



Oifig An Chigire Príosún
Office of the Inspector of Prisons

Annual Report 2022

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FOREWORD



2022 was a somewhat turbulent, but ultimately fruitful year for the Office of the Inspector of Prisons.

My predecessor, Patricia Gilheaney, retired as Chief Inspector in February last year, and the Minister for Justice appointed the Chief Inspector of the Garda Síochána Inspectorate, Mark Toland, to serve as interim Chief Inspector of Prisons until I was able to take up the position in August 2022.

Great credit is due to Patricia Gilheaney for her work as Chief Inspector. Patricia prompted and oversaw a significant increase in the Inspectorate's human and financial resources and led the team throughout the COVID-19 pandemic. Remarkably, all twelve prisons in the State were physically inspected during the pandemic, which is a tribute both to Patricia's leadership and the courage and resilience of the excellent team of colleagues she assembled. I am also very grateful to Mark Toland for his principled stewardship of the Office from February to August 2022.

It is an immense privilege to serve as Chief Inspector of Prisons, leading a team that enjoys unrestricted access to some of the most secure locations and sensitive documentation in the State. With that privilege comes a responsibility not only to safeguard the human rights of people living in prisons, but also to demonstrate genuine respect for those who work in these challenging environments. In my first few months as Chief Inspector, I have enjoyed excellent cooperation from Irish Prison Service staff at all levels, which I am confident will continue throughout my tenure.

Building and maintaining constructive working relationships across the wider criminal justice sector is an imperative for the Inspectorate during the months ahead. We are preparing for the transformation of the Office into the Inspectorate of Places of Detention (OIPD), with an expanded monitoring mandate including detention by An Garda Síochána, detainee transport and court holding cells. In this regard, I greatly welcome the Government's intention to designate the OIPD as a National Preventive Mechanism (NPM) under the Optional Protocol to the United Nations Convention Against Torture (OPCAT). Article 18 of the OPCAT requires that the "functional independence" of a National Preventive Mechanism, and the independence of its staff be guaranteed. As I emphasised in my evidence to the Oireachtas Joint Committee on Justice last October, the general scheme of the legislation to create the OIPD is insufficiently robust; I am happy that both Minister Helen McEntee and Minister Simon Harris have accepted the need for the final version of the Inspection of Places of Detention Bill to fully guarantee the independence of our future NPM.

Throughout 2022, the Inspectorate continued to carry out the full range of its functions under the existing legislation, including the independent investigation of deaths in custody, exercising a degree of oversight over the prisoner complaints system and reviewing letters sent to us in confidence by people living in prisons. I was able to carry out short “familiarisation” visits to five prisons and, in November/December 2022, our team carried out an unannounced full inspection of Mountjoy Men’s Prison. This was the first such unannounced full inspection of an Irish prison for many years and it heralds the resumption of our core business of regular inspections of all prisons in Ireland.

During the visit to Mountjoy Prison, our team was shocked to find that a significant number of people were being obliged to sleep on mattresses on the floors of cells designed for single occupancy. The size and design of many of these cells meant that mattresses had to be wedged at an angle next to the in-cell lavatories. At the time of the inspection, an average of some 38 men per day were being kept in these conditions, often with minimal out-of-cell time. These conditions of detention could be considered degrading. Of course, the root cause of this problem is the rising number of people being held in prison in Ireland, Mountjoy Prison for Men is not the only establishment in which the Irish Prison Service is currently unable to offer a proper bed to everyone in its custody. Projected rises in the prison population suggest that unless urgent action is taken, such as imposing an enforceable ceiling on the number of people who can be held in each prison, the dramatic situation observed by my team in Mountjoy Prison for Men will become a grave problem for the prison system as a whole. I wrote to the Minister for Justice on this issue in December 2022 (see Appendix I), and met with him in early 2023 to emphasise my concerns.

Regrettably, our annual report once again records that the prisoner complaints system is not fit for purpose. As Chief Inspector Gilheaney noted in last year’s annual report: “it is unacceptable that people in prison in Ireland are denied a fair, effective complaints system”. Recently, I met with the Ombudsman on this subject and I will continue to engage with the Department of Justice at the most senior levels in pursuit of alternative arrangements.

As the year closed, I was especially pleased to be able to send the Minister for Justice our thematic inspection report on Education and Training in Prisons, which I hope will soon be published. This inspection was carried out jointly with colleagues from the Department of Education Inspectorate, with which we have concluded a Memorandum of Understanding. In our future role as the NPM for the criminal justice sector we hope to replicate this positive experience of joint working with a range of other agencies.

Mark Kelly

Chief Inspector of Prisons

31 March 2023

1 INTRODUCTION

1.1 Functions 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 Chief Inspector of Prisons is appointed by the Minister for Justice to perform the functions conferred on him by Part 5 of the Act. The current Chief Inspector was appointed on 1 June 2022 for a five year term in office with effect from 15 August 2022, under Section 30 of the Act. The Chief Inspector of Prisons is independent in the performance of his functions.

Section 31(1) of the Act places an obligation on the Inspector of Prisons to carry out regular inspections of prisons.

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

The role of the Inspector of Prisons is as follows:

- Regular Inspection of all 12 prisons in Ireland;
- Carry out investigations of deaths in custody and also of any death of a person on temporary release that occurs within one month of his/her release;
- Investigate any matter arising out of the management and operation of a prison at his own volition or at the request of the Minister for Justice;
- Receive and reply to letters from prisoners in accordance with Rule 44 of the Prison Rules 2007-2020;
- Oversight of the Irish Prison Service prisoner complaints system and carry out the functions assigned pursuant to Prison Rule 57B of the Prison Rules 2007-2017;
- It is not a function of the Chief Inspector to investigate or adjudicate on a complaint from an individual prisoner, but he may examine the circumstances relating to a prisoner complaint where necessary for performing his functions (Section 31(6) Prisons Act 2007).

The Chief Inspector of Prisons does not currently have statutory authority to publish inspection reports, investigation reports or annual reports (although see chapter 3). 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.

However, the Minister may omit any matter from any report laid before the Houses of the Oireachtas if he 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 The Team, Our Mission, Our Values & Our Vision

The Team

Ms. Patricia Gilheaney retired as Chief Inspector of Prisons in February 2022 and, after a Top Level Appointments Commission open recruitment process, Mr Mark Kelly was appointed as the new Chief Inspector on 1 June 2022, for a five year term of office with effect from 15 August 2022. Mr Mark Toland, Chief Inspector of the Garda Síochána Inspectorate, was appointed by the Minister for Justice to serve as Interim Chief Inspector from February to mid-August 2022.

As of 31 December 2022, Staff in the OIP comprised the following:

On 1 January 2022	On 31 December 2022
Chief Inspector of Prisons Ms Patricia Gilheaney	Chief Inspector of Prisons Mr Mark Kelly
Deputy Chief Inspector Ms Helen Casey	Deputy Chief Inspector Ms Helen Casey
Senior Inspector Dr Ciara O'Connell	Senior Inspector Dr Ciara O'Connell
Senior Inspector Mr Kevin Hyland	Senior Inspector Vacancy
Assistant Principal Officer Mr Feargal MacSuibhne	Assistant Principal Officer Mr Feargal MacSuibhne
Inspector Mr Robert Bradley	Inspector Mr Robert Bradley
Inspector Mr John Byrne (Retired on 14 April 2022)	Inspector Vacancy
Inspector Ms Michelle Martyn	Inspector Ms Michelle Martyn
Inspector Ms Fiona O'Dea	Inspector Ms Fiona O'Dea
Inspector Mr Mark Wolfe	Inspector Mr Mark Wolfe
Data Analyst Dr Douglas Nanka-Bruce	Data Analyst Dr Douglas Nanka-Bruce
Office Manager Mr Gerard Connor	Office Manager Mr Gerard Connor
Executive Officer Mr Ross Donegan	Executive Officer Mr Ross Mallon
Clerical Officer Ms Marie Therese Coghlan	Clerical Officer Ms Marie Therese Coghlan

By the end of 2022, a Public Appointments Service process was underway to recruit four additional Inspectors and to replace a Senior Inspector.

Our Mission

The Mission of the Inspector of Prisons is to support excellence in delivery and outcomes in Ireland's prisons through an independent programme of inspections and investigations.

Our Values

In fulfilling our statutory duties, the Inspectorate team upholds the following values in all that we do and how we do it.

- Independence and Impartiality

The Inspectorate will always be fair and reasonable in discharging its duties and conclusions will be evidence-based. Reporting will be open and evidence-informed findings will be used to influence policy and practice.

- Human Rights Focused

A focus on human rights will be at the core of everything the Inspectorate does. This focus will apply to prisoners, visitors, staff and others who come into contact with the Irish Prison Service (IPS);

- Transparent and Collaborative

The Inspectorate will publish its approach to inspections and investigations and, also, the standards it expects of the IPS. The aim is to work in dialogue with IPS management, frontline staff and prisoners to drive compliance and good practice and achieve better outcomes. The Inspector will also engage in dialogue with other key stakeholders;

- Capable and Systematic

The Inspectorate will be professional and structured in its approach to Inspection and Investigation and, also, in its articulation of findings, conclusions and recommendations.

Our Vision for the Future

As noted in our Strategic Plan 2020-2023 (published October 2020), our Vision for the Inspectorate by 2023 is to achieve "[a] robust, preventative regime for the inspection of prisons in Ireland and the investigation of deaths in custody, or other investigations relating to the management or operation of a prison, recognised as meeting or exceeding national requirements and international best practice."

2 OUR AMBITION STATEMENTS 2020 - 2023

2.1 Our Ambition Statements

In order to realise our Vision, we have published a set of four Ambition Statements. These give a clear indication of the specific outcomes which the Inspectorate aims to achieve by the end of 2023 – dependant, of course, on the approval of resources and meaningful dialogue with the IPS and other stakeholders.

Promote a robust, preventative regime of independent inspections of prisons which promotes quality and protects human rights

- A comprehensive and systematic programme of inspections of Ireland's prisons which is independent, transparent, prevention-focussed and in line with, or exceeding all national requirements and international obligations and best practice.

Provide a robust regime of investigating deaths in custody and/or any matter arising out of the operation or management of a prison

- Independent, timely and transparent investigations of all Deaths in Custody or investigations on any matter arising out of the operation or management of a prison as determined by the Chief Inspector of Prisons.

Provide public assurance regarding the handling of complaints

- Oversight of the Prisoner Complaints Process in a manner which commands the confidence of prisoners, staff and the public that is robust and fair.



Build public confidence in the work of the inspectorate

- Through demonstrating the robust, comprehensive and independent nature of the Inspectorate's inspection framework, work programmes and outputs, building public confidence that the Inspectorate is fulfilling its statutory mandate and function.

2.2 Delivering on our Vision

A planned programme of activity across all areas of the Inspectorate, incorporating seven identified objectives, will deliver on our ambition statements and vision. **Table 1** illustrates these objectives and how they link to delivery.

Table 1: Delivery of Ambition Statements

Ambition Statements  Objectives 	1. Provide a robust, preventative regime of independent inspections of prisons which promotes quality and protects human rights	2. Provide a robust regime for investigating SAIs (including DiCs) in prisons and any matter arising out of the operation or management of a prison	3. Provide public assurance regarding the handling of complaints	4. Build public confidence in the work of the Inspectorate	5. Fulfil an extended remit across other specified places of detention in the justice system	6. Fulfil the range of activities required to support or coordinate the NPM
1. We will develop and maintain the framework, approaches and processes to underpin robust regimes for inspection and investigation and overseeing prisoner complaints	✓	✓	✓	✓		
2. We will implement the new operating model required to deliver our mission and statutory duties in line with national and international requirements and obligations	✓	✓	✓	✓	✓	✓
3. We will undertake and maintain a robust programme of inspection throughout all of Ireland's prisons	✓			✓		
4. We will investigate all DiCs and SAIs as identified by the Inspector in a robust and timely manner		✓		✓		
5. We will develop and maintain collaborative relationships with partner organisations and with international networks	✓	✓	✓			
6. We will maintain readiness to take on additional duties as required by Government					✓	✓
7. We will provide a valuable oversight function for the IPS prisoner complaints process			✓	✓		

3 INSPECTION OF PLACES OF DETENTION BILL DRAFT GENERAL SCHEME

In the near future, the Office of the Inspector of Prisons is to be designated as a National Preventive Mechanism (NPM) under the Optional Protocol to the United Nations Convention Against Torture (OPCAT). The Draft General Scheme of the Inspection of Places of Detention Bill (June 2022) envisages that the Inspectorate will become the Inspectorate of Places of Detention with a mandate to inspect places of detention across the justice sector, including: prisons; Garda Síochána Stations; any vehicle used by An Garda Síochána or the Irish Prison Service to transport a detainee from one location to another; and any place where a person is detained in custody immediately before and after the production of the person to a court (including a place within the environs of the court concerned).

In August 2022, the OIP submitted observations on the draft General Scheme of the Inspection of Places of Detention Bill, which noted two primary concerns:

- i. The General Scheme does not guarantee the functional independence of the Office of the Inspectorate of Places of Detention;
- ii. The full range of future functions of the Office of the Inspectorate of Places of Detention should be clarified.

On 21 November 2022, the Inspectorate participated in a Roundtable on OPCAT Ratification in Ireland, which was hosted by the Irish Penal Reform Trust (IPRT), and had the objective of bringing together stakeholders to discuss the draft legislation and progress towards development of National Prevention Mechanisms across a number of sectors. Also in attendance at this event were: Steven Caruana of the Australian Human Rights Commission and representatives from the Irish Human Rights and Equality Commission (IHREC), the NPM Observatory, the Irish Council for Civil Liberties (ICCL), the Office of the Ombudsman, the Ombudsman for Children, the Garda Inspectorate, Garda Síochána Ombudsman Commission (GSOC), the Policing Authority, Mental Health Reform and Empowering People in Care (EPIC).



Attending the OPCAT Roundtable in November 2022, left to right: Éimear Fisher, Acting Director, Irish Human Rights and Equality Commission; Petur Hauksson, Chair, NPM Observatory; Sharon Shalev, Research Associate, Centre for Criminology, University of Oxford and member of the NPM Observatory; Steven Caruana, Coordinator of the Australia OPCAT Network; Saoirse Brady, Executive Director, Irish Penal Reform Trust; Mark Kelly, Chief Inspector of Prisons; Sinéad Gibney, Chief Commissioner, Irish Human Rights and Equality Commission

On 18 October 2022, the Chief Inspector and a Senior Inspector appeared before the Oireachtas Joint Committee on Justice to present the Inspectorate's observations. The pre-legislative scrutiny report of the Joint Committee on Justice was published in March 2023.

In anticipation of its future role under OPCAT, the Inspectorate commenced recruitment of four additional Inspectors and filling a vacancy for a Senior Inspector at the end of the year. It is envisaged that a significant additional increase in human and financial resources will be required to enable the Inspectorate to fully discharge its new functions.

4 ACTIVITIES - INSPECTION & INVESTIGATION

4.1 Inspections

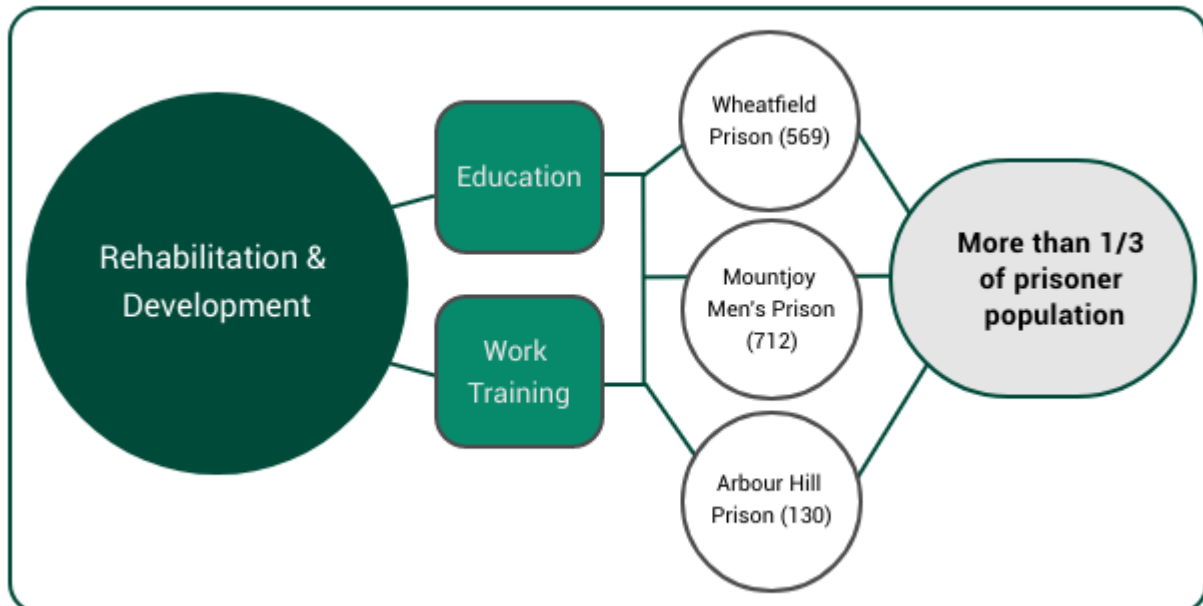
In 2022, the Office of the Inspector of Prisons carried out a thematic inspection across three prisons, and commenced a programme of unannounced full general inspections of prisons, in line with A Framework for the Inspection of Prisons in Ireland (2020).

Thematic Inspection on Education & Work Training

In March 2022, the Office of the Inspector of Prisons and the Department of Education Inspectorate (DE Inspectorate) agreed a Memorandum of Understanding, which underpinned an ongoing partnership between the two Inspectorates.

Between April and June, the OIP and DE Inspectorate carried out a Thematic Inspection of Education and Work Training in Wheatfield Prison, Mountjoy Men's Prison and Arbour Hill Prison. The population of the three prisons comprised more than one-third of the entire prisoner population (**Figure 1**). Under the *Rehabilitation & Development* Focus Area, this inspection evaluated provision of education and work training in the prisons, with a particular focus on quality of education provision and access to rehabilitation services in the prisons.

