

IRISH PRISONS INSPECTORATE

MOUNTJOY PRISON

AND

DÓCHAS CENTRE

REVISIT TO MOUNTJOY PRISON

25th - 26th JANUARY 2005

Role of the Irish Inspector of

Prisons and Places of Detention

The Office of the Inspector was established by an order signed by the Minister for Justice, Equality and Law Reform on the 21st February 2002. There may be a statutory provision in the forthcoming Prisons Authority Bill for the establishment of a Prisons Inspectorate. The following are the terms of reference for the Inspector of Prisons and Places of Detention.

TERMS OF REFERENCE

- (a) To inspect and report, as the Inspector considers appropriate, to the Minister on prisons and places of detention under the aegis of the Department of Justice, Equality and Law Reform.
- (b) To report in particular on conditions in those institutions and on the regimes in place for prisoners and detainees.
- (c) To investigate and report on any specific issue referred to the Inspectorate by the Minister.
- (d) To submit to the Minister an Annual Report on the activities of the Inspectorate.

GUIDELINES

In carrying out an inspection of any prison or place of detention the Inspector will, in general terms, have regard to such matters as:

- (a) the quality of the regime
- (b) the attitude of staff and inmates
- (c) the health, safety and well-being of prisoners
- (d) the conditions of the buildings
- (e) questions of humanity and propriety
- (f) any general pattern which may indicate possible inadequacies in the management of the prison.

As the terms of reference provide, the Minister may also request the Inspector to investigate and report on specific issues or incidents connected with the running of any prison or place of detention. Furthermore, the Inspector may raise issues of concern, arising out of an investigation or an inspection, either with local management, the Director General of the

Prisons or the Minister. To facilitate the Inspector in carrying out his functions, he may consider complaints from prisoners but only to the extent that such complaints are relevant to the functions of the Inspector. The Inspector will, not later than four months following the end of each calendar year, submit a written report to the Minister on his activities during the year.

It is intended that the annual report will be published. The Inspector will also furnish the Minister with such information relating to his activities as the Minister may require from time to time.

The functions outlined above will also apply to any child-detention centres and remand centres designated by the Minister under Section 150 of the Children Act, 2001.

These terms of reference may be further refined in the forthcoming Prisons Bill in the light of the experience gained in the interim. The Inspector will also be entitled to report and make recommendations, in the light of experience gained, on the contents of the legislation which will eventually make statutory provision for the Prisons Inspectorate.

Any enquiries or comments about the inspectorate should be directed in the first instance to:

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CONTENTS	Page No.
1. Introduction	5
2. Background	6
3. Governor's Briefing	7
4. Review of Recommendations	9
5. Business Plans (Summary) for Mountjoy - 2003	14
6. Tour of the Main Prison	30
7. Dóchas Centre - Meeting the Governor	31
8. Tour of the Dóchas Centre	35
9. Summary	36

1. Introduction

- 1.1 The purpose of the revisit was to follow up on recommendations and conclusions arising from my previous full inspection of the prison in January 2003 and to examine any significant changes in the meantime. It was also to establish if commitments entered into the prison's business plans for years 2001 - 2003 had been achieved.
- 1.2 It was not to inspect the entire regimes, facilities, services or management of the prison and the revisit is not to be taken as a full inspection.
- 1.3 It is the intention of the Inspector to revisit within a year or two all prisons and places of detention which have had a full inspection carried out and to establish if the findings or recommendations of the full inspection have been activated.

Date:

Mr. Justice Dermot Kinlen
Inspector of Prisons and
Places of Detention

2. Background

2.1 Mountjoy Prison is located on the North Circular Road at Phibsborough, Dublin 7 and the women's prison known as the Dóchas Centre is located within the Mountjoy complex. The overall Governor has the responsibility of both the male prisoners' prison and the female prisoners' prison with the various Governor grades reporting to him. The Dóchas Centre is managed by a female Governor.

The main prison (Mountjoy) is over 150 years old and has no in-cell sanitary facilities except for the basement area, and the medical unit which was built in the last 20 years. Sanitary facilities have been fitted in the cells in the Separation Unit but this cellular building is now closed and not in use.

2.2 The Dóchas Centre was opened in 1999 and comprises six individual houses plus a pre-release and health area unit. It has single room accommodation, some of which are interlinking rooms to provide for mother/baby facilities. Each of the houses has a kitchen-cum-dining room and a sitting-room facility with TV, video, and reading material provided. There are also two general dining rooms which the entire population use for their main meals. The total room capacity of the Dóchas Centre is 81 consisting of 78 single rooms and 3 cladded rooms. It holds sentenced, remand, trial, debtor, alien, etc, women aged 18 years and upwards.

