OR
6. All new committals returning from outside the island of Ireland -Swab Day 1 and Day 10 (remain in isolation 14 days)

The nursing duty roster in Limerick Prison provided for four nurses on duty from 08:00 to 20:00, in addition to a Chief Nursing Officer (CNO). There was one nurse on duty from 20:00 to 08:00. At the time of inspection a GP attended the prison every day Monday to Friday from 08:00 to 11:00. Management informed the Inspection Team that the GP attended the prison seven days a week if needed. There was no waiting list for GP services. Each wing of the prison had access to the GP at least twice a week and emergencies were seen on the same day. Some prisoners reported that they were unwilling to attend external hospital appointments as a result of the restrictive quarantine regime which prisoners were required to undergo upon return to Limerick Prison. Due to Level 5 restrictions, all non-essential hospital appointments were cancelled and re-arranged. This was determined by the GP.

Dental care was provided one full day a fortnight from a private dentist, who also provided his own dental nurse. The Inspection Team was informed that the dentist would see approximately 15-16 patients per day. The main intervention was provision of fillings and extractions. On the first day of inspection, there were 18 people on the waiting list for dental services; the longest waiting period since early February 2021. The Inspection Team was also informed that the dentist retained records of x-ray equipment certification.

Mental Health Services are provided and clinically led on a part-time basis by a consultant psychiatrist who provides a clinic every Monday. The clinic takes place over a half or full day. A Community Psychiatric Nurse (CPN) led clinic is available every Thursday. On occasion, this clinic operated with both consultant psychiatrist and CPN. The psychiatrist visited prisoners on protection who were not permitted access to the healthcare area because of their status. There were no other members of a multidisciplinary mental healthcare team available to the prison. There was no waiting list for psychiatric services. This was due to the "duty of care" that the psychiatrist had for the patients under his care. 130 to 150 new referrals per year for psychiatric assessment were seen by the psychiatrist. In community settings the average number of referrals to community mental health teams is 50-100 new patients per year. In addition to the time commitment in the prison, the consultant psychiatrist attended court with court reports; proactively liaised and engaged with mental health colleagues in Limerick, Clare and North Tipperary. As there was no cover provided when the psychiatrist goes on leave he only

takes small blocks of leave to ensure that his patients' needs are addressed. This resulted in a substantial amount of unused leave. Additional resources for the mental health team are required, in particular, additional community psychiatric nursing, as suggested by the psychiatrist.

Access to inpatient forensic mental health services was identified as a challenge. It would appear that in addition to the waiting list for inpatient care and treatment in the Central Mental Hospital (CMH) there was another waiting list for an assessment by a forensic psychiatrist from the CMH. It was reported that in the past a forensic psychiatric assessment using the Dundrum Scale carried out by any forensic consultant psychiatrist was accepted by the National Forensic Mental Health Service and that is no longer the case. Such assessments must now be conducted by forensic psychiatrists from the National Forensic Mental Health Service in the Central Mental Hospital. This change in practice may have led to a decrease in numbers of persons on the waiting list for admission to the CMH as it does not include those in custody who are awaiting forensic psychiatric assessment. It would appear that there was a waiting list to get on the waiting list.

Mental health care and treatment for prisoners with severe mental illnesses must be provided in appropriate therapeutic environments.

The Inspectorate commends the efforts of Limerick Prison in their preparatory work for the rollout of the vaccination programme for the prison. The Inspection Team observed the gymnasium hall which was set up to deliver the vaccination programme.

4.1.3 Outcomes

The efforts taken by the Irish Prison Service to develop effective COVID-19 testing strategies is commendable, and have proven to be effective in the prevention of COVID-19 outbreaks.

Healthcare staff working in the prison were vaccinated for COVID-19 (Group 2) in mid-February 2021. In line with the Principle of Equivalence, people in prison should, at the minimum, be provided with equal provision of healthcare, without discrimination based on grounds of their legal status. The Inspectorate welcomes the Irish Prison Service's ongoing efforts to lobby the National Public Health Emergency Team (NPHET) for the prioritisation of COVID-19 vaccinations for people living and working in prisons. On the 31 March 2021 the Health Information and Quality Authority (HIQA) released guidance identifying both prisoners and prison staff amongst 12 potentially at-risk groups for consideration for the vaccine.²⁸ However, at the time of writing this report it would appear that vaccination of prisoners and prison staff is being carried out in accordance with age.

The Inspection Team spoke with prisoners who reported that they had received verbal confirmation of their COVID-19 test results, which was often delivered by a prison officer.

4.1.4 Recommendations

Recommendation 8: The Mental Health Team composition should be augmented with provision of additional community psychiatric nursing as a minimum.

Recommendation 9: In line with practice in the general community, and with the Principle of Equivalence, the IPS should ensure that people in prison are provided with written information about their test results.

OIP Comment: The Inspectorate has recommended in both the Mountjoy Prison and Cloverhill Prison COVID-19 Thematic Inspection reports that prisoners should be provided with their COVID-19 test

²⁸ 'Evidence synthesis for groups in vaccine allocation group nine - those aged 18-64 years living or working in crowded conditions' HIQA. 31st March 2021.

results both verbally and in writing. On both occasions the recommendation was not been accepted by the Irish Prison Service, with the justification being that “(t)he implementation of this recommendation would require the manual provision of individualised letters which is not currently feasible from IT and resource perspective.” The Inspectorate is of the view that all prisoners should be provided with their test results both verbally and in writing.

4.2 Family Contact

Contact with family members and friends is essential to the health and wellbeing of people in prison. As part of the inspection of Limerick Prison, the Inspection Team assessed the impact of restrictions on family contact, in particular the loss of in-person visits. The Inspection Team also examined how the Prison Service has compensated for this.

4.2.1 Compliance

In response to the need to prevent transmission of COVID-19 in prisons the Irish Prison Rules 2007-2017 were amended in 2020 to include Rule 36A. Rule 36A places a restriction on implementation of Rules 35 and 36 as a means to prevent the transmission of infectious disease in prisons. Rule 35 includes provisions for ordinary visits whereby convicted adult prisoners are entitled to receive not less than one visit from relatives or friends each week of not less than 30 minutes duration. For remand prisoners, the visit entitlement under Rule 35 is one visit per day from relatives or friends of not less than 15 minutes in duration on each of six days of the week, where practicable, but in any event, on not less than on each of three days of the week. Rule 36 provides for the regulation of visits, including provisions on the designation and searching of visitors, visits from legal representatives and visits for foreign nationals. The 2020 Amendment to the Rules, under 36A, permit the Director General (36A(1)) or the Governor (36A(2)) to suspend the entitlement to visits or restrict or modify the entitlement to visits under Rule 35, as regards frequency, duration and arrangements, particularly in relation to the number and age of visitors permitted to make visits, for a specified period or periods. The lack of a sunset clause for the newly added Rule 36A is of concern to the Inspectorate.

Article 8.1 of the European Convention on Human Rights provides that “Everyone has the right to respect for his private and family life, his home and his correspondence.” Article 8.2 of the ECHR allows a public authority to interfere with implementation with Article 8.1 with in accordance with the law (national security, public safety, prevention of crime, etc).

Children who have a parent in prison are also independent rights holders. Under Article 9.3 of the UN Convention on the Rights of the Child, it states:

States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child’s best interests.

The rights of children of imprisoned parents is further outlined in the Council of Europe’s Recommendation CM/Rec (2018) 5 of the Committee of Ministers to member States concerning children with imprisoned parents.

Rule 58.1 of the Nelson Mandela Rules states that prisoners shall be allowed, under necessary supervision, to communicate with their family and friends at regular intervals by corresponding in writing and using, where available, telecommunication, electronic, digital and other means.

The European Prison Rules 2020, Rule 24.1, provide that prisoners shall be allowed to communicate as often as possible by letter, telephone, or other forms of communication with their families, other persons and representatives of outside organisations and to receive visits from these persons. Rule 24.5 states that prison authorities shall assist prisoners in maintaining adequate contact with the outside world and provide them with the appropriate support to do so.

Rule 43 of the Irish Prison Rules 2007-2017 entitles a prisoner to send letters to his or her family or friends, and to receive as many letters as are sent to him or her by his or her family or friends. Rule 44.1 states that “A prisoner shall, in addition to being entitled to send or receive a letter under Rule 43 (Letters), be entitled to send a letter to, or receive a letter from the Inspector of Prisons.” Furthermore, Rule 44.4 states “A letter sent to a prisoner by a person or body referred to in this Rule shall be given to the prisoner without delay and shall not be examined to any greater extent than is necessary to determine that it is such a letter. If any such letter is to be examined, it shall only be opened in the presence of the prisoner to whom it is addressed.”

Rule 46.4 of the Irish Prison Rules states that unconvicted prisoners are entitled to no less than five telephone calls per week to a friend or family member. Remand prisoners can also avail of the Irish Prison Service Incentivised Regimes Scheme. Prisoners on the Enhanced Level of this scheme²⁹ are allocated more phone calls than that which is set out in rule 46.4 of the Irish Prison Rules. Given the restrictions imposed by Rule 36A of the 2020 Amendment to the Prison Rules, there exists an obligation for the Government and the Irish Prison Service to ensure that COVID-19 related restrictions have a legal basis, are necessary, proportionate, respectful and restricted in time (CPT Principle 4).

In relation to women in prison, the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (UN Bangkok Rules), require that women be able to contact their families, including their children, and their children’s guardians and legal representatives, and that this must be encouraged and facilitated by all reasonable means. Where possible, measures shall be taken to counterbalance disadvantages faced by women detained in institutions located far from their homes (Rule 26).

