



OIFIG AN CHIGIRE PRÍOSÚN
OFFICE OF THE INSPECTOR OF PRISONS

A Framework for the Inspection of Prisons in Ireland

Contents

| | |
|--|-----------|
| Glossary | 2 |
| 1 Purpose and Scope | 4 |
| 1.1 A Framework for the Inspection of Prisons | 5 |
| 1.2 Development of this Framework | 8 |
| 1.3 Framework as a “Living” Document | 11 |
| 2 Structure of the Inspection Framework | 12 |
| 2.1 Approach to Inspections | 13 |
| 2.2 Assessment Measures | 16 |
| 2.3 Assessment Ratings | 17 |
| 2.4 Dimension 1 – Outcomes | 21 |
| 2.5 Dimension 2 – Compliance | 31 |
| 2.6 Dimension 3 – Environment | 34 |
| 3 Inspection Processes | 40 |
| 3.1 Types of Inspection | 41 |
| 3.2 Common Inspection Format | 42 |
| 3.3 General Inspection Process | 42 |
| 3.4 Thematic and Functional Inspection Process | 47 |
| 3.5 Follow-up Inspection Process | 49 |
| 3.6 Provision of Data to the Inspectorate | 51 |
| 3.7 Continuous Self-Assessment | 51 |
| Appendices | 52 |
| Appendix A – Declaration on Public Service Innovation | 53 |
| Appendix B – Descriptors for Assessment Ratings | 54 |
| Appendix C – Inspection Processes | 62 |
| Appendix D – Data Requests | 90 |
| Appendix E – Form Templates | 94 |
| Appendix F – Report Templates | 95 |

Glossary

CAPA's Corrective Actions and Preventative Actions

Chief Inspector Inspector of Prisons appointed pursuant to Section 30 Prisons Act 2007

CPT European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment

CRPD The United Nations Convention on the Rights of Persons with Disabilities

DiC Death in Custody

DJE Department of Justice and Equality

ECPT The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment

ECtHR European Court of Human Rights

GDPR General Data Protection Regulation

IAN Immediate Action Notification

ICCPR The International Covenant on Civil and Political Rights

ICESCR The International Covenant on Economic, Social and Cultural Rights

IHREC Irish Human Rights and Equality Commission

Inspectorate Office of the Inspector of Prisons

IPRT Irish Penal Reform Trust

IPS Irish Prison Service

IPSC Irish Prison Service College

ISM Integrated Sentence Management

Minister Minister for Justice and Equality

NGO Non-Governmental Organisation

NPM National Preventive Mechanism

OHCHR Office of the High Commissioner for Human Rights

OPCAT Optional Protocol to the Convention against Torture

PHMS Prisoner Healthcare Management System

PIMS Prisoner Information Management System

PRILA Prisons: the Rule of Law, Accountability and Rights

SAI Serious Adverse Incident

SOP Standard Operating Procedure

SPT Subcommittee on Prevention of Torture

UDHR The Universal Declaration of Human Rights

UN United Nations

UNCAT The United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

1 Purpose and Scope

1.1 A Framework for the Inspection of Prisons in Ireland

1.1.1 International best practice requires a system of independent monitoring so that transparency and accountability of a prison system can be achieved. This requirement is covered in the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.¹ The objective of inspection is outlined in other International Standards and Rules such as the United Nations Standard Minimum Rules for the Treatment of Prisoners (The Mandela Rules) which states “...inspections shall be to ensure that prisons are managed in accordance with existing laws, regulations, policies and procedures, with a view to bringing about the objectives of penal and corrections services, and that the rights of prisoners are protected”.² Reports by national and international NGOs, the findings of the CPT and various decisions of the ECtHR show that even in countries with well developed and relatively transparent prison systems, independent monitoring of conditions of detention and treatment of prisoners is essential to prevent inhuman and unjust treatment of prisoners and to enhance the quality of detention and of prison management. The establishment of independent national monitoring bodies in addition to a government-run inspectorate should not be seen as an expression of distrust of the quality of governmental control but as an essential additional guarantee for the prevention of maltreatment of prisoners.³ The European Prison Rules state that “Prisons shall be inspected regularly by a governmental agency in order to assess whether they are administered in accordance with the requirements of national and international law, and the provisions of these rules”.⁴ Therefore, an independent inspectorate is vital in ensuring that prisoners’ rights are not violated.⁵

1.1.2 The Office of the Inspector of Prisons (the “Inspectorate”) mission is “Supporting excellence in both delivery and outcomes in Ireland’s prisons through an independent programme of inspections and investigations.” The Inspectorate will undertake a comprehensive and systematic programme of inspections of Ireland’s prisons which is independent, transparent, improvement and prevention-focussed. The Inspection Programme will be set by the Inspectorate and reviewed on an annual basis, with decisions made on which prisons (or themes, operational areas, etc) are scheduled for inspection at a particular time based on factors including:

¹ Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, Principle 29. Adopted by General Assembly Resolution 43/173 of 9 December 1988
² The United Nations Standard Minimum Rules for the Treatment of Prisoners (2015) Rule 83(2)
³ Council of Europe (2006) Commentary to Recommendation Rec (2006) 2 of the Committee of Ministers to Member States on the European Prison Rules
⁴ European Prison Rules (2006)
⁵ Inspector of Prisons Standards for the Inspection of Prisons in Ireland (2009)

- Evidence based assessment of the prison estate, based on available data from a range of sources, including but not limited to the Irish Prison Service (IPS), Visiting Committee Reports, Irish Penal Reform Trust (IPRT), Prison Chaplaincy Reports, and letters to the Inspectorate from prisoners⁶
- Timeline since inspections were carried out at individual prisons
- Findings and recommendations from previous Inspection Reports
- Operational issues of concern arising in one or more prisons
- Changes to national policy or legislation, or international standards.

1.1.3 This Framework sets out how the Inspectorate will conduct inspections of prisons in Ireland. The Framework is informed by the statutory underpinning of the Inspector in legislation, national legislation relating to prisons, prisoners' rights, and international obligations owing to prisoners. It also draws upon relevant international human rights standards, in particular the preventive approach and standards set by the Optional Protocol to the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).⁷

1.1.4 This Framework sets out the expectations in relation to certain areas of focus which the Inspectorate will examine in the course of all inspections.

1.1.5 The Framework also incorporates the recommended administrative structure for the Inspectorate as set out in the independent review report on the Office of the Inspector of Prisons in 2018 entitled *Review of Operational Structure and Resources*⁸ that will enable it to carry out its statutory functions. It is intended that the Inspectorate will be capable of ensuring a multidisciplinary approach and assessment. This will be achieved by ensuring that Inspection Teams are independent and are populated with individuals, with a range of skills, experience and a balance of expertise, including but not limited to, legal, human rights, financial, prisons, education, healthcare including medical. Gender diversity and minority representation will also be taken into consideration.

Values that Govern the Design and Delivery of Inspections under this Framework

1.1.6 The Inspectorate has adopted the following values, and these will inform the approach to inspections:

- **Independent and Impartial**

The Inspectorate will be fair and reasonable in how it conducts its work, using evidence to arrive at its conclusions. We will report openly and use evidence informed findings to influence policy and practice.

- **Human Rights Focused**

The Inspectorate will have a focus on human rights at the core of its work. This human rights focus will apply to prisoners, visitors, staff and others who come into contact with the IPS.

- **Transparent and Collaborative**

The Inspectorate will publish both its approach to inspections, investigations and the standards that it expects to be met by the IPS. The objective is to work in dialogue with the IPS management, frontline staff and people in custody to drive both compliance and good practice, leading to better outcomes. The Inspector will also work in dialogue with other key stakeholders.

- **Capable and Systematic**

The Inspectorate will be professional and structured in both its approach (e.g. gathering evidence) and the articulation of its findings, conclusions and recommendations.

1.1.7 In line with this approach, the Inspectorate supports the "Our Public Service 2020" Declaration on Public Service Innovation in Ireland (see Appendix A for further details).

⁶ Prison Rules 2007-2017, Rule 44

⁷ Signed by Ireland in 2007 but not yet ratified

⁸ Following a tendering competition in 2018 the Office of Inspector of Prisons commissioned PA Consulting Group to carry out a review of the structure and operations of the Office

1.2 Development of this Framework

National Legislative Requirements

1.2.1 The Office of the Inspector of Prisons is a statutory, independent office established pursuant to Part 5 of the Prisons Act 2007. The key role assigned to the Inspector is to carry out regular inspections of prisons in Ireland and to present a report on each institution inspected as well as an annual report to the Minister for Justice and Equality (the Minister) for laying before the Houses of the Oireachtas and for publication.

1.2.2 In carrying out an inspection, the Inspector of Prisons may:

- At any time enter any prison or any part of a prison
- Request and obtain from the Governor a copy of any books, records, other documents or extracts from such documents, and
- In the course of an inspection or arising out of an inspection bring any issues of concern to the notice of the Governor of the prison concerned, the Director General of the IPS or the Minister, or each one of them, as the Inspector considers appropriate.⁹

1.2.3 The Prison Rules 2007–2017 set out in some detail the statutory framework within which the IPS is to manage its estate. Certain rules stipulate minimum expectations in relation to a broad range of areas, including but not limited to, accommodation, hygiene, association and activity, support services, healthcare, education, contact with the outside community, privacy, grievance process and preparation for release.

1.2.4 In addition, the IPS, as a public body, is subject to the duty in Section 42 of the Irish Human Rights and Equality Commission Act 2014. This obliges a public body in the performance of its functions to have regard to the need to “*protect the human rights of its members, staff and persons to whom it provides services.*”

National Policy

1.2.5 The Department of Justice and Equality (DJE) has made clear that the aim of its penal policy is to “*make Ireland a safer and fairer place. While punishment for those who commit crime is a central element of our justice system, the rehabilitation and reintegration of offenders is at the core of our penal system. This is the best way to achieve a reduction in re-offending.*”¹⁰

1.2.6 The IPS outlines its mission as “*providing safe and secure custody, dignity of care and rehabilitation to prisoners for safer communities.*”¹¹ Its vision is a “*safer community through excellence in a prison service built on respect for human dignity.*” Among its values are integrity (“*we must always have the courage to do the right thing, the decent thing...even when no-one else is watching*”); potential (“*everyone has the potential to be a better person and we actively seek to provide staff and those in custody with opportunities to realise and achieve this*”); safety (“*we actively contribute to maintaining an environment in which staff and those in our custody feel emotionally and physically safe and ultimately contribute to a safer community*”); and support (“*we actively seek to provide supports to staff and support rehabilitation of those in custody*”).

1.2.7 The strategic goals of the IPS as set out in its 2018 Annual Report include ensuring that the IPS is an “*ethical and accountable organisation where the highest standards are expected, promoted and adhered to and which is open to external scrutiny and adheres to human rights.*” In addition, it aims to be a “*rehabilitative organisation which supports positive change, improved resettlement and reintegration opportunities for prisoners through targeted action and interagency collaboration and support.*”

International Obligations and Standards

1.2.8 In addition to domestic legal requirements, there is a range of relevant international human rights obligations and standards which inform the Inspectorate’s approach to inspection work.

1.2.9 These include, but are not limited to, the following international Treaties which Ireland has ratified:

- The Universal Declaration of Human Rights (UDHR)¹²
- The International Covenant on Civil and Political Rights (ICCPR)¹³
- The International Covenant on Economic, Social and Cultural Rights (ICESCR)¹⁴
- The European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)¹⁵

⁹ Section 31(1)(c) Prisons Act 2007

¹⁰ <http://www.justice.ie/en/JELR/Pages/WP15000104>

¹¹ See <https://www.irishprisons.ie/about-us/mission-and-values/> for further details of the IPS’s mission, vision and values

¹² Universal Declaration on Human Rights 1948, ratified by Ireland in December 1985

¹³ International Covenant on Civil and Political Rights, G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171 (entered into force March 23, 1976). Ratified by Ireland in December 1989

¹⁴ International Covenant on Economic, Social and Cultural Rights, G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3 (entered into force January 3, 1976). Ratified by Ireland in December 1989

¹⁵ Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocol No.11 (Rome, 4.XI.1950). Ireland signed the Convention in 1953 and it was brought into Irish law in 2003

- The United Nations Convention on the Rights of Persons with Disabilities (CRPD)¹⁶
- The United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT)¹⁷
- The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ECPT)¹⁸

Particularly relevant to the work of the Inspectorate are three sets of authoritative standards dealing with the treatment of prisoners that are not legally binding but are accepted as best practice:

- The European Prison Rules (2006)¹⁹
- The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules) (2015)
- The United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules) (2010)

Also very relevant are:

- The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) standards, country reports and annual reports.

OPCAT

1.2.10 The OPCAT was adopted by the United Nations (UN) General Assembly in 2002, and entered into force in 2006. It is a Treaty which seeks to assist States in the prevention of torture and ill-treatment. The OPCAT establishes a system of regular visits to all places of detention, conducted by national bodies which are called National Preventive Mechanisms (NPMs). In addition, the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT), the international body established under the OPCAT, recognises that those who are deprived of their liberty are particularly vulnerable to ill-treatment and that a State’s efforts should be focused on the prevention of such ill-treatment.

1.2.11 Ireland signed the protocol in 2007, but ratification remains outstanding. However best practice in inspection of places of detention should be informed by the OPCAT model.

¹⁶ Convention on the Rights of Persons with Disabilities, A/RES/61/106, Annex I, (entered into force 3 May 2008). Ireland signed the CRPD in March 2007 and ratified it in March 2018

¹⁷ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, G.A. res. 39/46, [annex, 39 UN GAOR Supp. (No. 51) at 197, UN Doc. A/39/51 (1984)] (entered into force 26 June 1987). Ireland signed UNCAT in 1992 and ratified it in 2002

¹⁸ The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ECPT) was adopted by the Council of Europe on 26 November 1987. It was subsequently amended by two Protocols that entered into force on 1 March 2002. Ireland ratified the Convention in December 1989

¹⁹ Revised and updated European Prison Rules are scheduled to be adopted by the Committee of Ministers of the Council of Europe in April 2020

1.2.12 The principles and practice contained in the OPCAT reflect international best practice and will inform the preventative approach to inspection taken by the Inspectorate. Therefore, implementation of the ongoing monitoring component of inspections is of equal importance to the onsite inspection visits.

Academic and Advocacy Group Studies

1.2.13 Academic bodies and advocacy groups in Ireland and elsewhere also inform the work of the Inspectorate. In particular, this Inspection Framework takes into account:

- The “*Progress in the Penal System*” (PIPS) standards published by the IPRT which are grounded in human rights standards and progressive practice
- The ongoing work of the Prisons: the Rule of Law, Accountability and Rights (PRILA) Project at Trinity College Dublin, which is studying accountability bodies and approaches in European prison systems
- The expertise, knowledge and experience of those working in prisons research in Ireland and internationally.

1.3 Framework as a “Living” Document

1.3.1 This Framework will be maintained as a “living” document. This means that rather than being treated as “static”, its contents will be continually refreshed and updated in light of developments such as, amongst other things:

- new domestic legislation and policy
- amendments to the Prison Rules
- emerging international good practice
- high-quality empirical research
- continuous experience-based improvement by the Inspectorate.

1.3.2 It is anticipated that this Framework will be formally reviewed as required but no later than every three years, with a history recorded of amendments and additions.

2 Structure of the Inspection Framework

2.1 Approach to Inspections

2.1.1 The Inspection Framework is based on five Focus Areas measured against three Dimensions.

2.1.2 Focus Areas

Focus areas are the major factors which affect, and reflect, the welfare and human rights of prisoners and others working in and visiting prisons. Five Focus Areas will be used as appropriate for each inspection:

- **Safety and Security**

Prisoners are held safely and securely; the safety of staff and others is assured

- **Respect and Dignity**

Prisoners are treated with respect for their human dignity, as are those working in and visiting prisons

- **Health and Wellbeing**

Prisoners' risk of self-harm is managed effectively; prisoners have a right to equivalence of healthcare to that provided in the community and are able to maintain contact with their families and friends; prisoners and staff are entitled to live and work in a social environment which supports positive mental health and wellbeing

- **Rehabilitation and Development**

Prisoners are able to engage in purposeful activities, and are supported in the process of desisting from offending and in developing their capability to contribute positively to society

- **Resettlement**

Prisoners are prepared for their release back into the community; prisoners are helped to reduce their likelihood of reoffending

These Focus Areas provide comprehensive coverage across the prison estate.