2.3 Mountjoy is the main committal prison for sentenced males aged 18 years and upwards but it also holds a small number of remand, trial and debtor prisoners from time to time. It was planned by Minister/Prison Service Headquarters to refurbish Mountjoy on its present site. In order to do this a wing at a time was to be closed, refurbished to modern standards and on completion the contractor was to move to the next wing and so on until final completion. The "A" wing of the prison was closed as well as the Separation Unit in order to proceed with this plan. However, another decision was taken by the Minister/Headquarters not to proceed with the refurbishing plan but instead to replace the entire Mountjoy Complex on a greenfield site. So no refurbishing has taken place and two thirds of the "A" wing remains closed as well as the Separation Unit. The Minister announced on 26th January 2005 that 150 acres of land had been purchased for the new Mountjoy complex and it is located approx 8 kilometres north of Finglas, North County Dublin.

3. Governor's Briefing

3.1 The Inspector and his Special Adviser met the Governor on our announced revisit. He told us that on that day he had 472 male and 85 female prisoners in custody. He informed us that he had great difficulty operating the prison with the overtime/budget constraints placed on him and he exceeded his 2004 budget by between 8% and 9% over his allocation. He outlined that the overtime budget for the current year (2005) is reduced further by 20,000 hours. The constraints placed on him re budgetary requirements resulted in some of the recommendations arising from the previous inspection not

having been met especially in the area of staff training. Visits to prisoners on Wednesdays have been cancelled which saves 16 staffing posts for that day. The workshops, library, industrial cleaning, and CONNECT project have all been affected by the overtime curtailment and in fact most of the time these areas are closed and the prisoners who work there are out walking around the exercise yard.

3.2 I was very concerned about the CONNECT project. This had huge potential. It was set up in a blaze of publicity. The National Training and Development Institute (NTDI) was an integral part of CONNECT. Apparently €60 million was allocated by the EU for same. The Governor did not know how much, if anything, was drawn down of this €60 million or how it was spent. The EU monies were alleged to be responsible for the first two years of its operation and thereafter the National Development Plan which allocated €47 million to the project. The N.T.D.I have withdrawn completely from the CONNECT project. It was to spread to other prisons. There were a number of very dedicated people who believed in its potential and worked hard to make it flourish. The CONNECT is still working in a restricted way in the Dóchas Centre. Interestingly enough in the annual report of the Irish Prison Service for 2003 it is not mentioned at all. It was a great idea. It was greeted with great enthusiasm and was to spread through the entire service by 2003 but now it is being “forgotten”. I think one is entitled to ask why.

3.3 The Governor outlined that since the Minister indicated that Mountjoy is about to be demolished there is understandably no wish to spend money on

capital expenditure and projects. However, this has had a knock-on effect on some of the recommendations from the previous visit of the Inspector where no money was made available to meet the recommendations which had a building/project element attached to them. We then went through each of the 23 recommendations.

4. Review of the Recommendations of the Inspector's report of his full inspection carried out in January 2003

4.1 RECOMMENDATIONS

(1) That the locker room and offices over the front gate of the Dóchas Centre be converted to prisoner room accommodation and that the existing offices and locker room facilities within this area be transferred to another location.

Result: Not done

(2) That the main prison be replaced not refurbished as a matter of urgency but that in the meantime, the sanitary systems within the prison be brought up to an acceptable standard. This work should start immediately but should be phased by commencing work in the vacant wings.

Result: Not done. New prison to be built on greenfield site.

(3) That television be provided in all cells as soon as possible.

Result: Yes, TV now in all cells

- (4) That the Governor investigate whether the alleged practice of reading documents between legal representatives and prisoners when on professional visits to the prison is correct and, if correct, to rectify same.

Result: No evidence of such but staff instructed not to read documents but to examine only.

- (5) That the outside contract placed for pest control within the prison be increased to eradicate and further control the pests, particularly mice and cockroaches.

Result: Trades staff now doing this work to the standard of the outside contractor. Pests are controlled as far as possible but not completely eradicated.

- (6) That push-button alarm call bells be installed inside the cladded cells in the medical unit.

Result: Not done.

- (7) That the development of a surgery complex on the site of the old kitchen be proceeded with if the existing buildings are not going to be replaced.

Result: Not done.

- (8) That the future role of the medical orderlies should be addressed by the Irish Prison Headquarters.

Result: No, nothing happened re the role of medical orderlies.

- (9) That the appointment of a Healthcare Manager as recommended in the report on “Prison Healthcare Services 2001” at page 47 be implemented.

Result: No appointment made by headquarters.

- (10) That two additional psychologists be appointed (one for the male prison and one for the Dóchas Centre).

Result: Yes, both appointments filled. One has only just started in employment in Dóchas Centre and has not as yet met any of the prisoners.