4.2.2 Environment

At the time of inspection, Ireland was under Level 5 restrictions. In alignment with restrictions in the general community, the Prison Service ceased all in-person visits to the prison. To compensate for this, the prison implemented 20-minute video calls for prisoners who were not quarantining or in isolation.

In a pre-onsite inspection call senior management spoke about some of the benefits of video calls. The Team were informed that a “prisoner can in some incidents see their house, the camera might go out to their back garden and see the kids on bouncy castles and things like that.” The management of Limerick Prison informed the Team that families could provide information on COVID-19 which could serve to “reassure the prisoner and that makes an awful (positive) difference.”

The Inspection Team viewed the video call area which had an adequate video screen size estimated at 24 inches. In the absence of in-person visits, postal communications were essential for maintaining family contact. Prison staff and prisoners reported delays in sending and receiving post. The postal censor screening area was closed on both days of the inspection (6 and 7 April 2021). It is the view of the Inspectorate that this was unacceptable given the prolonged restrictions on family contact.

4.2.3 Outcomes

It was reported by prison management that prisoners have benefitted from the use of video calls as they can now see family members in their home environment. Some prisoners benefitted as video calls had increased the amount of family interaction, in particular for prisoners who had family abroad, who lived a considerable distance from Limerick Prison, and for elderly and/or vulnerable relatives who would find traveling to Limerick Prison a significant challenge.

The Inspection Team also received reports from prisoners highlighting issues of family contact. For instance, digital literacy skills were an issue for prisoners' families, and this led to difficulties in using the video call system. Multiple prisoners reported that mail is not reaching their families, or mail was reported as being particularly slow. Two prisoners mentioned writing Rule 44 letters to the Office of the Inspector of Prisons (OIP). The OIP checked its records and can confirm that it did not receive these letters. Prisoners reported long delays in the repair of a phone on their landing. This delay was confirmed by prison officers.

Women in the E wing mentioned a lack of privacy in making phone calls. At the time of inspection there were only two phones available on the E wing. The Inspection Team was informed the phone on the landing was only available for prisoners who held jobs. The second phone, located in the recreation room, did not allow prisoners to have private conversations with their families. Prisoners reported that their conversations could be overheard by fellow prisoners or interrupted by the background noise of the other women in the recreation room.

In an effort to uphold Article 2 of the European Convention on Human Rights (Right to Life), the Irish Government has allowed for restrictions to be imposed on ECHR Article 8, both in the general community and for people in prison. While the law allows for this restriction in the context of prisons under Rule 36A of the Irish Prison Rules, the Prison Service has a positive obligation to ensure that the restrictions to the right to private and family life under Article 8 are necessary, proportionate, respectful and restricted in time. To this end, the Prison Service must ensure that people in prison are able to maintain family contact to the greatest extent possible.

4.2.4 Recommendations

Recommendation 10: Prisoners should have access to family video link calls post COVID-19. Video calls should remain as an addition following the return of in person visits. Supports should be available for families of prisoners to maintain contact digitally.

OIP Comment: This recommendation was accepted by the Prison Service in both the Mountjoy Prison and Cloverhill Prison inspection reports and is being monitored by the Inspectorate.

Recommendation 11: In line with Article 8 of the European Convention on Human Rights and Rule 58 (1) (a) of the UN Mandela Rules, the Inspectorate recommends that all postal communications are collected and delivered to prisoners in a timely manner by prioritising the censor's office and transport to collect the post in the daily Regime Management Plan.

OIP Comment: This recommendation was accepted by the Prison Service in both the Mountjoy Prison and Cloverhill Prison inspection reports. This recommendation has been accepted by the Irish Prison Service on both occasions and is being monitored by the Inspectorate.

Recommendation 12: In line with Rule 26 of the UN Bangkok Rules, the Inspectorate recommends the prison develop a way to afford greater privacy to women when contacting their children and family members on the phone.

Request for Information 1: The Inspectorate requests to be provided with information on the direction given to Limerick Prison by the Irish Prison Service to implement S.I. 250 - Prison (Amendment) Rules 2020 - Rule 36A of the Irish Prison Rules.

4.3 Quarantine/Isolation Measures

People placed in quarantine in the prison include: all committals to prison; prisoners returning from court; prisoners returning from external medical appointments, and prisoners returned to custody by An Garda Síochána under a Section 42 warrant. Those placed in isolation include: prisoners who tested positive for the COVID-19 virus; those showing symptoms of the COVID-19 virus, while awaiting test results; those who are close contacts of a person with COVID-19, while awaiting test results; and those who present with a travel history.

On the first day of the inspection, the Team was informed there were 11 prisoners isolating and five prisoners in quarantine in Limerick Prison. The Inspection Team spoke with prisoners under both regimes.

4.3.1 Compliance

The CPT “Minimum Decency Threshold” requires that all prisoners must also be provided with the means to keep themselves clean, including ready access to a clean fully-functioning toilet, proper sanitation, warm washing water, shower (if possible on a daily basis, but at least twice a week), cleaning products, laundry facilities and personal hygiene products.³⁰

The CPT Statement of Principles relating to the Treatment of Persons Deprived of their Liberty in the Context of the Coronavirus Disease (COVID-19) pandemic, state that “(i)n cases of isolation or placement in quarantine of a detained person who is infected or is suspected of being infected by the SARS-CoV-2 virus, the person concerned should be provided with meaningful human contact every day.³¹ In circumstances where prisoners are confined for more than 22 hours a day without meaningful human contact, this is solitary confinement; as defined by the 2020 European Prison Rules (Rule 60.6.a) and Mandela Rules (Rule 44).

The Prison (Amendment) Rules, 2017 in Ireland states that all prisoners should have “a minimum period of two hours out of his cell or room with an opportunity during that time for meaningful human contact”. “Meaningful human contact” is defined as the “interaction between a prisoner and another person of sufficient proximity so as to allow both to communicate by way of conversation.” Furthermore, Rule 32 of the Prison Rules, 2007, states that each prisoner shall be entitled to “not less than one hour of exercise in the open air each day.” This is met with the caveat “provided that, having regard to the weather on the day concerned, that it is practical.”

While solitary confinement in itself is not a breach of Article 3 of the European Convention on Human Rights (prohibition on torture and inhuman or degrading treatment or punishment),³² the preventive nature of the Inspectorate’s work is a cause to raise concern about the prolonged use of solitary confinement as a strategy by which to avoid transmission of COVID-19 in the prison context.

³⁰ CPT (2021) Annual Report 2020, para 73. <https://rm.coe.int/1680a25e6b>

³¹ CPT Statement of Principles (n 7) Principles 6 and 8.

³² European Court of Human Rights, “Guide on the Case-law of the European Convention on Human Rights” (December 2020) https://www.echr.coe.int/Documents/Guide_Prisoners_rights_ENG.pdf, 49.

4.3.2 Environment

New committals to Limerick Prison were met by a nurse and prison officers who conducted a health screening. This included a ten-part questionnaire and temperature check. Before entering quarantine, prisoners were afforded the opportunity to shower. Prisoners were not permitted to shower for the duration of time they were in quarantine, potentially a period of up to 14 days. During that time the only access to clean running water was from a small in-cell basin. Prisoners had no access to fresh clothing or post during their quarantine period. Depending on the numbers of committals and available quarantine cells, some prisoners had to share with a fellow committal prisoner. When an isolation cell used by a prisoner who tested positive for COVID-19 was vacated, it was cleaned by an external hygiene company. A quarantine cell vacated by a prisoner who tested negative for COVID-19 was cleaned by prison staff in full PPE.

4.3.3 Outcomes

A number of prisoners were interviewed in relation to their experience of quarantine, several of which described the experience as “hell.” Several people reported complaints in relation to hygiene, and alleged that the cell was not cleaned after use by a previous prisoner who had completed quarantine. One prisoner described skin irritation as a result of not being able to change his socks on a daily basis. Another prisoner expressed concerns about his health condition, having to share a cell throughout quarantine and the stress of the unknown, i.e., that he could be sharing a cell with a person who was positive for COVID-19.

The Inspection Team was informed by a prisoner in quarantine that the toilet flush function was not operating correctly for a number of days. Due to quarantine restrictions there were no other toilet options for this prisoner. The Inspection Team was informed by prison staff that they were aware of the issue and it would to be fixed once the quarantine period ended. The quarantine period was due to end on the second day of inspection the 7 April. It was unclear why the toilet malfunctioned however it has since been confirmed by prison management that the toilet was fixed on 7 April.

The Inspection Team remains concerned that prisoners in quarantine were denied access to a shower for between eight and 14 days. This contravenes Rule 19.4 of the European Prison Rules which provides that prisoners should have access to a shower daily, but at a minimum, twice a week. Prisoners subjected to quarantine, as a COVID-19 preventive measure, were held in solitary confinement, as they were confined for 23 hours or more each day and had significantly less than two hours of meaningful human contact each day (see Section 5.3).

The Office of the Inspector of Prisons shares the well-documented position that solitary confinement causes psychological harm to people in prison,³³ regardless of the reason for its imposition. As such, **solitary confinement should not be used as a means to prevent transmission of COVID-19 in prisons**; safer alternatives exist, such as community-based alternatives to custody and expansion and further application of early release criteria.³⁴

The Inspection Team was informed by senior management that one of the noticeable benefits of quarantine for new committals is that it affords a period of “bedding in” for prisoners; this was a period prior to joining the general prison population. It was reported by senior management that prisoners have benefitted in the following ways:

³³ D. Cloud, et al, “Medical Isolation and Solitary Confinement: Balancing Health and Humanity in US Jails and Prisons During COVID-19” (2020) 35 *Journal of General Internal Medicine*, 2738-2742.