Figure 1: Education & Work Training Thematic Inspection



The inspection report was submitted to the Minister for Justice in December 2022, and the Irish Prison Service Action Plan, developed to address the recommendations made in the report, was submitted in February 2023. At the end of 2022, the *Education & Work Training Thematic Inspection* report was awaiting publication.

General Inspection of Mountjoy Men's Prison

Over two weeks in November and December 2022, the Inspectorate carried out an unannounced full general inspection of Mountjoy Men's Prison. This inspection assessed the prison across five focus areas: Respect & Dignity, Safety & Security, Health & Wellbeing, Rehabilitation & Development and Resettlement. In assessing Health & Wellbeing in the prison, the Inspectorate was supported by two Medical Experts.



The full general inspection of Mountjoy Men's Prison marked the first time the Inspectorate utilised anonymous digital prisoner and prison staff surveys to capture experiences of living and working in the prison. The digital and 'real-time' nature of survey data directly informed findings over the course of the inspection.

At the end of 2022, the inspection report on Mountjoy Men's Prison was in the process of being drafted in preparation for submission to the Minister for Justice in early 2023.

Recommendations Online Database

In line with the [Inspection Framework](#) (Section 3.4.11) and the [Recommendation Monitoring Policy](#) (2021), the OIP monitors implementation of recommendations made to the Irish Prison Service on an ongoing basis. Monitoring is done through inspections and also by way of Self-Assessments completed by the Irish Prison Service on a bi-annual basis.

In September 2022, the Irish Prison Service provided a status update on all recommendations accepted and deemed 'ongoing' by the Prison Service.

In December 2022, the OIP published the [Inspections Recommendations Tracker Database](#), which provides updates on recommendation themes and implementation. This database is updated upon receipt of IPS recommendation status self-assessments and upon publication of inspection reports.

Other Inspection Activities

- Four COVID-19 Thematic Inspection reports were published in April 2022: [Midlands Prison](#), [Castlerea Prison](#), [Mountjoy Women's Prison – Dóchas Centre](#) and [Loughan House](#)
- A [COVID-19 Thematic Inspection findings booklet](#) was prepared and shared with prison staff and more than 4000 people in prison (available in ten languages)
- In September and October 2022, familiarisation visits were carried out by the Chief Inspector and team members in five prisons: Mountjoy Men's Prison, Portlaoise Prison, Limerick Prison, Castlerea Prison, Wheatfield Prison. It is intended that the remaining seven prisons will be visited by the Chief Inspector in Q1-Q2, 2023

4.2 Investigations

Death in Custody Investigations

Since 2012, the Chief Inspector of Prisons has been obliged to investigate all deaths in prison custody and to submit a report to the Minister for subsequent publication. The Inspectorate also investigates every death which occurs within one month of their temporary release from prison custody.

The objectives of our investigations are to:

- Establish the circumstances and events surrounding the death, including the care provided by the IPS;
- Examine whether any changes in IPS operational methods, policy, practice or management arrangements could help prevent a similar death in future;
- Ensure that the prisoner's family have an opportunity to raise any concerns they may have, and take these into account in the investigation;
- Assist the Coroner's investigation and help to fulfil the obligations of the State under Article 2 of the European Convention on Human Rights, by ensuring as far as possible that the full facts are brought to light and any relevant failing is exposed, any commendable practice is identified, and any lessons from the death are learned; and
- Identify areas that may be pivotal in achieving or obstructing progress of the Department of Justice 2021 to 2023 Strategy to create a "Safe, Fair and Inclusive Ireland".

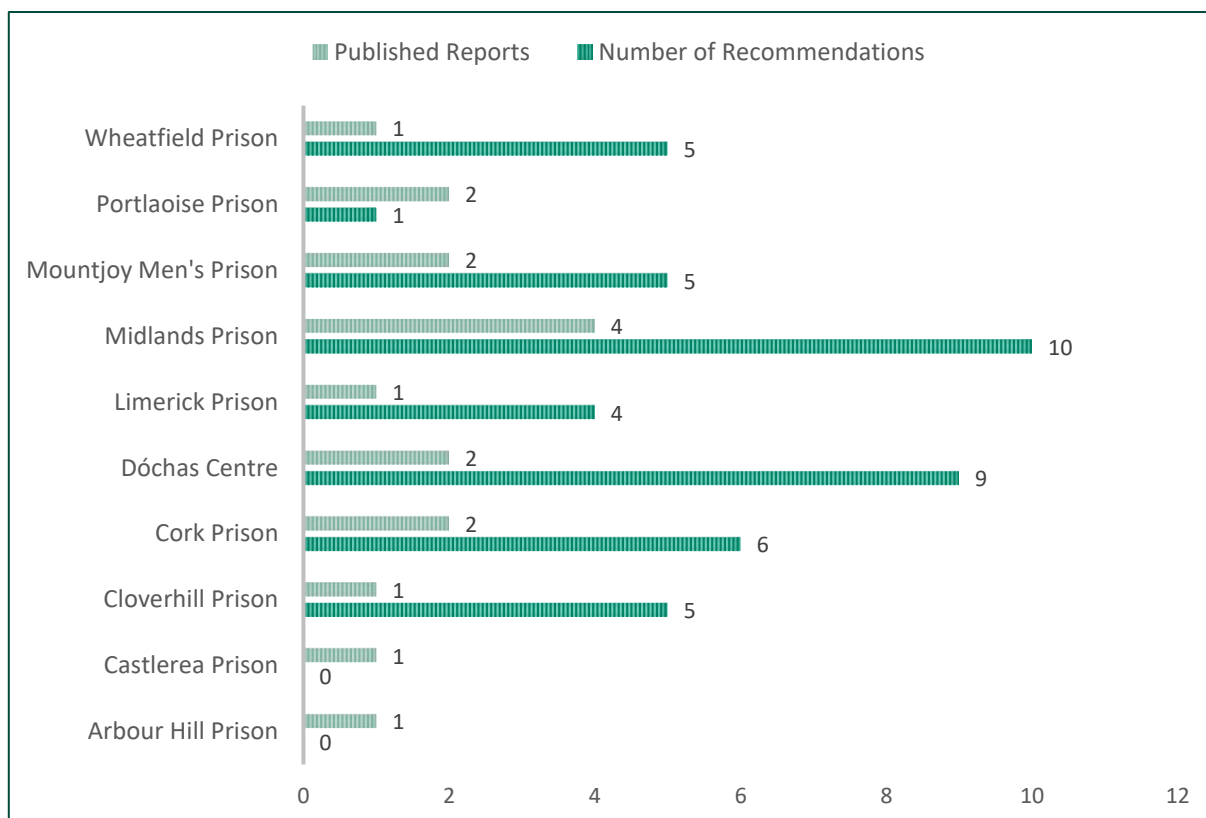
The Office of the Inspector of Prisons (OIP) Death in Custody investigations are part of a three pronged external process - the other elements being the investigation by An Garda Síochána, and the Coroners inquiry and inquest which determines the cause of death. The combination of An Garda Síochána's Investigation and the Coroner's Inquest, together with the Inspectorate's investigation demonstrates Ireland's compliance with national and international obligations laid down in Article 2 of the European Convention on Human Rights.

During 2022, the number of deaths reported to the OIP increased by 188%, albeit from a low base of eight deaths the previous year, to 23 in 2022.

The OIP does not have the authority to publish investigation and inspection reports, and by year-end the Minister for Justice had published 17 Death in Custody Investigation reports.

The breakdown of the 17 published reports, per prison, and number of recommendations made in each report is provided in **Figure 2**.

Figure 2: 17 Submitted Death in Custody Reports with Recommendations across Prisons in 2022



Recommendations

Death in Custody Investigation reports include, where considered appropriate, recommendation(s) for the Director General of the Irish Prison Service to consider. During 2022, the Director General was asked to confirm if she accepted the recommendation(s) in the respective reports. A SMART Action Plan (specific, measurable, achievable, realistic and time-bound) with Corrective Actions and Preventative Actions (CAPAs) to address the recommendation(s) accepted or part-accepted was requested. Where a recommendation was not accepted the Director General was asked to provide reason(s).

The Action Plans, developed by the Irish Prison Service, in response to recommendation(s) made in Investigation reports, were published on the OIP website (www.oip.ie) in conjunction with our reports.

In the 17 reports published during 2022, 11 reports contained a total of 45 recommendations. There were no recommendations in six of the reports. Of the 45 recommendations made:

- 24 were accepted
- six were part-accepted
- three were not accepted
- seven recommendations where the IPS reported that processes were in place to address the areas for improvement.
- five recommendations made in one report (Ref Mr Q 2019) the IPS advised that a 'Policy and Procedure Review' would be undertaken during which these recommendations would be considered. By year end the review had not been completed by the IPS. **Table 2** provides a breakdown of the 45 recommendations.

Table 2: Recommendations: Death in Custody Investigation Reports Published in 2022

Investigation Report	Number of Recommendations	Accepted	Part Accepted	Not Accepted	Processes in place to address the recommendation
Mr. A 2019 Midlands Prison	2	1	1	0	0
Mr. B 2019 Midlands Prison	8	2	2	1	3
Mr. H 2019 Cork Prison	2	2	0	0	0
Mr. I 2019 Limerick Prison	4	2	1	1	0
Mr. L 2019 (TR) Mountjoy Men's Prison	2	1	1	0	0
Mr. M 2019 Wheatfield Prison	5	2	0	0	3
Mr. Q 2019 Cloverhill Prison	5 ¹	-	-	-	-
Mr. T 2019 Midlands Prison	1	0	0	0	1
Ms. X 2019 Dóchas Centre	9	8	1	0	0
Mr. A 2020 Cork Prison	4	3	0	1	0
Mr. D 2020 Mountjoy Men's Prison	3	3	0	0	0
Total	45	24	6	3	7

¹ IPS committed to consider as part of a Policy and Procedure Review.

In relation to the three recommendations which were not accepted by the Director General. The following reasons were provided:

- 1. Recommendation (Mr B 2019):** that '(...) the names of those on special observation should be recorded in the relevant Class Journal signed and dated by both the Officer handing over the list and the Officer receiving the list to ensure there is no doubt as who is subject to checks at 15 minute intervals.'

IPS Response: 'This recommendation would result in duplication of effort (...) The observation list is readily and easily available in real time on PIMS which staff have access to (...).'

- 2. Recommendation (Mr I 2019):** 'The Irish Prison Service should consider including Basic Life Support (BLS) training for recruit prison officers during the early part of their training and refresher courses for established staff.'

IPS Response: 'When the Irish Prison Service developed the current syllabus for Recruit Prison Officer training in 2016, it was decided not to include first responder training in the programme. This was because of the demands this would place on the staffing system for refresher training each year. (...) Considerations were also based on the principle of equivalency. The response time from the prison healthcare team to a prisoner is likely to be much less than the response time from the HSE to an ambulance call out. First responder training is however provided to Gym Officers, PSEC Staff and Open Centre staff. With all that being said it should be recognised that a nurse would usually be one of the first people on the scene in these situations. Basic Life Support and First Responder Training is a core element of the skillset of all nurses employed in the prison service.'

- 3. Recommendation (Mr A 2020):** 'Decisions for compassionate temporary release, especially where end of life care is being administered, should be decided expeditiously to respect dignity in death for the prisoner and for a family to be allowed privacy. Once an application is made by a Governor, policy should dictate the timeframes for responses and escalation where delays occur.'

IPS Response: "Compassionate temporary release on grounds of health and health related humanitarian grounds", requires the gathering of a wide range of information from multiple sources and with a number of checkpoints along the way. In addition, each case must be treated on its merits and the decision making must reflect the prisoner.

From a Healthcare perspective, it is also unrealistic to impose a strict deadline on this kind of process (...) Depending on the sentence type the final decision maker is the Minister or the Director General of the Irish Prison Service and so in main there is no further escalation point. As such, the inclusion of timelines is not considered appropriate.'

The Irish Prison Service Action Plans in response to all OIP recommendation can be accessed at www.oip.ie.

Ongoing Monitoring

The OIP will continue to monitor the implementation and effectiveness of the Irish Prison Service committed actions during the course of 2023. Similar to the Inspection process referred to in Chapter 4 of this report, monitoring implementation will be provided through twice-yearly Irish Prison Service Self-Assessment status updates and through 'General and Follow-up' Inspections.

In September 2022, the Irish Prison Service provided a status update on all recommendations accepted and deemed 'ongoing' since the introduction of the Action Plan in 2018.

An Investigations Recommendations Tracker Database has been published on our website.

Other Investigations

On 15 February 2022 a report of an investigation, conducted under Section 31(2) of the Prisons Act, which had been requested by the Minister, was submitted to the Minister. A supplementary report requested by the Minister into matters arising from the Section 31(2) investigation was forwarded in May 2022.

5 COMPLAINTS

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

The IPS provide the Inspectorate with data related to prisoner complaints. This information is required to be provided on a monthly basis by an appointed Prison Liaison Officer in each prison and is reviewed by the Inspectorate’s teams when preparing for inspections.

Category A Complaints

There are specific reporting obligations on the IPS under Rule 57(B) in relation to allegations of a serious nature, such as assault or use of excessive force against a prisoner or ill treatment, racial abuse, discrimination, intimidation, threats – i.e. Category A Complaints

The breakdown of Category A prisoner complaints (by prison) notified to the OIP during 2022 is provided below. This analysis is based on the data received by the Inspectorate from the Irish Prison Service monthly returns (Cognos report). Similar to previous years, Loughan House Open Centre recorded no complaints in 2022. Arbour Hill and Shelton Abbey had no recorded complaints either for 2022.

Analysis of Category A Complaints

As illustrated in **Table 3**, the Inspectorate received notification of 75 Category A complaints from a total of 12 prisons. **Tables 4 and 5** provide further detail with regard to notification requirements and compliance with Rule 57(B).

Table 3: Category A Complaint Notifications to the Inspector of Prisons

Place of Detention	2022 Notifications of Category A Complaints
Arbour Hill	0
Castlerea Prison	3
Cloverhill Prison	3
Cork Prison	5
Mountjoy Women’s Prison - Dóchas Centre	3
Limerick Prison	7
Loughan House	0
Midlands Prison	24
Mountjoy Men’s Prison	10
Portlaoise Prison	12
Shelton Abbey	0
Wheatfield Prison	3
Total	70

Table 4: Notification in accordance with Rule 57(B) Prison Rules 2007 – 2020

Rule 57(B) Prison Rules 2007 – 2020	Total received in 2022	Notification Received Relating to 2022	Notification Received Relating to 2021	Notification Received Relating to 2020	Notification Received Relating to 2019	Notification Received Relating to 2018
Notifications of Category A complaints	70	70	0	0	0	0
Governor notification to Inspectorate within 7 days of being notified of the complaint [57B(4)]	66	66	0	0	0	0
Inspectorate shall be notified of the appointment of the investigator [57B(5)(a)]	45	32	13	0	0	0
Complaints deemed by the IPS DG to be vexatious, without foundation, or outside scope of rule and terminated. Inspectorate is notified of the decision and reasons for the decision [57B(5)(b)]	4	3	1	0	0	0
Complaints withdrawn by prisoners and DG decides investigation should be terminated. OIP is (a) advised and (b) the reasons documented [57B(5)(c)]	(a) 5 (b) 5	(a) 2 (b) 2	(a) 3 (b) 3	(a) 0 (b) 0	(a) 0 (b) 0	(a) 0 (b) 0
Complaints that proceeded to Investigation	50	37	13	0	0	0
Full investigation reports received by Inspectorate	50	12	30	4	3	1
Interim reports submitted to Inspectorate	23	11	12	0	0	0
Number of investigation reports received where complaint was grounded, upheld or partially upheld	5	2	3	0	0	0

Table 5 illustrates IPS compliance with statutory obligations related to investigation of Category A complaints in 2022, compared with previous years.

Table 5: Requirements of and Compliance with Rule 57B

Rule 57B Prison Rules 2007- 2020	% Compliance 2022	% Compliance 2021	% Compliance 2020
Governor notification to Chief Inspector of Prisons within 7 days of being notified of the complaint [57B(4)]	95%	84%	81%
OIP shall be notified of the appointment of the investigator [57B(5)(a)]**	46%	63%	2%
Complaints deemed by the IPS DG to be vexatious, without foundation, or outside scope of rule and terminated. Chief Inspector of Prisons is notified of the decision and reasons for the decision [57B(5)(b)]	100%	100%	100%
Complaints withdrawn by prisoners and Director General decides investigation should be terminated. The OIP is (a) advised and (b) the reasons documented [57B(5)(c)]	(a) 100%) (b) 100%)	(a) 100%) (b) 100%)	(a) 100%) (b) 100%)
Complaints that proceeded to investigation	53%	87%	86%
Full investigation reports received by OIP for new complaints in particular year	24%	49%	32%
Investigation reports received within 3 months	17%	24%	3%
Interim reports submitted to OIP for new complaints in particular year	15%	40%	12%
Number of investigation reports received where the complaint was grounded or upheld	17%	13%	8%

** Compliance expressed as a percentage of the total number of complaints notified by the IPS to the OIP during the year 2022.

For 2022, the following is noted:

- The vast majority of complaints were notified to the Inspectorate within 7 days – 95% (Rule 57(B)(4));
- That represents an improvement of 11% on 2021;
- Delays in the appointment of investigators to investigate Category A complaints remain a concern, with a fall from 63% to 46% from 2021-2022 (percentage compliance expressed as a percentage of the total number of complaints notified by the IPS to the OIP during the year 2022).

- 100% compliance with notification to the Inspectorate of complaints that were deemed vexatious or outside the scope remained consistent - (Rules 57B (5)(b) or withdrawn (57B (5)(c));
- A steady increase in the percentage of complaints found by investigators to be grounded/upheld over the past 3 years;
- As noted in the OIP 2021 Annual Report, the automatic notification system developed by the IPS has provided the OIP with an instantaneous alert through the use of PIMS.

Observations from Review of Complaints

Deficiencies relating to the operation of the prisoner complaints procedure have been noted and commented upon in previous reports. That continued to be the case during 2022.