- (11) That the electricity supply generator for the main prison be upgraded or replaced as a matter of urgency.

Result: No, not done.

- (12) That management, if at all possible, carry out fire evacuation exercises in all parts of the prison that are occupied.

Result: Yes, fire drills/evacuation exercises have taken place.

- (13) That the cleanliness and hygiene of the toilet/wash areas within the prison especially the “A” recreation area, “B” wing and “D” workshop/recreation areas be brought up and maintained at an acceptable standard

Result: The “B” wing has been improved dramatically with new tiling and fittings and is acceptable. Improvements have taken place in “A” and “D” workshops but still not to an acceptable level.

- (14) That the prisoners who perform cleaning duties within the toilet areas should get some extra recognition offered to them (i.e industrial allowances).

Result: Not granted to those prisoners by Headquarters.

- (15) That the refuse waste bags being stored at end of the landings and at some of the exits from the wings of the prison be removed more frequently to a disposable area.

Result: Yes, a big improvement in this area with wheelie bins in operation and being emptied at the time of our revisit.

- (16) That the general shower area be refurbished and brought up to a reasonable standard.

Result: Not refurbished.

- (17) That prisoners receive two changes of underwear, socks, shirt, etc per week and have a shower at least twice per week.

Result: Underwear, socks - 2 changes being implemented but not all getting two showers, as facilities for such are not available.

- (18) That a drug-free area/wing be provided within the main prison.
Result: Not within the main prison. In the medical unit only (one landing, F6).
- (19) That a wire covering or other such material be placed over the emergency exit light-fittings so that prisoners cannot remove the batteries from them.
Result: Yes, done on those that prisoners could reach.
- (20) That staff receive more comprehensive training in the use of breathing apparatus.
Result: Not done. Some “donning and doffing” only.
- (21) That signs be erected outlining fire evacuation points, emergency exits and assembly point areas, and fire evacuation notices be placed in all cells.
Result: A few done but not in all areas.
- (22) That an information leaflet / booklet be made available to all new committals to the prison.
Result: Yes, done.
- (23) That the entrance to the control room of the Dóchas Centre be kept locked for security reasons at all times.
Result: Yes, being done.

The Inspectorate then met the Deputy Governor responsible for the implementation of the business plans for the prison for the years 2001 - 2003. Herewith are the findings.

5. Mountjoy Prison Business Plan 2003. (Summary)

Strategy 2. Ensure safe custody of prisoners.

2:1 Devise standard arrangements for the recording of assaults in the prisoner population by end of 2001.

2:1:1 Review report from working party on assaults.

Result: Database working. Done.

2:1:2 Review present system for recording assaults in prisoner population.

Result: Done on I.T.

2:1:3 Identify improvements to existing system.

Result: First review due at end of year.

2:1:4 Communicate changes to relevant staff.

Result: Done.

2:1:5 Implement improved system and monitor same.

Result: Up and running and being monitored.

2:2 Conduct annual audits of prisoners' assaults w.e.f. 2002 & implement whatever action is appropriate to address the situation.

2:2:1 Review report of National Working Group on assaults.

Result: No report to date.

2:2:2 Put auditing system in place.

Result: New I.T. system does audit.

2:2:3 Evaluate results of audits.

Result: Being monitored.

2:2:5 Present findings of evaluation to Governor and implement agreed recommendations.

Result: Yes, findings discussed at committee level and with Governor.

2:2:6 Schedule next annual audit.

Result: Yes, end of year (due next November)

Strategy 3. Provide appropriately secure custody for prisoners.

3:1 Introduce an annual review of security for all prisons commencing in 2002.

3:1:1 Put a security committee in place.

Result: In place.

3:1:2 Conduct quarterly meetings.

Result: Monthly meetings.

3:1:3 Convene meeting after each serious incident.

Result: Yes, being done.

3:1:4. Make recommendations to enhance security.

Result: On-going.

3:1:5. Agree process for annual review of security.

Result: Yes, multidisciplinary committee doing same.

3:3 All closed prisons to have CCTV in visiting rooms by the end of 2002.

3:3:1 Put CCTV in place.

Result: In place and recording system upgraded.

3:3:2 Review system & invite comments from relevant staff.

Result: Done.

3:3:3 Make appropriate recommendations re improvements.

Result: Done and improved cameras.

3:3:4 Identify staff training needs & train appropriate staff.

Result: Ongoing training with staff by company who installed the system.

3:4 Use Prisoner Records Information System to generate a prisoner profile in respect of each prisoner due to be escorted outside the prison w.e.f. January 2002.

3:4:1 Put in place the prisoner profile on Pris System.

Result: On computer system.

3:4:2 Review present system.

Result: Yes being reviewed.

3:4:3 Implement IT system to compute further information.

Result: Being done.