2.1.3 Dimensions

Dimensions are the overarching and cross-cutting criteria of an inspection. Three Dimensions will be used to assess each of the Focus Areas, as follows:

- **Outcomes**

The end results in each focus area that the IPS is expected to achieve with reference to national and international obligations and human rights standards. There are many variables that impact upon outcomes. The Inspectorate is of the view that these outcomes are impacted in particular by compliance with legislation and the environment within prison settings.

- **Compliance**

National legislative requirements, national policy, international obligations and standards.

- **Environment**

The existence of fit-for-purpose facilities, with the required capacity, and the utilisation of these facilities in practice. It should be noted that the term environment does not relate solely to the physical environment.

2.1.4 The Focus Areas and Dimensions will be assessed using measures drawn from a range of sources, including but not limited to:

- **National Law** e.g. the Irish Constitution,²⁰ European Convention on Human Rights Act 2003, Irish Human Rights and Equality Commission Act 2014, Prison Rules 2007–2017, and wider human rights and equality obligations.
- **International Obligations** e.g. Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR), European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ECPT), the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) and the United Nations Convention on the Rights of Persons with Disabilities (CRPD).
- **International Guidance** e.g. OPCAT and the Mandela Rules.
- **Recognised Best Practice** informed by high-quality empirical research e.g. CPT guidance documents, approaches/standards used in other jurisdictions and research on prisons in Ireland.

2.1.5 The structure of the Inspection Framework is summarised in the following diagram.

The structure of the Inspection Framework



²⁰ Bunreacht na hÉireann (1937). www.irishstatutebook.ie/eli/cons/en

2.2 Assessment Measures

2.2.1 In conducting an inspection, the Inspection Team will define specific measures to be used to assess a particular IPS establishment/function within each of the Focus Areas and across each of the three Dimensions of Outcomes, Compliance and Environment.

2.2.2 An indicative list of the measures within each Focus Area that may be used by the Inspectorate in assessing the performance of an individual establishment/function is set out in the remainder of this chapter.

2.2.3 This initial list of indicative measures is:

- not intended to be definitive (which would restrict the operational discretion of the Inspectorate).

These initial measures will be drawn on, added to, or replaced with others as appropriate for each individual inspection. The Framework assumes that Inspection Teams, under the ultimate direction of the Chief Inspector,²¹ will shape the specific areas of focus for each individual inspection which will be based on amongst other things, the nature of the individual establishment, the prisoner complaints and issues that prisoners/staff/visitors/chaplains/visiting committees have raised, the findings of any previous inspections/Death(s) in Custody (DiC) reports and issues that the IPS has reported.

- not designed to simply reflect a lowest threshold of minimum/mandatory statutory requirements (which would not reflect the ambition of the Inspectorate), but rather to aspire to support people to flourish rather than merely survive during their time in custody.

Discretion of the Inspectorate

2.2.4 In this context, the Inspection Framework will provide the 'scaffolding' and structure for each Inspection but there is significant preparatory work to be done by Inspection Teams in order to tailor this Framework for each individual establishment. Assessment criteria will be shaped against each of the Inspection Focus Areas for each individual inspection, reflecting the nature, [known/presumed] challenges and areas of concern within each specific establishment.

²¹ In this document any reference to Chief Inspector is a reference to the Inspector of Prisons appointed pursuant to Section 30, Prisons Act 2007

2.2.5 At the heart of this approach is the ultimate discretion of the Chief Inspector, within reason, to determine what measures are most appropriate in achieving the overall outcomes by working in dialogue with the IPS and other authorities to deliver on our Mission Statement: "Supporting excellence in both delivery and outcomes in Ireland's prisons through an independent programme of inspections and investigations." The level of flexibility that this discretion implies, will have a consequential impact on the preparation for individual inspections in terms of designing the inspection, collection of data, configuration of the Inspection Team and briefing of the IPS (and other Authorities) in the context of the principle of openness and transparency.

2.3 Assessment Ratings

2.3.1 The Assessment Ratings used by the Inspectorate reflect both:

- Performance – current performance levels in respect of each of the Focus Areas
- Risk – current and future likelihood and scale of adverse impact of performance in respect of each of the Focus Areas if appropriate mitigating action is not taken.

2.3.2 This approach allows Inspection Teams to both assess current performance and highlight areas of concern where there is a material/significant potential for a negative impact on the inspection Focus Areas. Each member of an Inspection Team will apply the assessment ratings. Where discrepancies occur, the Senior Inspector will review the findings underpinning the rating and discuss with the Inspectors. The rating that most closely reflects the findings will be assigned by the Senior Inspector.

2.3.3

The following assessment ratings will be used by the Inspectorate:

| Rating | High-level Definition |
|-----------|--|
| Very Good | <p>Comprehensive coverage of and adherence to relevant legislation, human rights standards, policies/procedures, good practice; and</p> <p>There is demonstrated evidence that outcomes are being achieved in the areas under this rubric; and</p> <p>The environment of the prison is very good.</p> <p>Achievement of a rating of 'very good' is an indicator of 'excellence'.</p> |
| Good | <p>Consistent coverage of and adherence to relevant legislation, human rights standards, policies/procedures, good practice; and</p> <p>There is evidence of outcomes being adversely affected in a small number of areas but for the majority there are no significant concerns; and</p> <p>The environment of the prison is good.</p> |
| Fair | <p>Evidence of coverage and adherence with the basic minimum legal requirements; and</p> <p>There is evidence of outcomes being adversely affected in many of the areas highlighted; and</p> <p>There are concerns about some aspects of the environment which may cause adverse effects in the future.</p> |
| Poor | <p>Evidence of non-compliance with the basic minimum legal requirements, or no material evidence of coverage of basic minimum legal requirements; and</p> <p>Urgent action is required to deal with widespread evidence of poor outcomes in many areas; and</p> <p>The environment is poor and requires immediate action to address problems identified.</p> |

Detailed descriptors of these ratings, for each of the Focus Areas, that will be used by Inspection Teams are set out in Appendix B.

2.3.4

These ratings will be given by the Inspection Team for each Focus Area against Outcomes, Compliance, and Environment (see section 2.1):

| | Outcomes | Compliance | Environment | |
|------------------------------|----------|------------|-------------|--|
| Security & Safety | | | | |
| Respect & Dignity | | | | |
| Health & Wellbeing | | | | |
| Rehabilitation & Development | | | | |
| Resettlement | | | | |

Immediate Action Notification (IAN)

2.3.5

In the event that an Inspection Team identifies concerns, around either current performance or the risk of adverse impact on future performance, of such significance and consequence that an immediate intervention to mitigate is required, then the Chief Inspector may raise an Immediate Action Notification (IAN). The IAN will be sent to the Governor of the prison concerned, the Director General of the IPS or the Minister, or each one of them, as the Chief Inspector considers appropriate.

2.3.6

The Inspection Team may decide to use the below risk assessment matrix to inform their recommendation on whether to raise an IAN.

Impact assessment

The likely impact of a concern should be considered as being one of four levels:

- This concern would have a **critical** adverse impact on prisoners, staff or others
- This concern would have a **significant** adverse impact on prisoners, staff or others
- This concern would have a **material** adverse impact on prisoners, staff or others
- This concern would have a **negligible** adverse impact on prisoners, staff or others

Probability assessment

The probability of this impact occurring should be considered as being one of five levels:

- This adverse impact is **almost certain** to occur **or has** occurred
- This adverse impact is **likely** to occur
- It is **possible** that this adverse impact will occur
- This adverse impact is **unlikely** to occur
- This adverse impact is **very unlikely** to occur

2.3.7

These impact and probability ratings can then be plotted into the matrix below.

| Probability | Impact | | | |
|----------------|------------|----------|-------------|-----------|
| | Negligible | Material | Significant | Critical |
| Almost Certain | High | High | Very High | Very High |
| Likely | Medium | High | High | Very High |
| Possible | Low | Medium | High | Very High |
| Unlikely | Low | Low | Medium | High |
| Very Unlikely | Low | Low | Medium | High |

2.3.8

The specific concern in question does not necessarily have to relate to a whole Focus Area or any individual indicative measure; it could for example relate to the welfare of an individual prisoner.

2.3.9

Those concerns which are rated as “Very High” risk could be considered by the Inspection Team as potentially requiring an IAN to be raised. The decision to raise an IAN is a significant step by the Inspectorate. Such a decision will be judged on a case-by-case basis by the Inspection Team and the Chief Inspector (and would not preclude, for example, a concern indicated as High risk from being raised as an IAN).

2.4 Dimension 1 – Outcomes

Basis for Indicative Measures

2.4.1

The indicative measures set out below are OPCAT informed and drawn from a number of sources, including but not limited to:

- **Irish Human Rights and Equality Commission Act 2014** including but not limited to:
 - Section 42 dealing with the Public Sector Equality and Human Rights Duty
- **Prison Rules (2007-2017)** including but not limited to:
 - Part 4, Rules 62–65 dealing with control (and the protection of vulnerable prisoners)
 - Rules 66–69 dealing with discipline
 - Parts 7 and 8 dealing with the duties on Governors and staff
- **European Prison Rules (2006)** including but not limited to:
 - Part IV dealing with good order
 - Part V dealing with appropriate training of staff
 - Part VI dealing with robust inspection (which grounds the expectation that relevant data will be maintained for inspection and review)
- **Mandela Rules (2015)** including but not limited to Rules:
 - 36–46 dealing with discipline
 - 47–49 dealing with the use of force and restraint
 - 71–73 dealing with the investigation of serious incidents
 - 83–85 dealing with inspection
- **Bangkok Rules (2010)** including but not limited to Rules:
 - 4 dealing with allocation (where possible, women should serve time in prisons close to their home)
 - 5–18 dealing with healthcare
 - 19–21 dealing with safety and security
 - 22–24 dealing with discipline and punishment
 - 43–57 dealing with social relations and aftercare
 - 48–52 dealing with pregnant women, breastfeeding mothers, and mothers with children in prison

2.4.2 The Indicative Measures set out in section 2.4.3 are not intended to be definitive or comprehensive. Rather they are intended to provide guidance to individual Inspection Teams on the nature and range of measures that they may adopt to support the conduct of a specific Inspection. For example, in the Focus Area relating to 'Health and Wellbeing' the terms 'adequate' and 'appropriate' are used. Inspection Teams will draw upon ICESCR General Comment No. 14 relating to Article 12 and the *Right to the Highest Attainable Standard of Health* which contains the following elements: Availability, Accessibility, Acceptability and Quality (AAAQ framework) to make a determination regarding the threshold for 'appropriate'.

Indicative Measures

2.4.3 An initial list of indicative outcome measures that may be used by the Inspectorate is set out in the table below, categorised by a Focus Area. The order in which the indicative measures are listed should not be taken as order of priority or as an exhaustive list.

| Focus Area | Safety & Security |
|---------------------|---|
| Indicative Measures | <p><i>Prisoners are held in a safe and secure environment</i></p> <p><i>The safety of prisoners, staff, visitors and by extension the general public is achieved</i></p> <ul style="list-style-type: none"> Prison staff receiving a prisoner on committal obtain and check the warrant to ensure the lawful detention of the prisoner concerned The prison takes appropriate steps to ensure that any visible injury and complaints about ill-treatment are noted and recorded at time of committal and subsequently by a registered nurse and registered medical practitioner as part of their committal assessments Prisoners who may be marginalised or who require protection are appropriately accommodated to ensure their safety The prison takes appropriate steps to safeguard prisoners whose appearance, background or behaviour leave them at a heightened risk of harm or abuse from others Electronic records (PIMS and PHMS) are updated and maintained including a recent photograph Procedures are in place to allow for speedy intervention where there is cause for concern that a prisoner may be attempting suicide or self-harm Those identified as at risk of suicide or self-harm are reviewed by prison officers in addition to nursing and medical staff in accordance with relevant Prison Rules Prisoners are risk assessed in relation to cell sharing prior to their allocation of accommodation |

| Focus Area | Safety & Security |
|---------------------|---|
| Indicative Measures | <ul style="list-style-type: none"> Prisoners are accommodated at the lowest security level necessary (based on risk assessment) Prisoners are allocated to accommodation within a prison having regard to their vulnerability, health status and security risk Safety Observation Cells and Close Supervision Cells are not included in prison capacity figures The ratio of staff to prisoners is at an appropriate level The use of intrusive search techniques is strictly limited and only carried out when required, by a person of the same gender and in accordance with the relevant Prison Rules Prison staff know the prisoners in their assigned areas and there is an atmosphere of mutual respect between staff and prisoners Security within the prison is proportionate Prison staff, when appropriate, use conflict prevention, mediation, restorative justice principles or other interventions to prevent and resolve conflicts When violent situations occur staff take appropriate action to de-escalate the incident and deal with those involved in a fair manner The use of force/restraint is proportionate to the risk posed and is no more than necessary for the situation Any breaches of prison security are investigated and lessons are learnt A prisoner leaving the prison under escort is assessed and any restraint imposed upon the prisoner is the minimum required for the risk presented Prisoner transfers are provided in safe and secure vehicles that are adequately staffed Adequate resources are devoted to counteracting the supply of contraband into the prison Data regarding contraband finds in the prison within the previous twelve months is retained for review during inspection Records regarding the disposal of contraband are retained, reviewed by management and available for inspection Visitors and other persons entering the prison can do so safely Health and Safety legislative requirements are implemented throughout the prison A strategy to address suicide and self-harm is in place within the prison Staff are proactive in recognising and responding to signs which indicate a prisoner may be at risk of suicide or self-harm and have the appropriate training to fulfil this function Data in relation to serious adverse incidents (SAI's) for the previous twelve months is retained for inspection. |

| Focus Area | Respect & Dignity |
|----------------------------|---|
| Indicative Measures | <p><i>Prisoners are aware of their rights/human rights (including under the UN CRPD) and are treated with respect for their human dignity, as are those working in and visiting prisons</i></p> <ul style="list-style-type: none"> • The prison accommodation and facilities are fit for purpose and maintained to an appropriate standard with regard to cell size, occupancy, light, ventilation and temperature • Toiletries and personal hygiene products are available to all prisoners to enable them maintain their dignity and self-respect • All prisoners have ready access to shower and toilet facilities with sufficient screening to maintain their privacy • All prisoners have daily access to meaningful human contact • All prisoners have clothing suitable for the activities they undertake • Cleanliness and hygiene are observed throughout the prison and procedures for the prevention and control of infection are implemented • Cleaning materials are available to all prisoners to maintain their personal living area to a clean and hygienic standard • Where prisoners are unable to clean their own cell the prison provides support and assistance to the prisoner in order to maintain cleanliness standards • Staff interactions with prisoners are respectful and fair • Staff interactions with other staff are conducted respectfully and in accordance with a Dignity at Work Charter • Prisoners are supplied with a bed, mattress and sufficient clean bedding that is frequently laundered • Prisoners receive nutritious, well-balanced and varied meals that are in keeping with their dietary and medical needs, cultural and religious beliefs and are served at an appropriate temperature • On committal to prison and frequently thereafter the rules and procedures of prison life are clearly explained to prisoners in a language and form that they understand • New prisoners are appropriately inducted into the prison and to their wing/ accommodation in a language and form that they understand • Prison Rules 2007-2017 are accessible to prisoners in a language and form that they understand • Rules with regard to making/maintaining contact with family/friends and how to arrange visits or telephone calls are explained at committal and frequently thereafter |

| Focus Area | Respect & Dignity |
|----------------------------|--|
| Indicative Measures | <ul style="list-style-type: none"> • Alternative arrangements are available to deaf prisoners and foreign nationals who cannot avail of established visiting arrangements or use the standard telephone • Provisions are in place to ensure that information provided is understood • Fair disciplinary processes are in operation in the prison • Prisoners are informed about and understand the disciplinary process • Data and records regarding disciplinary processes and outcomes for the previous twelve months are retained for inspection • An adequate internal complaints system capable of dealing with prisoner complaints in an effective and timely fashion is in place • Prisoners are aware of the complaints system, feel safe/confident to use the system without risk or fear of adverse treatment, and are able to access the system confidentially • Category A (most serious) complaints are appropriately categorised and investigated in a timely manner with outcomes recorded/followed up • Data on all complaints within the previous twelve months are reviewed by management and retained for inspection • Isolation cells are used as a last resort, after other interventions have been explored, is strictly proportionate to any identified risk, and are only used for the shortest time required • Staff are trained in the identification of vulnerable prisoners and appropriate steps are taken to address any vulnerabilities • Staff are trained to help ensure effective access to justice for persons with disabilities • Prisoners are treated fairly and without distinction based on ethnicity, race, gender, language, religion, sexual orientation, disability or national origin • Staff receive appropriate equality training and cultural awareness training • Any allegation of discriminatory treatment is promptly and adequately investigated • The needs of prisoners including but not limited to age, gender, sexual identities, religion, culture, ethnicity and disabilities are appropriately met • Prisoners are aware of and will have access to support services e.g.; Chaplaincy, Addiction/Counselling Services • Interviews/conversations of a sensitive nature take place in a private setting to encourage openness and respect privacy. |