S. A., Kinner, et al, “Prisons and Custodial Settings are Part of a Comprehensive Response to COVID-19” (2020) 5 *Lancet Public Health*, e188-189.

³⁴ CPT Statement of Principles (n 7) Principle 5.

- Reduction in prisoners smuggling narcotics into prison for personal use.
- Reduction in prisoners being forced or pressurised to smuggle in narcotics for others.
- A period to reflect on the reality of being in prison, which particularly benefits first time committals.
- An opportunity to come down from the effects of narcotic consumption prior to admission to Limerick Prison, which could benefit the prisoner and have a meaningful impact on a prisoner's decision making process prior to moving to the general population.

4.3.4 Recommendations

Recommendation 13: In line with the European Prison Rules Rule 19.4 and the CPT “Minimum Decency Threshold,” prisoners in quarantine/ isolation must be permitted to shower, if not daily, at least two times in a seven day period.

OIP Comment: This recommendation was partly accepted by the Prison Service in both the Mountjoy Prison and Cloverhill Prison inspection reports. The IPS explained that because “cells are not equipped with showers and, due to current Infection control restrictions, showering while in quarantine is not feasible due to the high risk it poses to prisoners and staff. The cells do however facilitate in cell sanitation. All prisoners confined to their cell for the purpose of quarantine have access to hot water and soap to maintain adequate hygiene. This is in line with the European Committee for the Prevention of Torture (CPT), Statement of Principles relating to the treatment of persons deprived of their liberty in the context of the Coronavirus disease.” However, the CPT Decency Threshold for Prisons, a document dated May 2021, provides that the minimum decency threshold for showers is on a daily basis, but at least twice a week (if possible). The Inspectorate is of the view that it is possible for the prison to facilitate showering by way of contract cleaning (as noted in the Mountjoy Prison report Section 3.2.2), but recognises that this would have cost implications.

Recommendation 14: Prisoners in quarantine/isolation must be provided with a daily change of clothing.

OIP Comment: This recommendation was partly accepted by the Prison Service in both the Mountjoy Prison and Cloverhill Prison inspection reports. The IPS previously explained that it is not possible to provide laundered clothing to prisoners on a daily basis, however additional funding will be provided to facilitate provision of additional clothing to prisoners in Cloverhill Prison.

Recommendation 15: Two hours of meaningful human contact (as defined in section 5.3) must be facilitated each day for people in quarantine/isolation.

OIP Comment: The Inspectorate has recommended in both the Mountjoy Prison and Cloverhill Prison COVID-19 Thematic Inspection reports that prisoners in quarantine/isolation be provided with two hours of meaningful human contact each day. On both occasions the recommendation was not been accepted by the Irish Prison Service, with the justification being that restrictions on contact are a critical infection control measure. The Inspectorate is of the view that meaningful human contact can be facilitated without comprising the need to restrict in-person contact. Meaningful human contact can be provided by way of lifting limits on telephone calls and by providing people in quarantine/isolation with tablets to access video calls, education and services. Restrictions on meaningful human contact, and in some cases as a result, imposed solitary confinement as a measure to prevent transmission of COVID-19, is not acceptable.

Recommendation 16: Prisoners in quarantine/isolation must have at least one hour in the open air each day.

OIP Comment: The Inspectorate has recommended in both the Mountjoy Prison and Cloverhill Prison COVID-19 Thematic Inspection reports that prisons in quarantine/isolation be provided with access to at least one hour in the open air each day. This recommendation has been accepted by the Irish Prison Service on both occasions and is being monitored by the Inspectorate.

Recommendation 17: Measures must be taken to mitigate the detrimental effects of isolation or quarantine, including psychological support during and after quarantine/isolation in order to assist prisoners in coping with the impact of COVID-19 and subsequently imposed restrictive measures.³⁵

OIP Comment: The Inspectorate has recommended in both the Mountjoy Prison and Cloverhill Prison COVID-19 Thematic Inspection reports that measures be taken to mitigate the effects of isolation on prisoners. This recommendation has been accepted by the Prison Service on both occasions, with the IPS indicating a roll-out of a COVID outbreak specific mental health protocol by mid-May 2021. The Inspectorate welcomes this initiative.

4.4 Other Issues

Transgender Women in E-Wing

With relation to gender identity and sexual orientation in prisons, the Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity (Yogyakarta Principles), Principle 9 - The Right to Treatment with Humanity while in Detention, requires: (i) that states ensure that placement in prison avoids further marginalisation of persons on the basis of sexual orientation or gender identity or subjecting them to risk of violence, ill-treatment or physical, mental or sexual abuse; (ii) that prisoners be provided with adequate access to medical care and counselling services, with particular recognition of the particular needs of persons on the basis of their sexual orientation or gender identity; (iii) that prisoners be allowed to participate in decisions regarding their accommodation in prison, with respect to their sexual orientation and identity; that protective measures be put in place to protect all prisoners who may be vulnerable to violence or abuse on the basis of their sexual orientation, gender identity or gender expression, and to ensure that these protective measures involve no greater restriction of their rights than is experienced by the general prison population; and (iv) that prison personnel be required to undertake training and awareness-raising programmes regarding international human rights standards and principles of equality and non-discrimination, including in relation to sexual orientation and gender identity.

The Inspectorate was concerned regarding a situation on E1 landing in which two transgender women live an extremely isolated existence separated from the general population on E Wing. Both women were subject to Rule 63 of the Irish Prison Rules 2007 and subsequently locked in their cells for up to 23 hours per day; in instances where this occurs for periods of more than 16 days, this is *prolonged solitary confinement*, as defined in Rule 44 of the Mandela Rules.

As noted above (Section 4.3.), solitary confinement causes psychological harm to people in prison. Both women informed the Inspection Team that their experience in isolation had adversely impacted on their mental health. One of the women informed the Inspection Team that she has limited access to the Listener's Programme which she described as "beneficial but infrequent." Due to the current construction works, prisoners on E-wing no longer have access to their own yard. One of the women explained she does not go outside to the yard as she is uncomfortable and alone. She also described her isolation as "mental torture." A typical day was described by one of the women as constituting the

³⁵ SPT. Advice of the Subcommittee to States Parties and National Preventive Mechanisms relating to the Coronavirus Disease (COVID-19) Pandemic (April 2020) <https://undocs.org/CAT/OP/10>, 10(g).

following: “I come out, get food, make a call, that’s it, nothing. I’m locked up after one hour and that’s it.” She further described the regime as “this is hell, and worse than hell actually. She explained that she felt as though the approach to imprisonment of transgender people in the prison was “out of sight, out of mind.”

The experience of imprisonment for the women concerned does not align with the general population experience; this does not comport with Yogyakarta Principle 9 which requires that protective measures involve no greater restriction of their rights than is experienced by the general prison population.

The Inspection Team was informed that the IPS does not have a policy in place that would assist management and staff in the provision of safe care to the women concerned.

Limerick Prison has endeavoured to provide education & training to the women, along with weekly psychology sessions. Management informed the Inspection Team that the provision of a safe environment for the women was labour intensive. The women raised concerns that when searches were being conducted a male officer was present in addition to a female officer. International best practice indicates that transgender prisoners should be given a choice regarding the gender of the person conducting a search. The search should be conducted by a person of the appropriate gender, with minimum interference.³⁶ The Inspection Team was informed of occasions where a small number of prison officers referred to the women as “he/him.” However, prison management informed the Inspection Team that once this was brought to the attention of management by the women the matter concerned was resolved. The Inspectorate shares the view of the CPT, which has recommended that “custodial staff should be reminded of their duty to respect the specific gender identity of transgender prisoners, in particular in terms of accommodation, clothing and by addressing them with their chosen name.”³⁷

The Yogyakarta Principles state that all prison personnel should undertake training and awareness-raising programmes in the area of human rights and sexual orientation and gender identity. The Inspection Team was informed in a follow-up call with the Governor that prison staff will receive further awareness training in relation to LGBT+ people, with the aims of the training being to enhance the knowledge & understanding of LGBT+ terminology, the issues that transgender people face and considerations for future interactions.

Recommendation 18: In line with the Yogyakarta Principle 9 on The Right to Treatment with Humanity while in Detention, the Inspectorate urges the Irish Prison Service to develop, in partnership with relevant civil society organisations, transgender people in prison and other relevant stakeholders, a national policy regarding the safe custody of transgender women and men.

Request for Information 2: The Inspectorate requests to be provided with the LGBT+ awareness training curriculum and materials, as well as with the attendance numbers (by prison) and information on how often this programme is delivered, updated and reviewed.

Hygiene and Grooming

Rule 18 of the UN Mandela Rules states that “prisoners shall be required to keep their persons clean, and to this end they shall be provided with water and with such toilet articles as are necessary for health and cleanliness. In order that prisoners may maintain a good appearance compatible with their self-respect, facilities shall be provided for the proper care of the hair and beard, and men shall be able to shave regularly.” In line with Rule 25 (3) of the Prison Rules, 2007, all prisoners should be provided,

³⁶ UNODC (2020) *Mapping of Good Practices for the Management of Transgender Prisoners*, p. vi.

³⁷ CPT Report to the Spanish Government (27 September to 10 October 2016) CPT/Info (2017) 34.

“free of charge, with such toilet articles that are necessary for the maintenance of health and cleanliness.”