3:4:4 Train staff for the implementation of improved system.

Result: On-going training in this area.

Strategy 4; Manage the custodial function so that it supports positive prison regimes.

4;1. Make provisions in Business Plans (December 2001) for maximum take-up of places in prison's education, training and employment facilities.

4;1;1. Establish multidisciplinary group to outline, review, monitor and access provision of courses available.

Result: Education and Work Training being reviewed

4:1:2 Review current rate of participation in Education, Work Training, and Connect Project, relevant to the number of places available.

Result: Reviewed but problems with staffing levels, and CONNECT no longer operating in main prison.

4:1:3 Implement steps to achieve the above targets.

Result: Overtime controlled, and targets not being achieved as a result.

4:1:4 Invite perceptions from prisoners on education, work training, Connect project, provision and the needs within Mountjoy Prison.

Result: Ongoing but little progression.

4:1:5 Agree & implement necessary actions.

Result: Depending on staffing levels, not possible at present.

Strategy 5: Plan to meet emergency situations. (Riot, hostage-taking, fire).

5:1 Business Plans (December 2001) to provide for maintaining an adequate standard of preparedness in relation to emergency planning at the prison.

5:1:1 Emergency plans re riots, fire, hostage taking, evacuation procedures in place.

Result: Plans in place.

5:1:2 Conduct regular reviews.

Result: Yes, by security committee.

5:1:3 Maintain training schedules.

Result: Hoping to start training shortly. Minimum being done.

5:1:4 Review emergency plans annually.

Result: Yes done.

5:1:5 Communicate changes of plans to relevant agencies. e.g. Gardai, ambulance service, fire brigade services, etc.

Result: Yes, talks have taken place with those services.

5;2. Finalise liaison arrangements with the Fire Authorities by the end of 2001.

5:2:1 Liaison arrangements to be put in place with Fire Authorities.

Result: Yes, in on visit for familiarisation purposes.

5:2:2 Review current liaison agreements.

Result: Yes, in contact with fire officer.

5:2:3 Continual updating of contact names and telephone numbers of Fire Authorities.

Result: Yes, done.

5:2:4 Communicate fire procedures to staff.

Result: Yes, manual available.

5:2:5 Regular review & checking of systems.

Result: Yes, being done.

Strategy 6: Provide for the personal well-being of prisoners.

6;1. Make arrangements for a designated drug-free area in all closed prisons by 2003.

6;1;1.A drug-free area to be established on landing 3 in Medical Unit where detoxification programmes will take place.

Result: Yes established on F6 in medical unit.

6;1;2.Review drug-free area.

Result: Yes on fortnightly basis.

6;1;3.Expansion of drug-free area.

Result: Not expanded - no space available.

6:2 Multidisciplinary suicide prevention group to meet at least quarterly to review implementation of suicide prevention measures and to consider new initiatives in the interest of ensuring best practice. Representatives of the group to participate in an annual forum to facilitate information sharing.

6:2:1 Multidisciplinary suicide prevention group to meet quarterly.

Result: Yes, meetings are taking place quarterly.

6:2:2 Review best practices.

Result. Yes, being done.

6:2:3 Implement best practices as appropriate.

Result. Yes, being done.

6:2:4 Representative from suicide prevention group to attend annual Forum.

Result: None have taken place or been organised by headquarters.

6:2:5 Develop system for providing statistics.

Result: Yes, medical staff providing same.

Strategy 7: Help prisoners maintain their relationship with family and the community.

7:3 Examine and report by the end of 2001 on the possibility of increased levels of telephone contact between prisoners and their families & community-based support services.

7:3:1 Establish review group & examine current arrangements.

Result: Yes, reviewed fortnightly.

7:3:2 Establish the feasibility of introducing access to hotlines of Alcoholics Anonymous, Narcotics Anonymous, Gamblers Anonymous.

Result: Ongoing, but to Samaritans only.

7:3:3 Examine increasing the number of telephone points within the prison.

Result: Yes, increased.

7:3:4 Examine allowing longer duration for telephone calls to families.

Result: No change

7:4 Make provision in the Business Plans for measures to be put in place by end of 2001 to help prisoners keep in touch with the wider community through improved access to the written and spoken media.

7:4:1 Review present structures in relation to access by prisoners to TV, radio, telephone, and to newspapers.

Result: Reviewed structures and newspapers available now and TV in all cells

7:4:2 Survey prisoners & review other institutions & jurisdictions.

Result: Yes, done locally.

7:4:3 Evaluate the results of the research.

Result: Yes, done and self harm reduced.

7:4:4 Continue & improve access to Internet. Presently limited to ECDL and to some educational courses.

Result: Still restricted and being reviewed at present.

7:4:5 Cost & agree time-scale for implementation.