| Focus Area | Health & Wellbeing |
|---------------------|--|
| Indicative Measures | <p><i>The healthcare needs of prisoners are met</i></p> <p><i>Prisoners' risk of harm is managed effectively</i></p> <p><i>Prisoners are supported to maintain and develop relationships with their family and friends</i></p> <p><i>Medical/healthcare staff demonstrate robust independent clinical decision-making and feel safe and able to implement their medical/healthcare decisions</i></p> <ul style="list-style-type: none"> • Staff feel respected, valued and recognised by their colleagues and managers • The social environment is such that prisoners do not suffer from undue levels of stress and tension • When separation adversely affects a prisoner's physical or mental health, action is taken to suspend the separation or replace it with a less restrictive measure • Prisoner accommodation meets all the requirements for health and wellbeing. Each cell is of adequate size and is fitted with a call system. The cell has appropriate furnishings as well as adequate water, lighting, heating and ventilation for fresh air • Cells are occupied in accordance with the capacity for which they are designed, but where possible single occupancy cells are preferred • The healthcare needs of all prisoners are being adequately met • An adequate level of medical and nursing services are available to all prisoners • A prisoner is examined by a doctor in accordance with the requirements of the Prison Rules • Medical records are subject to appropriate levels of confidentiality • Prisoners have access to primary health care services, national screening and immunisation programmes on an equitable basis to those provided in the community • Prisoners are referred as appropriate for specialist care • Visits to external specialists are facilitated by the prison • Prisoners have access to appropriate detoxification programmes • Prisoners have access, in medically appropriate circumstances, to methadone substitution or maintenance programmes • Prisoners with social care needs are identified and appropriate support packages are put in place for them |

| Focus Area | Health & Wellbeing |
|---------------------|---|
| Indicative Measures | <ul style="list-style-type: none"> • Prisoners assessed as requiring treatment in a healthcare/mental healthcare setting are transferred in a timely manner • Preventative healthcare and non-medical interventions are available to prisoners such as counselling • Trauma informed training is embedded in the IPS training curricula • Where appropriate, prisoners have access to trauma related services in prison • Prisoners are facilitated in maintaining (or re-establishing) contact with their families • Appropriate antenatal, postnatal and childcare supports are provided • The best interests of a prisoner's children are considered and documented in decision-making processes • Prisoners are able to access visits at a minimum in accordance with legal provisions • Visiting areas are designed and equipped to ensure that both the prisoner and their visitors can hear each other • Prisoners have access to courses to support their parenting skills • Prisoners may access temporary release from prison on compassionate grounds subject to appropriate risk assessments • Prisoners are able to make telephone calls to their families and/or friends and legal representatives at a minimum in accordance with the Prison Rules 2007-2017 • Clothing and equipment for inclement weather is provided to keep prisoners warm and dry whilst outside • Security at family visits is proportionate, individualised and intelligence led • Gender specific healthcare is available to women whose healthcare needs change throughout their lifetime. |

| Focus Area | Rehabilitation & Development |
|----------------------------|---|
| Indicative Measures | <p><i>Prisoners are able to engage in purposeful activities</i></p> <p><i>Prisoners are supported in developing the capability to contribute positively to society</i></p> <ul style="list-style-type: none"> • Prisoners have sufficient time out of their cells with opportunities for meaningful human interaction on a daily basis which is over and above the legal minimum requirement • Prisoners are not subject to a regime amounting to effective solitary confinement (twenty-two hours or more a day in their cell) • Prisoners know about and can access the daily opportunities available to them in terms of association, exercise and purposeful activities • Prisoners are encouraged to access educational opportunities and where necessary, receive extra assistance to do so. Barriers to participation are identified, analysed and addressed to ensure equal access for all • Provisions are in place to promote, facilitate and recognise positive changes made in each individual's journey towards desisting from crime • Paths of progression are developed and the reaching of milestones are met appropriately, for example by transfer to a lower security setting • The Incentivised Regime is accessible in an equitable and fair manner irrespective of prisoner status, category of offence, or individual challenges such as age or disability • Prisoners are actively involved in the development, implementation and monitoring of their sentence plan • There are sufficient opportunities (education/training/work) for the prison population at all levels to engage, in accordance with their abilities • Prisoners have access to a library stocked with materials in formats suited to a range of different abilities, interests, cultural and religious backgrounds. Formal links with local authority libraries are in place and are availed of to support prison libraries access to materials |

| Focus Area | Rehabilitation & Development |
|----------------------------|--|
| Indicative Measures | <ul style="list-style-type: none"> • With appropriate safeguards, opportunities for e-learning and development of digital literacy skills are available to prisoners • Prisoners are enabled to undertake activities which support reintegration with post-prison life and where indicated reasonable accommodation is provided to ensure equal access for all • Prisoners are supported and encouraged to progress through appropriate levels of education and/or training and appropriate records are maintained for inspection • Where restrictions are imposed on access to physical, work and/or education facilities (including the gym) a procedure is followed to ensure that the decision is proportionate, justified and in place for the shortest time necessary and records are maintained for inspection • Education, skills and work opportunities are focused on improving outcomes for prisoners and society in terms of enhancing self-worth and desistence from crime • The educational, skills and work opportunities are of good quality, prisoners are consulted and their views are taken into consideration as far as possible in the organisation of activities and work opportunities • The system by which prisoners are selected for paid work is fair and thorough and records of such assessments are retained. The rationale for allocating roles is clearly defined and understood by staff and prisoners and records are kept for inspection • Prisoners know the range of self-help and/or peer support activities that are available and are enabled to access them • Multi-disciplinary (teachers/psychologists/chaplains/probation officers/addiction counsellors/Integrated Sentence Management officers/frontline prison officers) input in the development and rehabilitation of prisoners is available and utilised • Community engagement is utilised to minimise institutionalisation while promoting rehabilitation and resettlement. |

| Focus Area | Resettlement |
|---------------------|---|
| Indicative Measures | <p><i>Prisoners are helped to reduce their likelihood of reoffending</i></p> <p><i>Prisoners are prepared for their release back into the community</i></p> |
| | <ul style="list-style-type: none"> • Prisoners are involved in the development of the sentence plan designed to meet their needs, reduce their likelihood of reoffending and prepare them for return to the community • Family/significant others are, with the consent of the prisoner concerned, involved in the sentence plan as s/he progresses towards release • Work with individual prisoners is co-ordinated across the various relevant IPS directorates, in-reach services including as appropriate, the Probation Service and other external voluntary organisations • Prisoners are encouraged to take responsibility for their actions/behaviours and are supported in addressing their needs through appropriate interventions • Sufficient relevant interventions are available in the prison and they receive sufficient resourcing • Progress reviews are undertaken regularly and appropriate records maintained for inspection • Prisoners can maintain links with their families, as appropriate • Prisoners subject to review by the Parole Board receive timely and adequate information about the parole process and reports are prepared and submitted to the Parole Board in a timely manner • Parole Liaison Officers are appointed in every prison and are adequately supported and resourced • Prisoners are aware of and are facilitated to contact the relevant Parole Liaison Officer • Prisoners have access to advice about accessing appropriate benefits prior to release • Prisoners are adequately prepared for release and are assisted to access finances, and to attend appointments with support agencies upon release • Where Temporary Release is approved appropriate action is taken to confirm suitable post-release accommodation as well as ensuring effective health and/or social care support on release • Appropriate practical arrangements are put in place to support prisoners on their release date. |

2.4.4 The priority and weighting of specific measures will be confirmed by an individual Inspection Team in preparation for the inspection of a particular establishment/function.

2.4.5 Detailed descriptors of the Assessment Ratings are included at Appendix B.

2.5 Dimension 2 – Compliance

Basis for Indicative Measures

2.5.1 Compliance will be examined against legislation and standards, including but not limited to:

- **National legislation and International obligations** including but not limited to:
 - Prisons Act 2007
 - Prison Rules 2007-2017 in particular Parts 7 and 8, relating to Governors and Prison Officers
 - Irish Human Rights and Equality Commission Act 2014
 - International Covenant on Civil and Political Rights 1976
 - European Convention on Human Rights Act 2003
- **International guidance and recognised good practice** including but not limited to:
 - OPCAT (2006)²²
 - European Prison Rules (2006) in particular Part IV Good Order, Part V Management and Staff, Part VI Inspection and Monitoring
 - Mandela Rules (2015) in particular Rule 74 Institutional Personnel, Rule 83–85 Internal and External Inspections
 - Bangkok Rules (2010) in particular Rule 25 dealing with abuse and composition of inspection teams
- **IPS documentation** including but not limited to:
 - IPS Operational Policies with evidential records of review and, if appropriate, updates
 - IPS Standard Operating Procedures (SOPs) with evidential records of review and, if appropriate, updates
 - IPS Delivery Execution with evidential records of training and compliance

²² Adopted by the UN General Assembly in 2002 and entered into force in 2006. Signed by Ireland in 2007, but ratification remains outstanding.

2.5.2 The following Indicative Measures are not intended to be definitive or comprehensive. Rather they are intended to provide guidance to individual Inspection Teams on the nature and range of measures that they should adopt to support the conduct of a specific inspection.

Indicative Measures

2.5.3 The Indicative Measures set out below are categorised as follows:

Alignment and Coverage

- Are the IPS operating policies and SOPs aligned to legislative requirements, in particular the Prison Rules and recognised good practice?
- Do these operating policies and SOPs provide comprehensive coverage across all operational and service delivery areas?
- Are these operational policies and SOPs reviewed and, as required, updated to reflect any enhancements/changes to legislation, in particular the Prison Rules?

Adherence

- Do IPS Governors, managers and staff comply with national and international legal obligations and adhere to best practice standards?

2.5.4 An initial list of indicative compliance measures that may be used by the Inspectorate is set out in the following table, categorised by Alignment & Coverage and Adherence. These Indicative Measures may be applied across each of the five Focus Areas, i.e. compliance will be assessed across all areas of prison activity. The order in which measures are listed should not be taken as order of priority.

| Category | Alignment & Coverage |
|---------------------|---|
| Indicative Measures | <p><i>IPS operational delivery guidance and procedures are aligned to legal requirements and recognised good practice</i></p> <p><i>IPS operational guidance and procedures are comprehensive across all areas of activity within the prison</i></p> <p><i>IPS operational guidance and procedures are regularly formally reviewed</i></p> <ul style="list-style-type: none"> • Are IPS operational policies and SOPs aligned with: <ul style="list-style-type: none"> – overarching legislative and policy frameworks and do they reflect the outcome intentions? – Prison Rules? – relevant Human Rights Standards? – recognised international good practice? • Are operational policies and SOPs readily accessible by all relevant staff? • Are operational policies and SOPs reviewed and updated in a controlled manner on a regular basis (and there is evidence of such reviews)? • Does each SOP provide a comprehensive and robust set of step-by-step processes that allow staff to efficiently and effectively complete the necessary tasks in accordance with national and international legal obligations and adhere to best practice standards? |
| Category | Adherence |
| Indicative Measures | <p><i>IPS operational delivery complies with legal requirements and recognised good practice</i></p> <p><i>IPS operational delivery is evidenced and reviewed</i></p> <ul style="list-style-type: none"> • Are Governors, IPS managers and staff familiar with and trained in the relevant mandatory legal obligations and best practice standards? • Are Governors, IPS managers and staff familiar with and trained in operational policies, SOPs and local orders? • Are changes in mandatory legal obligations/standards, IPS operational policies and SOPs effectively communicated to Governors, managers and staff? • Do managers and staff have the necessary skills/qualifications to perform their roles? • Do managers review operational compliance in order to drive better performance? Is there evidence of Governors and managers reviewing compliance? Are appropriate records maintained for inspection? • Are there systems in place to allow for Governors, managers and staff to feed back issues relating to compliance challenges and difficulties? |

2.5.5 The priority and weighting of specific measures will be confirmed by an individual Inspection Team in preparation for the conduct of a specific inspection on a particular establishment/function.

2.5.6 Detailed descriptors of the Assessment Ratings are included at Appendix B.

2.6 Dimension 3 – Environment

Basis for Indicative Measures

2.6.1 Measures to assess the Environment for each Focus Area will be based on testing the overarching requirement:

The environment is conducive to a safe, secure climate of mutual respect between staff and prisoners

2.6.2 The indicative measures set out below are OPCAT informed and drawn from a number of sources, including but not limited to:

- **The Irish Human Rights and Equality Commission Act 2014** including but not limited to:
 - Section 42 dealing with the Public Sector Equality and Human Rights Duty
- **Prison Rules (2007-2017)** including but not limited to:
 - Rules 18 and 19 dealing with accommodation
 - Part 6 dealing with prisoners not serving sentence
 - Part 7 dealing with duties of Governors
 - Part 8 dealing with duties of prison officers
- **European Prison Rules (2006)** including but not limited to:
 - Rule 4 dealing with the recording of prisoner’s details
 - Rule 10 dealing with the separation of convicted and remand prisoners
 - Part II dealing with conditions of imprisonment
 - Part IV dealing with good order
 - Part V dealing with management and staff

- **Mandela Rules (2015)** including but not limited to:
 - Rules 13, 14 and 17 dealing with accommodation standards and maintenance of the prison
 - Rule 104 dealing with educational facilities
 - Rule 112 dealing with remand prisoners
- **Bangkok Rules (2010)** including but not limited to:
 - Rule 28 dealing with visits including children
 - Rule 42 dealing with the prison regime

Indicative Measures

2.6.3 An initial list of indicative Environment measures that may be used by the Inspectorate are set out in the table below, categorised by a Focus Area. The order in which measures are listed should not be taken as order of priority.

| Category | Security & Safety |
|---------------------|--|
| Indicative Measures | <p><i>Prisoners are held securely in a safe environment</i></p> <p><i>The safety of prisoners, staff and others is assured</i></p> <ul style="list-style-type: none"> • The prison is physically secure • The prison and its environs are maintained properly • The areas where prisoners live and interact and where staff work are in a good state of repair • Remand prisoners are not accommodated with convicted prisoners • Immigration detainees are accommodated separately from remand and/or convicted prisoners • Appropriate safe accommodation is available for those identified as at risk of suicide or self-harm or are otherwise vulnerable • Appropriate staff facilities are provided. |

| Category | Respect & Dignity |
|---------------------|--|
| Indicative Measures | <p><i>Prisoners are treated with respect for their human dignity, as are those working in and visiting prisons</i></p> <ul style="list-style-type: none"> • The prison and its environs are maintained properly • The areas where prisoners live and interact are in a good state of repair • Adequate levels of furnishing are provided in each cell • Accommodation meets minimum standards regarding space, lighting, heating and toilet/washing facilities • Sanitation arrangements for prisoners are adequate with appropriate privacy screening • Sanitation arrangements for staff are adequate and accessible • Remand prisoners are accommodated separately from convicted prisoners • Immigration detainees are accommodated separately from remand and/or convicted prisoners • Appropriate facilities for private legal consultation are made available, are accessible and are being utilised • Appropriate family and child friendly visiting facilities are put in place • Appropriate facilities are available and accessible for prisoner association including exercise and social facilities, and are being utilised • Appropriate facilities for education and training are available, accessible and are being utilised • Engagement between staff and prisoners and those working and visiting the prisons is respectful and dignified • Staff conduct their duties within a dignified working environment. |

| Category | Health & Wellbeing |
|---------------------|--|
| Indicative Measures | <p><i>The healthcare needs of prisoners are met</i></p> <p><i>Prisoners are supported to maintain and develop relationships with their family and friends</i></p> <ul style="list-style-type: none"> • Appropriate medical and dental facilities are provided by the prison, are accessible and are being utilised • Appropriate family and child friendly visiting facilities are put in place • Appropriate facilities are available and accessible for prisoner association including exercise and social facilities and are being utilised • Appropriate non-medical interventions to support wellbeing are available, e.g. addiction counselling • Appropriate library facilities are available, accessible and are being utilised • Appropriate safe accommodation is available for those identified as at risk of suicide or self-harm. |
| Category | Rehabilitation & Development |
| Indicative Measures | <p><i>Prisoners are able to engage in purposeful activities</i></p> <p><i>Prisoners are supported in developing the capability to contribute positively to society</i></p> <ul style="list-style-type: none"> • Appropriate facilities are available and accessible for prisoner association including exercise and social facilities, and are being utilised • Appropriate facilities for education are provided by the prison, are accessible and are being utilised • Appropriate library facilities are available, accessible and being utilised • Appropriate facilities for training are provided, are accessible and are being utilised. |

| Category | Resettlement |
|---------------------|---|
| Indicative Measures | <p><i>Prisoners are helped to reduce their likelihood of reoffending</i></p> <p><i>Prisoners' risk of harm is managed effectively</i></p> <p><i>Prisoners are prepared for their release back into the community</i></p> <ul style="list-style-type: none"> • Appropriate facilities for private legal consultation are made available • Appropriate facilities for education and training are provided by the prison, are accessible and are being utilised • Support and Intervention Services are available and accessible to prisoners • Resettlement advice and support is available to prisoners and their families including, but not limited to, information on Integrated Sentence Management, Community Return/Support Schemes, addiction support facilities and accommodation. |

2.6.4 The priority and weighting of specific measures will be confirmed by an individual Inspection Team in preparation for the conduct of a specific Inspection on a particular establishment/ function.