Prisoners on D Wing reported frustration with the lack of shaving equipment available. The Inspection was informed by prisoners that one electric razor was shared between all the men on one of the landings. Prisoners stated the razor head was not changed or disinfected. One prisoner commented, “You can have a razor in Portlaoise, the highest security jail in the country but not here.” A prisoner on remand expressed concern that he could not groom himself prior to his court appearance and believed his appearance could negatively impact how he was perceived in court. The Inspection Team became aware of a prisoner with a specific health issue that required him to have access to a razor.

The Inspection Team was informed of a serious assault in the past which involved the use of a razor blade. However, this isolated event should not indefinitely impact on prisoners who were not involved with the incident.

Recommendation 19: In line with the Mandela Rules, Rule 18, the prison should take steps to ensure prisoners have daily access to shaving equipment that is hygienic and safe and supports prisoners in the maintenance of personal hygiene and appearance.

5 REHABILITATION & DEVELOPMENT

5.1 Regimes

The Irish Prison Service Prison Framework for Restrictive Measures (7 December 2020) outlines changes to the prison regime in accordance with the general community restriction levels defined under the National Framework for Living with COVID-19. Restrictive measures at each level of the IPS Framework impose varying degrees of change to the prison regime. As part of the COVID-19 Thematic Inspection of Limerick Prison, the Inspection Team focused on regime changes made in response to COVID-19 under Level 5 Restrictive Measures.

5.1.1 Compliance

The IPS Framework for Restrictive Measures, dated 7 December 2020,³⁸ outlines the following restrictions under Level 5 (not an inclusive list):

Table 4: Level 5 Restrictive Measures

	Level 5 Restrictions
Visits	Suspended
Education	Await NPHET/Government Advice
Work & Training	Open – Protective Measures
TR (for resocialisation, education/work purposes)	No AM/PM or Date to Date
Section 39 Applications	No – except for grave humanitarian reasons
Quadrants	Unlock by landing
Religious Services	Closed – services move online
Catering	** Operating – protective measures
IPS Clinical Services	* Yes
External Clinical Services	Yes on a case by case basis based on clinical need
Restoration of Services***	Yes – all clinical (including MQI and Red Cross), Statutory, Resettlement & Education
<p>* IPS Clinical Services: Dental emergencies only in levels 3-5</p> <p>** No Kraft Boxes to be supplied as we have developed an SOP to disinfect dishes</p> <p>*** As agreed by EPRT sub-group and Governor representatives</p> <p>NB - In the event of a Covid-19 outbreak at prison level, all of the above measures will be reviewed for the prison(s) concerned.</p>	

³⁸ The OIP was informed by IPS Headquarters on 12 March 2021 that Version 7 of the IPS Framework for Restrictive Measures was due for review on 19 March 2021. The Inspection Team was informed by the IPS that Version 8 would be provided once adopted.

In response to restrictive regimes imposed by prison services to prevent transmission of COVID-19, the CPT Statement of Principles indicate:

While it is legitimate and reasonable to suspend nonessential activities, the fundamental rights of detained persons during the pandemic must be fully respected. This includes in particular the right to maintain adequate personal hygiene (including access to hot water and soap) and the right of daily access to the open air (of at least one hour) (Principle 7).

Further to this, in its Follow-up Statement³⁹ the CPT noted:

Importantly, temporary restrictions imposed to contain the spread of the virus must be lifted as soon as they are no longer required. This relates, in particular, to limitations on arrangements for detained persons to contact the outside world and reductions in the range of activities available to them.

The IPS Framework for Restrictive Measures permits Governors to determine restoration of services, and aligns access to education with NPHE guidance for the general community.

5.1.2 Environment

In the course of inspection, the Inspection Team was informed that many face-to-face interventions with prisoners had been severely hampered since the start of the pandemic. The Inspection Team was informed that out-of-cell time for protection prisoners on the D2 landing had remained largely unaffected by the restrictions on out-of-cell time as this restriction was in place prior to COVID-19. However, as a result of COVID-19 preventive measures implemented in the prison, non-protection landings were unlocked in smaller groups over shorter periods of time; this allowed for a rotation of access to the yard and gym. This has resulted in less out-of-cell time for prisoners across Limerick Prison. Tables 3 and 4 outline the general regime for both men and women at the time of inspection.

Table 3: Sample Regime - Men’s General Population, Limerick Prison

Time	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday
Breakfast; 8am-8.30am	Cell Landing Exercise Phone Gym Yard 1-2	Cell Landing Exercise Phone Gym Yard 1-2	Cell Landing Exercise Phone Gym Yard 1-2 Tuckshop	Cell Landing Exercise Phone Gym Yard 1-2	Cell Landing Exercise Phone Gym Yard 1-2	Cell Landing Exercise Phone Gym Yard 1-2 Tuckshop (Small order)	Cell Landing Exercise Phone Gym Yard 1-2
AM Dinner;12.10-12.30	Tuckshop (Tobacco only) Medication	Medication	Medication	Medication	Medication	Medication	Medication
PM Tea; 4.10pm-4.30	Cell Landing Exercise Phone Gym	Cell Landing Exercise Phone Gym	Cell Landing Exercise Phone Gym	Cell Landing Exercise Phone Gym	Cell Landing Exercise Phone Gym	Cell Landing Exercise Phone Gym	Cell Landing Exercise Phone Gym
Reserve	Cell Landing Exercise Phone Gym Medication	Cell Landing Exercise Phone Gym Medication	Cell Landing Exercise Phone Gym Medication	Cell Landing Exercise Phone Gym Medication	Cell Landing Exercise Phone Gym Medication	Cell Landing Exercise Phone Gym Medication	Cell Landing Exercise Phone Gym Medication

³⁹ CPT Follow-up Statement regarding the Situation of Persons Deprived of their Liberty in the Context of the Ongoing COVID-19 Pandemic CPT/Inf(2020) 21 (9 July 2020).

Table 4: Sample Regime Women's General Population, Limerick Prison

Time	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday
Breakfast; 8am-8.30am	08:00 Kitchen Workers, 09:15 General Unlock	08:00 Kitchen Workers 10:00 General Unlock	08:00 Kitchen Workers 09:15 General Unlock	08:00 Kitchen Workers 09:15 General Unlock	08:00 Kitchen Workers 09:15 General Unlock	08:00 Kitchen Workers 09:15 General Unlock	08:00 Kitchen Workers 09:15 General Unlock
AM Dinner;12.10-12.30	10:00, Gym, Workshops, Reception. Exercise Medication Laundry, Tuck Shop. Video Calls, Visits.	10:00, Gym, Reception, Exercise Medication Tuck Shop. Video Calls,	10:00, Governors Pde Gym, Tuck Shop, Workshops, Reception, School, Medication Video Calls, Visits.	10:00, Governors Pde Gym, Tuck Shop, Workshops, Reception, School, Medication Video Calls, Visits.	10:00, Governors Pde Laundry, Gym Workshops, Reception School Medication Video Calls, Visits.	10:00, Governors Pde Gym, Workshops, Reception School Medication Video Calls, Visits.	10:00, Governors Pde Gym, Workshops, Reception School Medication Video Calls, Visits.
PM Tea; 4.10pm-4.30	14:00 General Unlock , Laundry, Exercise/Rec Workshops Gym Video Calls, Visits.	14:00 General Unlock , Exercise/Rec Workshops Gym Video Calls,	14:00 General Unlock , Exercise/Rec Workshops Gym Video Calls, Visits. Counselling services,	14:00 General Unlock , Exercise/Rec Workshops Gym Video Calls, Counselling services,	14:00 General Unlock , Laundry, Exercise/Rec Workshops Gym Tuck Shop. Video Calls, Visits. Counselling services,	14:00 General Unlock , Exercise/Rec Workshops Gym Tuck Shop. Video Calls, Counselling services,	14:00 General Unlock , Exercise/Rec Workshops Gym Tuck Shop. Video Calls, Visits. Counselling services,
Reserve	17:15 General Unlock Exercise/Rec, Gym, Video Calls, Medication	17:15 General Unlock Exercise/Rec Gym Video Calls, Medication	17:15 General Unlock Exercise/Rec Gym Professional Visits Video Calls, Medication	17:15 General Unlock Exercise/Rec Gym Professional Visits Video Calls, Medication	17:15 General Unlock Exercise/Rec Gym Professional Visits Video Calls, Medication	17:15 General Unlock Exercise/Rec Gym Professional Visits Video Calls, Medication	17:15 General Unlock Exercise/Rec Gym Professional Visits Video Calls, Medication

Incentivised Regimes one year apart

The Incentivised Regime Scheme is set out to provide incentives designed to reinforce good behaviour and encourage engagement in structured activities. The policy is underpinned by principles of fairness, consistency, transparency and natural justice. The Incentivised Regimes Schemes for Limerick Prison were examined one year apart to determine any potential impact of COVID-19 on the scheme. The Inspection Team learned that the percentage of men on an Enhanced regime decreased slightly (24% in March 2020 and 23% in March 2021), whereas the number of women on the Enhanced regime increased slightly over the same time period (38% in March 2020 and 40% in March 2021). The below table illustrates the men and women prisoner privilege levels on 29 March 2021 and compares to the previous year, 30 March 2020.

Prisoner Privilege Levels One Year Apart between 2020 and 2021

Regime	Total	Enhanced		Standard		Basic	
		Count	%	Count	%	Count	%
30 March 2020 - Men	217	57	24	149	63	11	5
30 March 2020- Women	21	8	38	12	57	1	5
29 March 2021- Men	193	51	23	125	57	17	8
29 March 2021 - Women	25	10	40	14	56	1	4

5.1.3 Outcomes

Prisoners were restricted to their landings. This meant that prisoners could only engage with fellow prisoners and staff located on their landing. They could not interact with prisoners from other areas of the prison. One prisoner reported being “locked back” in his cell at 16:00 until the next morning, and stated that prior to the pandemic, the last access to the yard was at 17:30. Prisoners on D Wing also reported that as there was only one phone on the landing there wasn’t enough time for prisoners to make calls. Many of the men reported that they only accessed the gym once per week, compared to three times prior to COVID-19. Prisoners reported frustration with the additional restrictions, with one stating “it is like a jail within a jail.”