In our oversight role, the Inspectorate received 50 Category A prisoner complaint investigation reports during 2022. That represented an appreciable fall from the 85 received during 2021.

Of the 50 investigation reports received during 2022, a higher number were received in relation to complaints recorded in earlier years; 30 reports received were related to investigations for complaints recorded during 2021. A further 8 investigation reports were received in relation to complaints recorded between 2020-2018.

The Inspectorate notes the completion timeframe involved with the investigation process is lengthy. This is well-illustrated by the fact that, in 2022, the Inspectorate received investigator's findings relating to a complaint from 2018. Governor's findings reports were also received for three complaint cases dating back to 2018.

The length of time taken to appoint an investigator is also a point of concern. The Inspectorate notes that, from the 39 complaints from 2022 still awaiting an investigator to be assigned, the earliest pending complaint was notified to the OIP on 14/03/2022.

During 2022, there were two complaints found by investigators to have grounds to be upheld. From these, one was upheld by the Governor in their review and subsequent findings report, one was not upheld by the Governor in their review.

6 LETTERS FROM PRISONERS (RULE 44)

In accordance with Rule 44(1)(h) of the Prison Rules 2007 - 2020, a prisoner is entitled to send and receive an unopened letter to/from the Inspector of Prisons.

In 2022, the Office of the Inspector of Prisons received a total of 143 letters from 74 prisoners. The letters were received from prisoners in ten prisons; no letters were received from Loughan House or Shelton Abbey. **Table 6** illustrates the number of letters received from each prison and a comparison to the previous two years.

Table 6: Letters, Numbers and Comparison

Prison	2022	2021	2020
Arbour Hill Prison	8	9	3
Castlerea Prison	6	6	8
Cloverhill Prison	11	4	2
Cork Prison	2	3	0
Dóchas Centre	6	8	15
Limerick Prison	3	7	0
Limerick Women's Prison	0	2	0
Loughan House	0	0	0
Midlands Prison	70	69	12
Mountjoy Men's Prison	6	19	9
Portlaoise Prison	17	25	6
Shelton Abbey	0	3	1
Wheatfield Prison	13	13	3
Total	142²	168	59

² One letter was received in the general post without an indication as to which prison it came from. No further correspondence was received from that person.

The five most common issues raised in Rule 44 letters are provided in **Table 7**.

Table 7: Main Issues Raised in 2022 Rule 44 Letters

Issue Raised by Prisoner	Number of Letters
Mental and Physical Healthcare concerns, including access to services and delays in treatments	17
Dissatisfaction with the IPS complaints process	12
Requests to meet with OIP Staff	11
Concerns around violent behaviours on the part of prison staff and fellow prisoners	8
Concerns around Visits	7

7 ACTIVITIES & EVENTS

The OIP endeavours on an ongoing basis to attend and/or participate in events of interest and to engage meaningfully with various stakeholders.

7.1 Cross-Departmental Engagement

During 2022, the Inspectorate engaged in cross-departmental networking and exchange over the course of the year, including collaboration with the Department of Education Inspectorate and the Mental Health Inspectorate.

7.2 High-Level Meetings

On 15 February 2022, immediately prior to her retirement, former Chief Inspector, Patricia Gilheaney together with Inspector John Byrne met with the Minister, Helen McEntee.



7 September 2022: Chief Inspector Mark Kelly, Deputy Chief Inspector Helen Casey and Senior Inspector Ciara O'Connell met with the Secretary General of the Department of Justice, Oonagh McPhillips to discuss the future role of the Office.



16 November 2022: Chief Inspector Mark Kelly and Deputy Chief Inspector Helen Casey met with Minister Helen McEntee to discuss a range of matters of mutual interest.

7.3 Events Participated In or Attended

- *“Unlocking Potential”: A Fair Approach to Higher Education Applicants with Criminal Records*, Maynooth University, 17 January 2022
- *Travellers in Prisons Initiative*, 12 January 2022
- *Prisons and Prison Inspectorates: Puzzles and Paradoxes*, Birkbeck University of London, 18 January 2022 (online)
- *Progress in the Penal System Report Launch*, Irish Penal Reform Trust, 7 February 2022
- *Pop Up Kitchen Event, following Culinary Skills Course for prisoners in Cork Prison*, 5 April 2022
- *Tour of the National Forensic Mental Health Service, New Facility in Portrane*, 13 April 2022
- *Exploratory Roundtable with other Jurisdictions, Deaths in Custody*, 20 April 2022
- *Race and Ethnicity in the Penal System Report Launch*, Irish Penal Reform Trust, 27 April 2022
- *Motherhood and Criminal Justice*, International Network for Criminal Justice, 16 May 2022
- *Probation and Parole in Ireland: Law and Practice*, The Law Society of Ireland, 26 May 2022
- *Jobs Expo*, Progression Unit Mountjoy Prison, 22 June 2022
- *QQI Certification Presentation*, Progression Unit, Mountjoy Prison, 29 September 2022
- *Law Society Conference*, 30 September 2022
- *Generation Change, Careers after Conviction*, Gaisce The President’s Award, 5 October 2022
- *Virtual European National Preventive Mechanism Conference*, 5 and 6 October 2022
- *Gender Encounters in the Criminal Justice System: How does Gender impact on Diverse Experiences?*, ACJRD Annual Conference, 7 October 2022
- *Access to Rights for people Detained in Secure Mental Health Facilities in Ireland*, Irish Penal Reform Trust, 25 October 2022
- Attendance at the Official Opening of the Central Mental Hospital Portrane, 4 November 2022

7.4 Stakeholder Engagement

The Office of the Inspector of Prisons continued to work alongside, and in dialogue with the Department of Justice, the Irish Prison Service and other key stakeholders. Throughout 2022, the Office of the Inspector of Prisons met with a number of stakeholders to exchange views and foster relationships.

The Inspectorate delivered presentations about the role and functions of the Office of the Inspector of Prisons to recruit prison officers during the year.

The Inspectorate engaged with:

- Recruit Prison Officers. Presentations on the work of the Inspectorate provided on 20 January, 13 April, 31 May, 14 July, 8 September and 18 October 2022
- OIP Presentation to the High Level Task Force on Mental Health and Addiction, 3 February 2022

- Engagement with Department of Education Inspectorate, throughout 2022
- OIP and Mental Health Inspectorate meeting to share and exchange learnings, 25 April 2022
- Meeting with members of the All-Party Oireachtas Group, 27 April 2022
- Meeting with Director General and Directorates of Irish Prison Service, 2 June 2022
- Meeting with Transparency International (Ireland), 12 July 2022
- National Suicide and Harm Prevention Steering Group Meetings, 13 June 2022, 15 September and 13 December 2022
- Meeting with Prison Officers Association, 29 June 2022
- Meeting with Parole Board, 25 July 2022
- Meeting between the incoming Chief Inspector of Prisons and the Director General of the Irish Prison Service, and between the Senior Leadership Team of the Inspectorate and the Irish Prison Service Executive Team, 22 August 2022
- OIP & Irish Human Rights and Equality Commission (IHREC) meeting on Inspection of Places of Detention Bill, 12 September 2022
- OPCAT Roundtable, organised by the Irish Penal Reform Trust (IPRT) in the offices of the IHREC, 3 October 2022
- Meeting with Irish Council for Civil Liberties (ICCL) on General Scheme of Inspection of Places of Detention Bill, 10 October 2022
- Meeting with IPRT on General Scheme of Inspection of Places of Detention Bill, 12 October 2022
- Joint Committee Session on Justice for Pre-legislative Scrutiny of the General Scheme of the Inspection of Places of Detention Bill, 18 October 2022
- National Preventive Mechanism Roundtable Event, Irish Human Rights and Equality Commission, 21 November 2022

7.5 Internships

The Inspectorate hosted, in collaboration with Maynooth University, two students undertaking a Masters in Criminology.

8 CORPORATE INFORMATION

8.1 COVID-19 Protocols

During the early part of 2022, the Inspectorate Team adhered to public health advice around awareness and the spread of the COVID-19 Virus. Staff continued to work remotely when necessary. Arrangements consistent with guidelines were in place in both of our locations where it was necessary for individuals to attend the office.

An OIP Infection Protocol around attendance in prisons was put in place in February 2021 to ensure adherence to public health guidelines while, at the same time, meeting inspection targets.

8.2 Financial Matters

The Office of the Inspector of Prisons is funded under the Justice Vote (24), for which the Secretary General of the Department is the Accounting Officer. The budget allocation for 2022 was €2.348m.

All procurement activities undertaken by the Office in 2022 were carried out in accordance with public procurement guidelines.

8.3 Accommodation Matters

During 2022, it was decided to close the OIP premises in Nenagh.. The target date for closure is 30 April 2023 and at year-end preparations were well underway. Securing a suitable permanent Dublin headquarters for the OIP's successor organisation, the Inspectorate of Places of Detention, will be a priority for 2023.

8.4 Protected Disclosures

As the OIP is currently structured as an executive office of the Department of Justice, the Inspectorate currently follows the department's policy in relation to Protected Disclosures. The Office of the Inspector of Prisons did not receive any Protected Disclosures during the year 2022.

8.5 Public Sector Equality and Human Rights Duty

The Office of the Inspector of Prisons remains committed to ensuring that responsibilities under Section 42 of the Irish Human Rights and Equality Commission Act 2014 are central to all of its activities.

During 2022, several officers of the Inspectorate completed the eLearning module Equality and Human Rights in the Public Service, commissioned by the Irish Human Rights and Equality Commission.

Also during the year, a number of staff commenced a diploma course in human rights and equality which provided further training on the duty and will assist them in drawing up a Section 42 Action Plan.

8.6 Freedom of Information / GDPR

Five requests under FOI Legislation were received during the year.

8.7 Integrity at Work

In October, the Inspectorate signed the Integrity at Work Membership Agreement with Transparency International (Ireland) and, in doing so, recognised the importance of maintaining an ethical workplace and the valuable contribution of those who raise concerns about wrongdoing.

8.8 Training

- Deaf Awareness Training and Awareness of the Irish Sign Language Act, Irish Deaf Society, 30 May 2022
- Public Sector Duty Training, Irish Human Rights & Equality Commission, 22 July 2022
- Freedom of Information Act Training, provided by All One Corporate Solutions, 13 & 14 September 2022
- Suicide Awareness Training, arranged by Department of Justice and facilitated by SafeTalk, 22 September 2022

9 GOVERNANCE

9.1 Internal Controls

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

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

The Code of Governance for State Bodies 2016, requires the provision of a Statement of Internal Controls (SIC). The SIC applies to all controls operating in the Office of the Inspector of Prisons, including ICT matters. On 25 February, 2021, the IM&T Division in the Department of Justice confirmed that to the best of their knowledge and belief, adequate ICT controls, as set out in a Statement of Assurance, are in place and operating effectively.

The Office of the Inspector of Prisons maintains a Risk Register which is kept under continuing review. This Register sets out current controls to mitigate risks and actions to improve controls. An updated copy of the Risk Register was provided to the Department of Justice in 2022.

Procurement undertaken by the Office in 2022 was carried out following consultation with departmental officials and in accordance public procurement guidelines.

9.2 Oversight Agreement

In accordance with the 2016 edition of Code of Practice for the Governance of State Bodies, an Oversight Agreement between the Office of the Inspector of Prisons and the Department of Justice was agreed in May 2020 setting out the broad governance and accountability framework within which the OIP operates and defined the key roles and responsibilities which underpin the relationship between the OIP and the Department. This Agreement expired at the end of 2022 and discussions will take place early in 2023 with a view to putting a new one in place

In compliance with the Agreement, formal governance meetings between officials from the Department of Justice and the Office of the Inspector of Prisons took place on 4 April 2022 and 16 June 2022. A third meeting, originally planned for 3 November 2022, was postponed to 24 January 2023.

9.3 Performance Agreement

A Performance Delivery Agreement for 2022, which is complementary to the Oversight Agreement, was agreed between the Department and the Office of the Inspector of Prisons on 16 June 2022. The purpose of the Agreement was to define, in the context of the resource inputs provided, the targets by which the performance of the Office of the Inspector of Prisons (OIP) for 2022 was to be measured. These agreed targets are set out in **Tables 8 and 9** below.

The mechanisms for monitoring and appraising performance form part of the overall governance arrangements between the two parties and, as such, are set out in the Oversight Agreement 2020 - 2022. The Agreement also set out the main risks identified as potentially impacting on the capacity to achieve the targets and the mitigation measures.

Table 8: Performance Agreement Targets

Output area or initiative	Metric	Associated strategic objective	2022 Target	2022 Outturn	Comment
<i>Prison Inspection</i>	General Inspection Report submitted to the Minister by end Q4	1, 3	1	--	Unannounced full General inspection of Mountjoy Men's Prison completed in November / December 2022.
<i>Thematic/Focused Inspections</i>	Thematic/Focused reports submitted to Minister by end Q3	1, 3	2	1	One Education and Work Training Thematic Inspection carried out in three prisons and report submitted to the Minister in Q4 2022.
<i>Death-in-Custody investigations</i>	Reports submitted to Minister relating to investigations into the circumstances surrounding the deaths of prisoners in custody and any person who died within one month of temporary release (pre-2022 cases)	4	20	[17]	17 investigation reports consisting of: eight published reports, two reports awaiting publication and seven draft reports submitted to the Director General for review and Action Plan, six of which were returned to the OIP in December 2022 / January 2023, in some cases after delays of several months.
<i>Letters received from prisoners under Rule 44 of the Prison Rules</i>	% of correspondence received from prisoners under Rule 44 acknowledged within five working days	1	100%	95%	
	% of final replies issued within 20 working days	1	90%	87%	Of 143 letters received by the OIP, 18 were responded to outside the 20 working day target. This was due to delays in translation (14 letters required translation in 2022, and 12 fell outside the 20-day target) and further information being sought for reply.
<i>Review of Category A prisoner complaints</i>	% of Category A complaints reviewed within 20 days of receipt	7	100%	83%	

Table 9: Other Targets and Outturns 2022

Output area or initiative	Target and timeframe	Outturn
<i>Completion of a Training Needs Analysis (TNA) and the creation of a staff training plan</i>	By Q3, to conduct a TNA that identifies the core training/skills needs for new and existing staff and develop a plan that addresses the training and CPD needs of staff	<p><i>Ongoing</i></p> <p>This process is ongoing and is supported by the Line Management PMDS process, which requires OIP staff and management to identify, consider and address training needs.</p> <p>In addition, the Inspectorate is currently awaiting the appointment of five new staff members, and a full TNA will be undertaken when the additional staff complement is reached.</p>
<i>Development of a new Case Management System (CMS)</i>	Fully specified CMS requirements document drafted by Q4	The OIP engaged an outside consultancy firm to develop a specification for an information, analysis and case management system. The engagement was formally agreed and commenced on 19/1/2023, with a target date of 13/4/2023 set for completion.
<i>Risk Management</i>	Completion of a Strategic Threat and Risk Assessment by Q4	The OIP is assessing its programme of work and Strategic Plan, in line with its current statutory functions and with a view to future designation as the NPM for the Criminal Justice sector. This includes a review of long and medium term objectives and goals, as well as a strategic analysis of OIP business.

10 APPENDIX I

Letter to Minister of Justice – 23 December 2022

Mr Simon Harris TD
Minister for Justice
Department of Justice 51
St Stephen's Green
Dublin 2

23 December 2022

Re: Issue of concern arising from a full inspection of Mountjoy Prison for Men

Dear Minister Harris,

First, allow me to warmly congratulate you on your recent appointment as Minister for Justice. I am very much looking forward to working with you as you take on the many challenges of this great Office of State.

As you may be aware, the Inspectorate of Prisons recently completed an unannounced full inspection of Mountjoy Men's Prison in Dublin, from 28 November to 9 December 2022. This was the first unannounced full inspection of an Irish prison for many years and it heralds the beginning of the Inspectorate's programme of regular inspections of all prisons in Ireland.

The purpose of this letter is to formally bring to your attention as Minister an issue of serious concern arising out of that inspection, namely the accommodation of people on mattresses on the floors of cells designed for single occupancy. The size and design of many of these cells meant that mattresses had to be wedged at an angle next to the in-cell lavatories. At the time of the inspection, an average of some 38 men per day were being kept in these conditions, often with minimal out-of-cell time. These conditions of detention could be considered degrading.

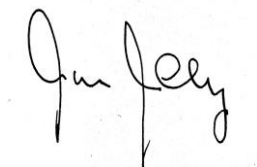
Of course, the root cause of this problem is the rising number of people being held in prison in Ireland, and I understand that Mountjoy Prison for Men is not the only establishment in which the Irish Prison Service is currently unable to offer a bed to everyone in its custody.

Projected rises in the prison population suggest that unless urgent action is taken, such as imposing an enforceable ceiling on the number of people who can be held in each prison, the dramatic situation observed by my team in Mountjoy Prison for Men will become a grave problem for the prison system as a whole.

Consequently, I should be most grateful to learn of any measures that your Department may be envisaging to manage the number of people being held in prisons in Ireland in a manner that respects their basic human rights.

I remain at your entire disposal should you consider that it would be useful for us to meet to discuss this issue in greater depth.

Yours sincerely, and with compliments of the Season,



Mark Kelly
Chief Inspector of Prisons



Oifig An Chigire Príosún
Office of the Inspector of Prisons

Tuarascáil Bhliantúil 2022



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RÉAMHRÁ



Bliain ábhairín corrach a bhí sa bhliain 2022 d'Oifig an Chigire Príosún ach bliain thairbheach a bhí inti ar deireadh thiar.

Chuaigh Patricia Gilheaney, mo réamhtheachtaí, ar scor i mí Feabhra anuraidh, agus cheap an tAire Dlí agus Cirt Príomhchigire Chigireacht an Gharda Síochána Mark Toland, chun feidhmiú mar Phríomhchigire Príosún eatramhach go dtí go raibh mé in ann tabhairt faoin bpost i mí Lúnasa 2022.