2.6.5 Detailed descriptors of the Assessment Ratings are included at Appendix B.

3 Inspection Processes

3.1 Types of inspection

3.1.1 The Inspectorate will carry out four types of inspection:

| | |
|------------------------------|--|
| General Inspection | <p>Inspection of <u>all</u> aspects of the management and operation of a specific prison.</p> <p>Typically, these General Inspections will be unannounced.</p> |
| Thematic Inspection | <p>Inspection of a specific operational area across the whole prison estate, for example:</p> <ul style="list-style-type: none">• Solitary confinement• Prisoner safety• Prisoner restraint• Staff wellbeing <p>Typically, these Thematic Inspections will be unannounced.</p> |
| Functional Inspection | <p>Inspection of a specific functional area across the whole prison estate identified during a general or Thematic Inspection and which impacts upon the operation of the prison and/or prisoner rehabilitation, for example:</p> <ul style="list-style-type: none">• Human Resources• Finance• Governance• Education• Healthcare <p>Typically, these Functional Inspections will be unannounced.</p> |
| Follow-up Inspection | <p>Follow-up Inspection (after a General, Thematic or Functional Inspection) to assess progress against the Action Plan, which the IPS will have produced to address the recommendations in the original Inspection Report. The Follow-up Inspection may focus on one or more areas of specific concern.</p> <p>Typically, these Follow-up Inspections will be announced.</p> <p>Follow-up Inspections are optional and the Inspectorate may decide to rely on self-assessment by prison management if the Action Plan is particularly low-risk.</p> |

3.1.2 From 2020 onwards, and subject to adequate Inspectorate resources, each of the prisons across the prison estate in Ireland will be subject to a full inspection at a minimum every five years with an ambition to inspect prisons every two to three years. Follow-up and/or Functional/Thematic Inspections will be carried out in the intervening period. However, our aim for those prisons holding remand prisoners is to inspect them on a more regular basis, at least once every two years.

3.2 Common Inspection Format

3.2.1 General, Thematic and Functional Inspections will follow a common core format:



3.3 General Inspection Process

3.3.1 This section outlines the process for a General Inspection of a prison, based on the common core format set out above. Information/data relating to the inspection of prisons will be managed and stored in accordance with relevant legislative provisions including the Data Protection Acts 1988 - 2018, GDPR and relevant DJE policies and procedures. In addition to electronic files there will be a reliance on paper files until such time as an appropriate case management infrastructure in the Inspectorate is approved, resourced, designed and developed. A detailed inspection process is laid out in Appendix C.

Preparation

3.3.2 Prior to the Inspection Team arriving at the prison to be inspected, there will be a significant amount of preparatory work undertaken. This will involve a number of stages and tasks. The first will involve the collation of some initial data regarding the establishment to be inspected. This will include a brief history of the prison, its location and layout, the number of prisoners and the nature of the prison population (sentenced and/or remand), identification of the Governor(s) and key senior staff

roles, staff numbers, facilities in the prison, previous Inspection Reports (if available) and data regarding deaths in custody including the Inspectorate's DiC reports, IPS Action Plans if applicable, and data regarding prisoner complaints. Data will also be gathered from the Visiting Committee and relevant advocacy organisations.

3.3.3 At the data gathering stage, the Inspection Team will be populated to include a Senior Inspector drawn from Inspectorate staff, any additional Inspectorate resources, expert panel members and partner organisation(s).

3.3.4 Those responsible for leading the inspection will then review and assess the data gathered and use it to shape the inspection plan and priorities. The inspection plan will also include the allocation of responsibilities within the Inspection Team, the timescale for the inspection itself and also for the production of the report. Arrangements will also be made for reporting back to the prison management. The Senior Inspector will ensure that the Inspection Team is adequately briefed on the data that has been collated and the plan that has been developed.

3.3.5 As part of the inspection planning process, the Inspection Team, along with the Chief Inspector, will meet to discuss the approach to the inspection, and to the measures that will be applied, to ensure consistency with how other prisons have been inspected and rated.

3.3.6 Logistical arrangements including for travel and accommodation of the Inspection Team will be organised by Inspectorate administrative staff. Inspectorate administrative staff will also be responsible for producing a data pack for all of those on the Inspection Team.

Engagement – week one

3.3.7 Depending on the size and nature of the prison under inspection, the Inspection Team will spend up to two weeks on site. At least part of the first week will involve a small team of perhaps two inspectors visiting the prison, engaging in an initiation briefing with senior staff and conducting a survey among both prisoners and staff. This will allow the senior staff to discuss any issues of concern both in terms of the inspection itself and areas of risk for the prison which may benefit from the inspection process. The Inspection Team will explain the systems in the Inspectorate to manage and store data/information that is received on the inspection. Before the surveys are undertaken the Inspection Team will immerse itself in the environment by spending time unescorted in the landings and in class offices etc. The purpose is for the Inspection Team to gain insight about the 'day to day' life in prisons for prisoners and staff and also to build a positive rapport. It will also provide time for prisoners to be aware of the Inspection Team's presence and receive information regarding the opportunities they will have to engage with the Inspection Team.

3.3.8 The prison subject to the inspection will also be invited to self-assess against the Focus Areas and Inspection Dimensions.

3.3.9 On Day 1 of the inspection, on arrival, a general walkthrough of the prison is conducted and Inspection Team members will spend time on the landings and in workshops and schools conversing with staff and the people in custody. Notices will be placed around the prison informing prisoners and staff that the Inspection Team is on site. Information regarding the nature of the Inspectorate's work and the approach being used to collect information through interviews, surveys of the population, spending time observing prison activities and reviewing documentation/records will be provided. In addition, the Inspection Team will indicate what documentation it will require. The Inspectorate considers the above steps as essential in ensuring that the approach adopted for inspection of prisons is transparent. A liaison officer of sufficient seniority in the prison will be required to facilitate the inspection. This officer should be consistent to facilitate efficient and effective two-way communication.

3.3.10 The prisoner and staff surveys will be fundamental data sources that will offer valuable information and make it possible to compare the situation across prisons and also over time. The surveys in a range of languages will seek evidence of how the prison is actually doing by getting feedback from those living and working there. These surveys are vital pieces of evidence which can also refocus an inspection mid-stream if issues arise which demand exploration. Participation will be based on the principle of consent and the identity of respondents will not be divulged unless a breach of confidentiality is warranted or where a prisoner specifically requests the Inspection Team to do so. Where possible it is intended that surveys will involve the whole prison population (prisoners and staff). If this is not possible random sampling will be used. It is our preference to conduct online surveys for the following reasons:

- information obtained has fewer errors (in paper surveys, response errors cannot be avoided, as respondents mark several options on questions where they should only choose one, or do not follow the instructions correctly);
- data processing is much faster; before analysing the data from paper surveys a casebook has to be prepared, data entered in a data set and the data processing related tasks performed;
- if tablets are used to administer the surveys and Audio Computer – Assisted Survey Instruments (ACASI) are incorporated, prisoners who have difficulty reading and writing could complete the surveys independently because the questions and answers are read to them.

Engagement – week two

3.3.11 The second week of the inspection will involve a larger team of inspectors. It will involve the following elements:

Observation and assessment

Inspectors will access all areas of the prison to assess compliance with the five Focus Areas measured against the three Dimensions (see section 2.1). Inspectors will observe prison facilities and operations. Inspectors will engage with prisoners, staff and visitors in the course of these observations.

Interviews and discussions

Inspectors may conduct a series of confidential interviews with individual prisoners and discussions with particular prisoners, e.g. life sentence prisoners, remand prisoners, sex offenders. The approach adopted to engage with prisoners will be designed to ensure that no interviewee is put under pressure to engage with the Inspection Team or is at risk of adverse treatment following such engagement. Inspectors will conduct a series of interviews with individual prisoners and in particular life sentence prisoners, remand prisoners, sex offenders, those on restricted regimes. The views of prison staff will also be elicited through interviews/discussions/conversations. The Inspectorate values such interactions as it provides opportunities for prison staff to assist the Inspection Team and for the Inspection Team to gain a better understanding of the working life experienced by staff.

Documentation review

At the outset of the Inspection, to ensure a focus on key areas of concern linked to the prevention of ill-treatment, prison records including but not limited to prison journals and medical files will be examined. Inspectors will review key (electronic/paper) documentation and information within the prison to act as information sources to inform the Inspection Teams' conclusions.

Close-out meeting

The Inspection Team will provide feedback to the Governor and senior staff within the prison on both:

- Levels of engagement with the inspection, and;
- Emerging findings (including any IANs – see section 2.3.5)

IANs will be raised by the Inspectorate where the Inspection Team has concerns so significant that immediate action is required, rather than waiting for the final Inspection Report to be drafted. IANs will be sent to the Governor and/or the Director General of the IPS and/or the Minister within seven days of the Inspection Close-out meeting. An Action Plan specifying corrective actions taken and also preventative actions (CAPA's) to mitigate the risk of reoccurrence will be requested to be submitted to the Inspectorate within seven days from receipt of the IAN.

It is expected that during the inspection process any emerging issues will have been fed back quickly to the Governor to enable prompt corrective action to be taken rather than waiting for the Close-out meeting.

Reporting

- 3.3.12** Assessments set out in Inspection Reports will be evidence-based. They will not be designed to identify solutions. However, there will be recommendations that the IPS will be requested to address by providing a timebound Action Plan.
- 3.3.13** Assessments will relate to performance in each of the five Focus Areas, with ratings of “Very Good”, “Good”, “Fair” or “Poor” given for each Dimension (see section 2.1). Descriptors for the abovementioned ratings that will be used by Inspection Teams are set out in Appendix B.
- 3.3.14** A draft Inspection Report, setting out evidence-based findings and recommendations, will be shared with the IPS to allow for identification of any factual inaccuracies, raising of clarifications, and development of an Action Plan. In accordance with the legislative provisions the final Inspection Report will be published by the Minister²³ on the DJE website²⁴ and on the Inspectorate’s website.²⁵
- 3.3.15** All prisons that have been the subject of an inspection will be requested to submit an Action Plan to the Inspectorate within one month of receipt of the draft report which will comprise the response of the prison to the recommendations that have been made, and what action, if any, the prison intends to take as a consequence of each recommendation. By way of assistance the Inspectorate will develop a comprehensive template to ensure that the IPS understands and complies with a formulaic and substantive review of the required action points.

Monitoring

- 3.3.16** Monitoring by the Inspectorate of progress by the IPS, against the Action Plan is a central component of the process of prison inspections and may take the form of self-assessment of progress by the IPS, or a Follow-up Inspection by the Inspectorate. Self-assessment will be expected to be a rigorous process involving quarterly assessments. The Inspectorate will assist the IPS by providing a sample template to ensure that the IPS is providing the information the Inspectorate requires.
- 3.3.17** One of the fundamental principles underpinning inspection is transparency. Therefore, the Inspectorate intends to consult with the DJE, to work towards the development and maintenance of a live database, that will be accessible to the public, on each Inspection Report and Action Plan. The Inspectorate will draw upon

²³ Section 31, Prisons Act 2007

²⁴ www.justice.ie

²⁵ www.oip.ie

expertise from the research community in addition to other key stakeholders at the database development phase. The database will enable the Inspectorate to track developments in particular areas over time. It is acknowledged that post-inspection monitoring methodology is central to and an integral component of the entire monitoring process and is not merely an aftermath.

3.4 Thematic and Functional Inspection Process

- 3.4.1** Thematic and Functional Inspections will follow a similar process to that already outlined for unannounced (general) inspections.
- 3.4.2** Decisions on which themes or functions to inspect will be taken by the Inspectorate, but will be based upon information gathered in General Inspections from frontline staff and prisoners and/or information gathered by the Inspectorate from other sources including but not limited to, Visiting Committee Annual Reports, Chaplaincy Reports, letters from prisoners and findings in DiC investigation reports. Risk assessment (see section 2.3) will also inform the Inspectorate’s decision-making in relation to these inspections.
- 3.4.3** Depending on the theme or function under inspection, it is likely that inspection staff will need to visit several (and potentially all) of the prisons in the IPS Estate. A liaison officer should be appointed by IPS to facilitate the inspection. To facilitate efficient and effective two-way communication the person fulfilling this role should be consistent.

Preparation

- 3.4.4** The Inspectorate will select which part(s) of the IPS Estate it will visit as part of Thematic and Functional Inspections. The Inspectorate will organise a briefing for relevant Governor(s) and staff the first day of the inspection to inform them on the nature of the inspection to be carried out, outlining timelines and the nature of facilitation that will be required. The Inspection Team will indicate the documentation that it will require.

Engagement

- 3.4.5** Any prison visits during a thematic or Functional Inspection will normally be of much shorter duration than those associated with a General Inspection. The Inspection Team on site will also normally be much smaller in number, more akin to the first week of a General Inspection.

3.4.6 The elements of the inspection will involve aspects of those of a General Inspection but will inevitably be theme or function dependent. These may include:

Observation and assessment

Inspectors may access all areas of the prison to assess compliance with legal obligations and best human rights practice. Inspectors may observe prison facilities, operations and SOPs. Inspectors may engage with prisoners, staff and visitors in the course of these observations.

Interviews and discussions

Inspectors may conduct a series of confidential interviews with individual prisoners and discussions with particular prisoners e.g. life sentence prisoners, remand prisoners, sex offenders. The approach adopted to engage with prisoners will be designed to ensure that no interviewee is put under pressure to engage with the Inspection Team or is at risk of adverse treatment following such engagement. Inspectors will also interview prison staff as the Inspectorate wants to hear from them on what they think the Inspectorates' priorities should be.

Documentation review

Inspectors will review key (electronic/paper) documentation and information within the IPS and relevant prisons to inform its conclusions.

Stakeholder engagement

Thematic Inspections in particular are likely to involve more sustained engagement on the part of the Inspectorate with a range of stakeholders. This may include other public sector bodies, NGOs, academics, research community and other experts.

Close-out meeting

The Inspection Team will provide feedback to the Director General of the IPS, relevant Governors and senior staff across the estate on emerging findings from the inspection. This will be done within one month of the inspection ending.

Reporting

3.4.7 As with General Inspections, assessments set out in Thematic and Functional Inspection Reports will be evidence based and will highlight any areas of concern that need to be addressed. They will not be designed to identify solutions as that will remain the responsibility of the IPS.

3.4.8 Reports will be drafted and finalised through the same process as a General Inspection.

3.4.9 The IPS will be requested to develop an Action Plan following a Thematic and Functional Inspection within one month of receipt of the draft Inspection Report. The Action Plan will comprise the response of the prison and/or the IPS Headquarters as appropriate, to the recommendations that have been made, and what action, if any, they intend to take as a consequence of each recommendation. By way of assistance the Inspectorate will develop a comprehensive template to ensure that they understand and comply with a formulaic and substantive review of the required action points.