5.2 Access to Education

At the time of inspection face to face education was unavailable due to Level 5 restrictions. The Inspection Team looked at how access to education was being facilitated in the prison, and also learned of initiatives and ideas that have great capacity to improve access to education, irrespective of COVID-19 and restrictive measures.

5.2.1 Compliance

The Irish Prison Rules 2007-2020, Rules 27.2, 27.3 and 110 encompass the prison obligation to provide education programmes for prisoners. Education is recognised as an “authorised structured activity” with the objective of reducing the likelihood of reoffending (Rule 27.2). Rule 27.3 mandates that “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 five days in each week.” Rule 110 includes the following: that education programmes should meet the needs of prisoners, be designed to encourage participation, and that special attention should be given to prisoners with literacy and numeracy needs.

The Mandela Rules (Rule 104) state that education of young and illiterate prisoners should be compulsory and that, “so far as practicable” the education of prisoners shall be integrated with the educational system of the country so that after their release prisoners may continue their education without difficulty. In addition, the European Prison Rules (Rule 28.1) state that every prison shall seek to provide all prisoners with access to educational programmes that are “as comprehensive as possible and which meet their individual needs while taking into account their aspirations.” Much like the Irish Prison Rules (Rule 110), the European Prison Rules state that persons with literacy and numeracy needs should be prioritised (Rule 28.2). These Rules also echo the Mandela Rules by stating that education and vocational programmes should be integrated with the country’s general system so that prisoners can continue their education and training after release without difficulty (Rule 28.7).

In regards to library access, the Irish Prison Rules require the establishment of a library in each prison (Rule 110.6), to which prisoners should be entitled to avail of at least once a week (Rule 110.7). The Mandela Rules (Rule 64) state “Every prison shall have a library for the use of all categories of prisoners, adequately stocked with both recreational and instructional books, and prisoners shall be encouraged to make full use of it.” Rule 28 of the European Prison Rules aligns with these provisions by recommending that “every institution shall have a library for the use of all prisoners, adequately stocked with a wide range of both recreational and educational resources, books and other media.” The European Prison Rules also include a provision that, wherever possible, the prison library should be organised in co-operation with community library services (Rule 28.6).

5.2.2 Environment

Teachers in prisons have continued to provide educational services to students in custody so that both accredited and non-accredited learning has been facilitated during the COVID-19 pandemic. New initiatives have been developed to bring education into the cell, such as education modules using an in-cell TV channel, and other resources such as quizzes and mindfulness books. No prisoners were studying for the Leaving Certificate at the time of inspection. However, several were studying for the Junior Certificate.

5.2.3 Outcomes

The Inspection Team encountered many prisoners who praised Limerick Prison for the level of education available. In particular, some long-term sentenced prisoners highlighted the noticeable improvement in recent years. The Inspection Team commends teacher efforts to provide materials and to prepare blended courses over the duration of COVID-19. The Limerick Mental Health Association provides the Wellness Recovery Action Plan “WRAP” training, which was highly regarded by prisoners.

The Inspection Team encourages the Prison Service to consider the positive implications of acquiring digital technology for use by prisoners, which would enable access to education, as well as provide for more meaningful interactions with other services. Digital literacy is an important skill for future employment prospects and to reduce re-offending. If digital tablets were to be introduced to deliver education, the teachers may reach previously unreachable prisoners, such as prisoners in quarantine, isolation or those who are on protection from others. The cost implications of purchasing digital tablets may be offset by the repeated high costs of printing information booklets.

At the time of inspection the library was closed with a small selection of books available for prisoners at remote locations. The Inspection Team encountered a number of prisoners who informed the Inspection Team that they enjoyed the library and welcomed books being available. However, they expressed frustration at the lack of choice and claimed the books available were limited in choice and rarely updated.

5.2.4 Recommendations

Recommendation 20: To meet the education needs of prisoners (European Prison Rule 28.1), which include facilitating more substantive engagement with education (and other services), the Irish Prison Service should make digital tablets available for prisoner use. These digital tablets could be pre-loaded with education materials.

OIP Comment: The Inspectorate has recommended in both the Mountjoy Prison and Cloverhill Prison COVID-19 Thematic Inspection reports that digital tablets be made available for prisoner use. The IPS has indicated their response to this recommendation is under review and that the Service is “developing an in-cell learning strategy to enhance learning from prison cells.” The Inspectorate welcomes this, and will continue to monitor and assess this initiative.

Recommendation 21: Given the increased time that people are now required to remain in their cells, there is additional need to ensure people are able to avail of library services. The Irish Prison Service and Prison Library should update and rotate books throughout the prison to keep prisoners engaged with reading/library services.

OIP Comment: The Inspectorate has recommended in both the Mountjoy Prison and Cloverhill Prison COVID-19 Thematic Inspection reports that prison libraries be made available to prisoners. This recommendation has been accepted by the Irish Prison Service on both occasions and is being monitored by the Inspectorate.

5.3 Access to Exercise/Interactions

Restrictions on meaningful human interaction and exercise were an action taken by the IPS to prevent transmission of COVID-19 in Irish prisons. While recognising the importance of these restrictions, the Inspection Team focused on the impact of these measures on the people in Limerick Prison. As noted in Section 4.3, prisoners in quarantine, and especially those in isolation in Limerick Prison experienced significant restrictions as regards exercise and human interaction. However, the general prison population in Limerick Prison have also experienced a reduction in their access to exercise and interactions.

5.3.1 Compliance

Rule 32 of the Irish Prison Rules mandate that all prisoners are entitled to not less than one hour of exercise in the open air each day, weather permitting. In addition to this, the Rule states “in so far as is practicable,” all prisoners must be permitted access to the use of indoor space and equipment for physical recreation, exercise or training.” The 2020 Amendment to the Irish Prison Rules 2007-2017, Rule 32A provides an amendment to Rule 32, which permits the Director General (32A(1)) or the Governor (32A(2)) “to suspend the entitlement to physical recreation, exercise or training under Rule 32, or to restrict or modify the entitlement to physical recreation, exercise or training under Rule 32, as regards frequency, duration and arrangements, for a specified period or periods.” The lack of a sunset clause for the newly added Rule 32A is of concern.

Although the Irish Prison Rules now allow for a restriction on exercise and physical recreation, international standards require that these restrictions to be necessary, proportionate, respectful of human dignity and restricted in time. Further, international prison oversight bodies, such as the CPT, have determined that outdoor exercise facilities “should be reasonably spacious and whenever possible offer shelter from inclement weather.”⁴⁰

With regard to meaningful human interactions, the Irish Prison Rules, Rule 27, provides that “subject to any restrictions imposed under and in accordance with Part 3 of the Prisons Act 2007 and Part 4 of these Rules, each prisoner shall be allowed to spend at least two hours out of his or her cell with an opportunity during that time for meaningful human contact. “Meaningful human contact” is defined in Rule 27.4 as “an interaction between a prisoner and another person of sufficient proximity so as to allow both to communicate by way of conversation.”

Despite restrictive measures imposed to prevent COVID-19 transmission, the standard on access to meaningful human contact remains, with the CPT stating in its March 2020 Statement of Principles: “on cases of isolation or placement in quarantine of a detained person who is infected or is suspected of being infected by the SARS-CoV-2 virus, the person concerned should be provided with meaningful human contact every day” (CPT Principle 8). For prisoners separated from the general population of the prison, on any grounds, a denial of two hours of meaningful human contact each day is solitary confinement.

While the Irish Prison Rules 2007-2020 provide a definition of “meaningful human contact”, the University of Essex and Penal Reform International’s *Initial Guidance on the Interpretation and Implementation of the UN Nelson Mandela Rules*⁴¹ provides further substance to this principle as it is:

- provided by prison or external staff, individual prisoners, family, friends or others – or by a combination of these;

⁴⁰ CPT Standards, Revised 2010, <https://www.refworld.org/pdfid/4d7882092.pdf>, 16.

⁴¹ Essex Paper 3 Initial Guidance on the Interpretation and Implementation of the UN Nelson Mandela Rules (2017) <https://rm.coe.int/16806f6f50>.

- human contact that is face to face and direct (without physical barriers) and more than fleeting or incidental, enabling empathetic interpersonal communication;
- contact that must not be limited to those interactions determined by prison routines, the course of (criminal) investigations or medical necessity; and
- direct rather than mediated and continuous rather than abrupt contact, that is an empathetic, sustained and social interaction.

The *Guidance* also states that it does not constitute 'meaningful human contact' if prison staff deliver a food tray, mail or medication to the cell door, and it also does not include situations where prisoners are able to shout at each other through cell walls or vents.

5.3.2 Environment

Due to on-site construction, prisoners accommodated in the E Wing were temporarily sharing a yard with prisoners on the men's A Wing. Gym access was restricted and accommodated a maximum of eight prisoners at one time. Prior to implementation of COVID-19 restrictions the gym would have accommodated up to 20 people. Prisoners were required to clean the gym equipment before, during and after equipment use. The gym was deep cleaned three times per week by prisoners. Prisoners on protection were able to avail of exercise equipment including "Stepper" machine, a lat pulldown machine and a cardio spin bicycle in the wings in which they were accommodated.