Tá moladh mór tuillte ag Patricia Gilheaney as ucht a cuid oibre mar Phríomhchigire. Spreag agus mhaoirsigh Patricia méadú suntasach in acmhainní daonna agus airgeadais na Cigireachta agus threoraigh sí an fhoireann i rith na paindéime COVID-19. Is díol suntais é gur cuireadh cigireacht fhisiceach i gcrích sa dá phríosún déag ar fad atá sa Stát le linn na paindéime, ar dea-theist é araon ar cheannaireacht Patricia agus ar mhisneach agus acmhainneacht na foirne iontaí comhghleacaithe a thug sí le chéile. Táim fíorbhuíoch freisin do Mark Toland mar gheall ar a cheannaireacht phrionsabálta san Oifig ó mhí Feabhra go Lúnasa 2022.

Is pribhléid mhór dom feidhmiú mar Phríomhchigire Príosún, agus mé i gceannas ar fhoireann a bhfuil teacht neamhshrianta acu ar roinnt de na láithreacha is daingne agus na doiciméid is íogaire sa Stát. Tá freagracht ag baint leis an bpribhléid sin ní hamháin chun cearta daonna daoine a mhaireann i bpríosúin a chosaint, ach fíormheas a léiriú freisin ar na daoine a oibríonn sna timpeallachtaí dúshlánacha seo. Le linn na chéad mhíonna dom a bheith i mo Phríomhchigire, bhain mé leas as comhoibriú thar cionn ó bhaill foirne ag gach leibhéal i Seirbhís Phríosúin na hÉireann, agus táim cinnte go leanfaidh sé sin ar aghaidh le linn mo thréimhse oifige.

Beidh sé ina riachtanas ag an gCigireacht sna míonna atá amach romhainn caidrimh oibre fiúntacha a fhorbairt ar fud earnáil an cheartais choiriúil i gcoitinne agus iad a chaomhnú. Táimid ag ullmhú don Oifig a chlaochlú ina Cigireacht um Ionaid Choinneála (OIPD), ag a mbeidh sainordú monatóireachta níos mó, lena n-áirítear coinneáil ag An Garda Síochána, iompar do dhaoine atá á gcoinneáil agus cillíní coinneála i gcúirteanna. I ndáil leis an méid sin, cuirim fáilte mhór roimh rún an Rialtais an OIPD a ainmniú mar Shásra Náisiúnta Coisctheach (NPM) faoin bPrótacal Roghnach a Ghabhann le Coinbhinsiún na Náisiún Aontaithe in aghaidh na Céastóireachta (OPCAT). Faoi Airteagal 18 den OPCAT, éilítear “neamhspleáchas feidhmiúil” Sásra Náisiúnta Coiscthigh, agus neamhspleáchas na mball foirne a chinntiú. De réir mar a leag mé béim air i mo chuid fianaise chuig an gComhchoiste Oireachtais um Dhlí agus Ceart i mí Dheireadh Fómhair seo caite, níl an scéim ghinearálta den reachtaíocht maidir leis an OIPD a chruthú láidir go leor; táim sásta gur ghlac an tAire Helen McEntee agus an tAire Simon Harris go bhfuil gá leis an leagan deiridh den Bhille um Chigireacht a Dhéanamh ar Ionaid Choinneála chun neamhspleáchas ár NPM amach anseo a chinntiú go hiomlán.

Ar feadh na bliana 2022, lean an Chigireacht dá réimse iomlán feidhmeanna faoin reachtaíocht reatha a chur i gcrích, lena n-áirítear imscrúdú neamhspleách a dhéanamh ar bhásanna faoi choimeád, roinnt maoirseachta ar an gcóras gearáin príosúnach a chur i bhfeidhm agus athbhreithniú a dhéanamh ar litreacha a seoladh chugainn faoi rún ó dhaoine atá ag maireachtáil i bpríosúin. Bhí mé in ann cuairteanna gearra “taithíochta” a thabhairt ar chúig phríosún agus, i Samhain/Nollaig 2022, chuir an fhoireann cigireacht gan fógra iomlán i gcrích ar Phríosún na bhFear Mhuinseo. Ba é seo an chéad chigireacht neamhfhógartha dá leithéid a rinneadh ar phríosún in Éirinn le go leor blianta agus is comhartha é ar atosú ar an gnó lárnach atá againn maidir le cigireachtaí rialta a dhéanamh ar na príosúin ar fad in Éirinn.

Le linn na cuairte chuig Príosún Mhuinseo, baineadh siar as an bhfoireann a fháil amach go raibh ar líon daoine codladh ar thochtanna ar urlár cillíní a bhí leagtha amach do dhuine aonair. Mar gheall ar mhéid agus leagan amach na gcellíní seo, níor mhór na tochtanna a bhrú isteach ar fiar in aice leis na leithris sna cillíní. Ar an meán, tráth na cigireachta a chur i gcrích, bhí thart ar 38 bhfear in aghaidh an lae á gcoinneáil sna dálaí seo, agus fíorbheag ama lasmuigh den chillín á fháil acu go minic. Ba chóir na dálaí coinneála seo a mheas a bheith maslach. Ar ndóigh, is é bunchúis na faidhbe seo an líon daoine atá a gcoinneáil in Éirinn atá ag méadú, ní hé Príosún na bhFear Mhuinseo an t-aon fhoras nach bhfuil Seirbhís Phríosúin na hÉireann in ann leaba cearta a chur ar fáil ann faoi láthair do gach duine atá faoina choimeád. Mar gheall ar mhéadaithe atá tuartha don daonra príosúin, tugtar le fios go mbeidh an cás drámatúil a chonaic m’fhoireann i bPríosún na bhFear Mhuinseo ina fhadhb an-mhór don chóras príosún i gcoitinne mura ngníomhaítear ar bhonn práinne, ar nós uasteorainn infheidhmithe a chur i bhfeidhm maidir leis an líon daoine is féidir a choinneáil i ngach aon phríosún. Scríobh mé chuig an Aire Dlí agus Cirt maidir leis an bhfadhb seo i mí na Nollag 2022 (féach Aguisín I), agus chas mé leis i dtús na bliana 2023 chun aird a tharraingt ar m’ábhar imní.

Ar an drochuair, tá sé taifeadta arís eile inár dtuarascáil bhliantúil nach bhfuil an córas gearáin príosúnach oiriúnach don fheidhm. Mar a luaigh an Príomhchigire Gilheaney i dtuarascáil bhliantúil na bliana seo caite: “Ní féidir glacadh leis go séantar córas gearáin cothrom agus éifeachtach ar dhaoine atá i bpríosún in Éirinn”. Le tamall beag anuas, chas mé leis an Ombudsman maidir leis an ábhar seo agus leanfaidh mé i mbun teagmháil a dhéanamh leis an Roinn Dlí agus Cirt ag na leibhéil is sinsearaí d’fhonn socruithe malartacha a bhaint amach.

De réir mar a tháinig deireadh leis an mbliain, bhí mé thar a bheith sásta a bheith in ann ár dtuarascáil chigireachta théamach maidir le hOideachas agus Oiliúint i bPríosúin a sheoladh chuig an Aire Dlí agus Cirt, agus táim ag súil go bhfoilseofar é go luath. Cuireadh an chigireacht seo i gcrích i gcomhar le comhghleacaithe ó Chigireacht na Roinne Oideachais, a bhfuil Meabhrán Tuisceana curtha i gcrích againn leo. Inar ról amach anseo mar NPM d’earnáil an cheartais choiriúil, táimid ag súil leis an eispéreas dearfach seo inar oibríomar le réimse gníomhaireachtaí eile a athchruthú.

Mark Kelly

An Príomhchigire Príosún

1 INTREOIR

1.1 Feidhmeanna Oifig an Chigire Príosún

Bunaíodh Oifig an Chigire Príosún i mí Eanáir 2007 de bhun Alt 30 d'Acht na bPríosún 2007 ("An tAcht"). An tAire Dlí agus Cirt a cheapann an Príomhchigire Príosún chun na feidhmeanna a thugtar dó i gCuid 5 den Acht a chomhlíonadh. Ceapadh an Príomhchigire reatha an 1 Meitheamh 2022 ar feadh téarma oifige cúig bliana le héifeacht ón 15 Lúnasa 2022, faoi Alt 30 den Acht. Tá an Príomhchigire Príosún neamhspleách agus é i mbun a chuid feidhmeanna.

Le halt 31(1) den Acht, cuirtear d'oibleagáid ar an gCigire Príosún cigireachtaí rialta a dhéanamh ar phríosúin.

Le cois cigireachtaí, d'fhéadfadh an tAire Dlí agus Cirt iarraidh ar an gCigire Príosún fiosrúchán a dhéanamh ar aon ghnó a d'éireodh as bainistiú nó feidhmiú príosúin, agus má iarrtar, tá sé d'oibleagáid uirthi an fiosrúchán a dhéanamh. D'fhéadfadh an Príomhchigire fiosrúchán a dhéanamh as a stuaim féin.

Is é seo a leanas ról an Chigire Príosún:

- Cigireacht a dhéanamh ar na 12 phríosún uile in Éirinn ar bhonn rialta;
- Fiosrúcháin a dhéanamh faoi bhás daoine faoi choimeád agus bás aon duine atá ar scaoileadh sealadach a tharlaíonn laistigh de mhí amháin dá scaoileadh saor;
- Imscrúdú a dhéanamh dá thoil féin ar aon cheist a thagann chun cinn i ndáil le príosún a bhainistiú nó a fheidhmiú nó arna iarraidh ag an Aire Dlí agus Cirt;
- Litreacha ó phríosúnaigh a fháil agus iad a fhreagairt de réir Riall 44 de na Rialacha Príosún 2007- 2020;
- Maoirseacht a dhéanamh ar chóras gearáin príosúnach Sheirbhís Príosún na hÉireann agus dul i mbun na bhfeidhmeanna atá sannta de bhun Riall 57B de Rialacha na bPríosún 2007-2017;
- Ní feidhm de chuid an Phríomhchigire é gearán príosúnach aonair a fhiosrú nó breith a dhéanamh air, ach féadann sé na cúinsí a bhaineann le gearán príosúnaigh a scrúdú más gá agus é i mbun a chuid feidhmeanna (Alt 31(6) d'Acht na bPríosún 2007).

Faoi láthair, Níl d'údarás reachtúil ag an bPríomhchigire Príosún tuarascálacha cigireachta, tuarascálacha maidir le himscrúdú ná tuarascálacha bliantúla a fhoilsiú (ach féach caibidil 3). Ar aon dul le hAilt 31 nó 32 den Acht, faoi mar is infheidhme, a luaithe agus is praiticiúil i ndiaidh tuarascáil a fháil ón gCigire Príosún, caithfidh an tAire, faoi réir na caveat a leanas, an tuarascáil a chur faoi bhráid dhá Theach an Oireachtais agus a fhoilsiú.

Mar sin féin, Féadann an tAire aon ghnó sa tuarascáil atá le cur faoi bhráid Thithe an Oireachtais a fhágáil ar lár más dóigh leis:

1. D'fhéadfadh a nochtadh dul i bhfeidhm go diúltach ar shlándáil an phríosúin nó an Stáit, nó
2. I ndiaidh dul i gcomhairle le hArd-Rúnaí an Rialtais, dá nochtfaí é
 - a. nach mbeadh sé chun leasa an phobail, nó
 - b. go bhféadfadh sé cearta bunreachtacha duine ar bith a shárú.

Nuair a fhágtar aon ní ar lár ar an gcaoi seo, ní mór a leithéid de ráiteas a cheangal leis an tuarascáil atá i gceist nuair a chuirtear faoi bhráid dhá Theach an Oireachtais é agus nuair a fhoilsítear é.

1.2 An Fhoireann, Ár Misean, Ár Luachanna & Ár bhFís

An Fhoireann

D'éirigh Patricia Gilheaney as mar Phríomhchigire Príosún i mí Feabhra 2022 agus, i ndiaidh phróiseas earcaíochta oscailte an Choimisiúin um Cheapacháin Ardleibhéil, ceapadh Mark Kelly mar Phríomhchigire nua an 1 Meitheamh 2022, ar feadh téarma oifige cúig bliana le héifeacht ón 15 Lúnasa 2022. Cheap an tAire Dlí agus Cirt Mark Toland, Príomhchigire Chigireacht an Gharda Síochána, chun feidhmiú mar Phríomhchigire Eatramhach ó Feabhra go lár mhí Lúnasa 2022.

Amhail an 31 Nollaig 2022, chuimsigh baill foirne san OIP an méid a leanas:

An 1 Eanáir 2022	An 31 Nollaig 2022
An Príomhchigire Príosún Patricia Gilheaney	An Príomhchigire Príosún Mark Kelly
An Leas-Phríomhchigire Helen Casey	An Leas-Phríomhchigire Helen Casey
Cigire Sinsearach An Dr Ciara O'Connell	Cigire Sinsearach An Dr Ciara O'Connell
Cigire Sinsearach Kevin Hyland	Cigire Sinsearach Folúntas
Príomhoifigeach Cúnta Feargal MacSuibhne	Príomhoifigeach Cúnta Feargal MacSuibhne
Cigire John Byrne (d'éirigh as obair 14 Aibreáin, 2022)	Cigire Folúntas
Cigire Robert Bradley	Cigire Robert Bradley
Cigire Michelle Martyn	Cigire Michelle Martyn
Cigire Fiona O'Dea	Cigire Fiona O'Dea
Cigire Mark Wolfe	Cigire Mark Wolfe
Anailísí Sonraí An Dr Douglas Nanka-Bruce	Anailísí Sonraí An Dr Douglas Nanka-Bruce
Bainisteoir Oifige Gerard Connor	Bainisteoir Oifige Gerard Connor
Oifigeach Feidhmiúcháin Ross Donegan	Oifigeach Feidhmiúcháin Ross Mallon
Oifigeach Cléireachais Marie Therese Coghlan	Oifigeach Cléireachais Marie Therese Coghlan

Faoi dheireadh na bliana 2022, bhí próiseas faoi lánseol sa tSeirbhís um Cheapacháin Phoiblí chun ceathrar Cigirí breise a earcú agus chun duine a fháil in ionad Cigire Shinsearaigh

Ár Misean

Is é Misean an Chigire Príosún tacú le barr feabhais i ndáil le seachadadh agus torthaí i bpríosúin na hÉireann trí chlár neamhspleách cigireachtaí agus imscrúduithe.

Ár Luchanna

Le linn dúinn ár ndualgais reachtúla a chomhlíonadh, tacaíonn foireann na Cigireachta leis na luachanna seo a leanas i ngach rud a dhéanaimid agus sa dóigh a ndéanaimid é.

- Neamhspleáchas agus Neamhchlaontacht

Beidh an Chigireacht cothrom agus réasúnta i gcónaí i ndáil lena dualgais a chomhlíonadh agus beidh conclúidí bunaithe ar fhianaise. Beidh an tuairisceoireacht oscailte agus úsáidfear torthaí atá bunaithe ar fhianaise chun tionchar a imirt ar bheartas agus cleachtas.

- Dírithe ar Chearta an Duine

Beidh príomhchúram i leith chearta an duine i gcoílár gach rud a dhéanann an Chigireacht. Bainfidh an príomhchúram seo le príosúnaigh, baill foirne agus daoine eile a thagann i dteagmháil le Seirbhís Phríosúin na hÉireann (IPS);

- Trédhearcach agus Comhoibríoch

Foilseoidh an Chigireacht a cur chuige i ndáil le cigireachtaí agus imscrúduithe agus, chomh maith leis sin, na caighdeáin a bhfuil sé ag súil leo in IPS. Is é an aidhm atá ann oibriú i gcomhairle le bainistíocht IPS, baill foirne túslíne agus príosúnaigh chun comhlíonadh agus dea-chleachtas a chur chun cinn agus torthaí níos fearr a bhaint amach. Chomh maith leis sin, rachaidh an Chigireacht i gcomhairle le páirtithe leasmhara barrthábhachtacha eile;

- Cumasach agus Córasach

Beidh cur chuige gairmiúil agus struchtúrtha ag an gCigireacht i ndáil le Cigireacht agus Imscrúdú agus, chomh maith leis sin, i ndáil lena cuid torthaí, conclúidí agus moltaí a chur in iúl.

Ár bhFís don Todhchaí

De réir mar atá luaite inár bPlean Straitéiseach 2020-2023 (a foilsíodh i mí Dheireadh Fómhair 2020), is é an Fhís atá againn don Chigireacht faoin mbliain 2023 go mbainfear amach “réimeas láidir coisctheach maidir le cigireacht a dhéanamh ar phríosúin in Éirinn agus imscrúdú a dhéanamh ar bhásanna faoi choimeád, nó imscrúduithe eile a bhaineann le bainistiú nó feidhmiú príosúin, a dtugtar aitheantas in leith go gcomhlíontar nó go sáraítear riachtanais náisiúnta agus an dea-chleachtas idirnáisiúnta.”

2 ÁR RÁITIS UAILLMHÉINE 2020 - 2023

2.1 Ár Ráitis Uailmhéine

D'fhonn ár bhfís a fhíorú, d'fhoilsíomar sraith de cheithre Ráiteas Uailmhéine. Is léiriú soiléir iad seo ar na torthaí ar leith a bhfuil sé mar aidhm ag an gCigireacht iad a bhaint amach faoi dheireadh na bliana 2023 – atá ag brath, ar ndóigh, ar acmhainní a cheadú agus dialóg fhiúntach le IPS agus páirtithe leasmhara eile.

Réimeas láidir, coisctheach de chigireachtaí neamhspleácha ar Phríosúin a chur chun cinn ina gcuirtear ardchaighdeán chun cinn agus ina gcosnaítear cearta an duine

- Clár cuimsitheach agus córasach cigireachtaí ar phríosúin na hÉireann atá neamhspleách, trédhearcach, dírithe ar chosc agus atá i gcomhréir le gach riachtanas náisiúnta agus oibleagáidí agus dea-chleachtas náisiúnta nó a sháraíonn iad.

Réimeas láidir a chur ar fáil maidir le himscrúdú a dhéanamh ar bhásanna faoi choimeád agus/nó ar aon cheist a thagann chun cinn i ndáil le príosún a fheidhmiú nó a bhainistiú

- Imscrúduithe neamhspleácha, tráthúla agus trédhearcacha a dhéanamh ar gach Bás faoi Choimeád nó imscrúduithe a dhéanamh ar aon cheist a thagann chun cinn i ndáil le príosún a fheidhmiú nó a bhainistiú de réir mar a chinneann an Príomhchigire Príosún.