Monitoring

3.4.10 Monitoring by the Inspectorate of progress by the IPS, against the Action Plan is a central component of the process of prison inspections and may take the form of self-assessment of progress by the IPS, or a Follow-up Inspection by the Inspectorate. Self-assessment will be expected to be a rigorous process involving quarterly assessments. The Inspectorate will assist the IPS by providing a sample template to ensure that the IPS is providing and developing the information the Inspectorate requires.

3.4.11 Over the coming years the Inspectorate intends to work towards the development and maintenance of a live database, that will be accessible to the public, on each prison's/IPS headquarters reporting outcomes and action plans. This will enable the Inspectorate to track developments in particular areas over time. It is acknowledged that post-inspection monitoring methodology is central to the entire monitoring process and is not merely an aftermath.

3.5 Follow-up Inspection Process

3.5.1 It is important that once a General or Thematic or Functional Inspection of a prison is carried out, there is not a gap in inspecting that prison for numerous years. International best practice points to the need for an objective assessment of progress or otherwise between General Inspections. This is particularly the case where there have been findings in the General Inspection which suggest poor outcomes for prisoners and/or staff especially in terms of Safety and Security or Respect and Dignity or where generally outcomes were low. Determining which prisons will be subject to Follow-up Inspections and at what interval after the General Inspection will therefore be based upon a risk analysis.

3.5.2 In general, Follow-up Inspections will take place on an announced basis. The IPS will therefore be fully aware in advance that they will be happening and what they are likely to involve. There will also be clear notification at least one month in advance of the start date of any such inspection.

3.5.3 These inspections will be focused on assessing the progress made against the recommendations from the General Inspection. They will not be a 'repeat' of the General Inspection. A Follow-up Inspection may take the form of a Functional or Thematic Inspection if appropriate.

Preparation

3.5.4 Follow-up Inspections will normally take place no later than twelve months after the General Inspection.

3.5.5 If practicable, there will be at least some overlap in the Inspectorate personnel who conducted the General Inspection and those engaged in the Follow-up Inspection. The Inspection Team for Follow-up Inspections will normally be smaller than the General Inspection Team.

3.5.6 As with General Inspections, there will be a documentation request in advance of the inspection. There will also be a request for self-assessment by the prison, but this will be focused in particular, on progress as specified in the Action Plan. The prison management will be asked to identify those issues or recommendations that were the cause of concern. Similar to General Inspections, Follow-up Inspections will involve prisoner and staff surveys. It is intended to include indicators that make it possible to evaluate perceived improvements (pre: General Inspection – post: Follow-up Inspection).

Engagement

3.5.7 The actual on-site inspection will normally last only two or three days. It should involve a briefing to the Inspection Team by the Governor and senior staff explaining what has been achieved in relation to the General Inspection recommendations. The Inspection Team may also meet with individual IPS staff responsible for addressing specific recommendations as stated in the IPS Action Plan.

Reporting

3.5.8 As with General Inspections, initial feedback will be given to the Governor and relevant managers before the Inspection Team leave the prison. This feedback will focus on progress made against the recommendations of the General/Thematic/Functional Inspections and will assist in determining when the prison will be subject to a further unannounced full inspection.

3.5.9 A Follow-up Inspection Report will be drafted, finalised and submitted to the Minister for publication (following the same process as other inspections), focussing on progress against individual recommendations and actions.

3.6 Provision of Data to the Inspectorate

3.6.1 In order to inform both consideration of the future inspection programme, and the conduct and conclusions of specific inspections, the Inspectorate will make two kinds of data requests from the IPS:

- Ongoing and regular data requests
These data requests will be higher-level and made to the IPS on a quarterly basis.
- Data requests made during the course of inspections
These data requests will be more detailed and will be made to prison management during the course of an inspection.

3.6.2 Indicative details of the proposed contents of these data requests are outlined in Appendix D. It is intended to engage with the prison management/staff, academic research community, DJE and other key stakeholders to further develop the data requests.

3.7 Continuous Self-Assessment

3.7.1 Issues may of course arise within prisons when no inspection is taking place or is imminent within that institution. The IPS is requested to continually self-assess against the Inspection Framework and bring to the attention of the Chief Inspector any matters within her/his remit (including but not limited to the indicative measures discussed within this Framework) which could reasonably be considered as being of sufficient concern to notify.

3.7.2 The IPS should consider developing and implementing a policy of self-assessment on a quarterly basis across all of its establishments, with responsibility for completion of the self-assessments sitting with the Governor in each prison establishment.

Appendix A – Declaration on Public Service Innovation

Declaration on Public Service Innovation in Ireland

In order to better serve our people, the Irish Public Service needs to be highly innovative. Innovation does more than simply drive economic growth. It has the potential to solve some of the most pressing challenges that Ireland faces now and in the future.

Office of the Inspector of Prisons declares to take the following actions to build a culture of innovation in our Public Service. We will:

Further endorse innovation as the responsibility of every public servant;

Enable, support, inform and equip our public servants to innovate in their roles;

Cultivate new partnerships and involve diverse views in problem solving and designing and delivering our public services;

Generate multiple options for existing and potential problems through exploration, experimentation, iteration and testing;

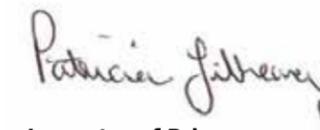
Provide insights into our experiences, best practices and lessons learned with other public servants in Ireland and abroad;

Share knowledge and data with citizens in an open and transparent way.

Innovation, experimentation and openness require constant effort and a certain degree of risk. As public servants, we must be ambitious, agile and collaborative to achieve meaningful and durable results. In doing so we should be open to progressive thinking in order to create a new and better future for all inhabitants of the State.

To solve difficult problems, we must rely on the diversity, ingenuity and creativity of the public and our fellow public servants. We must also be open to blue sky thinking in order to create a new and better future for our people. In times of considerable change and uncertainty, our greatest risk is refusing to take chances and try new things. We need a culture of innovation.

Innovation is now the benchmark in most scientific, business and social sectors. Embracing and enabling innovation is equally important in delivering services and building inclusive, sustainable communities.



**Inspector of Prisons
Office of the Inspector of Prisons**



OIFIG AN CHIGIRE PRÍOSÚN
OFFICE OF THE INSPECTOR OF PRISONS



Appendix B – Descriptors for Assessment Ratings

Inspections will make assessments of each Focus Area, against Outcomes, Compliance, and Environment

Outcomes

| Rating | Very Good | Good |
|------------------------------|---|---|
| Safety & Security | <p>There is demonstrated evidence that outcomes are being achieved in the areas under this rubric.</p> <p>This means that prisoners, including vulnerable prisoners, are held securely and safely and feel safe and secure within the prison.</p> <p>There are no material breaches of security and those that do occur are investigated promptly and robustly.</p> <p>Force is used only when strictly necessary and is authorised. None or very few instances of violence within the prison.</p> <p>Effective anti-drugs strategy in place and no evidence of widespread drugs use.</p> <p>Effective anti-suicide strategy in place and staff trained and familiar with it.</p> <p>Instances of self-harm are properly investigated and lessons learnt.</p> | <p>There is evidence of adverse outcomes in a small number of areas but for the majority there are no significant concerns.</p> <p>There are appropriate procedures in place to safeguard prisoners, hold them securely and to address the use of force, misuse of drugs, suicide and self-harm.</p> |
| Respect & Dignity | <p>There is demonstrated evidence that outcomes are being achieved in the areas under this rubric.</p> <p>This means that prisoners are treated with respect and dignity.</p> <p>Adequate resources are in place to ensure the proper treatment of prisoners.</p> <p>Prisoners and staff understand the rules of prison life, can associate with other prisoners, receive adequate food, sanitation and contact with family and friends. Internal complaints and disciplinary processes operate effectively and fairly and are understood by prisoners.</p> <p>Vulnerable prisoners are identified and treated appropriately.</p> <p>Remand prisoners are accommodated separately to sentenced prisoners.</p> <p>Immigration detainees are accommodated separately to sentenced and remand prisoners.</p> | <p>There is evidence of adverse outcomes in a small number of areas but for the majority there are no significant concerns.</p> <p>In general prisoners are treated with respect and dignity and it is evident that staff share a commitment to this outcome.</p> <p>Basic standards of sanitation, food, accommodation, association and contact with families are delivered.</p> |

| Fair | Poor |
|---|---|
| <p>There is evidence that outcomes are being adversely affected in many of the areas highlighted.</p> <p>These include concerns relating to the wellbeing of prisoners and their physical integrity.</p> <p>Appropriate procedures may exist but there is evidence that they are occasionally not complied with.</p> <p>If action is not taken to address identified issues they are likely to become more serious areas of concern.</p> | <p>Urgent action is required to deal with widespread evidence of poor outcomes across a range of indicators.</p> <p>Basic mandatory legislative standards (in particular Prison Rules) in respect of safety and security are not being met.</p> <p>Little if any evidence of compliance with standard procedures or such procedures are not in place.</p> |
| <p>There is evidence that outcomes are being adversely affected in many of the areas highlighted.</p> <p>These include concerns relating to basic standards of sanitation, food, accommodation, association and contact with families.</p> <p>There is evidence of discriminatory outcomes with regards to complaints and/or disciplinary processes. Prisoners are not informed of how such processes operate.</p> <p>Vulnerable prisoners can often not be identified as such.</p> <p>If action is not taken to address identified issues they are likely to become more serious areas of concern.</p> | <p>Urgent action is required to deal with widespread evidence of poor outcomes across a range of indicators.</p> <p>Basic mandatory legislative standards (in particular Prison Rules) in respect of food, sanitation, accommodation etc are not being met.</p> <p>Little if any evidence of effective and fair complaints and/or disciplinary procedures.</p> <p>Widespread evidence of differential outcomes.</p> |

| Rating | Very Good | Good |
|---|--|--|
| Health & Wellbeing | <p>There is demonstrated evidence that outcomes are being achieved in the areas under this rubric.</p> <p>This means that the healthcare needs of prisoners are being met. There is an adequate level of medical service available in all areas including mental health.</p> <p>Access to medically appropriate drug substitute programmes is widespread.</p> <p>Visits and telephone contact with family/friends is facilitated at appropriate level.</p> <p>Staff have received relevant training in healthcare matters.</p> | <p>There is evidence of adverse outcomes in a small number of areas but for the majority there are no significant concerns.</p> <p>In general the healthcare needs of prisoners are being met and there are adequate medical facilities in the prison.</p> <p>Prisoners generally are supported to maintain and develop relationships with family and friends.</p> <p>Relevant drug substitution programmes are available.</p> |
| Rehabilitation & Development | <p>There is demonstrated evidence that outcomes are being achieved in the areas under this rubric.</p> <p>No prisoner is subject to solitary confinement.</p> <p>All prisoners have access to appropriate levels of association and exercise.</p> <p>All prisoners can access appropriate educational and training facilities.</p> <p>Such facilities and opportunities are of a good standard and relevant staff are appropriately trained and motivated.</p> | <p>There is evidence of adverse outcomes in a small number of areas but for the majority there are no significant concerns.</p> <p>No prisoners are subject to solitary confinement.</p> <p>All prisoners have access to appropriate levels of exercise and association.</p> <p>In general educational and training facilities are available to prisoners and standards of such provision is adequate.</p> |
| Resettlement | <p>There is demonstrated evidence that outcomes are being achieved in the areas under this rubric.</p> <p>Integrated sentence planning is in place for prisoners which addresses risk and is adequately resourced.</p> <p>Clear evidence of sentence progression.</p> <p>Parole liaison officers in place and known by relevant prisoners.</p> <p>Adequate release planning in place.</p> | <p>There is evidence of adverse outcomes in a small number of areas but for the majority there are no significant concerns.</p> <p>In general sentence planning takes place and is resourced.</p> <p>Evidence of sentence progression in most cases.</p> <p>Parole liaison officers in place.</p> <p>Some evidence of post release planning in place.</p> |

| Fair | Poor |
|---|---|
| <p>There is evidence that outcomes are being adversely affected in many of the areas highlighted.</p> <p>These include concerns relating to the level of medical care available.</p> <p>There is evidence of insufficient healthcare provision including long waiting times for referrals.</p> <p>There is evidence that some prisoners may not be able to access appropriate drug substitution programmes.</p> <p>There is evidence of difficulties accessing adequate levels of family contact through visits or telephone contact.</p> <p>If action is not taken to address identified issues they are likely to become more serious areas of concern.</p> | <p>Urgent action is required to deal with widespread evidence of poor outcomes across a range of indicators.</p> <p>Basic mandatory legislative standards (in particular Prison Rules) in respect of healthcare are not being met.</p> <p>Little if any evidence of compliance with requirement to facilitate family contact including procedures for foreign nationals.</p> <p>No evidence of availability of drug substitute programmes.</p> <p>Widespread use of no contact visits.</p> |
| <p>There is evidence that outcomes are being adversely affected in many of the areas highlighted.</p> <p>These include concerns relating to the right to association and exercise and access to educational and training opportunities.</p> <p>If action is not taken to address identified issues they are likely to become more serious areas of concern.</p> | <p>Urgent action is required to deal with widespread evidence of poor outcomes across a range of indicators.</p> <p>There is evidence of prisoners being subject to solitary confinement.</p> <p>Basic mandatory legislative standards (in particular Prison Rules) in respect of rehabilitation and development are not being met.</p> <p>Regular examples of prisoners being denied access to exercise and association.</p> <p>Little or no access to educational and training opportunities or such provision is of a poor standard.</p> |
| <p>There is evidence that outcomes are being adversely affected in many of the areas highlighted.</p> <p>These include concerns relating to the absence of integrated sentence planning or planning not connected with risk.</p> <p>No parole liaison officers or no evidence that they are known by relevant prisoners.</p> <p>Little evidence of adequate release planning.</p> <p>If action is not taken to address identified issues they are likely to become more serious areas of concern.</p> | <p>Urgent action is required to deal with widespread evidence of poor outcomes across a range of indicators.</p> <p>No evidence of sentence planning or appropriate progression.</p> <p>No parole liaison officers in place and no evidence of release planning.</p> |