Result: Not applicable

7:4:6 Involve educational courses in the process.

Result: Yes, being done in education classrooms.

7;5. Continue and extend ongoing dialogue with the Probation & Welfare Service.

7:5:1 Awaiting report from working group within headquarters.

Result: Not received to date.

7:5:2 Review report.

Result: No report.

7:5:3 Implement agreed results of report.

Result: Not applicable.

Strategy 8. Ensure medical & psychiatric care for prisoners to a standard consistent with that which applies in the community generally.

8:3 Improve purchase, storage, dispensing and administration of medicine to prisoners by mid-2002.

8:3:1 Establish healthcare team.

Result: Established and running well.

8:3:2 Liaise with consultant pharmacist & nurse co-ordinator on ongoing pilot scheme in the Dóchas Centre & Cloverhill Prison.

Result: Yes, liaison has taken place.

8:3:3 Staff resources & training to be made available.

Result: Yes, ongoing for nurses.

8:3:4 Implement programme & review system.

Result: Yes, being done and being reviewed.

8:4 Improve the necessary links with the wider community to ensure continuation of medical treatment for prisoners at the time of committal and at release.

8:4:1 Establish healthcare team.

Result: Established.

8:4:2 Conduct review of the existing links with the community re : medical treatment at committal and release stage, e.g. Methadone clinics, GPs, Hospitals.

Result: Yes, reviewed and contacts with outside agencies.

8:4:3 Identify actions & improve plus strengthen links.

Result: Yes, improvements taking place.

8:4:4 Review progress on improving links.

Result: Yes, being reviewed.

8:5 Pursue improved arrangements for treatment of prisoners with mental problems, including improved access to the Central Mental Hospital and local psychiatric hospitals, where appropriate, for those who require specialist residential care and report on progress achieved by mid-2002.

8:5:1 Liaison in place where Dr H Kennedy reviews prisoners who require psychiatric treatment and prioritises these prisoners on a list for admission to the C.M.H.

Result: Ongoing and meetings taking place.

8:5:2 Review present system with view to improvements.

Result: Yes, meetings and reviews taking place. Still difficulty at times getting patients to C.M.H.

Strategy 9. Information booklet.

9:1:1 Group to be established & all services surveyed re views.

Result: Group established, services surveyed and also discussing the possibility of a special T.V channel.

9:1:2 Draft document reviewed by Governor, committee & prisoners sourced from the Connect Project.

Result: Done.

9:1:3 Agree final format & content.

Result: Yes, done.

9:1:4 Publish booklet & issue same.

Result: Yes, done. Issued from reception.

9:1:5 Review booklet taking into account views of staff & prisoners.

Result: Yes, ongoing.

Strategy 10. Provide quality care for prisoners consistent with community standards.

10.3 Complete a first evaluation of practice against defined care standards by end of 2003.

10:3:1 Multidisciplinary working group to identify areas of care.

Result: Yes ongoing.

10:3:2 Review the established standard care criteria for each care area.

Result: Yes being done.

10:3:3 Conduct an annual review of standards.

Result: Yes done.

10:3:4 Agree and implement any actions arising from the annual review. Prepare for accreditation.

Result: Yes where possible. Financial constraints prevent some taking place.

10:3:5 Identify requirements that the prison may need to impose.

Result: Yes identified but not all implemented

Strategy 11. Elaborate positive sentence management.

11.3 Maintain the prisoner participation rate in education at 50% against the background of increases in the prisoner population. (Given the limitation of the physical space available to education, the target of 50% of Mountjoy prison population is unrealistic.)

11:3:1 Review current rates and ratios.

Result: Reviewed but 1/3 of school classes closed due to staff shortages.

11:3:2 Establish potential rates.

Result: Established by school.

11:3:3 Identify barriers to participation.

Result: Yes, overtime cutbacks;staff shortage.

11:3:4 Initiate and implement findings.

Result: Only as far as possible within budget

11:3:5 Review rates and ratios.

Result: Yes, being done.

11.4 Review the education curriculum by September 2002 to ensure its continuing relevance to prisoners' needs.

11:4:1 Review current curriculum so as to provide positive, relevant, challenging and creative curriculum that includes intellectual, physical and practical programmes.

Result: Yes, reviewed.

11:4:2 Enable students to become self-directed, self-motivated learners.

Result: Yes being done as far as possible.

11:4:3 Consolidate links with educational bodies outside the prison.

Result: Ongoing

11:4:4 Prepare students for life after release.

Result: Limited preparation

11:4:5 Review targets in light of recommendations from National Curriculum Group.

Result: Yes, reviewed but restricted by staffing problems.

11:5 Extend parenting courses, which currently run in about half of the prisons, to all prisons where they are appropriate by end of 2001.

11:5:1 To maintain the parenting course via the Connect Project.