Muinín a chur ar fáil don phobal i ndáil le gearáin a láimhseáil

- Maoirseacht a dhéanamh ar an bPróiseas Gearáin Príosúnach ar bhealach ina bhfaightear muinín príosúnach, ball foirne agus an phobail agus atá láidir agus cothrom.

Forbairt a dhéanamh ar iontaoibh an phobail as obair na cigireachta

- Forbairt a dhéanamh ar iontaoibh an phobail go gcomhlíonann an Chigireacht a sainordú agus feidhm reachtúil trí láidreacht, cuimsitheacht agus neamhspleáchas chreat cigireachta, chlár oibre agus torthaí na Cigireachta a léiriú.

2.2 Ár bhFís a Bhaint Amach

Trí chlár pleanáilte gníomhaíochta ar fud gach réimse den Chigireacht, ina gcuimsítear seacht gcuspóir aitheanta, bainfear ár ráitis uailmhéine agus ár bhfís amach. Tugtar léiriú i **dTábla 1** ar na cuspóirí seo agus ar an mbaint atá acu le seachadadh.

Tábla 1: Ráitis Uaillmhéine a Bhaint Amach

Ráitis Uaillmhéine → Cuspóirí ↓	1. Réimeas láidir, coisctheach de chigireachtaí neamhspleácha ar Phríosúin a chur chun cinn ina gcuirtear ardchaighdeán chun cinn agus ina gcosnaítear cearta an duine	2. Réimeas láidir a chur ar fáil maidir le himscrúdú a dhéanamh ar SAInna (lena n-áirítear DiCanna) i bpríosúin agus ar aon cheist a thagann chun cinn i ndáil le príosún a fheidmiú nó a bhainistiú	3. Muinín a chur ar fáil don phobal i ndáil le gearáin a láimhseáil	4. Forbairt a dhéanamh ar iontaobh an phobail as obair na cigireachta	5. Sainordú breisithe ar fud ionaid choinneála sonraíthe eile sa chóras dlí agus cirt a chomhlíonadh	6. An réimse gníomhaíochtaí atá ag teastáil chun tacú leis an NPM nó chun é a chomhordú a chomhlíonadh
1. Déanfaimid creat, cuir chuige agus próisis a fhorbairt agus a choinneáil chun buntacú le réimis láidre i ndáil le cigireacht agus imscrúdú agus maoirseacht a dhéanamh ar ghearáin ó phríosúnaigh	✓	✓	✓	✓		
2. Cuirfimid an tsamhail oibriúcháin nua a i bhfeidhm atá ag teastáil chun ár misean agus dualgais reachtúla a bhaint amach i gcomhréir le riachtanais agus oibleagáidí náisiúnta agus idirnáisiúnta	✓	✓	✓	✓	✓	✓
3. Tabharfaimid faoi chlár láidir cigireachta ar fud phríosúin ar fad na hÉireann agus cloífimid leis	✓			✓		
4. Déanfaimid imscrúdú tréan agus tráthúil ar na DiCanna agus SAInna ar fad de réir mar a aithníonn an Cigire		✓		✓		
5. Forbróimid agus coinneoidimid caidrimh chomhoibríocha le heagraíochtaí is comhpháirtí agus le líonraí idirnáisiúnta	✓	✓	✓			
6. Beimid ullamh i gcónaí chun tabhairt faoi dhualgais bhreise de réir mar a éilíonn an Rialtas					✓	✓
7. Cuirfimid feidhm mhaoirseachta luachmhar ar fáil i ndáil le próiseas gearán príosúnach IPS			✓	✓		

3 SCÉIM GHINEARÁLTA DON DRÉACHTBHILLE UM CHIGIREACHT A DHÉANAMH AR IONAIÐ CHOINNEÁLA

Roimh i bhfad, tá Oifig an Chigire Príosúin le bheith ainmnithe mar Shásra Náisiúnta Coiscitheach (NPM) faoin bPrótacal Roghnach a Ghabhann le Coinbhinsiún na Náisiún Aontaithe in aghaidh na Céastóireachta (OPCAT). Tá sé i gceist leis an Dréacht-Scéim Ghinearálta den Bhille um Chigireacht a Dhéanamh ar Ionaid Choinneála (Meitheamh 2022), go n-éireoidh an Chigireacht ina Cigireacht um Ionaid Choinneála ag a mbeidh sainordú cigireacht a dhéanamh ar ionaid choinneála ar fud na hearnála ceartais, lena n-áirítear: príosúin; Stáisiúin an Gharda Síochána; feithicil ar bith a úsáideann An Garda Síochána nó Seirbhís Phríosúin na hÉireann chun duine atá á choinneáil a iompar ó láthair amháin go láthair eile; agus ionad ar bith ina gcoinnítear duine faoi choimeád díreach sula dtugtar an duine chun cúirte agus díreach ina dhiaidh sin (lena n-áirítear ionad laistigh den cheantar mórtimpeall na cúirte atá i gceist).

I mí Lúnasa 2022, rinne an OIP tuairimí maidir le Dréacht-Scéim Ghinearálta den Bhille um Chigireacht a Dhéanamh ar Ionaid Choinneála a chur isteach, inar luadh dhá ábhar imní príomha:

- i. Ní chinntítear leis an Scéim Ghinearálta neamhspleáchas feidhmiúil na hOifige um Chigireacht a Dhéanamh ar Ionaid Choinneála;
- ii. Ba chóir réimse iomlán feidhmeanna na hOifige um Chigireacht a Dhéanamh ar Ionaid Choinneála a shoiléiriú.

An 21 Samhain 2022, ghlac an Chigireacht páirt i gCruinniú Comhchéime maidir le OPCAT a Dhaingniú in Éirinn, a d'óstáil Iontaobhas na hÉireann um Athchóiriú an Chórais Choiriúil (IPRT), a raibh sé mar chuspóir leis páirtithe leasmhara a thabhairt le chéile chun an dréachtreachtaíocht a phlé agus dul chun cinn a dhéanamh maidir le Sásraí Náisiúnta Coiscitheacha a fhorbairt ar fud roinnt earnálacha. I láthair ag an imeacht seo freisin, bhí: Steven Caruana ó Choimisiún um Chearta Daonna na hAstráile agus ionadaithe ó Choimisiún na hÉireann um Chearta an Duine agus Comhionannas (IHREC), Réadlann NPM, an Chomhairle um Chearta an Duine (ICCL), Oifig an Ombudsman, an



tOmbudsman do Leanaí, Cigireacht an Gharda Síochána, Coimisiún Ombudsman an Gharda Síochána (GSOC), an tÚdarás Póilíneachta, *Mental Health Reform* agus *Empowering People in Care* (EPIC).

I láthair ag Cruinniú Comhchéime OPCAT i mí na Samhna 2022, ó chlé go deas: Éimear Fisher, Stiúrthóir Gníomhach, Coimisiún na hÉireann um Chearta an Duine agus Comhionannas; Petur Hauksson, Cathaoirleach, Réadlann NPM; Sharon Shalev, Comhlach Taighde, An Lárionad Coireolaíochta, Ollscoil Oxford agus comhalta de Réadlann

NPM; Steven Caruana, Comhordaitheoir Líonra OPCAT na hAstráile; Saoirse Brady, Stiúrthóir Feidhmiúcháin, Iontaobhas na hÉireann um Athchóiriú an Chórais Choiriúil; Mark Kelly, an Príomhchigire Príosúin; Sinéad Gibney, an Príomh-Choimisinéir, Coimisiún na hÉireann um Chearta an Duine agus Comhionannas

An 18 Samhain 2022, tháinig an Príomhchigire agus Cigire Sinsearach os comhair an Chomhchoiste Oireachtais um Dhlí agus Ceart chun tuairimí na Cigireachta a chur i láthair. Foilsíodh an tuarascáil grinnscrúdúcháin réamhreachtaigh ón gComhchoiste um Dhlí agus Ceart i mí an Mhárta 2023.

Ag dúil lena ról amach anseo faoi OPCAT, chuir an Chigireacht tús le ceathrar Cigirí breise a earcú agus folúntas do Chigire Sinsearach a líonadh ag deireadh na bliana. Táthar ag súil go mbeidh gá le méadú suntasach breise in acmhainní daonna agus airgeadais chun cur ar chumas na Cigireachta a feidhmeanna nua a chur i gcrích go hiomlán.

4 GNÍOMHAÍOCHTAÍ - CIGIREACHT & IMSCRÚDÚ

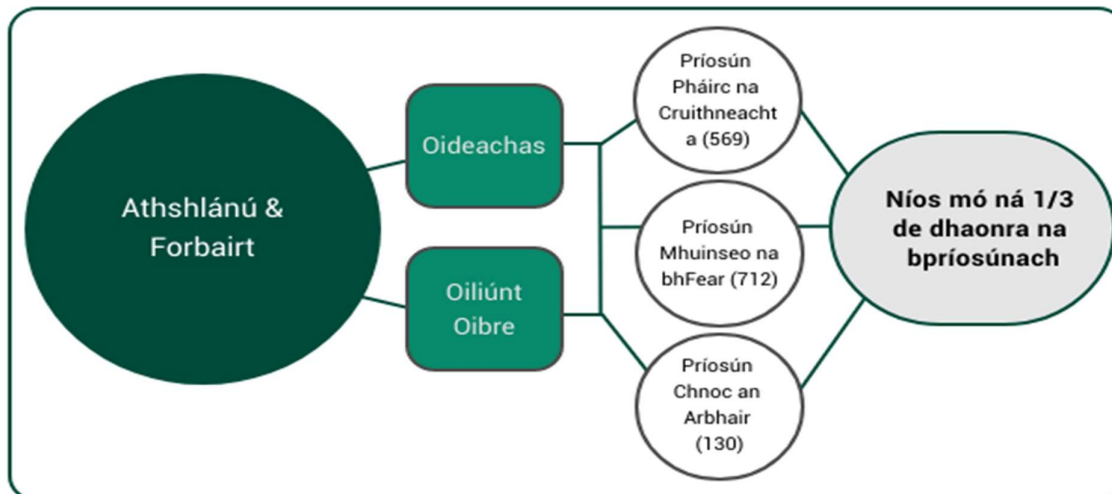
4.1 Cigireachtaí

In 2022, chuir Oifig an Chigire Príosún cigireacht théamach i gcrích i dtí phríosún, agus cuireadh tús le clár cigireachtaí ginearálta iomlána neamhfhogartha ar phríosúin, i gcomhréir le *Creat Cigireachta do Phríosúin in Éirinn* (2020).

Cigireacht Théamach um Oideachas & Oiliúint Oibre

I mí an Mhárta 2022, chomhaontaigh Oifig an Chigire Príosún agus Cigireacht na Roinne Oideachais (Cigireacht DE) *Meabhrán Tuisceana*, a bhí mar bhonn agus mar thaca ag comhpháirtíocht leanúnach idir an dá Chigireacht.

Idir mí Aibreáin agus mí Meithimh, chuir Cigireacht an OIP agus an DE Cigireacht Théamach um Oideachas agus Oiliúint Oibre i gcrích i bPríosún Pháirc na Cruithneachta, Príosún na bhFear Mhuinseo agus Príosún Chnoc an Arbhair. Chuimsigh daonra na dtí phríosún níos mó ná trian amháin den daonra príosúnach ar fad (**Fíor 1**). Faoin Réimse Fócais *Athshlánú & Forbairt*, rinneadh measúnú leis an gcigireacht seo ar sholáthar oideachais agus oiliúna oibre sna príosúin, agus béim ar leith á leagan ar chaighdeán an tsoláthair oideachais agus teacht a bheith ar sheirbhísí athshlánaithe i bpríosúin.

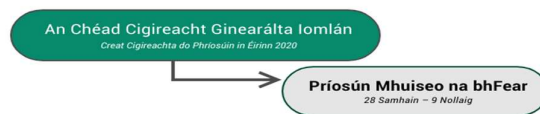


Fíor 1: Cigireacht Théamach um Oideachas & Oiliúint Oibre

Cuireadh an tuarascáil chigireachta faoi bhráid an Aire Dlí agus Cirt i mí na Nollag 2022, agus cuireadh Plean Gnímh Sheirbhís Phríosún na hÉireann, a forbraíodh chun aghaidh a thabhairt ar mholtaí a tugadh sa tuarascáil, isteach i mí Feabhra 2023. Ag deireadh na bliana 2022, bhí an tuarascáil maidir le *Cigireacht Théamach um Oideachas & Oiliúint Oibre* fós le foilsiú.

Cigireacht Ghinearálta ar Phríosún na bhFear Mhuinseo

I gcaitheamh coicíse i mí na Samhna agus mí na Nollag 2022, chuir an Chigireacht cigireacht neamhfhógartha ginearálta iomlán i gcrích i bPríosún na bhFear Mhuinseo. Leis an gcigireacht seo, rinneadh measúnú ar an bpríosún ar fud cúig réimse fócais: Meas & Dínit, Sábháilteacht & Slándáil, Sláinte & Folláine, Athshlánú & Forbairt agus Athlonnú. Le linn measúnú a dhéanamh ar Shláinte & Folláine sa phríosún, thacaigh beirt Saineolaithe Leighis leis an gCigireacht.



Bhí an chigireacht ginearálta iomlán ar Phríosún na bhFear Mhuinseo ar an gcéad uair a d'úsáid an Chigireacht suirbhéanna digiteacha anaithnide do phríosúnaigh agus baill foirne an phríosúin chun eispéiris ar bheith ag maireachtáil agus ag obair sa phríosún a ghabháil. Mar gheall ar an ngné dhigiteach agus 'fíor-ama' a bhain leis an suirbhé, cuireadh bonn eolais díreach faoi na torthaí le linn na cigireachta.

Ag deireadh na bliana 2022, bhí an tuarascáil chigireachta maidir le Príosún na bhFear Mhuinseo á dréachtú lena cur faoi bhráid an Aire Dlí agus Cirt i dtús na bliana 2023.

An Bunachar Sonraí do Mholtaí ar Líne

I gcomhréir leis an Creat Cigireachta (Cuid 3.4.11) agus an Beartas um Monatóireacht a Dhéanamh ar Mholtaí (2021), déanann an OIP monatóireacht ar chur i bhfeidhm moltaí a thugtar do Sheirbhís Phríosúin na hÉireann ar bhonn leanúnach. Déantar monatóireacht trí chigireachtaí agus trí bhíthin féinmheasúnaithe a chuireann Seirbhís Phríosúin na hÉireann i gcrích ar bhonn leathbhliantúil.

I mí Mheán Fómhair 2022, chuir Seirbhís Phríosúin na hÉireann nuashonrú ar stádas ar fáil maidir leis na moltaí ar glacadh leo agus a mheastar a bheith 'leanúnach' ag an tSeirbhís Phríosúin.

I mí na Nollag 2022, d'fhoilsigh an OIP an Bunachar Sonraí do Rianaire Moltaí ó Chigireachtaí, a chuireann nuashonruithe ar fáil maidir le téamaí agus cur i bhfeidhm moltaí. Déantar an bunachar sonraí seo a nuashonrú i ndiaidh féinmheasúnuithe stádais i leith moltaí a fháil ón IPS agus i ndiaidh tuairiscí cigireachta a fhoilsiú.

Gníomhaíochtaí Cigireachta Eile

- Foilsíodh ceithre Thuairisc Chigireachta Théamacha COVID-19 i mí Aibreáin 2022: Príosún Lár Tíre, Príosún an Chaisleáin Riabhaigh, Príosún na mBan Mhuinseo – Ionad Dóchas agus Teach an Locháin
- Ullmhaíodh leabhrán maidir le torthaí ó Chigireachtaí Téamacha COVID-19 agus roinneadh é le baill foirne na bpríosún agus le breis agus 4000 duine i bpríosún (agus é ar fáil i ndeich dteanga)
- I mí Mheán Fómhair agus mí Dheireadh Fómhair 2022, chuir an Príomhchigire agus baill foirne cuairteanna taithíochta i gcrích i gcúig phríosún: Príosún na bhFear Mhuinseo, Príosún Phort

Laoise, Príosún Luimnigh, Príosún an Chaisleáin Riabhaigh, Príosún Pháirc na Cruithneachta. Tá sé beartaithe go dtabharfaidh an Príomhchigire Príosún cuairt ar an seacht bpríosún eile in R1-R2, 2023

4.2 Imscrúduithe

Imscrúduithe ar Bhás faoi Choimeád

Ón mbliain 2012 i leith, tá sé d'oibleagáid ar an bPríomhchigire Príosún imscrúdú a dhéanamh ar gach bás faoi choimeád i bpríosún agus tuairisc a chur faoi bhráid an Aire lena foilsiú ina dhiaidh sin. Chomh maith leis sin, déanann an Chigireacht imscrúdú ar bhás gach duine a tharlaíonn laistigh de mhí amháin ar a scaoileadh sealadach ó choimeád i bpríosún.

Is iad na cuspóirí atá lenár n-imscrúduithe ná:

- Na himthosca agus na himeachtaí a bhaineann leis an mbás a fháil amach, lena n-áirítear an cúram sláinte a sholáthair IPS;
- A fhiosrú an bhféadfadh aon athruithe ar mhodhanna oibríochta, beartais, cleachtais nó socruithe bainistíochta IPS cabhrú le bás den chineál céanna a chosc sa todhchaí;
- A chinntiú go bhfuil deis ag teaghlach an phríosúnaigh aon imní atá acu a léiriú, agus an méid sin a chur san áireamh san imscrúdú;
- Cabhrú le himscrúdú an Chróinéara agus cúnaimh a thabhairt oibleagáidí an Stáit a chomhlíonadh faoi Airteagal 2 den Choinbhinsiún Eorpach um Chearta an Duine, trína chinntiú a mhéid is féidir go dtugtar na fíricí iomlána chun solais agus go nochtar aon mhainneachtain ábhartha, go n-aithnítear aon chleachtas inmholta, agus go bhfoghlaímítear aon cheachtanna ón mbás; agus
- Réimsí a aithint a d'fhéadfadh a bheith ríthábhachtach i ndáil le Straitéis na Roinne Dlí agus Cirt 2021 go 2023 chun “Éire Shábháilte, Chothrom agus Ionchuimsitheach” a chruthú a chur chun cinn nó a bhac”.