5.3.3 Outcomes

The majority of Prisoners reported they enjoyed using the gym and would like more access to it. The Inspection Team also encountered prisoners who had made make-shift weights from plastic water bottles. Inspectors walked the yards and spoke to prisoners, many of whom described being "bored"; the Team observed prisoner sitting on the ground in the yard and walking in circles.

The Inspection Team encountered a small number of prisoners on the D landing who complained that they were not being afforded two hours of yard time. One prisoner claimed the two hour time was curtailed to one hour forty five minutes; this report conflicted with other prisoners' accounts.

It is of concern to the Inspectorate that a number of women prisoners reported being uncomfortable entering the A Wing yard as it was overlooked by the cells of male prisoners. This should be considered within the context of guidance in the Revised European Prison Rules (Rule 34.2) which states: "the authorities shall pay particular attention to the requirements of women, such as their physical, vocational, social and psychological needs, as well as caregiving responsibilities, when making decisions that affect any aspect of their detention." Further, the CPT has recommended that prisons "offer all women prisoners at least two hours of outdoor exercise a day under decent conditions, where they can associate out of hearing and out of sight of male prisoners."⁴²

The Inspection Team also inspected the toilet facilities in the A yard which consisted of one urinal. The urinal is not flushing correctly and in a dirty condition. It should be noted that women prisoners had no toilet facilities in the A yard.

5.3.4 Recommendation

Recommendation 22: In line with Rule 34.2 of the European Prison Rules and CPT Standards on women in prison, the Inspectorate recommends that the prison determine a strategy for women to avail of fresh air and exercise under decent conditions, where they can associate out of hearing and sight of men in prison.

⁴² CPT Report to the Romanian Government (7 to 19 February 2018) CPT/Inf (2019) 7.

Request for Information 3: The Inspectorate requests to be provided with information on the direction given to Limerick Prison by the Irish Prison Service to implement S.I. 250 - Prison (Amendment) Rules 2020 - Rule 32A of the Irish Prison Rules.

6 RESETTLEMENT

6.1 Release

As part of the COVID-19 Thematic Inspection of Cloverhill Prison, the Inspection Team examined the impact of COVID-19 restrictive measures on programmes designed to prepare people for release from prison.

6.1.1 Compliance

The Irish Prison Service has committed itself to the management of custodial sentences in a way that “encourages and supports prisoners to live law abiding and purposeful lives as valued members of society.” To enable and operationalise this, the Irish Prison Service 2019-2022 Strategic Plan determines to “further develop the integration of prisoner care and support services to deliver more effective rehabilitation to prisoners.”⁴³ Alongside this, the IPS and the Probation Service have developed a multi-agency strategy to manage and rehabilitate “offenders” from pre- to post-imprisonment. This strategy involves Integrated Sentence Management (ISM); Community Return; Probation Service case management and post-release supervision; and engagement with the Irish Association for the Social Integration of Offenders (IASIO) Resettlement Service.

The stated aim of this multi-pronged strategic approach is to ensure “that all releases from Irish prisons and places of detention are planned releases to ensure the informed and effective transition of the offender from prison to the community, in compliance with statutory, legal and sentencing provisions”.⁴⁴

The Irish Prison Rules include provisions which place responsibility on the Governor to “assist and encourage prisoners in (...) preparing for reintegration into society after release” (Rule 75(1)(ii)(d), and on the Prison Officer “to contribute to the rehabilitation and reintegration into the community (...) of prisoners” (Rule 85(3)(c)(iv). However, neither the Irish Prison Rules 2007-2020 nor the Prison Act 2007 place an obligation on the Prison Service to prepare people in prison for a planned and gradual return to life in society. An Inter-Agency Group was established to implement key recommendations made by the Penal Policy Review Group to support the rehabilitation of offenders and crime prevention.⁴⁵ However the Group’s last published report was for 2018. Despite this absence in the national legislation, international human rights standards place great emphasis on this.

The Mandela Rules (Rule 87) state:

Before the completion of the sentence, it is desirable that the necessary steps be taken to ensure for the prisoner a gradual return to life in society. This aim may be achieved, depending on the case, by a pre-release regime organized in the same prison or in another appropriate institution, or by release on trial under some kind of supervision which must not be entrusted to the police but should be combined with effective social aid.

Further to this, the 2020 European Prison Rules 33, 103 and 107 recommend, amongst numerous other related provisions, the following:

⁴³ IPS, “Irish Prison Service Strategic Plan 2019-2022” https://www.irishprisons.ie/wp-content/uploads/documents_pdf/Irish-Prison-Services-Strategy-2019-2022.pdf.

⁴⁴ IPS, “Resettlement and Reintegration” <https://www.irishprisons.ie/prisoner-services/reintegration/>.

⁴⁵ Annual Report of the Interagency Group for a Fairer and Safer Ireland, http://www.justice.ie/en/JELR/Annual_Report_of_the_Interagency_Group_for_a_Fairer_and_Safer_Ireland_2018.pdf/Files/Annual_Report_of_the_Interagency_Group_for_a_Fairer_and_Safer_Ireland_2018.pdf

- All prisoners shall have the benefit of arrangements designed to assist them in returning to free society after release (Rule 33.3);
- As soon as possible after such admission, reports shall be drawn up for sentenced prisoners about their personal situations, the proposed sentence plans for each of them and the strategy for preparation for their release (Rule 103.2);
- Sentenced prisoners shall be encouraged to participate in drawing up their individual sentence plans (Rule 103.3);
- Such plans shall as far as is practicable include: (a) work; (b) education; (c) other activities; and (d) preparation for release (Rule 103.4);
- Sentenced prisoners shall be assisted in good time prior to release by procedures and special programmes enabling them to make the transition from life in prison to a law-abiding life in the community (Rule 107.1);
- Prison authorities shall work closely with services and agencies that supervise and assist released prisoners to enable all sentenced prisoners to re-establish themselves in the community, in particular with regard to family life and employment (Rule 107.4); and
- Representatives of such social services or agencies shall be afforded all necessary access to the prison and to prisoners to allow them to assist with preparations for release and the planning of after-care programmes (Rule 107.5).

6.1.2 Environment

The ISM (Integrated Sentence Management) is a system developed to ensure co-ordination of interactions with prisoners based on agreed sentence plans. The system is designed to allow prisoners to take greater responsibility for their development while in prison. If a prisoner has received a sentence of one year or more they are eligible to be assessed by an ISM officer. The intention of the ISM system is that a plan for the prisoner is created and regularly reviewed. The ISM officer should meet with a prisoner approximately one year prior to release to establish a plan for re-integration.

The Inspection Team were informed that 57 prisoners accommodated in Limerick Prison were employed in the local community as part of employment schemes and agreements with Limerick Prison. Due to COVID-19 restrictions, prisoners who previously would have had an opportunity to engage in day release programmes no longer had this opportunity. Unfortunately this has resulted in prisoners spending more time in custody.

The Inspection team was informed of the positive work of The Bedford Row Family Project, which provides family support and focuses on the importance of maintaining family contact. Recently, a family social worker was assigned to work with the women on E Wing. Senior management informed the Inspection Team that this work is of huge benefit and assists families, prisoners and former prisoners, and to cut down on repeat offending by offering alternatives to a life of crime.

Management at Limerick Prison informed the Inspection Team that once prisoners are in the last twelve months of their sentence, resettlement services approach the individual and begin to create a plan for their release. This plan includes accommodation and access to services from the Department of Social Protection.

6.1.3 Outcomes

The Inspection Team engaged with a number of prisoners nearing the end of their prison sentence. The Inspection Team noted that only a minority of prisoners were critical of the Integrated Sentence Management (ISM). A small number of prisoners informed the Inspection Team that despite being in

the last twelve months of their sentence they had no knowledge of ISM, nor did they have any plan for their release.

It should be noted that men serving a life sentence have the opportunity to enter an open prison as they near the end of their sentence, which is contingent on their level of engagement while in a closed prison. At the time of inspection there was no such open prison facility or opportunity for women prisoners with life sentences.

The majority of prisoners reported feeling prepared for release. One prisoner reported that he had repeatedly returned to prison throughout his life, but felt prepared as he had a plan in place for his release. The prisoner credited the prison and his own engagement with programmes for his success: "I engaged that was the difference this time, I never did before. Before, I was released, and straight onto drugs, like I can't do that again. I work hard." One woman reported a similar experience; she was within the last twelve months of her prison sentence and had a clear plan for her release.

6.1.4 Recommendation

Recommendation 23: In line with the Mandela Rules and the European Prison Rules, the Irish Prison Service should strengthen, operationalise and broadly apply the Integrated Sentence Management process so that **all** prisoners are actively engaged and contributing to their sentence and re-integration plan.

OIP Comment: This recommendation was accepted by the IPS in the Mountjoy Prison COVID-19 Thematic Inspection Report, and also accepted in the Cloverhill Prison COVID-19 Thematic Inspection Report.