Result: Ran one in 2003 and 2004 but none since

11:5:2 Review existing parenting programme.

Result: Reviewed but not implemented

11:5:3 Ongoing needs analysis & evaluation of programmes.

Result: Not applicable

11:5:4 Make appropriate recommendations & implement.

Result: Not possible at present

11:6 Implement the recommendations of the report of the Physical Education Development Group: "Physical Education in the Irish Prison System".

11:6:1 Increase and widen participation in gymnasium activities, physical education and support programmes.

Result: Yes, implemented and increased number in gym.

11:6:2 Support the development and expansion of facilities. Revise PE sports curriculum to include more sport and games. Introduce health education and sports fitness classes. Provide individual training courses and programmes. Develop links with relevant groups and agencies.

Result: The amount of gym equipment and the programmes have been increased.

11:6:3 Implement recommendations on staffing needs.

Result: Yes, where possible.

11:6:4 Review implementation of PEDG.

Result: Yes, reviewed and implemented as far as feasible.

11:7 Introduce the Connect Project in all prisons by end of 2003 with appropriate local and central arrangements.

11:7:2 Review the currently operating Connect project.

Result: Reviewed but not currently working

11:7:3 Conduct training needs analysis for facilitators & IPP staff.

Result: Not applicable

11:7:4 Organise & deliver staff training.

Result: Not applicable

11:7:5 Local review of programme following each 13 week course.

Result: In Dóchas Centre only

11:7:6 Annual review of the Connect Project.

Result: In Dóchas only. Not operating in main prison

11:8 Implement accepted recommendations of the Prison Board, "Drug Treatment Review Group" report by the end of 2003.

11:8:1 Appointment of established local Drug Action Team.

Result: Yes, established.

11:8:2 Review report's recommendations.

Result: Yes, done.

11:8:3 Implementation of the recommendations.

Result: A lot of the recommendations not possible to implement.

Strategy 12. Develop and maintain activity programmes for prisoners.

12:1 Implement the structural plan to improve prison library services by the end of 2002.

12:1:1 Induct two new librarians when recruited, subject to approval under structured plan.

Result: Reviewed library services and two librarians in place but library services generally only open in evening time 5.30 - 7.00pm due to staff shortages.

12:2 Make provisions in the initial Business Plan (December 2001) in each prison for a programme of interaction with the wider community.

12:2:1 Establish working group to review current situation.

Result: Done through CONNECT.

12:2:2 Build on existing linkages, e.g. Copping-on programme, Connect Project, Community Projects, Educational tours, & access to TV and radio.

Result: Access to TV and radio and links ongoing with community groups.

12:2:3 Make as necessary contact with agencies in wider community.

Result: Done.

12:2:4 Agree relevant personnel.

Result: Yes, through multidisciplinary group.

12:2:5 Agree action & plan implementation programme.

Result: Done on a needs basis.

12:2:6 Review programmes for 2002 and plan for 2003.

Result: Done as far as possible.

Strategy 13. Address offending behaviour.

13:1 Each prison to deliver at least one multidisciplinary programme per annum addressing offending behaviour relevant to its own prisoner population from 2002.

13:1:1 Multidisciplinary group to be established.

Result: Yes, established.

13:1:2 Identify suitable programme & develop programme content.

Result: Yes, done.

13:1:3 Select participants, prepare programme for delivery.

Result: Done.

13:1:4 Deliver programme.

Result: Done. Anger management, methadone maintenance and drug treatment programmes in place.

13:1:5 Review programme & begin process of selecting programme for 2003.

Result: Done.

13:1:6. Organise training.

Result: Yes, done where possible.

Strategy 14. Evaluate effectiveness of prisoner programmes.

14:2 Ensure that at least 50% of work-training courses are pursued to recognised certification levels by the end of 2003.

14:2:1 Establish current levels and review present status regarding work training courses on offer within the prison.

Result: Yes, reviewed but difficulties delivering same.

14:2:2 Liaise with FAS, NDTI and relevant accreditation services.

Result: Done and ongoing (FETAC).

14:2:3 Fill all outstanding Industrial Supervisor and Assistant Industrial Supervisor positions.

Result: In process of doing it at present.

14:2:4 Organise and deliver staff training.

Result: Not being done at present.

14:2:5 Implement prisoner selection process involving instructors.

Result: Yes, ongoing.

14:2:6 Monitor certified training courses.

Result: Very few certified courses at present due to staff shortage.

Strategy 28. Implement the strategic management initiative in the Prison Service.

28:1 Prepare, by December 2001, Business Plans for each institution & Headquarters Directorate.

28:1:1 Senior Management staff attend meeting on business planning.

Result: Yes, done.

28:1:2 Convene meeting of planning team to review strategy statement.