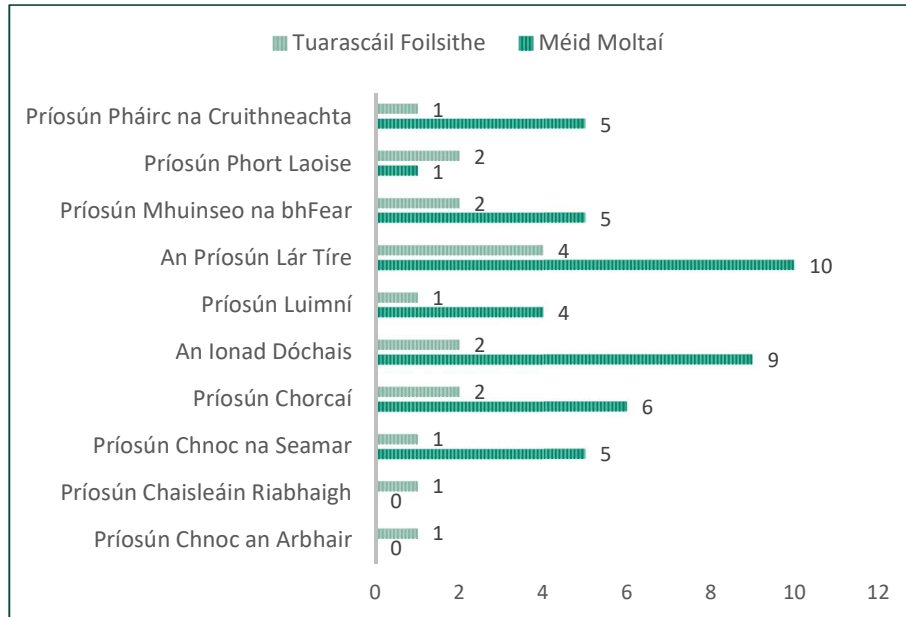
Tá Imscrúduithe ar Bhás faoi Choimeád Oifig na Chigire Príosún (OIP) ina gcuid de phróiseas seachtrach a bhfuil trí ghné ag baint leis – arb iad na gnéithe eile imscrúdú ó An Garda Síochána, agus fiosrúchán agus ionchoisne an Chróinéara a chinneann cúis an bháis. Léiríonn an meascán d'Imscrúdú ó An Garda Síochána agus ionchoisne an Chróinéara, in éineacht le himscrúdú na Cigireachta, go gcomhlíonann Éire na hoibleagáidí náisiúnta agus idirnáisiúnta a leagtar síos in Airteagal 2 den Choinbhinsiún Eorpach um Chearta an Duine.

Le linn 2022, tháinig méadú 188% ar líon na mbásanna, go 23 cinn in 2022, a tuairiscíodh chuig an OIP, bíodh is gur tháinig an méadú ó bhonn íseal d'ocht mbás sa bhliain roimhe sin.

Níl sé d'údarás ag an OIP tuairiscí imscrúdaithe agus cigireachta a fhoilsiú, agus faoi dheireadh na bliana, d'fhoilsigh an tAire Dlí agus Cirt 17 dtuairisc um Imscrúdú ar Bhás faoi Choimeád.

Tá miondealú ar an 17 dtuarascáil Imscrúdaithe um Bhás faoi Choimeád in aghaidh an phríosúin, agus líon na moltaí a tugadh i ndáil le gach aon cheann díobh á chur ar fáil i **bhFíor 2**.

Fíor 2: 17 Tuarascálacha maidir le Bás faoi Choimeád in éineacht le Moltaí ar fud na bPríosún a cuireadh isteach sa bhliain 2022



Moltaí

Nuair a mheastar gur cuí, áirítear le tuarascálacha maidir le hImscrúdú ar Bhás faoi Choimeád moladh/moltaí d’Ard-Stiúrthóir Sheirbhís Phríosúin na hÉireann le breithniú a dhéanamh orthu. Le linn 2022, iarradh ar an Ard-Stiúrthóir a dhearbhu cé acu ar ghlac nó nár ghlac sí leis an moladh/na moltaí sna tuarascálacha faoi seach. Chomh maith leis sin, iarrtar Plean Gnímh SMART (sonrach, intomhaiste, inbhainte amach, réalaióch agus faoi cheangal ama) in éineacht le Gníomhartha Ceartaitheacha agus Gníomhartha Coisctheacha agus (CaPas) chun aghaidh a thabhairt ar an moladh/moltaí ar glacadh leo nó ar glacadh leo i bpáirt. I gcás nár glacadh le moladh, iarradh ar an Ard-Stiúrthóir fáth/fáthanna a thabhairt.

Foilsíodh na Pleananna Gnímh, a d’fhorbair Seirbhís Phríosúin na hÉireann, mar fhreagra ar mholadh/moltaí a tugadh i dtuarascálacha Imscrúdaithe, ar láithreán gréasáin an OIP (www.oip.ie) in éineacht lenár dtuarascálacha.

Maidir leis na 17 dtuarascáil a foilsíodh le linn na bliana 2022, bhí 45 moladh ar an iomlán sna 11 tuarascáil. Níor tugadh aon mholadh i sé cinn de na tuarascálacha. Maidir leis na 45 mholadh a tugadh:

- glacadh le 24 cinn
- glacadh le sé cinn i bpáirt
- níor glacadh le trí cinn
- bhí seacht moladh i gceist inar thuairiscigh an IPS go raibh próisis i bhfeidhm chun aghaidh a thabhairt ar na réimsí a raibh feabhas le cur orthu.
- I gcúig cinn de na moltaí a tugadh i dtuarascáil amháin (Tag. An tUasal Q 2019) mhol an IPS go dtabharfaí faoi ‘Athbhreithniú ar Bheartas agus Nós Imeachta’ ar lena linn sin a chuirfí na moltaí seo san áireamh. Faoi dheireadh na bliana, níor chuir an IPS an t-athbhreithniú i gcrích. Cuirtear miondealú ar fáil maidir leis na 45 moladh i **dTábla 2**.

Tábla 2: Moltaí: Tuarascálacha maidir le hImscrúdú ar Bhás faoi Choimeád a Foilsíodh sa bhliain 2022

Tuarascáil maidir le hImscrúdú	An Líon Moltaí	Glactha	Glactha i bPáirt	Níor Glacadh	Próisis atá i bhfeidhm chun aghaidh a thabhairt ar an moladh
An tUasal A 2019 Príosún Lár Tíre	2	1	1	0	0
An tUasal B 2019 Príosún Lár Tíre	8	2	2	1	3
An tUasal H 2019 Príosún Chorcaí	2	2	0	0	0
An tUasal I 2019 Príosún Luimnigh	4	2	1	1	0
An tUasal L 2019 (TR) Príosún na bhFear Mhuinseo	2	1	1	0	0
An tUasal M 2019 Príosún Pháirc na Cruithneachta	5	2	0	0	3
An tUasal Q 2019 Príosún Chnoc na Seamar	5 ¹	-	-	-	-
An tUasal T 2019 Príosún Lár Tíre	1	0	0	0	1
Bean X 2019 Ionad Dóchas	9	8	1	0	0
An tUasal A 2020 Príosún Chorcaí	4	3	0	1	0
An tUasal D 2020 Príosún na bhFear Mhuinseo	3	3	0	0	0
Iomlán	45	24	6	3	7

¹ Geallta ag an IPS é a chur san áireamh mar chuid d'Athbheithniú ar Bheartas agus Nós Imeachta

Maidir leis na trí mholadh nár ghlac an tArd-Stiúrthóir leo. Cuireadh na cúiseanna seo a leanas ar fáil:

- 1. Moladh (An tUasal B 2019):** gur chóir ‘(...) ainmneacha na ndaoine atá faoi bhreathnóireacht speisialta a thaifeadh sa Dialann Aicme ábhartha agus é sínithe agus dátaithe araon ag an Oifigeach atá i mbun an liosta a thabhairt ar láimh agus ag an Oifigeach atá á fháil lena chinntiú nach bhfuil aon amhras faoi na daoine atá faoi réir seiceálacha ag eatrainmh 15 nóiméad.’

Freagra an IPS: ‘Bheadh an moladh seo ina chúis le hathobair (...) Tá an liosta breathnóireachta ar fáil go réidh agus go héasca i bhfor-am ar PIMS a bhfuil teacht ag na baill foirne air (...)’

- 2. Moladh (An tUasal I 2019):** ‘Ba chóir do Sheirbhís Phríosúin na hÉireann breithniú a dhéanamh ar oiliúint i dTacaíocht Saoil Bhunúsach (BLS) d’oifigigh príosúin earcaithe le linn na chéad choda dá n-oiliúint agus ar chúrsaí athnuachana do bhaill foirne seanbhunaithe.’

Freagra an IPS: ‘Nuair a d’fhorbair Seirbhís Phríosúin na hÉireann an siollabas reatha oiliúna d’Oifigigh Príosúin Earcaithe in 2016, cinneadh gan oiliúint céad fhreagróra a chur san áireamh sa chlár. Cinneadh é seo mar gheall ar na héilimh a chuirfeadh sé seo ar an gcóras soláthar foirne d’oiliúint athnuachana gach aon bhliain. (...) Chomh maith leis sin, bunaíodh cúrsaí ar phrionsabal na coibhéise. Is dócha go mbeidh an t-aga freagartha ó fhoireann cúraim sláinte an phríosúin i bhfad níos lú ná an t-aga freagartha ón HSE ar ghlaoch amach ar otharcharr. Mar sin féin, cuirtear oiliúint céad freagróra ar fáil d’Oifigigh Ionad Aclaíochta, Baill Foirne PSEC agus baill foirne Ionad Oscailte. Agus an méid sin ar fad ráite, ba chóir a aithint gur altra a bheadh ar dhuine de na chéad daoine ar an láthair de ghnáth i gcás mar seo. Gné lárnach de thacar scileanna na n-altraí ar fad atá fostaithe sa tseirbhís phríosúin is ea Oiliúint i dTacaíocht Saoil Bhunúsach agus Céad Fhreagróra.’

- 3. Moladh (An tUasal A 2020):** ‘Ba chóir cinntí i ndáil le scaoileadh sealadach atruach, go háirithe i gcás ina bhfuil cúram foircneach á riar, a dhéanamh go tapa chun meas a thabhairt do dhínt i mbás príosúnaigh agus le go mbeadh príobháideacht ag teaghlach. I ndiaidh do Ghobharnóir iarratas a dhéanamh, ba chóir gur le beartas a rialófaí na creatáí ama i leith freagraí agus géarú i gcás ina mbíonn moilleanna i gceist.’

Freagra an IPS: Maidir le “Scaoileadh sealadach atruach mar gheall ar fhorais shláinte agus forais dhaonnúla a bhaineann le sláinte”, ní mór réimse leathan faisnéise a bhailiú ó go leor foinsí in éineacht le líon seicphointí ar feadh an bhealaigh. Chomh maith leis sin, ní mór caitheamh le gach aon chás de réir a thuillteanais agus ní mór go mbeadh an chinnteoireacht bunaithe ar an bpríosúnach.

Ó thaobh Cúraim Sláinte de, níl sé réalafóch sprioc-am dian a chur i bhfeidhm ar phróiseas den chineál seo freisin (...) Ag brath ar an gcineáil pianbhreithe atá i gceist, is é an tAire nó Ard-Stiúrthóir Sheirbhís Phríosúin na hÉireann an cinnteoir deiridh agus dá bharr sin, tríd is tríd, níl aon phointe gearaithe eile ann. Dá bharr sin, ní mheastar gur cuí amlínte a chur san áireamh.’

Is féidir Pleananna Gnímh Sheirbhís Phríosúin na hÉireann mar fhreagra ar gach moladh ón OIP a fháil ag www.oip.ie.

Monatóireacht Leanúnach

Leanfaidh an OIP de mhonatóireacht a dhéanamh ar chur i bhfeidhm agus éifeachtacht ghníomhartha geallta Sheirbhís Phríosúin na hÉireann i gcaitheamh na bliana 2023. Ar nós an phróisis Chigireachta dá dtagraítear i gCaibidil 4 den tuarascáil seo, cuirfear faisnéis mhonatóireachta ar fáil trí nuashonruithe ar stádas Féinmheasúnaithe dhá uair sa bhliain ó Sheirbhís Phríosúin na hÉireann agus trí Chigireachtaí ‘Ginearálta agus Iarchúraim’.

I mí Mheán Fómhair 2022, chuir Seirbhís Phríosúin na hÉireann nuashonrú ar stádas ar fáil maidir leis na moltaí ar fad ar glacadh leo agus ar measadh a bheith ‘leanúnach’ ó tugadh isteach an Plean Gnímh in 2018.

Foilsíodh Bunachar Sonraí do Rianaire Moltaí ó Imscrúduithe ar ár láithreán gréasáin.

Imscrúduithe Eile

An 15 Feabhra 2022 rinneadh tuarascáil maidir le himscrúdú, a cuireadh i gcrích faoi Alt 31(2) d’Acht na bPríosún, a bhí iarrtha ag an Aire, a chur faoi bhráid an Aire. Cuireadh tuarascáil fhorlíontach a d’iarr an tAire maidir le nithe a d’eascair as an imscrúdú maidir le hAlt 31(2) ar aghaidh i mí Bealtaine 2022.

5 GEARÁIN

Tá ról reachtúil ag Oifig an Chigire Príosún i ndáil le maoirseacht ghinearálta a dhéanamh ar Chóras Gearáin Príosúnach an IPS. Ní feidhm de chuid an Chigire é imscrúdú a dhéanamh ar ghearáin faoi leith, ach d'fhéadfadh an Chigireacht iniúchadh a dhéanamh ar na cúinsí a bhaineann le gearán nuair is gá chun feidhmeanna na hOifige a chur i gcrích.

Chuireann an IPS sonraí ar fáil don Chigireacht maidir le gearáin ó phríosúnaigh. Éilítear ar Oifigeach Idirchaidrimh Ainmnithe i ngach aon phríosún an fhaisnéis seo a chur ar fáil ar bhonn míosúil agus déanann foirne na Cigireachta an fhaisnéis a athbheithniú nuair atáthar ag ullmhú do chigireachtaí.

Gearáin i gCatagóir A

Tá oibleagáidí i leith tuairisceoireacht ar IPS faoi Riail 57(B) i ndáil le líomhaintí de chineál tromchúiseach, ar nós ionsaí nó forneart tromchúiseach a úsáid in aghaidh príosúnaigh nó drochíde, drochíde ciníoch, leithcheal, imeaglú, bagairtí – i.e. Gearáin i gCatagóir A

Cuirtear an miondealú ar ghearáin príosúnach i gCatagóir A (de réir an phríosúin) a cuireadh in iúl don OIP le linn 2022 ar fáil thíos. Tá an anailís seo bunaithe ar shonraí a fuair an Chigireacht ó thuirisceáin mhíosúla Sheirbhís Phríosúin na hÉireann (tuarascáil Cognos). Ar nós blianta roimhe seo, níor thairfid Ionad Oscailte Theach an Locháin aon ghearáin in 2022. Ní raibh aon ghearáin thairfeadta ag Cnoc an Arbhair ná Mainistir Shelton ach an oiread don bhliain 2022.

Anailís ar Ghearáin i gCatagóir A

De réir mar a léirítear i **dTábla 3**, fuair an Chigireacht fógra i ndáil le 75 ghearán i gCatagóir A ó líon iomlán de 12 phríosún. Tugtar mionsonraí breise i **dTáblaí 4 agus 5** maidir le riachtanais um fhógra a thabhairt agus Riail 57(B) a chomhlíonadh.

Tábla 3: Fógraí i ndáil le Gearáin i gCatagóir A chuig an gCigire Príosún

Ionad Coinneála	Fógraí i ndáil le Gearáin i gCatagóir A in 2022
Cnoc an Arbhair	0
Príosún Chaisleán an Riabhaigh	3
Príosún Chnoc na Seamar	3
Príosún Chorcaí	5
Príosún na mBan Mhuinseo – Ionad Dóchas	3
Príosún Luimnigh	7
Teach an Locháin	0
Príosún Lár Tíre	24
Príosún na bhFear Mhuinseo	10
Príosún Phort Laoise	12
Mainistir Shelton	0
Príosún Pháirc na Cruithneachta	3
Iomlán	70

Tábla 4: Fógra a Thabhairt i gcomhréir le Riall 57(B) de Rialacha na bPríosún 2007 – 2020

Riall 57(B) Rialacha na bPríosún 2007 – 2020	lomlán a fuarthas in 2022	Fógra a Fuarthas a bhaineann le 2022	Fógra a Fuarthas a bhaineann le 2021	Fógra a Fuarthas a bhaineann le 2020	Fógra a Fuarthas a bhaineann le 2019	Fógra a Fuarthas a bhaineann le 2018
Fógraí faoi Ghearáin i gCatagóir A	70	70	0	0	0	0
Fógra ón nGobharnóir don Chigireacht laistigh de 7 lá ó fhógra a fháil faoin ngearán [57B(4)]	66	66	0	0	0	0
Cuirfear an Chigireacht ar an eolas faoi cheapachán an imscrúdaitheora [57B(5)(a)]	45	32	13	0	0	0
Gearáin a mheasann Ard-Stiúrthóir IPS a bheith cráiteach, gan bhunús, nó lasmuigh de raon feidhme na rialach agus a fhoirceannann sé. Cuirtear an Cigire Príosún ar an eolas faoin gcinneadh agus na cúiseanna leis an gcinneadh [57B(5)(b)]	4	3	1	0	0	0
Gearáin a tharraingíonn príosúnaigh siar agus a chinneann an tArd-Stiúrthóir gur cheart iad a fhoirceannadh. Cuirtear OIP (a) ar an eolas agus (b) déantar na cúiseanna a dhoiciméadú [57B(5)(c)]	(a) 5 (b) 5	(a) 2 (b) 2	(a) 3 (b) 3	(a) 0 (b) 0	(a) 0 (b) 0	(a) 0 (b) 0
Gearáin a chuaigh ar aghaidh chuig Imscrúdú	50	37	13	0	0	0
Tuarascálacha iomlána ar imscrúduithe a fuair an Chigireacht	50	12	30	4	3	1
Tuarascálacha eatramhacha a cuireadh faoi bhráid na Cigireachta	23	11	12	0	0	0
Líon na dtuarascálacha a fuarthas inar glacadh nó inar seasadh leis an ngearán nó inar seasadh leis i bpáirt	5	2	3	0	0	0

Léirítear i dTábla 5 go gcomhlíonann IPS na hoibleagáidí reachtúla a bhaineann le himscrúdú a dhéanamh ar ghearáin i gCatagóir A in 2022, i gcomparáid le blianta roimhe seo.