Compliance

| Rating | Very Good | Good |
|---|---|--|
| Safety & Security | <p>Comprehensive evidenced coverage of and adherence with relevant:</p> <ul style="list-style-type: none"> • legislation, in particular Prison Rules • human rights standards • recognised good practice • IPS operational policies and • IPS SOPs are in accordance with law. | <p>Consistent evidenced coverage of and adherence with relevant:</p> <ul style="list-style-type: none"> • legislation, in particular Prison Rules • human rights standards • recognised good practice • IPS operational policies and • IPS SOPs are in accordance with law. |
| Respect & Dignity | <p>Comprehensive evidenced coverage of and adherence with relevant:</p> <ul style="list-style-type: none"> • legislation, in particular Prison Rules • human rights standards • recognised good practice • IPS operational policies and • IPS SOPs are in accordance with law. | <p>Consistent evidenced compliance with relevant:</p> <ul style="list-style-type: none"> • legislation, in particular Prison Rules • human rights standards • recognised good practice • IPS operational policies and • IPS SOPs are in accordance with law. |
| Health & Wellbeing | <p>Comprehensive evidenced coverage of and adherence with relevant:</p> <ul style="list-style-type: none"> • legislation, in particular Prison Rules • human rights standards • recognised good practice • IPS operational policies and • IPS SOPs are in accordance with law. | <p>Consistent evidenced compliance with relevant:</p> <ul style="list-style-type: none"> • legislation, in particular Prison Rules • human rights standards • recognised good practice • IPS operational policies and • IPS SOPs are in accordance with law. |
| Rehabilitation & Development | <p>Comprehensive evidenced coverage of and adherence with relevant:</p> <ul style="list-style-type: none"> • legislation, in particular Prison Rules • human rights standards • recognised good practice • IPS operational policies and • IPS SOPs are in accordance with law. | <p>Consistent evidenced compliance with relevant:</p> <ul style="list-style-type: none"> • legislation, in particular Prison Rules • human rights standards • recognised good practice • IPS operational policies and • IPS SOPs are in accordance with law. |
| Resettlement | <p>Comprehensive evidenced coverage of and adherence with relevant:</p> <ul style="list-style-type: none"> • legislation, in particular Prison Rules • human rights standards • recognised good practice • IPS operational policies and • IPS SOPs are in accordance with law. | <p>Consistent evidenced compliance with relevant:</p> <ul style="list-style-type: none"> • legislation, in particular Prison Rules • human rights standards • recognised good practice • IPS operational policies and • IPS SOPs are in accordance with law. |

| Fair | Poor |
|---|---|
| <p>Evidenced coverage of and adherence with basic minimum legal requirements (i.e. no material evidence of non-compliance).</p> | <p>Evidence of material non-compliance (coverage and/or adherence) with basic minimum mandatory legal requirements (in particular Prison Rules); or</p> <p>No material evidence of coverage and/or adherence reflected in:</p> <ul style="list-style-type: none"> • Scant coverage of IPS operational policies and SOPs across all focus areas; or • No alignment of IPS policies and SOPs with relevant national legislation (in particular, the Prison Rules), international obligations and good practice standards; or • Insufficient documentary records of appropriate training. |
| <p>Evidenced coverage of and adherence with basic minimum legal requirements (i.e. no material evidence of non-compliance).</p> | <p>Evidence of material non-compliance (coverage and/or adherence) with basic minimum mandatory legal requirements (in particular Prison Rules); or</p> <p>No material evidence of coverage and/or adherence reflected in:</p> <ul style="list-style-type: none"> • Scant coverage of IPS operational policies and SOPs across all focus areas; or • No alignment of IPS policies and SOPs with relevant national legislation (in particular, the Prison Rules), international obligations and good practice standards; or • Insufficient documentary records of appropriate training. |
| <p>Evidenced coverage of and adherence with basic minimum legal requirements (i.e. no material evidence of non-compliance).</p> | <p>Evidence of material non-compliance (coverage and/or adherence) with basic minimum mandatory legal requirements (in particular Prison Rules); or</p> <p>No material evidence of coverage and/or adherence reflected in:</p> <ul style="list-style-type: none"> • Scant coverage of IPS operational policies and SOPs across all focus areas; or • No alignment of IPS policies and SOPs with relevant national legislation (in particular, the Prison Rules), international obligations and good practice standards; or • Insufficient documentary records of appropriate training. |
| <p>Evidenced coverage of and adherence with basic minimum legal requirements (i.e. no material evidence of non-compliance).</p> | <p>Evidence of material non-compliance (coverage and/or adherence) with basic minimum mandatory legal requirements (in particular Prison Rules); or</p> <p>No material evidence of coverage and/or adherence reflected in:</p> <ul style="list-style-type: none"> • Scant coverage of IPS operational policies and SOPs across all focus areas; or • No alignment of IPS policies and SOPs with relevant national legislation (in particular, the Prison Rules), international obligations and good practice standards; or • Insufficient documentary records of appropriate training. |
| <p>Evidenced coverage of and adherence with basic minimum legal requirements (i.e. no material evidence of non-compliance).</p> | <p>Evidence of material non-compliance (coverage and/or adherence) with basic minimum mandatory legal requirements (in particular Prison Rules); or</p> <p>No material evidence of coverage and/or adherence reflected in:</p> <ul style="list-style-type: none"> • Scant coverage of IPS operational policies and SOPs across all focus areas; or • No alignment of IPS policies and SOPs with relevant national legislation (in particular, the Prison Rules), international obligations and good practice standards; or • Insufficient documentary records of appropriate training. |

Environment

| Rating | Very Good | Good |
|---|---|---|
| Safety & Security | The environment of the prison is very good and is clearly conducive to the safety and security of the prisoner population and all of those who work in and visit the prison. There are no areas of concern. | In most areas the environment is very good. In general, it is conducive to safety and security of the prisoner population and all of those who work in and visit the prison. There are no significant concerns and facilities are adequate. |
| Respect & Dignity | The environment of the prison is very good and is clearly conducive to the respectful treatment and dignity of the prisoner population and all of those who work in and visit the prison. There are no areas of concern. | In most areas the environment is very good. In general, it is conducive to respectful treatment and dignity of the prisoner population and all of those who work in and visit the prison. There are no significant concerns and facilities are adequate. |
| Health & Wellbeing | The environment of the prison is very good and is clearly conducive to the health and wellbeing of the prisoner population and all of those who work in and visit the prison. There are no areas of concern. | In most areas the environment is very good. In general, it is conducive to the health and wellbeing of the prisoner population and all of those who work in and visit the prison. There are no significant concerns and facilities are adequate. |
| Rehabilitation & Development | The environment of the prison is very good and is clearly conducive to the rehabilitation and development of the prisoner population. There are no areas of concern. | In most areas the environment is very good. In general, it is conducive to the rehabilitation and development of the prisoner population. There are no significant concerns and facilities are adequate. |
| Resettlement | The environment of the prison is very good and is clearly conducive to the resettlement of prisoners. There are no areas of concern. | In most areas the environment is very good. In general, it is conducive to the resettlement of prisoners. There are no significant concerns and facilities are adequate. |

| Fair | Poor |
|--|--|
| There are concerns about some safety and security aspects of the environment and the facilities provided in the prison. While there is as yet no evidence that the environment is such that it is affecting adversely the safety and security of prisoners and others, if action is not taken, such adverse effects may take place. | The environment of the prison is poor in relation to safety and security. Facilities do not meet basic legislative requirements and international guidance standards and are such that they are adversely affecting the safety and security of prisoners and others working in or visiting the prison. Immediate action is required to address problems that are identified. |
| There are concerns about some aspects of the environment and the facilities provided in the prison in relation to dignity and respect. While there is as yet no evidence that the environment is such that it is affecting adversely the dignity and respectful treatment of prisoners and others, if action is not taken, such adverse effects may take place. | The environment of the prison is poor in relation to respect and dignity. Facilities do not meet basic legislative and international guidance standards and are such that they are adversely affecting the dignity and respectful treatment of prisoners and others working in or visiting the prison. Immediate action is required to address problems that are identified. |
| There are concerns about some aspects of the environment and the facilities provided in the prison in relation to health and wellbeing. While there is as yet no evidence that the environment is such that it is affecting adversely the health and wellbeing of prisoners and others, if action is not taken, such adverse effects may take place. | The environment of the prison is poor in relation to health and wellbeing. Facilities do not meet basic legislative and international guidance standards and are such that they are adversely affecting the health and wellbeing of prisoners and others working in or visiting the prison. Immediate action is required to address problems that are identified. |
| There are concerns about some aspects of the environment and the facilities provided in the prisons in relation to rehabilitation and development. While there is as yet no evidence that the environment is such that it is affecting adversely the rehabilitation and development of prisoners, if action is not taken, such adverse effects may take place. | The environment of the prison is poor in relation to rehabilitation and development. Facilities do not meet basic legislative and international guidance standards and are such that they are adversely affecting the rehabilitation and development of prisoners. Immediate action is required to address problems that are identified. |
| There are concerns about some aspects of the environment and the facilities provided in the prisons in relation to resettlement. While there is as yet no evidence that the environment is such that it is affecting adversely the resettlement of prisoners, if action is not taken, such adverse effects may take place. | The environment of the prison is poor in relation to resettlement. Facilities do not meet basic legislative and international guidance standards and are such that they are adversely affecting the resettlement of prisoners. Immediate action is required to address problems that are identified. |

Appendix C – Inspection Processes

General Inspection

Stage 1 – Preparation

Duration: 8–12 weeks

Key activities

- **Initial data and intelligence assessment**

Establishment overview

An overview of the prison establishment in terms of, inter alia:

- Brief History
- Location and layout
- Governor and key senior staff (roles and responsibilities)
- Prisoner profile and numbers
- Staff numbers
- IPS delivery partners operating in the prison
- Facilities e.g. health, education
- Previous Inspection and/or DiC Reports.

Data assessment

In order to shape the Inspection Plan (including the prioritisation of specific areas for inspection), Inspectors will review and assess relevant data accessible by the Inspectorate and delivery partners.

Data sources will include SAIs, prisoner complaints as well as IPS self-assessment returns.

Intelligence assessment

In order to shape the Inspection Plan (including the prioritisation of specific areas for inspection), Inspectors will review and assess relevant intelligence held by the Inspectorate and other stakeholders.

This intelligence will have been gathered on an on-going basis through, for example, previous inspections, visits to the prisons by Inspectors, Rule 44 letters from prisoners, Visiting Committees and advocacy organisations.

- **Inspection pre-work**

Inspection Team

The Inspectorate will identify the Inspection Team, drawing on Inspectorate staff, the Expert Panel and partner organisations (including but not limited to statutory agencies).

Inspection Plan

The Inspection Plan will be developed by the Inspection Team (led by a Senior Inspector) – the plan will cover both:

- Engagement stage
 - What are the primary areas of focus for the inspection
 - Who within the Inspection Team will have what responsibilities
 - Timescales over the period of the engagement
 - How the Inspection Team will ensure consistency with other inspections.
- Reporting stage
 - Format and structure of Inspection Report
 - Who is responsible for producing what content and by when
 - How ratings will be applied and how these will be moderated across the Inspection Team.

Travel and accommodation

The Inspectorate's administrative staff will make arrangements for travel and accommodation for all Inspection Team members.

- **Briefing of Inspection Team**

Briefing

- Confirmation of Inspection dates, timings and logistics
- Confirmation of Inspection Plan
- Confirmation of roles and responsibilities
- Ways of working during inspection
- Contact details.

Key outputs

i. Data pack

The Inspectorate will produce a data pack (ideally in electronic format) covering the prison establishment to be inspected.

This data pack will be shared with the Inspection Team to inform the development of the Inspection Plan.

ii. Inspection Team

The Inspection Team will be confirmed and a pack containing short biographical details together with inspection roles and responsibilities of all individuals involved shared across the team.

iii. Inspection Plan

The Inspection Plan will provide a detailed set of actions, dependencies and responsibilities covering both the engagement and reporting phases.

iv. Briefing

Formal briefing (potential conference call) to confirm inspection arrangements.

Roles and responsibilities

| Responsible | Accountable | Supportive | Consulted | Informed |
|-------------------------------|-------------------------------|------------------------------------|----------------------|----------|
| Chief Inspector | Lead Inspector | Additional Inspection Team members | IPS | IPS |
| Lead Inspector | Senior Administrative Support | Administrative Support | Expert Panel members | |
| Senior Administrative Support | | | Other stakeholders | |
| Inspection Team | | | | |

Stage 2 – Engagement

Duration: 1-2 weeks

Key activities

• On-site inspection

The key activities during an on-site inspection will include:

Initiation briefing

Inspectors will brief the Governor(s) and staff of the IPS at the start of the inspection. They will set out the Inspection Plan and associated timescales. They will confirm the remit of the Inspection Team and the approaches that will be taken.

Governor(s) and senior staff will be able to raise any queries and flag any specific issues at this initial briefing session. IPS staff will support and facilitate the Inspection Team.

A briefing note will be available to prisoners and staff explaining that the inspection is underway, its purpose and how they can engage with the Inspection Team.

Notices will be displayed throughout the prison so that all prisoners and staff are made aware that the inspection is underway, its purpose and how they can engage with the Inspection Team.

Prisoner survey

Inspectors will conduct a survey of prisoners to obtain their 'lived experiences' of life in prison. An online survey will be used where possible.

Participation in the survey will be voluntary with the explicit consent of participants.

Staff survey

Inspectors will also conduct a survey of staff to obtain their perceptions of working in the prison. The survey will also be made available electronically to staff. Participation in the survey will be voluntary.

Observation and assessment

Inspectors may access all areas of the prison to assess compliance with legal obligations and best human rights practice. Inspectors may observe prison facilities, operations and SOPs. Inspectors will engage with prisoners, staff and visitors in the course of these observations.

Interviews and discussions

Inspectors will conduct a series of formal interviews with individual prisoners and discussions with particular prisoners e.g. life sentence prisoners, remand prisoners, sex offenders. Notices will be placed around the prison informing prisoners of the inspection. Information in relation to the inspection including how they can meet with and inform the Inspection Team will be provided. The views of prison staff will also be elicited through interviews/discussions/conversations.

Documentation review

Inspectors will review key (electronic/paper) documentation and information within the prison to ensure accurate and timely compliance with national and international obligations and human rights best practice.

Close-out meeting

The Inspection Team will provide feedback (session circa 2 hours) to the Governor and senior staff within the prison on both:

- Levels of engagement with the inspection
- Emerging Findings (including any IANs).

Key outputs

i. Evidence pack

Evidence pack will contain products from engagement phase, which may include:

- Observation notes and supporting evidence e.g. photographs
- Survey returns (prisoners and staff)
- Interview notes
- Focus group/workshop outputs
- Documentation e.g. copy of documents demonstrating compliance with obligations and best practice.

ii. Emerging findings

Emerging findings from the on-site engagement and the assessment of data and intelligence will be shared with the Director General of the IPS, relevant Governors and senior staff at the Inspection Close-out meeting.

iii. IANs – if required

IANs will be raised by the Inspectorate where the Inspection Team has concerns so significant that immediate action is required (see sections 2.3.5 – 2.3.9) rather than waiting for the final Inspection Report to be drafted. IANs will be sent to the Governor of the prison concerned, the Director General of the IPS or the Minister, or each one of them, as the Chief Inspector considers appropriate, within seven days of the Close-out meeting.

Roles and responsibilities

| Responsible | Accountable | Supportive | Consulted | Informed |
|-----------------------------------|-----------------------------------|---|--|--|
| Lead Inspector Inspection Team | Chief Inspector Lead Inspector | Chief Inspector Expert Panel members Administrative Support | Chief Inspector Prison staff Prison population | Minister Director General of the IPS Governors |

Stage 3 – Reporting

Duration: 12 weeks

Key activities

• Prepare draft report

Develop draft report in agreed structure and format setting out evidence-based findings and recommendations.

• Validate and finalise draft report

Share draft report with the IPS

The sharing of the draft report with IPS will allow:

- IPS to identify any factual inaccuracies in the report
- IPS to raise any clarifications they may have
- IPS to develop an Action Plan (which would ideally be published by IPS in parallel with the publication of the Inspection Report).

The sharing of the draft report is not intended as providing a platform for IPS to challenge the findings and recommendations of the Inspection Report.

Finalise draft report

- Draft report updated with feedback from IPS
- Report formatted and subject to final proof read.

• Publish final report

Submit to the Minister for publication.

Key outputs

i. Draft report

Draft report to be shared with IPS to ensure factual accuracy and to address any clarifications they may have.

ii. Final report

Final report sent to the Minister for publication.

iii. Action plan (developed by IPS)

Action plan setting out how recommendations will be addressed by IPS.

Roles and responsibilities

| Responsible | Accountable | Supportive | Consulted | Informed |
|-----------------|-----------------|------------------------|-----------------------------|----------|
| Chief Inspector | Lead Inspector | Administrative Support | Director General of the IPS | Minister |
| Lead Inspector | Inspection Team | | Relevant Governors | IPS |
| Inspection Team | IPS | | | DJE |
| IPS | | | | |

Stage 4 – Monitoring

Duration: Ongoing

Key activities

• Monitor progress against Action Plan

Agree monitoring approach

Monitoring by the Inspectorate of progress by IPS against their Action Plan may involve:

- Self-Assessment of progress by IPS; and/or
- Follow-up Inspection – such an Inspection will be announced to ensure that the necessary IPS officials are present on site.

Conduct monitoring

Follow-up Inspections will be initiated against a risk-based assessment.

A Follow-up Inspection by the Inspectorate may be required if, for example:

- Inspectorate believe that the nature of the recommendations (e.g. seriousness/sensitivity) to be addressed by the IPS Action Plan reflect a level of risk that mandates on-site assurance of progress.
- Inspectorate does not get sufficient comfort from the IPS self-assessment of progress against the Action Plan.

The Inspectorate may also arrange a Follow-up Inspection on an ad-hoc basis to assure itself that recommendations in the Inspection Report are being progressed.