Result: Yes, done.

28:1:3 Planning team briefed by consultants.

Result: Yes, took place.

28:1:4 Selection of sub teams.

Result: Yes, done.

28:1:5 Review of draft plans.

Result: Yes, carried out.

28:1:6 Finalise business plans.

Result: Yes, done.

28:1:7 Sign off on business plans for implementation.

Result: Yes done.

6. Tour of the Main Prison

6.1 The Inspector and his Special Adviser visited the main prison including the medical area and the "B" basement. We spoke with both staff and prisoners. The toilets/wash areas in the "B" division have been modernised since our last tour of inspection and were at a very acceptable level of hygiene. This was a major improvement. The refuse bins and sacks at the

exits and at the end of the landings were empty or in the process of being emptied and again this was a wonderful improvement on our last visit where we found them overflowing and not disposed of on a regular basis. The other toilet areas highlighted on our last inspection have been improved but are still not at an acceptable level of hygiene and some are still in need of repair with water flowing onto the floor from broken joints at urinals and wash-hand basins. The last inspection found traces of dead mice on the ceilings of the medical area but there was no evidence this time of dead mice. The medical staff stated that they still have some mice but that the trades staff are constantly putting down mice bait to eradicate them.

6.2 There are 180-200 prisoners per day on the methadone maintenance programme. This is an enormous number on this programme and may be the biggest drug treatment centre within the Health Board Authority. It entails a considerable amount of work in taking samples, having them sent out to a laboratory for testing, recording the findings on return from the laboratory, plus all the other aspects of distributing the methadone, recording same, medical supervision/prescriptions, counselling, monitoring the programmes and the overall management of same.

The number of prisoners who were idle and not engaged in any work or educational programmes was very evident. Some were just walking up and down the ground floor landing while others were in the exercise yards. Some of the workshops were operating but others were empty. The "A" division has been closed since our last inspection but one floor (A1) had been reopened as a result of overcrowding and the need for the cell

accommodation. T.V.'s have been installed in the cells since our last visit and the prisoners whom we spoke with were delighted with this development.

The base cells are still used as the overflow when the prison is overcrowded. The Inspector found this use to be inhumane and degrading when he made an unannounced visit and reported accordingly in a previous special report. According to staff this still happens occasionally.

7. DÓCHAS CENTRE - MEETING WITH THE GOVERNOR

7.1 On the 26th January 2005 we visited the Dóchas Centre. We had a meeting with the Assistant Governor who also brought us around the various buildings. The Governor was on an interview board and apologised for her absence. There were 85 in custody on that day. The accommodation is frequently overcrowded. Apparently it is overcrowded if it exceeds 81. (However, I am informed that the IPS places that figure at 91). We discussed the outlets and programmes for the prisoners and were informed that some of the outings that they got in the past have been discontinued. This arose from adverse reports in the media. It was pointed out that there are no "half way houses" for female prisoners such as Shelton Abbey or Loughan House for the male prisoners. So prisoners who would be considered suitable for such accommodation (if it were available) were brought out for hill walks in the Wicklow mountains. Once it got into the papers it was dropped. It was an avenue for hope. It was also good for the prisoners and for the officers to get away from the limited area of the Dóchas and enjoy the mountains and the scenery and the fresh air. Once it became

a matter of media criticism it was dropped. This tiny reward and gateway to hope is now gone.

7.2 However, on a positive note, the Inspector was delighted with the changes at the entrance, it is not yet perfect but it is certainly more user-friendly. The security door referred to in previous report at the main entrance is now permanently locked. Other positive improvements noted on this visitation were that at last there is now a permanent full time psychologist. She has only just taken up her position. She is in the process of setting up her office and her routine. I wish her well because the institution badly needs her services.

As regards the welfare staff the senior assigned to the Dóchas is in fact also responsible for the Training Unit welfare staff and is based in the Training Unit. There are two others assigned to this institution but one of them is job-sharing and the other person is out sick. The person job-sharing is not replaced within the institution.

7.3 There is a problem on the psychiatric end re bed availability in the Central Mental Hospital. The Central Mental Hospital staff provide an excellent service in that a psychiatrist comes to the Dóchas Centre three times a week.

Many of the women with psychiatric problems should not be in prison; possibly it may cause them further mental deterioration. However, judges have no power and no say in where a person should go. The Central Mental Hospital is an old building with a very limited bed capacity. A dispute

between people who are insane and those who merely have personality disorders is still raging. To me this is largely semantic. Psychiatrists say they cannot treat personality disorders and that such prisoners are a “management problem”.

7.4 The issue as to whether staff should wear uniforms or civilian dress has not been resolved with the union. The information booklet for prisoners on committal has been prepared, printed and is being distributed.