Tábla 5: Riachtanais agus Comhlíonadh Riail 57B

Riail 57B Rialacha na bPríosún 2007- 2020	% Comhlíonadh 2022	% Comhlíonadh 2021	% Comhlíonadh 2020
Fógra ón nGobhanóir chuig an gCigire Príosún taobh istigh de sheacht lá tar éis dó eolas faoin ngearán a fháil [57B(4)]	95%	84%	81%
Cuirfear Oifig an Chigire Príosún ar an eolas faoi cheapachán an imscrúdaitheora [57B(5)(a)**	46%	63%	2%
Gearáin a mheasann Ard-Stiúrthóir IPS a bheith cráiteach, gan bhunús, nó lasmuigh de raon feidhme na rialach agus a fhoirceannann sé. Cuirtear an Cigire Príosún ar an eolas faoin gcinneadh agus na cúiseanna leis an gcinneadh [57B(5)(b)]	100%	100%	100%
Gearáin a tharraingíonn príosúnaigh siar agus a chinneann an tArd-Stiúrthóir gur cheart iad a fhoirceannadh. Cuirtear an Cigire Príosún (a) ar an eolas agus (b) déantar na cúiseanna a dhoiciméadú [57B(5)(c)]	(a) 100% (b) 100%	(a) 100% (b) 100%	(a) 100% (b) 100%
Gearáin a chuaigh ar aghaidh chuig imscrúdú	53%	87%	86%
Tuarascálacha iomlána ar imscrúduithe a fuair OIP maidir le gearáin nua i bliain ar leith	24%	49%	32%
Tuarascálacha ar imscrúduithe a fuarthas laistigh de 3 mhí	17%	24%	3%
Tuarascálacha eatramhacha a cuireadh faoi bhráid OIP maidir le gearáin nua i bliain ar leith	15%	40%	12%
Líon na dtuarascálacha ar imscrúduithe a fuarthas inar glacadh nó inar seasadh leis an ngearán	17%	13%	8%

** Comhlíonadh arna léiriú mar chéatadán de líon iomlán na ngearán a chuir an IPS in iúl don OIP i rith na bliana 2022.

Tugtar an méid seo a leanas faoi deara i leith na bliana 2022:

- Cuireadh formhór mór na ngearán in iúl don Chigireacht laistigh de 7 lá – 95% (Riail 57(B)(4));
- Is ionann sin agus feabhsú 11% le hais na bliana 2021;
- Is cúis imní i gcónaí é an mhoill a bhaineann le ceapacháin imscrúdaitheoirí chun gearáin Chatagóir A a imscrúdú – tugtar ísliú ó 63% go 46% idir 2021-2022 faoi deara (céatadán comhlíonta arna léiriú mar chéatadán de líon iomlán na ngearán a chuir an IPS in iúl don OIP i rith na bliana 2022).

- Comhlíonadh 100% i gcónaí maidir le fógra a thabhairt don Chigireacht maidir le gearáin a measadh a bheith cráiteach nó lasmuigh den raon feidhme- (Rialacha 57B (5)(b) nó tarraingthe siar (57B (5)(c));
- Tháinig méadú seasta ar an gcéatadán gearán ar aithin imscrúdaitheoirí gur glacadh/seasadh leo le 3 bliana anuas;
- De réir mar a luadh i dTuarascáil Bhliantúil 2021 OIP, tríd an gcóras fógartha uathoibríoch a d'fhorbair an IPS, cuireadh rabhadh ar an toirt ar fáil don OIP trí úsáid a bhaint as PIMS.

Barúlacha ó Ghearáin a Athbhreithniú

Rinneadh easnaimh a bhain leis an nós imeachta maidir le gearáin ó phríosúnaigh a fheidhmiú a thabhairt ar aird agus trácht a dhéanamh orthu i dtuarascálacha roimhe seo. B'amhlaidh an cás sin i gcónaí le linn na bliana 2022.

Inár ról maoirseachta, fuair 50 tuarascáil maidir le himscrúdú ar ghearáin ó phríosúnaigh i gCatagóir A sa bhliain 2022. B'ionann sin agus laghdú suntasach ar an 85 cinn a fuarthas le linn 2021.

Maidir leis na 50 tuarascálacha imscrúdaithe a fuarthas le linn 2022, fuarthas líon níos airde a bhain le gearáin a taifeadh i mblianta roimhe seo; bhain 30 thuarascáil a fuarthas le himscrúduithe i ndáil le gearáin a taifeadh le linn 2021. Fuarthas 8 dtuarascáil bhreise a bhain le gearáin a taifeadh idir 2020-2018.

Tugann an Chigireacht ar aird gur creat críochnaithe fada é an creat críochnaithe atá i gceist leis an bpróiseas imscrúdaithe. Léirítear é seo go soiléir trí bhíthin gur in 2022 a fuair an Chigireacht torthaí imscrúdaitheora a bhain le gearán ón mbliain 2018. Chomh maith leis sin, fuarthas tuarascálacha torthaí Gobharnóra do thrí chás gearáin a chuaigh siar chomh fada le 2018.

Tá an t-achar ama a ghlacann sé chun imscrúdaitheoir a cheapadh ina údar imní freisin. Tugann an Chigireacht ar aird, as na 39 ngearán ón mbliain 2022 dá bhfuil imscrúdaitheoir fós le ceapadh, cuireadh an gearán ba luaithe a bhí ar feitheamh in iúl don OIP an 14/03/2022.

Le linn 2022, bhí dhá ghearán ar aithin imscrúdaitheoirí go raibh cúis ann seasamh leo. Astu sin, sheas an Gobharnóir le ceann amháin ina athbhreithniú agus ina thuarascáil ar thorthaí ina dhiaidh sin, níor sheas an Gobharnóir le ceann amháin ina athbhreithniú.

6 LITREACHA Ó PHRÍÓSÚNAIGH (RIAIL 44)

De réir Riail 44 (1)(h) de Rialacha na bPríosún 2007 - 2020, tá príosúnach i dteideal litir nár osclaíodh a sheoladh agus a fháil ón gCigire Príosún.

In 2022, fuair Oifig an Chigire Príosún 143 litir ar an iomlán ó 74 phríosúnach. Fuarthas na litreacha ó phríosúnaigh i ndeich bpríosún; ní bhfuarthas aon litreacha ó Theach an Locháin ná ó Mhainistir Shelton. Tugtar léiriú i **dTábla 6** ar líon na litreacha a fuarthas ó gach aon phríosún mar aon le comparáid leis an dá bhliain roimhe sin.

Tábla 6: Litreacha, Líonta agus Comparáid

Príosún	2022	2021	2020
Príosún Chnoc an Arbhair	8	9	3
Príosún an Chaisleáin Riabhaigh	6	6	8
Príosún Chnoc na Seamar	11	4	2
Príosún Chorcaí	2	3	0
Ionad Dóchas	6	8	15
Príosún Luimnigh	3	7	0
Príosún na mBan Luimnigh	0	2	0
Teach an Locháin	0	0	0
Príosún Lár Tíre	70	69	12
Príosún na bhFear Mhuinseo	6	19	9
Príosún Phort Laoise	17	25	6
Mainistir Shelton	0	3	1
Príosún Pháirc na Cruithneachta	13	13	3
Iomlán	142²	168	59

² Fuarthas litir amháin sa phost ginearálta gan aon chomhartha maidir leis an bpríosún ónar seoladh í. Ní bhfuarthas aon chomhfhreagras eile ón duine sin.

Cuirtear na saincheisteanna is coitianta a ardaíodh i litreacha Riail 44 ar fáil i dTábla 7.

Tábla 7: Na Príomh-Shaincheisteanna a Ardaíodh i Litreacha Riail 44 na bliana 2022

An tSaincheist a d'Ardaigh an Príosúnach	An Líon Litreacha
Ábhair imní maidir le Cúram Sláinte Meabhraí agus Fisicí, lena n-áirítear teacht a bheith ar sheirbhísí agus moilleanna ar chóir leighis	17
Míshástacht le próiseas gearáin an IPS	12
Iarratais chun casadh le Baill Foirne OIP	11
Ábhair imní maidir le hiompraíochtaí foréigneacha na mball foirne agus príosúnach eile	8
Ábhair imní maidir le Cuirteanna	7

7 GNÍOMHAÍOCHTAÍ & IMEACHTAÍ

Déanann an OIP iarracht ar bhonn leanúnach freastal ar imeachtaí is díol spéise agus/nó páirt a ghlacadh iontu agus teagmháil fhiúntach a dhéanamh le páirtithe leasmhara éagsúla.

7.1 Rannpháirtíocht Thras-Rannach

Le linn na bliana 2022, bhí an Chigireacht rannpháirteach i líonrú agus malartú tras-rannach, lena n-áirítear comhoibriú le Cigireacht na Roinne Oideachais agus an Chigireacht Mheabhairshláinte.

7.2 Cruinnithe Ardleibhéil

Ar an 15 Feabhra 2022, díreach sula ndeachaigh sí ar scor, chas an t-iar-Phríomhchigire Patricia Gilheaney, in éineacht leis an gCigire John Byrne leis an Aire, Helen McEntee.



An 7 Meán Fómhair 2022: Chas an Príomhchigire Mark Kelly, an Leas-Phríomhchigire Helen Casey agus an Cigire Sinsearach Ciara O'Connell le hArd-Rúnaí na Roinne Dí agus Cirt, Oonagh McPhillips chun ról na hOifige amach anseo a phlé.



An 16 Samhain 2022: Chas an Príomhchigire Mark Kelly agus an Leas-Phríomhchigire Helen Casey leis an Aire Helen McEntee chun réimse ábhair de leas coiteann a phlé.

7.3 Imeachtaí ar Glacadh Páirt Iontu nó ar Freastalaíodh orthu

- *“Unlocking Potential”: A Fair Approach to Higher Education Applicants with Criminal Records*, Ollscoil Mhá Nuad, an 17 Eanáir 2022
- *Travellers in Prisons Initiative*, an 12 Eanáir 2022
- *Prisons and Prison Inspectorates: Puzzles and Paradoxes*, Birkbeck University of London, an 18 Eanáir 2022 (ar líne)
- *Progress in the Penal System Report Launch*, lontaobhas na hÉireann um Athchóiriú an Dlí Choiriúil, an 7 Feabhra 2022
- *Pop Up Kitchen Event, following Culinary Skills Course for prisoners in Cork Prison*, an 5 Aibreán 2022
- *Tour of the National Forensic Mental Health Service*, Saoráid Nua i bPort Reachrann, an 13 Aibreán 2022
- *Exploratory Roundtable with other Jurisdictions, Deaths in Custody*, an 20 Aibreán 2022
- *Race and Ethnicity in the Penal System Report Launch*, lontaobhas na hÉireann um Athchóiriú an Dlí Choiriúil, an 27 Aibreán 2022
- *Motherhood and Criminal Justice*, An Líonra Idirnáisiúnta um Cheartas Coiriúil, an 16 Bealtaine 2022
- *Probation and Parole in Ireland: Law and Practice*, Dlí-Chumann na hÉireann, an 26 Bealtaine 2022
- *Jobs Expo*, An tAonad um Dhul chun Cinn, Príosún na bhFear Mhuinseo, an 22 Meitheamh 2022
- *QQI Certification Presentation*, An tAonad um Dhul chun Cinn, Príosún na bhFear Mhuinseo, an 29 Meán Fómhair 2022
- *Law Society Conference*, an 30 Meán Fómhair 2022
- *Generation Change, Careers after Conviction*, Gaisce, Gradam an Uachtaráin, an 5 Deireadh Fómhair 2022
- *Virtual European National Preventive Mechanism Conference*, an 5 agus an 6 Deireadh Fómhair 2022
- *Gender Encounters in the Criminal Justice System: How does Gender impact on Diverse Experiences?*, Comhdháil Bhliantúil ACJRD, an 7 Deireadh Fómhair 2022
- *Access to Rights for people Detained in Secure Mental Health Facilities in Ireland*, lontaobhas na hÉireann um Athchóiriú an Dlí Choiriúil, an 25 Deireadh Fómhair 2022
- I láthair ag Oscailt Oifigiúil an Phríomh-Ospidéal Mheabhair-Ghalair i bPort Reachrann, an 4 Samhain

7.4 Rannpháirtíocht le Páirtithe Leasmhara

Lean Oifig an Chigire Príosún d’oibriú in éineacht agus i gcomhairle lenár bPáirtithe Leasmhara, lena n-áirítear an Roinn Dlí agus Cirt, Seirbhís Phríosúin na hÉireann agus príomhpháirtithe leasmhara eile. Le linn na bliana 2022, chas Oifig an Chigire Príosún le líon páirtithe leasmhara chun tuairimí a mhalartú agus caidrimh a chothú.

Rinne an Chigireacht cuir i láthair maidir le ról agus feidhmeanna Oifig an Chigire Príosúin d'oifigigh phríosúin le linn na bliana.

Chuaigh an Chigireacht i dteagmháil le:

- Oifigigh Príosúin Earcaithe. Cuir i láthair maidir le hobair na Cigireachta curtha ar fáil an 20 Eanáir, an 13 Aibreán, an 31 Bealtaine, an 14 Iúil, an 8 Meán Fómhair agus an 18 Deireadh Fómhair 2022
- Cur i láthair an OIP don Tascfhórsa Ardleibhéil maidir le Meabhairshláinte agus Andúil, an 3 Feabhra 2022
- Rannpháirtíocht le Cigireacht na Roinne Oideachais, ar feadh na bliana 2022
- Cruinniú idir an OIP agus an Chigireacht Mheabhairshláinte chun an méid a foghlaimíodh a chomhroinnt agus a mhalartú, an 25 Aibreán 2022
- Cruinniú le Comhaltaí den Grúpa Oireachtais Uile-Pháirtí, an 27 Aibreán 2022
- Cruinniú leis an Ard-Stiúrthóir agus le Lucht Stiúrthóireachta Sheirbhís Phríosúin na hÉireann, an 2 Meitheamh 2022
- Cruinniú le Trédhearcacht Idirnáisiúnta (Éire), an 12 Iúil 2022
- Cruinnithe den Ghrúpa Stiúrtha Náisiúnta maidir le Féinmharú agus Díobháil a Chosc, an 13 Meitheamh 2022, an 15 Meán Fómhair agus an 13 Nollaig 2022
- Cruinniú le Cumann na nOifigeach Príosúin, an 29 Meitheamh 2022
- Cruinniú leis an mBord Parúil, an 25 Iúil 2022
- Cruinniú idir an Príomhchigire Príosún nuacheaptha agus Ard-Stiúrthóir Sheirbhís Phríosúin na hÉireann, agus idir Foireann Shinsearach Ceannaireachta na Cigireachta agus Foireann Feidhmiúcháin Sheirbhís Phríosúin na hÉireann, an 22 Lúnasa 2022
- Cruinniú idir an OIP & Coimisiún na hÉireann um Chearta an Duine agus Comhionannas (IHREC) maidir leis an mBille um Chigireacht a Dhéanamh ar Ionaid Choinneála, an 12 Meán Fómhair 2022
- Cruinniú comhchéime OPCAT, arna eagrú ag Iontaobhas na hÉireann um Athchóiriú an Dlí Choiriúil (IPRT) in oifigí an IHREC, an 3 Deireadh Fómhair 2022
- Cruinniú leis an gComhairle um Chearta an Duine (ICCL) maidir leis an Scéim Ghinearálta den Bhille um Chigireacht a Dhéanamh ar Ionaid Choinneála, an 10 Deireadh Fómhair 2022
- Cruinniú leis an IPRT maidir leis an Scéim Ghinearálta den Bhille um Chigireacht a Dhéanamh ar Ionaid Choinneála, an 12 Deireadh Fómhair 2022
- Seisiún Comhchoiste maidir le Ceartas do Ghrinnscrúdú Réamhrechtach a dhéanamh ar an Scéim Ghinearálta den Bhille um Chigireacht a Dhéanamh ar Ionaid Choinneála, an 18 Deireadh Fómhair 2022
- Imeacht Cruinnithe Comhchéime den Sásra Náisiúnta Coiscitheach, Coimisiún na hÉireann um Chearta an Duine agus Comhionannas, an 21 Samhain 2022

7.5 Intéirneachtaí

D'óstáil an Chigireacht, i gcomhar le hOllscoil Mhá Nuad, beirt mhac léinn atá ag tabhairt faoi Mháistreachta sa Choireolaíocht.

8 FAISNÉIS CHORPARÁIDEACH

8.1 Prótacail COVID-19

Le linn na chéad choda den bhliain 2022, chloígh an Fhoireann Chigireachta leis an gcomhairle sláinte poiblí maidir le feasacht agus scaipeadh an víris COVID-19. Lean baill foirne i mbun cianoibre nuair ba ghá. Bhí socruithe a bhí ag teacht leis na treoirlínte i bhfeidhm sa dá láthair atá againn i gcás inarbh éigean do bhaill foirne bheith i láthair san oifig.

Cuireadh Prótacal Ionfhabhtaithe OIP maidir le bheith i láthair i bpríosúin i bhfeidhm i mí Feabhra 2021 lena chinntiú go gcomhlíonfaí na treoirlínte sláinte poiblí, agus ag an am céanna, spriocanna i leith cigireacht a shárú.