7 RECOMMENDATIONS & IPS ACTION PLAN

No.	Recommendation	IPS Response	Action Required	Action Owner	Timeline
LMCT1 <i>IPS/Prison</i>	In line with Rule 54 of the Nelson Mandela Rules, the Irish Prison Service should ensure that written and oral information is provided to prisoners upon entering quarantine and on an ongoing basis over the course of quarantine. This information should be designed to assist prisoners in adapting to quarantine, and should clearly outline what they can expect while in quarantine. The information should be provided in a language and form that can be understood by the prisoner; this may require the assistance of interpreters. Prisoners should be provided with ongoing opportunities to raise questions and to be informed of all matters necessary to adapt to quarantine and prison life in general.	Accepted: The Irish Prison Service provides a comprehensive Prisoner Information Book to all new committals to prison. The Book is printed in several languages and gives basic information about regimes and services within prisons. A bespoke booklet titled "Covid-19 – Living in Cell" was developed by the Red Cross Volunteers to provide detailed information to prisoners on isolation/quarantine and gives specific information on the Covid-19 testing process. This information booklet has been translated into several languages. Information is also included on prisoner information channel and is updated as required.	The Irish Prison Service will continue to provide translations of information provided. All Governors provide an oral briefing to new committals.	Care and Rehabilitation Prison Management Team	In place and will be reviewed and augmented on an ongoing basis. Effective immediately
LMCT2 <i>Prison</i>	In order to ensure effective information provision to all prisoners, in line with Section 42 of the Irish Human Rights and Equality Commission Act, the Inspectorate urges Limerick Prison to promptly introduce information dissemination by way of TV channel. The information provided on the channel should be in a language and form that can be understood by prisoners, and may require complementary modes of information dissemination	Accepted: Limerick Prison currently has a prisoner information TV Channel. All pertinent information is included and is updated regularly. Including information on Work Training, Education, Prisoner information, Covid-19, Medical facilities and Services available etc.	Continue to update as required	Prison Management Team	In place and Ongoing
LMCT3 <i>IPS</i>	The Irish Prison Service should provide prisoners with a written copy of the Framework for Living with COVID-19. Prisoners' should be consulted, and updated on future plans related to COVID-19 restrictions including, family visits, regimes, and sentence progression as COVID-19 restrictions unfold	Part Accepted: Prisoners updated regularly on the Framework for Living with COVID-19. The prisoners Red Cross created an information booklet, arrange regular information leaflet cell drops and Prisoner TV channel is also updated as the Covid-19 situation evolves.	Continue to update as required	Prison Management Team	In place and Ongoing
LMCT4 <i>IPS</i>	In line with the Nelson Mandela Rules, (Rule 22.1) and European Prison Rules, (Rule 22.4), the Inspectorate recommends that the scheduling around meal times be amended to	Accepted: In 2019, the Irish Prison Service introduced a pilot alteration to the schedule of meal times in Castlerea and Mountjoy Prison (Progression Unit). The purpose was to examine the impact of providing the main daily meal in the evening. The results of the	The Irish Prison Service will continue to engage with the staff representative	Care and Rehabilitation	Ongoing

	<p>ensure meals are served at reasonable intervals and at times reflected in the community: breakfast (morning), lunch (midday) and dinner (evening).</p>	<p>pilot were positive and the IPS decided, in 2019, to roll out this meal schedule to all prisons.</p> <p>However, the roll out of this initiative has been prevented due to industrial relations issues.</p> <p>The current prison day is structured in prisons to take account of the need to open cells on a landing basis due to Level 5 restriction.</p> <p>Prisoners are released from cells to collect meals at the servery on a rotational/landing basis to prevent the mixing of larger group of people.</p> <p>Limerick Prison is operating at divisional unlock, however when restrictions are further lifted the meal time schedule will be even less impacted by any restrictions (i.e. number of prisoners at the servery at once).</p>	<p>association with regard to the alteration of the existing prisoner meal schedule</p> <p>The Irish Prison Service is currently reintroducing divisional unlock across all prisons as part of the unwinding of restrictions.</p>	<p>Prison management</p>	<p>End June 2021</p>
<p>LMCT5 <i>IPS</i></p>	<p>Video link court access cannot be a long-term substitute for a prisoner's right to attend court. In line with Article 6 of the European Convention on Human Rights, all measures must be taken to ensure that a prisoner can effectively participate in remote court hearings.</p>	<p>Part Accepted:</p> <p>The <i>Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020</i> allows for certain type of court hearings to be heard by video link. This includes arraignments, returns for trial, sentencing hearings and certain hearings in relation to surrender proceedings for extradition.</p> <p>While video link is not the default, the Act gives this authority to the Courts allowing them to make certain proceeding of their choosing by default. This authority is vested firstly in the Presidents of the Courts and subsequently in the Judges themselves.</p> <p>The Irish Prison Service and the Courts Service are working to increase the capacity of video link.</p> <p>Infection control measures introduced during Covid-19 have resulted in the widespread use of video link for Court appearances. Approximately 60% of Court appearances are now taking place via video link.</p> <p>The use of video link will allow the Service to redirect vital resources into the provision of prisoner services.</p>	<p>The Irish Prison Service will continue to engage with Court Services as necessary.</p> <p>The Irish Prison Service will continue to explore the use of video link for the provision of other services such as Probation interviews, prisoner case conferences, education and remote learning.</p>	<p>Operations</p>	<p>Reviewed on an ongoing basis</p>
<p>LMCT6 <i>Prison</i></p>	<p>In line with the CPT standards on living space (2015), the Inspectorate recommends that the prison address the poor condition of cells on D wing. Cells should be examined and appropriate action taken to ensure basic living conditions are provided.</p>	<p>Part Accepted:</p> <p>Every effort is made by prison management to ensure a good standard of accommodation is provided for all prisoners. However, the standard of these conditions can be difficult to maintain where Prisoners engage in destructive behaviour.</p> <p>When damage is caused prison management ensure that repairs are carried out in a timely manner.</p>	<p>Prison management Team will continue to review and have essential maintenance works carry out as required to maintain the improved standards.</p>	<p>Prison Management Team / Trades Officers</p>	<p>Reviewed on an ongoing basis</p>

		In 2020, €219,304.00 was spent on painting, new lights, new beds and windows on D Wing. Repainting of the wing has commenced.			
LMCT7 <i>IPS/Prison</i>	In line with the UN Bangkok Rules (Rule 5) and the Irish Prison Service's commitment to providing free period products, the Inspectorate recommends that both sanitary towels and tampons be provided without charge to all prisoners who may require them, and that this be done in a way that reduces stigma and embarrassment.	Accepted: This is already in place. These products are readily available through reception on request or through any member of staff as required.	Continue current practice. Improve prisoner awareness of sanitary products available	Prison Management Team	In place and Ongoing
LMCT8 <i>IPS/Prison</i>	The Mental Health Team composition should be augmented with provision of additional community psychiatric nursing as a minimum.	Accepted: Community Psychiatric Nurses are part of the In-Reach Mental Health Services provided to the IPS by the National Forensic Mental Health Service. Decisions regarding staffing levels are made by the NFMHS in consultation with IPS. In addition, the IPS is currently finalising a comprehensive Health Needs Assessment across the prison estate. This is considering the health needs of prisoners, including mental health and how best to meet these needs by providing responsive mental health and primary care services. The IPS is also supporting the Mental Health Task Force on Mental Health which is inter alia, reviewing the mental health requirements across prisons. This Task Force involves the IPS and the Departments of Justice and Health as well as the HSE who provide the national forensic mental health service to prisons.	In progress	Care & Rehabilitation	End Q2 for Health Needs Assessment Q4 Mental Health Task Force
LMCT9 <i>IPS/Prison</i>	In line with practice in the general community, and with the Principle of Equivalence, the IPS should ensure that people in prison are provided with written information about their test results.	Not accepted: The Irish Prison Service has worked closely with the HSE/Public Health on the management of Covid-19 outbreaks in prisons. The completion of mass testing of all prisoners and staff is a huge logistical operation and this is completed twice per outbreak. People in the community are provided with test results via text message, which is not available to people in custody. The implementation of this recommendation would require the manual provision of individualised letters which is not currently feasible from IT and resource perspective.			
LMCT10 <i>IPS/Prison</i>	Prisoners should have access to family video link calls post COVID-19. Video calls should remain as an addition following the return of in person visits. Supports should be available for families of prisoners to maintain contact digitally.	Accepted: The Irish Prison Service is currently developing a new <i>Framework for the Unwinding of Prison Restrictions</i> which is informed by the recent Government Plan for reopening our society, set out in <i>Resilience and Recovery: The Path Ahead</i> .			Completed

		<p>The new Framework for Unwinding Prison Restrictions, will include information on the return of physical visits.</p> <p>The introduction of video visits has proven very successful and the Irish Prison Service intends to continue the use of video visits as a means of family contact going forward.</p>			
<p>LMCT11 <i>Prison</i></p>	<p>In line with Article 8 of the European Convention on Human Rights and Rule 58 (1) (a) of the UN Mandela Rules, the Inspectorate recommends that all postal communications are collected and delivered to prisoners in a timely manner by prioritising the censor's office and transport to collect the post in the daily Regime Management Plan.</p>	<p>Accepted: The Prison Management team is aware of the importance of postal communications (particularly given the restrictions during a pandemic) and will endeavour to facilitate staff deployment to the censors office as much as is reasonably practicable considering any security concerns that may arise on any given day.</p>	<p>Prison management will continue to monitor this process.</p> <p>In addition, the Irish Prison Service is piloting the use of e-Correspondence for prisoner communications in Mountjoy Prison and Midlands Prison. If successful, consideration will be given to rolling out fully to other locations across the estate, which will allow for a more timely distribution of correspondence.</p>	<p>Prison management</p> <p>ICT</p>	<p>Ongoing</p> <p>End Q4 2021</p>
<p>LMCT12 <i>Prison</i></p>	<p>In line with Rule 26 of the UN Bangkok Rules, the Inspectorate recommends the prison develop a way to afford greater privacy to women when contacting their children and family members on the phone.</p>	<p>Accepted: There is currently a family room available for physical visits when they resume, and Video Phones are available in private areas that are readily available to facilitate these calls.</p> <p>The new womens' accommodation which is currently under construction will contain telephones in each cell.</p>	<p>Summer 2022</p>		
<p>LMCT13 <i>IPS/Prison</i></p>	<p>In line with the European Prison Rules Rule 19.4 and the CPT "Minimum Decency Threshold," prisoners in quarantine/ isolation must be permitted to shower, if not daily, at least two times in a seven day period.</p>	<p>Part Accepted: Limerick Prison's isolation/quarantine cells are not equipped with showers and, due to current Infection control restrictions, showering while in quarantine is not feasible due to the high risk it poses to prisoners and staff. The cells do however facilitate in cell sanitation.</p> <p>All prisoners confined to their cell for the purpose of quarantine have access to hot water and soap to maintain adequate hygiene.</p> <p>This is in line with the <i>European Committee for the Prevention of Torture (CPT), Statement of Principles relating to the</i></p>	<p>The provision of showers during the quarantine period is under active consideration in light of reducing levels of community transmission.</p>	<p>Care and Rehabilitation; Human Resources</p>	<p>Ongoing</p>