7.5 The Dóchas does not have a tuck shop and orders have to be placed in the male prison tuck shop. However, I was told it would cost a great deal of money and trouble to set up a tuck shop plus the duplication of work. The management also have complaints about the present filing system. They don't have prisoners' files as they are located in the main prison's general office. You need a file to check against a computer recording. If there is an error in the computer reading it is not apparent unless you can get someone to sit down and compare it with the written record. PRIS is not perfect. It can not cope with human error or the “indeterminate factor”. In fact computers create work. We were informed that in Dóchas there were at least a good half dozen cases of error in the last year and a half. Another example, suppose a prisoner returns from TR at 10.00pm. That transaction is not recorded in the computer record until the following morning and this may result in a person serving a day longer than the court intended.

There are very limited workshops in the Dóchas mainly because there are not enough staff to run them. Indeed some of the ones that used to be there

were provided by outside agencies. There were also problems about providing industrial cleaning training. This was closed because of (P.O.A.) union trouble. Some of the aliens are not now put into the Dóchas as “aliens” but rather as “remand” prisoners charged with an offence.

7.6 Newly discharged prisoners who have no accommodation of their own to return to are offered B and B accommodation or a hostel. However, you can not force people to take these options and they are not necessarily attractive. The Governor from his discretionary fund may give an additional €20 or €30 to a departing prisoner on top of what she may have earned while in prison.

8. Tour of the Dóchas Centre

8.1 We visited the dental area which has been established since our last visit . It is as well equipped as any dental surgery outside of prison. There are all of the usual instruments of torment! The room has even the same distinct smell as you find anywhere in the country when you visit your “friendly dentist”. There was one impressive nurse on duty. She is a midwife, psychiatric nurse and a general nurse. She says that there is no prospect of promotion in the nursing service in prisons. It is really a dead-end job. She says it is very difficult to get nurses and would like to see a proper nursing structure with the possibility and the incentive for promotion. I personally think that this is a very good idea and would support it.

8.2 We were served an excellent lunch by a great and dedicated chef. He was the person in charge but most of the rest of the staff in the kitchen were

prisoners. One of the prisoners, a red-head waitress, was a non-stop talker. She was a cheerful lady who served us and had done the Leonardo course and other courses. In fact she told us she had not appreciated the importance of hygiene until she worked for the chef. She and the others who finished the course with her have certificates which may enable them to get work in the catering industry. It was a very therapeutic atmosphere. It was spotlessly clean and the food was first-class. Our waitress confided that she knew by the look of the judge when she saw him coming on the bench that she was going to get a long sentence. This reminded me of the famous dictum of the American jurist, Oliver Wendle Holmes: "Justice consists in the condition of the Judge's liver". After lunch they produced some wonderful photographs of our waitress and other members of the staff greeting President McAleese when she came to open the Killester Community Centre which had been built by male prisoners. The staff of the Dóchas served about 300 people in the afternoon of the opening and another 300-400 at another function there that evening. I told her that I had been in Killester in the afternoon and had queued for ages and couldn't even get a cup of tea. She smiled and said, "In future, ask for me"! It is great to have friends on the inside!

9. Summary

- 9.1 I sincerely hope and strongly recommend that the proposed new female prison should replicate the present complex in Mountjoy. It is actually

unique. It is very humane in dealing with a very difficult and complicated group of people. They have many problems which need to be addressed.

9.2 Education, training, and purposeful activity, should be at the heart of a custodial environment. There is at least some effort, but not nearly enough, in the Dóchas to implement that fundamental requirement. The next female prison will have to be considerably larger than the present one if the present system of incarceration persists.

9.3 I made 23 recommendations arising from my previous full inspection in January 2003 and of these eight were fully implemented, five have been partly implemented, while ten have not been acted upon. I know that some of the ones not acted upon relate to new building/refurbishments which the authorities do not wish to spend money on in view of the new prison buildings being undertaken. However, those without a building refurbishment element, especially on the medical side and staff training have been ignored.

9.4 A lot of the commitments entered into the business plans have been achieved but again some are still outstanding.

The budgetary controls placed upon the management of the prison have resulted in major cutbacks in the services to prisoners such as the part-closure of the workshops, the disbandment of the CONNECT Project in the main prison, the withdrawal of visits on Wednesdays and the curtailment of other programmes etc. The regimes and services for the prisoners have

deteriorated since our last inspection. The fact that a considerable number of staff have failed to report for duty when detailed has exacerbated the situation even more. So overall, I was disappointed with our findings on this revisit.

9.5 I was as usual received with great courtesy. I would like to thank all the staff who were so helpful and welcoming and gave their views honestly and strongly. In particular I want to thank Governor John Lonergan, his Deputy Governor Declan Murphy and in the Dóchas, Assistant Governor Gerry Baxter.