Key outputs

i. Monitoring approach

The Inspectorate will set out how it envisages that the IPS Action Plan will be monitored.

ii. Follow-up Inspection

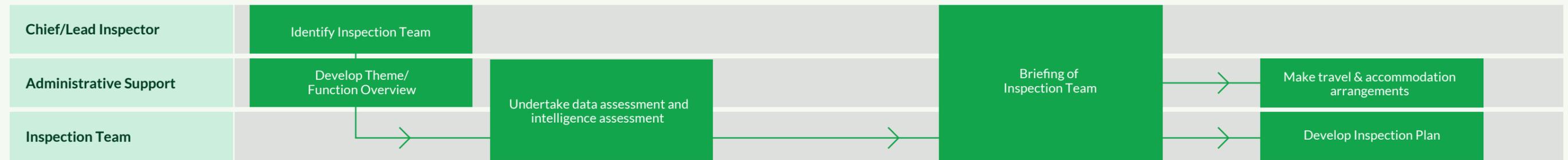
A Follow-up Inspection may be scheduled by the Inspection Team.

Roles and responsibilities

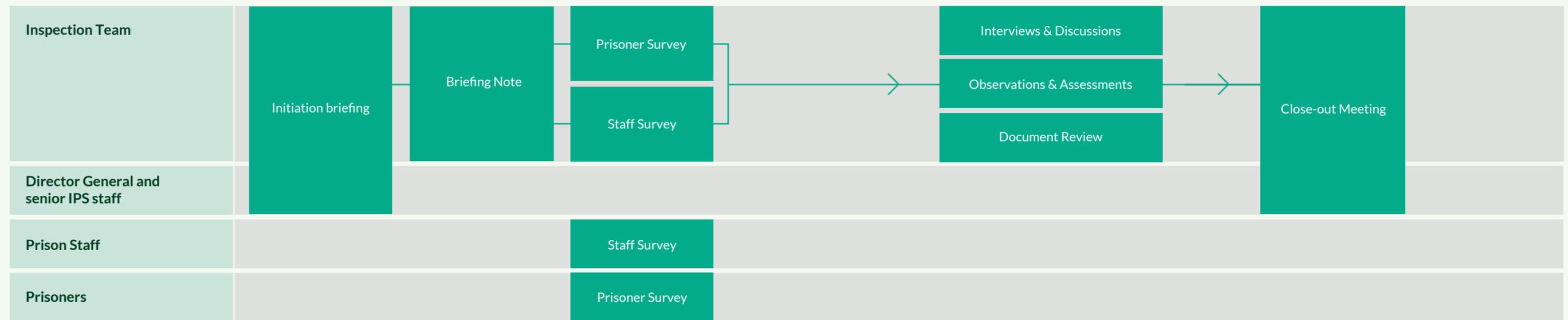
| Responsible | Accountable | Supportive | Consulted | Informed |
|-------------------------------|-------------------------------|------------------------|-----------------|-----------------------------|
| Lead Inspector | Lead Inspector | Inspection Team | Chief Inspector | Minister |
| Senior Administrative Support | Senior Administrative Support | Administrative Support | IPS | Director General of the IPS |
| IPS | | | | Relevant Governors |
| | | | | DJE |

Indicative Level 1 process maps for General Inspection

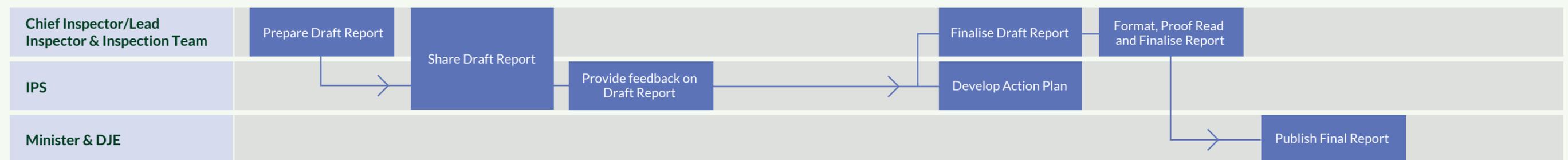
Stage 1 – Preparation



Stage 2 – Engagement



Stage 3 – Reporting



Stage 4 – Monitoring



Stage 1 – Preparation

Duration: 8–12 weeks

Key activities

• Initial data and intelligence assessment

Theme/Function overview

An overview of the prison establishment in terms of, inter alia:

- Brief History
- Governors and key senior staff (roles and responsibilities)
- Prisoner profile and number of prisoners
- Staff numbers
- IPS delivery partners
- Relevant facilities e.g. health, education
- Previous Inspection Reports.

Data assessment

In order to shape the Inspection Plan (including the prioritisation of specific areas for inspection), Inspectors will review and assess relevant data accessible by the Inspectorate and delivery partners.

Data sources will include SAIs, prisoner complaints as well as IPS self-assessment returns.

Intelligence assessment

In order to shape the Inspection Plan (including the prioritisation of specific areas for inspection), Inspectors will review and assess relevant intelligence held by the Inspectorate and delivery partners.

This intelligence will have been gathered on an on-going basis through, for example, previous inspections, visits to the prisons by Inspectors, Rule 44 letters from prisoners, Visiting Committees and advocacy organisations.

• Inspection pre-work

Inspection Team

The Inspectorate will identify the Inspection Team, drawing on Inspectorate staff, the Expert Panel and partner organisations (including but not limited to statutory agencies).

Inspection Plan

The Inspection Plan will be developed by the Inspection Team (led by a Senior Inspector) – the plan will cover both:

- Engagement stage
 - What are the primary areas of focus for the inspection
 - Who within the Inspection Team will have what responsibilities
 - Timescales over the period of the engagement
 - How the Inspection Team will ensure consistency with other inspections.
- Reporting stage
 - Format and structure of Inspection Report
 - Who is responsible for producing what content and by when
 - How ratings will be applied and how these will be moderated across the Inspection Team.

Travel and accommodation

The Inspectorate's administrative staff will make arrangements for travel and accommodation for all Inspection Team members.

• Briefing of Inspection Team

Briefing

- Confirmation of inspection dates, timings and logistics
- Confirmation of Inspection Plan
- Confirmation of roles and responsibilities
- Ways of working during inspection
- Contact details.

Key outputs

i. Data pack

The Inspectorate will produce a data pack (electronic if possible) covering the function or theme to be inspected.

This data pack will be shared with the Inspection Team to inform development of the Inspection Plan and conduct of the Inspection.

ii. Inspection Team

The Inspection Team will be confirmed and a pack containing short biographical details together with inspection roles and responsibilities of all individuals involved shared across the team.

iii. Inspection Plan

The Inspection Plan will provide a detailed set of actions, dependencies and responsibilities covering both the engagement and reporting phases.

iv. Briefing

Formal briefing (potential conference call) to confirm inspection arrangements.

Roles and responsibilities

| Responsible | Accountable | Supportive | Consulted | Informed |
|-------------------------------|-------------------------------|------------------------------------|----------------------|----------|
| Chief Inspector | Lead Inspector | Additional Inspection Team members | IPS | IPS |
| Lead Inspector | Senior Administrative Support | Administrative Support | Expert Panel members | |
| Senior Administrative Support | | | Other stakeholders | |
| Inspection Team | | | | |

Stage 2 – Engagement

Duration: 1–2 weeks

Key activities

• Inspection engagement

Activities may include:

Observation and assessment

Inspectors may access all areas of the prison to assess compliance with legal obligations and best human rights practice. Inspectors may observe prison facilities, operations and SOPs. Inspectors may engage with prisoners, staff and visitors in the course of these observations.

Interviews and discussions

Inspectors may conduct a series of formal interviews with individual prisoners and discussions with particular cadres of prisoners e.g. life sentence prisoners, remand prisoners, sex offenders. The views of prison staff will also be elicited through interviews/discussions/conversations.

Prisoner and staff surveys

Inspectors may conduct surveys to ascertain the views of prisoners and staff regarding the theme or function which is the subject of the inspection.

Documentation review

Inspectors will review key (electronic/paper) documentation and information within the IPS and relevant prisons to ensure accurate and timely compliance with national and international obligations and human rights best practice.

Stakeholder engagement

Thematic Inspections in particular are likely to involve more sustained engagement on the part of the Inspectorate with a range of other actors beyond the IPS and DJE. This may include other public sector bodies, Non-Governmental Organisations (NGOs), academics and other experts.

Close-out meeting

The Inspection Team will provide feedback to the Director General of the IPS, relevant Governors and senior staff across the estate on emerging findings from the inspection. This will be done within one month of the inspection ending.

Key outputs

i. Evidence pack

Evidence pack will contain products from engagement phase, which may include:

- Observation notes and supporting evidence e.g. photographs
- Survey returns (prisoners and staff)
- Interview notes
- Focus group/workshop outputs
- Documentation e.g. copy of documents demonstrating compliance with national and international obligations and human rights best practice.

ii. Emerging findings

Emerging findings from the on-site engagement and the assessment of data and intelligence will be shared with the Director General of the IPS, relevant Governors and senior staff at the Inspection Close-out meeting.

iii. IANs – if required

IANs will be raised by the Inspectorate where the Inspection Team has significant concerns with regard to the safety, treatment and/or conditions of those detained i.e. concerns so significant that immediate action is required, rather than waiting for the final Inspection Report to be drafted. IANs will be sent to the Governor of the prison concerned, the Director General of the IPS or the Minister, or each one of them, as the Chief Inspector considers appropriate, within seven days of the Close-out meeting.

Roles and responsibilities

| Responsible | Accountable | Supportive | Consulted | Informed |
|-----------------|-----------------|--|-------------------------------------|--|
| Lead Inspector | Chief Inspector | Chief Inspector | Chief Inspector | Minister |
| Inspection Team | Lead Inspector | Expert Panel members Administrative Support | Prison staff Prisoner population | Director General of the IPS Governors |

Stage 3 – Reporting

Duration: 12 weeks

Key activities

• Prepare draft report

Develop draft report in agreed structure and format setting out evidence-based findings and recommendations.

• Validate and finalise draft report

Share draft report with the IPS

The sharing of the draft report with IPS will allow:

- IPS to identify any factual inaccuracies in the report
- IPS to raise any clarifications they may have
- IPS to develop an Action Plan (which would ideally be published by the IPS in parallel with the publication of the Inspection Report by the Minister)

The sharing of the draft report is not intended as providing a platform for IPS to challenge the findings and recommendations of the Inspection Report.

Finalise draft report

- Draft report updated with feedback from IPS
- Report formatted and subject to final proof read.

• Publish final report

Submit to the Minister for publication.

Key outputs

i. Draft report

Draft report to be shared with IPS to ensure factual accuracy and to address any clarifications they may have.

ii. Final report

Final report sent to the Minister for publication.

iii. Action plan (developed by IPS)

Action plan setting out how recommendations will be addressed by IPS.

Roles and responsibilities

| Responsible | Accountable | Supportive | Consulted | Informed |
|-----------------|-----------------|------------------------|-----------------------------|----------|
| Chief Inspector | Lead Inspector | Administrative Support | Director General of the IPS | Minister |
| Lead Inspector | Inspection Team | | Relevant Governors | IPS |
| Inspection Team | IPS | | | DJE |
| IPS | | | | |

Stage 4 – Monitoring

Duration: Ongoing

Key activities

· Monitor progress against Action Plan

Agree monitoring approach

Monitoring by the Inspectorate of progress by IPS against their Action Plan may involve:

- Self-Assessment of progress by IPS; and/or
- Follow-up Inspection – such an Inspection will be announced to ensure that the necessary IPS officials are present on site.

Conduct monitoring

Follow-up Inspections will be initiated against a risk-based assessment. A Follow-up Inspection by the Inspectorate may be required if, for example:

- Inspectorate believe that the nature of the recommendations (e.g. seriousness/sensitivity) to be addressed by the IPS Action Plan reflect a level of risk that mandates on-site assurance of progress.
- Inspectorate does not get sufficient comfort from the IPS self-assessment of progress against the Action Plan.

The Inspectorate may also arrange a Follow-up Inspection on an ad-hoc basis to assure itself that recommendations in the Inspection Reports are being progressed.

Key outputs

i. Monitoring approach

The Inspectorate will set out how it envisages that the IPS Action Plan will be monitored.

ii. Follow-up Inspection

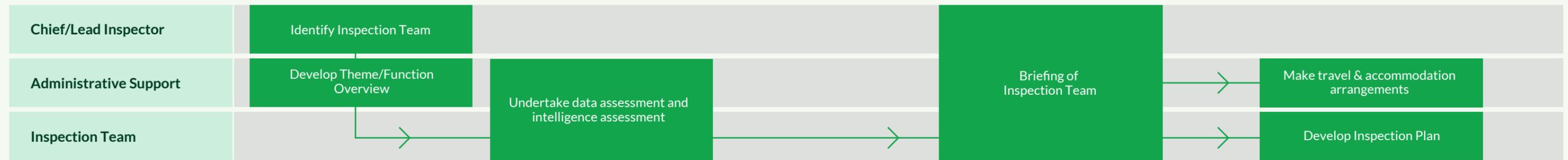
A Follow-up Inspection may be scheduled by the Inspection Team.

Roles and responsibilities

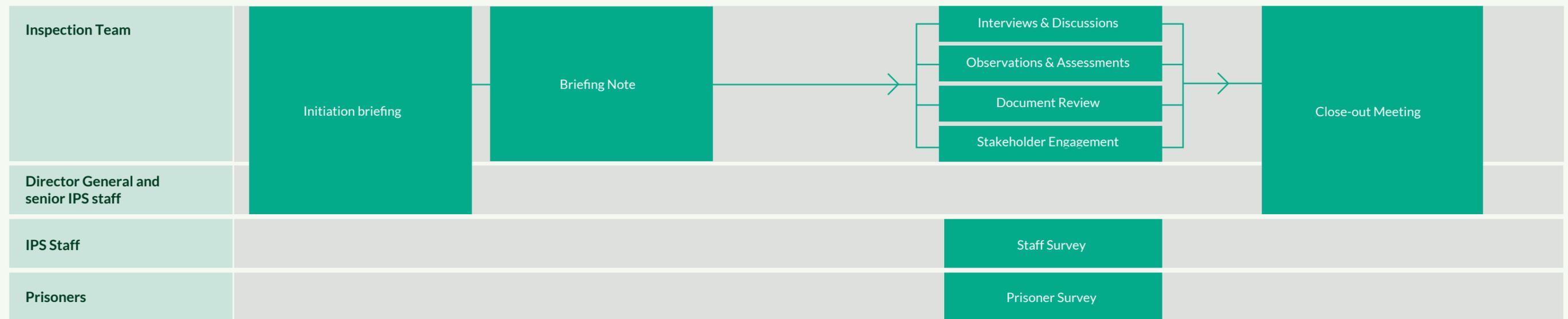
| Responsible | Accountable | Supportive | Consulted | Informed |
|-------------------------------|-------------------------------|------------------------|-----------------|-----------------------------|
| Lead Inspector | Lead Inspector | Inspection Team | Chief Inspector | Minister |
| Senior Administrative Support | Senior Administrative Support | Administrative Support | IPS | Director General of the IPS |
| IPS | | | | Relevant Governors |
| | | | | DJE |

Indicative Level 1 process maps for Thematic/Functional Inspection

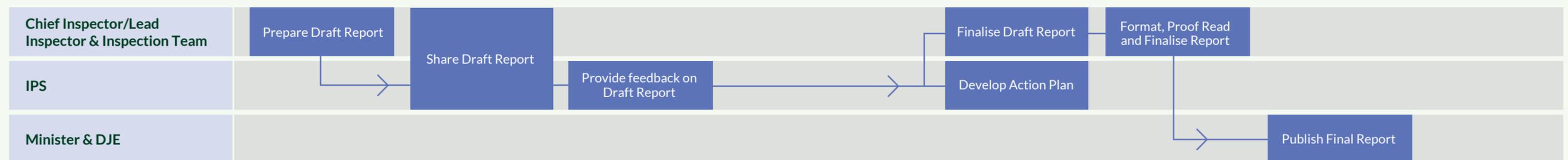
Stage 1 – Preparation



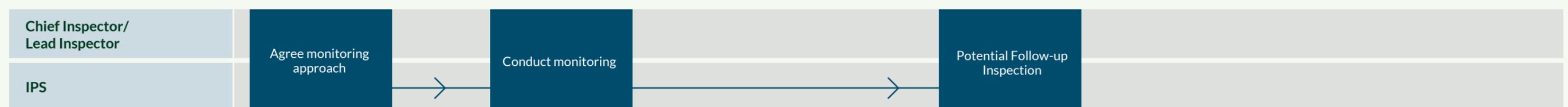
Stage 2 – Engagement



Stage 3 – Reporting



Stage 4 – Monitoring



Stage 1 – Preparation

Duration: 8 weeks

Key activities

• Initial data and intelligence assessment

Issue recap

A recap of the issue(s) raised in the original Inspection Report and how the IPS proposed to deal with these in its Action Plan.