8.2 Cúrsaí Airgeadais

Faigheann Oifig an Chigire Príosúin maoiniú faoin Vóta Dí agus Cirt (Vóta 24), a bhfuil an tArd-Rúnaí ina Oifigeach Cuntasaíochta dó. B'ionann an leithdháileadh buiséid don bhliain 2022 agus €2.348m.

Cuireadh gach gníomhaíocht sholáthair ar thug an Oifig fúthu le linn na bliana 2022 i gcrích i gcomhréir leis na treoirlínte maidir le soláthar poiblí.

8.3 Cúrsaí Cóiríochta

Le linn 2022, rinneadh an cinneadh áitreabh an OIP san Aonach a dhúnadh. Is é an spriocdháta don dúnadh an 30 Aibreán 2023 agus ag deireadh na bliana, bhí na hullmhúcháin faoi lán seoil. Beidh sé mar thosaíocht don bhliain 2023 ceannáras oiriúnach agus buan i mBaile Átha Cliath a fháil d'eagraíocht chomharbach an OIP, An Chigireacht um Ionaid Choinneála.

8.4 Nochtaí Cosanta

Ós rud é go bhfuil an OIP struchtúrtha mar oifig feidhmiúcháin de chuid na Roinne Dí agus Cirt faoi láthair, leanann an Chigireacht beartas na roinne i ndáil le Nochtaí Cosanta i láthair na huaire. Ní bhfuair Oifig an Chigire Príosúin aon Nochtaí Cosanta i gcaitheamh na bliana 2022.

8.5 Dualgas Comhionannais agus Cearta an Duine san Earnáil Phoiblí

Tá Oifig an Chigire Príosúin dúthrachtach i gcónaí faoina chinntiú go mbeidh freagrachtaí faoi Alt 42 den Acht fá Choimisiún na hÉireann um Chearta an Duine agus Comhionannas, 2014 lárnach ina cuid gníomhaíochtaí ar fad.

Le linn 2022, rinne roinnt oifigeach de chuid na Cigireachta an modúl ríomhfhoghlama, Comhionannas agus Cearta an Duine sa tSeirbhís Phoiblí, arna choimisiúnú ag Coimisiún na hÉireann um Chearta an Duine agus Comhionannas, a chur i gcrích.

I gcaitheamh na bliana freisin, chuir líon ball foirne tús le cúrsa dioplóma maidir le cearta an duine agus comhionannas lenar cuireadh oiliúint bhreise ar fáil maidir leis an dualgas agus lena dtabharfar cúnamh dóibh Plean Gnímh Alt 42 a chur le chéile.

8.6 Saoráil Faisnéise / GDPR

Fuarthas cúig iarraidh faoin Reachtaíocht FOI i rith na bliana.

8.7 Ionracas ag an Obair

I mí Dheireadh Fómhair, shínigh an Chigireacht an Comhaontú Ballraíochta um Ionracas ag an Obair le Trédhearcacht Idirnáisiúnta (Éire) agus, trí sin a dhéanamh, d'aithin an Chigireacht an tábhacht atá le háit oibre a choinneáil agus an cuidiú luachmhar a thugann daoine a chuireann ábhar imní in iúl maidir le héagóir.

8.8 Oiliúint

- Oiliúint Feasachta ar Bhodhaire agus Feasacht ar an Acht um Theanga Chomharthaíochta na hÉireann, Cumann Bodhar na hÉireann, an 30 Bealtaine 2022
- Oiliúint i nDualgas na hEarnála Poiblí, Coimisiún na hÉireann um Chearta an Duine agus Comhionannas, an 22 Iúil 2022
- Oiliúint maidir leis an Acht um Shaoráil Faisnéise, arna cur ar fáil ag *All One Corporate Solutions*, an 13 & 14 Meán Fómhair 2022
- Oiliúint maidir le Feasacht i leith Féinmharú, arna eagrú ag an Roinn Dlí agus Cirt agus arna éascú ag SafeTalk, an 22 Meán Fómhair 2022

9 RIALACHAS

9.1 Rialuithe Inmheánacha

Cuireadh an fhoráil “comhlíonadh nó míniú” den Chód Cleachtais chun Comhlachtaí Stáit a Rialú (2016) i bhfeidhm i leith Oifig an Chigire Príosún. Toisc go dtagann an Oifig faoin Vóta Dlí agus Cirt (Vóta 24), níl a hAonad Iniúchóireachta Inmheánaí ná a Coiste Iniúchóireachta agus Riosca féin aici. Ní cheanglaítear uirthi Ráitis Bhliantúla Airgeadais a thabhairt ar láimh ach oiread. Tá rochtain ag an Oifig ar fheidhm Iniúchóireachta Inmheánaí agus Coiste Iniúchóireachta Inmheánaí agus Riosca na Roinne maidir le nithe rialachais airgeadais. Tuairiscíonn Aonad Bainistíochta Airgeadais na Roinne ar ioncam agus caiteachas na hOifige sna tuarascálacha míosúla bainistíochta uaidh. Caitheann an Príomhchigire súil ar na tuarascálacha míosúla ansin. Tá nósanna imeachta i bhfeidhm chun a chinntiú go n-údarófar aon chaiteachas de réir bheartais agus nósanna imeachta na Roinne. Comhlíonann an Oifig na hoibleagáidí atá uirthi faoin dlí cánach.

Tá sé de dhualgas ar gach comhlacht poiblí in Éirinn cistí poiblí a láimhseáil go cúramach, agus a chinntiú go bhfaightear an luach is fearr ar airgead aon uair a bhíonn airgead poiblí á chaitheamh nó á infheistiú. Is é an Cód Caiteachais Phoiblí an tacar rialacha agus nósanna imeachta a chinntíonn go gcloítear leis na caighdeáin seo ar fud sheirbhís poiblí na hÉireann. Chloígh Oifig an Chigire Príosún le gach gné ábhartha den Chód Caiteachais Phoiblí.

Éilítear faoin gCód Cleachtais chun Comhlachtaí Stáit a Rialú 2016 go ndéanfar Ráiteas um Rialuithe Inmheánacha (SIC) a sholáthar. Baineann an SIC le gach rialú atá i bhfeidhm in Oifig an Chigire Príosún, lena n-áirítear ceisteanna ICT. Ar an 25 Feabhra 2021, dhearbhaigh an Rannán IM&T sa Roinn Dlí agus Cirt, de réir mar is fearr is eol dóibh agus a chreideann siad, go raibh rialuithe ICT, mar a leagtar amach i Ráiteas Dearbhaithe, i bhfeidhm agus ag feidhmiú go héifeachtach.

Coinníonn Oifig an Chigire Córas Bainistíochta Riosca agus Clár Rioscaí gaolmhar a ndéantar a athbhreithniú ar bhonn leanúnach. Leagtar amach sa Chlár Rioscaí na rialuithe reatha maidir le rioscaí a mhaolú mar aon le gníomhartha chun rialuithe a fheabhsú. Cuireadh cóip nuashonraithe den Chlár Rioscaí ar fáil don Roinn Dlí agus Cirt sa bhliain 2022.

Cuireadh gníomhaíocht sholáthair na hOifige sa bhliain 2022 i gcrích i gcomhairle le hoifigigh na roinne agus i gcomhréir leis na treoirínte um sholáthar poiblí.

9.2 Comhaontú Maoirseachta

I gcomhréir le heagrán 2016 den Chód Cleachtais chun Comhlachtaí Stáit a Rialú, comhaontaíodh comhaontú maoirseachta idir Oifig an Chigire Príosún agus an Roinn Dlí agus Cirt i mí Bealtaine 2020 lena leagtar amach an creat leathan rialachais agus cuntasachta ina bhfeidhmíonn an OIP agus lena sainmhíníodh na ról agus freagrachtaí atá mar bhonn faoin gcaidreamh idir an OIP agus an Roinn. Chuaigh an Comhaontú seo in éag ag deireadh na bliana 2023 d’fhonn ceann nua a chur i bhfeidhm

I gcomhréir leis an gComhaontú, reáchtáladh cruinnithe foirmiúla maidir le rialachas idir oifigigh ón Roinn Dlí agus Cirt agus Oifig an Chigire Príosún an 4 Aibreán 2022 agus an 16 Meitheamh 2022. Rinneadh tríú cruinniú, a bhí beartaithe ar dtús don 3 Samhain 2022, a chur siar go dtí an 24 Eanáir 2023.

9.3 Comhaontú Feidhmíochta

Comhaontaíodh Comhaontú Soláthair Feidhmíochta don bhliain 2022, atá comhlántach don Chomhaontú Maoirseachta, idir an Roinn agus Oifig an Chigire Príosún an 16 Meitheamh 2022. Ba é an cuspóir a bhí leis an gComhaontú, i gcomhthéacs na n-ionchur acmhainní a chuirfí ar fáil, na spriocanna a leagan amach ar tríothu sin a ndéanfaí feidhmíocht Oifig an Chigire Príosún (OIP) don bhliain 2022 a thomhas. Tá na spriocanna comhaontaithe seo leagtha amach i **dTáblaí 8 agus 9** thíos.

Tá na meicníochtaí i ndáil le feidhmíocht a mhonatóiriú agus a mheas ina gcuid de na socruithe rialachais foriomlána idir an dá pháirtí agus is dá réir sin atá siad leagtha amach sa Chomhaontú Maoirseachta 2020-2022. Chomh maith leis sin, leagadh amach sa Chomhaontú na príomhrioscaí ar aithníodh go bhféadfaidís tionchar a imirt ar chumas chun na spriocanna agus bearta maolaithe a bhaint amach.

Tábla 8: Spriocanna i ndáil le Comhaontú Feidhmíochta

Réimse nó tionscnamh aschuir	Méadrach	Cuspóir straitéiseach gaolmhar	Sprioc 2022	Táirgeacht 2022	Trácht
<i>Cigireacht Phríosúin</i>	Tuairisc Chigireachta Ginearálta curtha isteach chuig an Aire faoi dheireadh R4	1, 3	1	--	Cigireacht neamhfhógartha iomlán de Phríosún na bhFear Mhuinseo curtha i gcrích i mí na Samhna/Nollag 2022.
<i>Cigireachtaí Téamacha / Dírithe</i>	Tuarascálacha Téamacha/Dírithe curtha isteach chuig an Aire faoi dheireadh R3	1, 3	2	1	Cigireacht Théamach amháin maidir le hOideachas agus Oiliúint Oibre curtha i gcrích i dtír phríosún agus an tuarascáil curtha isteach chuig an Aire in R4 2022.
<i>Imscrúduithe ar Bhás faoi Choimeád</i>	Tuarascálacha curtha isteach chuig an Aire maidir le himscrúduithe maidir le cúinsí a bhain le bás príosúnach faoi choimeád agus maidir le duine ar bith a bhásaigh laistigh de mhí amháin ar scaoileadh sealadach (cásanna roimh 2022)	4	20	[17]	17 dtuarascáil imscrúdaithe a chuimsíonn: ocht dtuarascáil foilsithe, dhá thuarascáil atá le foilsiú agus seacht dréacht-tuarascáil a cuireadh isteach chuig an Ard-Stiúrthóir lena n-athbhreithniú agus Plean Gnímh, ar cuireadh sé cinn díobh ar ais chuig an OIP i mí na Nollag 2022 / Eanáir 2023, i ndiaidh moilleanna roinnt míonna i gcásanna áirithe.
<i>Litreacha a fuarthas ó phríosúnaigh faoi Riall 44 de Rialacha na bPríosún</i>	% de chomhfhreagras ó phríosúnaigh faoi Riall 44 aitheanta laistigh de chúig lá oibre	1	100%	95%	
	% de fhreagraí deiridh a eisíodh laistigh de 20 lá oibre	1	90%	87%	Maidir leis an 143 litir a fuair an OIP, tugadh freagra ar 18 díobh lasmuigh den sprioc 20 lá oibre. Is moilleanna ar aistriúchán a bhí mar chúis leis seo (bhí aistriúchán ag teastáil i leith 14 litir sa bhliain 2022, agus thit 12 cheann lasmuigh den sprioc 20 lá) mar aon le heolas breise bheith á lorg don fhreagra.
<i>Athbhreithniú a dhéanamh ar ghearáin ó phríosúnaigh Catagóir A</i>	% de ghearáin Catagóir A a athbhreithníodh laistigh de 20 lá ar iad a fháil	7	100%	83%	

Tábla 9: Spriocanna agus Táirgeacht Eile 2022

Réimse nó tionscnamh aschuir	Sprioc agus creat ama	Táirgeacht
<i>Anailís ar Riachtanais Oiliúna (TNA) a chur i gcrích agus plean oiliúna foirne a chruthú</i>	Faoi Q3, TNA a chur i gcrích ina n-aithnítear na riachtanais oiliúna/scileanna lárnaacha do bhaill foirne nua agus reatha agus plean a fhorbairt lena dtugtar aghaidh ar riachtanais oiliúna agus CPD na mball foirne	<p><i>Leanúnach</i></p> <p>Tá an próiseas seo ag leanúint go fóill agus á thacú leis an bpróiseas Bainistíochta Líne PMDS, lena n-éilítear ar bhaill foirne agus lucht bainistíochta an OIP riachtanais oiliúna a aithint, a bhreithniú agus tabhairt fúthu.</p> <p>Chomh maith leis sin, tá an Chigireacht ag fanacht le cúigear baill foirne nua a earcú faoi láthair, agus tabharfar faoi TNA iomlán nuair a bhainfear amach an líon foirne breise.</p>
<i>Córas Bainistíochta Cáis nua (CMS) a fhorbairt</i>	Doiciméad um riachtanais CMS atá sonraithe go hiomlán dréachtaithe faoi R4	D'fhostaigh an OIP gnólacht sainchomhairleoireachta seachtrach chun sonraíocht a fhorbairt le haghaidh córas faisnéis, anailíse agus bainistíochta cáis. Comhaontaíodh an fhostaíocht go foirmiúil agus cuireadh tús léi an 19/1/2023, leis an spriocdháta an 13/4/2023 leagtha amach chun é a chur i gcrích.
<i>Bainistíocht Riosca</i>	Measúnú ar Bhagairt Straitéiseach agus Riosca a chur i gcrích faoi R4	Tá an OIP i mbun measúnú a dhéanamh ar a chlár oibre agus Plean Straitéiseach, i gcomhréir lena chuid feidhmeanna reachtúla reatha agus le súil ar ainmniú amach anseo mar an NPM don earnáil Cheartais Choiriúil. Áirítear leis seo athbhreithniú a dhéanamh ar a chuspóirí agus spriocanna meántéarmacha agus fadtéarmacha, mar aon le hanailís straitéiseach a dhéanamh ar ghnó an OIP.

AGUISÍN I

Litir chuig an Aire Dlí agus Cirt – an 23 Nollaig 2022

An tUasal Simon Harris TD

An tAire Dlí agus Cirt

An Roinn Dlí agus Cirt 51

Faiche Stiabhna

Baile Átha Cliath 2

23 Nollaig 2022

Maidir le: Údar imní a tháinig chun cinn mar gheall ar chigireacht iomlán a dhéanamh ar Phríosún na bhFear Mhuinseo

A Aire Harris a chara,

Ar dtús, ba mhian liom comhghairdeas ó chroí a dhéanamh leat maidir le do cheapachán mar Aire Dlí agus Cirt le gairid. Táim ag súil go mór dul i mbun oibre leat agus tú ag tabhairt faoi na dúshláin líonmhara a bhaineann leis an Oifig Stáit iontach seo.

Mar is eol duit is cosúil, chuir an Chigireacht Príosún cigireacht neamhfhógartha iomlán i gcrích ar Phríosún na bhFear Mhuinseo le déanaí, idir an 28 Samhain agus an 9 Nollaig 2022. Ba é seo an chéad chigireacht neamhfhógartha iomlán a rinneadh ar phríosún in Éirinn le blianta fada agus is comhartha é go bhfuil tús curtha le clár cigireachtaí rialta na Cigireachta ar na príosúin ar fad in Éirinn.

Cuspóir na litreach seo is ea ábhar imní tromchúiseach a tháinig chun cinn mar gheall ar an gcigireacht sin a chur ar do shúile duit go foirmiúil, is é sin daoine bheith á gcoinneáil ar thochtanna ar urlár cillíní atá leagtha amach do dhuine amháin. Mar gheall ar mhéid agus leagan amach na gcillíní seo, níor mhór na tochtanna bheith brúite isteach ar fiar in aice leis an leithreas sna cillíní. Ag tráth na cigireachta, bhí thart ar 38 bhfear ar an meán á gcoinneáil sna dálaí seo in aghaidh an lae agus fíorbheag ama lasmuigh den chillín á fháil acu go minic. D'fhéadfaí na dálaí coinneála seo a mheas a bheith maslach.

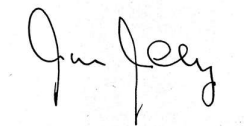
Ar ndóigh, is é bunchúis na faidhbe seo an líon daoine atá á gcoinneáil in Éirinn atá ag méadú, agus tuigim nach é Príosún na bhFear Mhuinseo an t-aon fhoras nach bhfuil Seirbhís Phríosúin na hÉireann in ann leaba cearta a chur ar fáil ann faoi láthair do gach duine atá faoina choimeád.

Mar gheall ar mhéadaithe atá tuartha don daonra príosúin, tugtar le fios go mbeidh an cás drámatúil a chonaic m'fhoireann i bPríosún na bhFear Mhuinseo ina fhadhb an-mhór don chóras príosún i gcoitinne mura ngníomhaítear ar bhonn práinne, ar nós uasteorainn infheidhmithe a chur i bhfeidhm maidir leis an líon daoine is féidir a choinneáil i ngach aon phríosún.

Mar gheall air sin, bheinn thar a bheith buíoch fáil amach faoi aon bhearta a d'fhéadfadh bheith á samhlú i do Roinnse chun an líon daoine atá á gcoinneáil i bPríosúin in Éirinn a bhainistiú ar bhealach ina dtugtar aird ar a gcearta daonna bunúsacha.

Táim ar fáil agat i gcónaí má mheasann tú go mbeadh sé fiúntach casadh lena chéile chun an tsaincheist seo a phlé tuilleadh.

Is mise le meas, agus le beannachtaí na Féile,



Mark Kelly

An Príomhchigire Príosún