		<p><i>treatment of persons deprived of their liberty in the context of the Coronavirus disease.</i></p> <p>The Irish Prison Service continues to review infection control measures on a weekly basis and any change to infection control measures is made in line with the Government decisions on the easing of restrictions, and in consultation with Public Health.</p>			
<p>LMCT14 <i>IPS/Prison</i></p>	<p>Prisoners in quarantine/isolation must be provided with a daily change of clothing.</p>	<p>Not accepted:</p> <p>It is not possible to provide laundered clothing to prisoners on a daily basis due to the capacity of Limerick Prison laundry.</p>			
<p>LMCT15 <i>IPS/Prison</i></p>	<p>Two hours of meaningful human contact (as defined in section 5.3) must be facilitated each day for people in quarantine/isolation.</p>	<p>Not accepted:</p> <p>A critical infection control measure introduced by the Irish Prison Service has been the segregation of new committals from the general population for the purposes of quarantine.</p> <p>Prisoners in quarantine have restricted out of cell time, in accordance with Rule 32A of SI 250/2020 Prison Rules 2020.</p> <p>So far 10 prisoners have been committed to custody in Limerick prison from the community who have tested positive with Covid-19. There have been no prison based Covid-19 outbreak to date as a direct result of the stringent infection control measures implemented.</p> <p>All new prisoners are tested on day 1, with a 2nd test completed on day 7. If negative, and not symptomatic, prisoners exit quarantine after 8 days. The majority of quarantine prisoners have not required 14 days isolation.</p> <p>Prisoners in quarantine/isolation are managed in line with IPS national protocols developed by the Emergency Response Planning Team.</p> <p>Prisoners in quarantine/isolation have their door opened on a minimum of 2 occasions per day and are visited by the class officer, the Governor, medical staff, Chaplains.</p> <p>Restrictions on physical contact are necessary for infection control measures. Restrictions are reviewed on an ongoing basis by the Emergency Response Planning Team.</p>			
<p>LMCT16 <i>IPS/Prison</i></p>	<p>Prisoners in quarantine/isolation must have at least one hour in the open air each day.</p>	<p>Not accepted:</p> <p>Prisoners in quarantine have restricted out of cell time, in accordance with Rule 32A of SI 250/2020 Prison Rules 2020. Prisoners are fully informed of the quarantine rules on committal by the Governor on parade. Restrictions are reviewed on an ongoing basis by the Emergency Response Planning Team.</p>			

<p>LMCT17 <i>IPS/Prison</i></p>	<p>Measures must be taken to mitigate the detrimental effects of isolation or quarantine, including psychological support during and after quarantine/isolation in order to assist prisoners in coping with the impact of COVID-19 and subsequently imposed restrictive measures.</p>	<p>Accepted: A Covid outbreak-specific mental health protocol has been developed by the IPS Psychology Service. The approach incorporates a three-tiered layered care model which includes preventative, enhanced and acute mental health care interventions. This includes the use of tablets to proactively engage people on significantly restrictive measures, where required. The use of tablets is being piloted in Mountjoy and by the Cloverhill Psychology Service.</p>	<p>The use of tablet computers for video link with psychology is being trialled in Mountjoy and Cloverhill. It will be rolled out across the estate if successful.</p>	<p>Care and Rehabilitation; Psychology Service</p>	<p>End June 2021</p>
<p>LMCT18 <i>IPS</i></p>	<p>In line with the Yogyakarta Principle 9 on The Right to Treatment with Humanity while in Detention, the Inspectorate urges the Irish Prison Service to develop, in partnership with relevant civil society organisations, transgender people in prison and other relevant stakeholders, a national policy regarding the safe custody of transgender women and men.</p>	<p>Accepted: The Irish Prison Service is currently developing a national policy for the safe custody of transgender women and men. Consultation is currently ongoing with relevant stakeholders as well as other jurisdictions.</p>		<p>Corporate Services</p>	<p>Ongoing</p>
<p>LMCT19 <i>Prison</i></p>	<p>In line with the Mandela Rules, Rule 18, the prison should take steps to ensure prisoners have daily access to shaving equipment that is hygienic and safe and supports prisoners in the maintenance of personal hygiene and appearance.</p>	<p>Accepted: 190 electric razors have been purchased. These are issued to prisoners by the class officers daily.</p>	<p>Completed</p>		
<p>LMCT20 <i>IPS</i></p>	<p>To meet the education needs of prisoners (European Prison Rule 28.1), which include facilitating more substantive engagement with education (and other services), the Irish Prison Service should make digital tablets available for prisoner use. These digital tablets could be pre-loaded with education materials.</p>	<p>Recommendation is under review: The Irish Prison Service is developing an in-cell learning strategy to enhance learning from prison cells.</p> <p>A new prisoner TV Channel has been developed and is being rolled out across the estate. This allows for the broadcasting of local and national information and for the provision of educational material.</p> <p>CDETB have developed a substantial quantity of audio-visual course materials to be viewed on the TV channel and will provide accompanying supporting hard copy documentation to facilitate blended learning.</p>	<p>An in-cell technology plan is being developed to enhance learning capacities for prisoners and increase information and learning for those confined to cell.</p> <p>Care and Rehabilitation Directorate are examining technology solutions to allow prisoners to access educational materials on the education network from within cells.</p>	<p>Care and Rehabilitation</p>	<p>Q4 2021</p> <p>Q2 2021</p>

<p>LMCT21 <i>IPS/Prison</i></p>	<p>Given the increased time that people are now required to remain in their cells, there is additional need to ensure people are able to avail of library services. The Irish Prison Service and Prison Library should update and rotate books throughout the prison to keep prisoners engaged with reading/library services.</p>	<p>Accepted: Library services were suspended in line with events in the community. Library services have now resumed, Prison management are engaging with library services with a view to enhance service provision.</p>	<p>Reviewed on an ongoing basis</p>	<p>Prison Management Team</p>	
<p>LMCT22 <i>Prison</i></p>	<p>In line with Rule 34.2 of the European Prison Rules and CPT Standards on women in prison, the Inspectorate recommends that the prison determine a strategy for women to avail of fresh air and exercise under decent conditions, where they can associate out of hearing and sight of men in prison.</p>	<p>Accepted: Female prisoners currently exercise in the A yard due to the ongoing essential building work on the new wing. This exercise yard is not overlooked by any cell accommodation and male prisoners are not in the area at these times. All female prisoners are offered exercise on an even rotational basis with other cohorts of prisoners.</p>	<p>Completed</p>		
<p>LMCT23 <i>IPS/Prison</i></p>	<p>In line with the Mandela Rules and the European Prison Rules, the Irish Prison Service should strengthen, operationalise and broadly apply the Integrated Sentence Management process so that all prisoners are actively engaged and contributing to their sentence and re-integration plan.</p>	<p>Accepted: ISM is now on a 7 day roster at Limerick Prison. This further enhances the ISM function and availability of same to prisoners. To further support the development of the ISM function in all prisons a new centralised recording database for ISM interviews and prisoner multi-disciplinary sentence management plans is currently at the user acceptance testing phase of implementation. This database will provide the resources necessary to improve oversight and reporting in relation to the ISM function at Limerick. A Resettlement Service is provided to sentenced prisoners at Limerick Prison by IASIO who assist with applications for housing, welfare and medical cards in preparation for release.</p>	<p>Database in testing phase.</p>	<p>Care and Rehabilitation/ Human Resources</p>	<p>End Q2 2021</p>
<p>LMCTREQ1 <i>IPS</i></p>	<p>The Inspectorate requests to be provided with information on the direction given to Limerick Prison by the Irish Prison Service to implement S.I. 250 - Prison (Amendment) Rules 2020 - Rule 36A of the Irish Prison Rules.</p>	<p>Information being collated to follow.</p>			
<p>LMCTREQ2 <i>IPS</i></p>	<p>The Inspectorate requests to be provided with the LGBT+ awareness training curriculum and materials, as well as with the attendance numbers (by prison) and information on how often this programme is delivered, updated and reviewed.</p>	<p>Information provided by Equality, Diversity and Inclusion lead and the IPSC will be provided to the OIP with return of report. (OIP update: overview of training and curriculum materials provided to OIP on 15 June 2021)</p>			

LMCTREQ3 <i>IPS</i>	The Inspectorate requests to be provided with information on the direction given to Limerick Prison by the Irish Prison Service to implement S.I. 250 - Prison (Amendment) Rules 2020 - Rule 32A of the Irish Prison Rules.	Information being collated to follow.			
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