Data assessment

In order to shape the Inspection Plan (including the prioritisation of specific areas for inspection), Inspectors will review and assess relevant data accessible by the Inspectorate and delivery partners.

Data sources will include SAIs, prisoner complaints as well as IPS self-assessment returns.

Intelligence assessment

In order to shape the Inspection Plan (including the prioritisation of specific areas for inspection), Inspectors will review and assess relevant intelligence held by the Inspectorate and stakeholders.

This intelligence will have been gathered on an on-going basis through, for example, previous inspections, visits to the prisons by Inspectors, Rule 44 letters from prisoners, Visiting Committees and advocacy organisations.

IPS self-assessment

The IPS will be asked for their assessment of progress against the relevant issues and/or recommendations raised in the original Inspection Report.

• Inspection pre-work

Inspection Team

The Inspectorate will identify the Inspection Team, drawing on Inspectorate staff, the Expert Panel and partner organisations (including but not limited to statutory agencies).

If practicable there will be at least some overlap in the inspection personnel who conducted the initial inspection and those engaged in the Follow-up Inspection.

Inspection Plan

The Inspection Plan will be developed by the Inspection Team (led by a Senior Inspector) – the plan will cover both:

- Engagement stage
 - What are the primary areas of focus for the inspection
 - Who within the Inspection Team will have what responsibilities
 - Timescales over the period of the engagement
 - How the Inspection Team will ensure consistency with other inspections.
- Reporting stage
 - Format and structure of Inspection Report
 - Who is responsible for producing what content and when
 - How ratings will be applied and how these will be moderated across the Inspection Team.

Travel and accommodation

The Inspectorate's administrative staff will make arrangements for travel and accommodation for all Inspection Team members.

• Briefing of Inspection Team

Briefing

- Confirmation of Inspection dates, timings and logistics
- Confirmation of Inspection Plan
- Confirmation of roles and responsibilities
- Ways of working during inspection
- Contact details.

Key outputs

i. Data pack

The Inspectorate will produce an electronic data pack covering the prison establishment and follow-up issues to be inspected.

This data pack will be shared with the Inspection Team to inform the development of the Inspection Plan and conduct of the Inspection.

ii. Self-assessment (produced by IPS)

The IPS will produce a report assessing their progress on the relevant issues/ recommendations from the Inspection Report and the corresponding actions from their own Action Plan.

iii. Inspection Team

The Inspection Team will be confirmed and a pack containing short biographical details together with inspection roles and responsibilities of all individuals involved shared across the team.

iv. Inspection Plan

The Inspection Plan will provide a detailed set of actions, dependencies and responsibilities covering both the engagement and reporting phases.

v. Briefing

Formal briefing (potential conference call) to confirm inspection arrangements.

Roles and responsibilities

| Responsible | Accountable | Supportive | Consulted | Informed |
|-------------------------------|-------------------------------|------------------------------------|----------------------|----------|
| Chief Inspector | Lead Inspector | Additional Inspection Team members | IPS | IPS |
| Lead Inspector | Senior Administrative Support | Administrative Support | Expert Panel members | |
| Senior Administrative Support | | | | |
| Inspection Team | | | | |

Stage 2 – Engagement

Duration: 2–3 days

Key activities

· On-site inspection

The key activities during an on-site inspection will include:

Initiation briefing

Inspectors will brief the Governor(s) and staff of the IPS at the start of the inspection. They will set out the Inspection Plan and associated timescales. They will confirm the remit of the Inspection Team and the approaches that will be taken.

Governor(s) and senior staff will be able to raise any queries and flag any specific issues at this initial briefing session. IPS staff will support and facilitate the Inspection Team.

A briefing note will be available to prisoners and staff explaining that the inspection is underway, its purpose and how they can engage with the Inspection Team.

Notices will be displayed throughout the prison so that all prisoners and staff are made aware that the inspection is underway, its purpose and how they can engage with the Inspection Team.

Observation and assessment

Inspectors will access all areas relevant to the issues and/or recommendations in question.

Interviews and discussions

Inspectors will conduct any formal interviews required with prisoners. The views of prison staff will also be elicited through interviews/discussions/conversations.

Prisoner and staff surveys

Inspectors will conduct prisoner and staff surveys which include indicators that make it possible to evaluate perceived improvements (pre: General/Thematic/Functional Inspections; post: Follow-up Inspections). This will yield very useful information from those living and working in the prisons and will supplement other sources of data.

Documentation review

Inspectors will review key (electronic/paper) documentation and information within the prison to ensure accurate and timely compliance with relevant national and international obligations and human rights best practice.

Close-out meeting

The Inspection Team will provide feedback (session circa 2 hours) to relevant IPS personnel on both:

- Levels of engagement with the inspection
- Emerging findings (including any IANs).

Key outputs

i. Evidence pack

Evidence pack will contain products from engagement phase, which may include:

- Observation notes and supporting evidence e.g. photographs
- Survey returns (prisoners and staff)
- Interview notes
- Focus group/workshop outputs
- Documentation e.g. copy of documents demonstrating compliance with national and international obligations and best practice.

ii. Emerging findings

Emerging findings from the on-site engagement and the assessment of data and intelligence will be shared with the Director General of the IPS, relevant Governors and senior staff at the Inspection Close-out meeting.

iii. IANs - if required

IANs will be raised by the Inspectorate where the Inspection Team has concerns so significant that immediate action is required (see sections 2.3.5 – 2.3.9), rather than waiting for the final Follow-up Inspection Report to be drafted. IANs will be sent to the Governor of the prison concerned, the Director General of the IPS or the Minister, or each one of them, as the Chief Inspector considers appropriate, within seven days of the Close-out meeting.

Roles and responsibilities

| Responsible | Accountable | Supportive | Consulted | Informed |
|-----------------|-----------------|--|-------------------------------------|--|
| Lead Inspector | Chief Inspector | Chief Inspector | Chief Inspector | Minister |
| Inspection Team | Lead Inspector | Expert Panel members Administrative Support | Prison staff Prisoner population | Director General of the IPS Governors |

Stage 3 – Reporting

Duration: 8 weeks

Key activities

• Prepare draft report

Develop draft report in agreed structure and format setting out evidence-based findings and recommendations.

• Validate and finalise draft report

Share draft report with the IPS

The sharing of the draft report with IPS will allow:

- IPS to identify any factual inaccuracies in the report
- IPS to raise any clarifications they may have

The sharing of the draft report is not intended as providing a platform for the IPS to challenge the findings and recommendations of the Inspection Report.

Finalise draft report

- Draft report updated with feedback from IPS
- Report formatted and subject to final proof read.

• Publish final report

Submit to the Minister for publication.

Key outputs

i. Draft report

Draft report to be shared with IPS to ensure factual accuracy and to address any clarifications they may have.

ii. Final report

Final report sent to the Minister for publication.

iii. Action plan (developed by IPS)

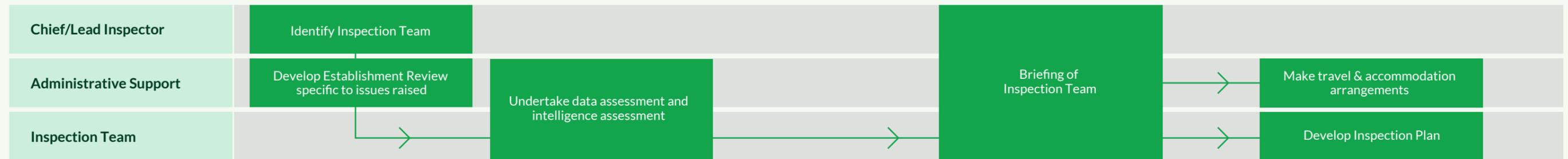
Action plan setting out how recommendations will be addressed by IPS which will be subject to ongoing monitoring by the Inspectorate.

Roles and responsibilities

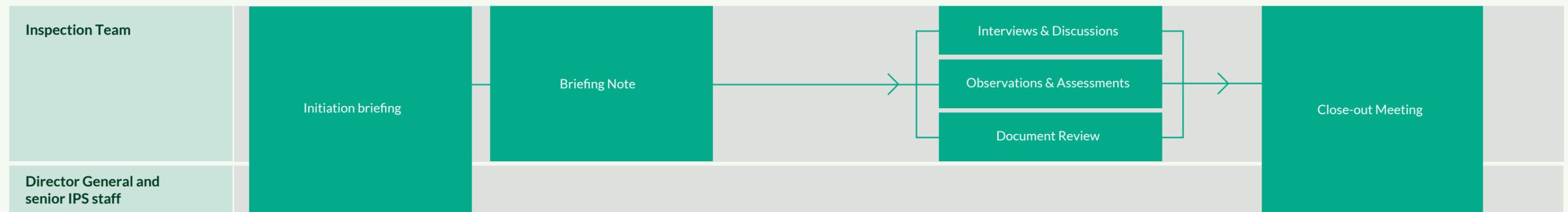
| Responsible | Accountable | Supportive | Consulted | Informed |
|-----------------|-----------------|------------------------|-----------------------------|----------|
| Chief Inspector | Lead Inspector | Administrative Support | Director General of the IPS | Minister |
| Lead Inspector | Inspection Team | | Relevant Governors | IPS |
| Inspection Team | IPS | | | DJE |
| IPS | | | | |

Indicative Level 1 process maps for Follow-up Inspection

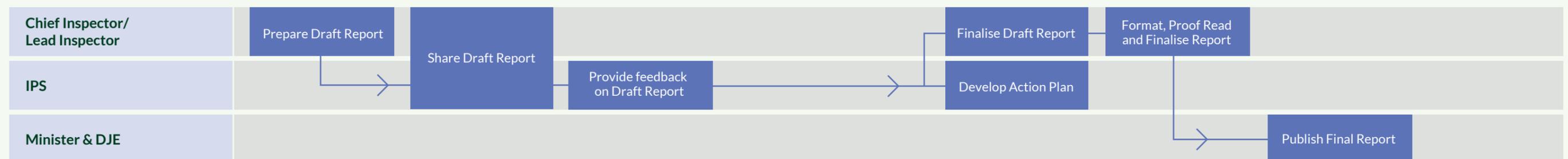
Stage 1 – Preparation



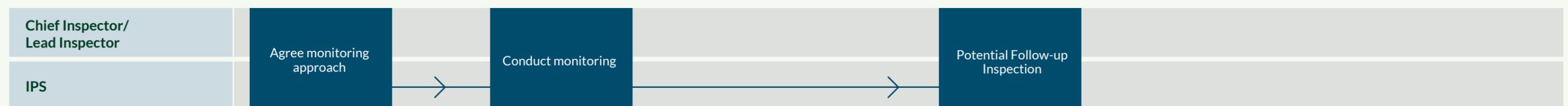
Stage 2 – Engagement



Stage 3 – Reporting



Stage 4 – Monitoring



Appendix D – Data requests

Indicative ongoing data requirements

In order to ensure that the inspection process, its conduct and findings, are adequately informed and underpinned by relevant data, there will be a series of standing data requests that the Inspectorate will make of the IPS. How this data is compiled will be a matter for the IPS.

In order to ensure that the Inspectorate and its inspection methodology remains up to date, these requests will be made on a quarterly basis.

Both these standing data requests and those made on site during inspections and directed towards prison management are derived from the Focus Areas and Dimensions. There is a natural overlap between both sets of requests.

The Indicative data requirements provided are for illustrative purposes and the Inspectorate will engage with key stakeholders including the IPS, the DJE and academic research community to further develop them.

1. The ratio of staff to prisoners in each prison
2. The number of prisoners in each prison
3. The number of staff in each prison
4. The gender breakdown of prisoners across the prison estate and by prison as appropriate
5. The gender breakdown of staff across the prison estate and by prison
6. The number and percentage of foreign national prisoners across the prison estate and in each prison
7. The number and percentage of prisoners from a minority community background across the prison estate and in each prison
8. The number and percentage of prisoners from the Travelling community across the prison estate and in each prison
9. The number and percentage of sentenced and remand prisoners across the prison estate and in each prison as appropriate
10. The number and percentage of immigration detainees held in prisons across the prison estate and in each prison as appropriate
11. The number of escapes or attempted escapes
12. Data on breaches of prison security
13. Number of 'near misses' in each prison

14. Data regarding any use of control and restraint across the prison estate and by prison
15. Data regarding the use and type of violence against staff by prisoners across the prison estate and by prison
16. Data regarding the use and type of violence against prisoners by prisoners across the prison estate and by prison
17. Data regarding contraband finds, specifying the type and amount, across the prison estate and by prison
18. Data regarding the average number of hours prisoners are out of their cells on a daily basis across the prison estate and by prison
19. Data regarding the average exercise and association times prisoners have each day across the prison estate and by prison
20. Data on the average number of hours of constructive activity (e.g. education, skills and work opportunities) prisoners engage in on a daily basis across the prison estate and by prison
21. Number and percentage of life sentence prisoners in each prison
22. Number and percentage of prisoners serving short-term sentences of twelve months or less in each prison
23. Age profile of the prisoner population across the prison estate and by prison
24. Number and percentage of prisoners in the parole system across the prison estate and by prison
25. Number of Parole Liaison Officers in each prison
26. A copy of Policies, Governors' Orders and Chiefs' Orders in each prison (*Prisons to notify the Inspectorate when changes are made to any of the policies or orders*)
27. Overview of each prison to be provided on an annual basis to include identification of the Governor and senior staff with their roles, responsibilities and contact details specified. Details of in-reach and other services provided to the prison, including voluntary services, will also be required
28. Number and percentage of prisoners held in prolonged (more than 14 days) restricted regime
29. Data on the length of time prisoners are held on 21 plus hour lock up in a 24 hour period
30. Data on sexual violence
31. Number and percentage of life-sentenced prisoners in open prisons
32. Number and percentage of immigration detainees per prison and across the prison estate

Indicative data requirements on inspection

As the majority of prison inspections will be carried out on an unannounced basis, data requests relating to such inspections will not normally be made in advance but rather on the first day of the inspection. The indicative list of such requests below should therefore inform the data gathering and retention policy of individual prisons to ensure that relevant data is gathered and retained for inspection purposes. The Indicative data requirements provided are for illustrative purposes and the Inspectorate will engage with key stakeholders including the IPS, the DJE and academic research community to further develop them.

1. The ratio of staff to prisoners
2. The number of prisoners
3. The number and grades of staff
4. The gender breakdown of prisoners, as appropriate
5. The gender breakdown of staff
6. The number and percentage of foreign national prisoners
7. The number and percentage of prisoners from a minority community background
8. The number and percentage of prisoners from the Travelling community
9. The number and percentage of sentenced and remand prisoners
10. The number and percentage of immigration detainees
11. The number of escapes or attempted escapes
12. Data on breaches of prison security
13. Number of 'near misses'
14. Data regarding any use of Control and Restraint by prison staff
15. Data regarding the use and type of violence against staff by prisoners
16. Data regarding the use and type of violence against prisoners by prisoners
17. Data regarding contraband finds, specifying the type and quantity
18. Data regarding the average number of hours prisoners are out of their cells on a daily basis
19. Data regarding the average exercise and association times prisoners have each day
20. Data on the average number of hours of constructive activity (e.g. education, skills and work opportunities) prisoners engage in on a daily basis
21. Data regarding disciplinary proceedings and outcomes within the prison to include data on the number of foreign national prisoners and/or those from minority communities who are (a) respondents (b) victims
22. Data relating to any criminal matters referred by the prison management to An Garda Síochána

23. Data in relation to incidents of self-harm
24. Data on all prisoner complaints made and outcomes
25. Information on the number of prisoners on a restricted regime, specifying applicable Rule, including data regarding the length of their stay on the regime
26. Ratio of medical staff and nursing staff to prisoner population
27. Data regarding waiting times to access medical services for prisoners
28. Number and percentage of prisoners accessing appropriate drug rehabilitation programmes
29. Number and percentage of prisoners accessing medically assisted symptomatic detoxification
30. Number and percentage of prisoners accessing methadone substitution or maintenance programmes
31. Data regarding the number of hours prisoners are out of their cells on a daily basis
32. Data regarding the exercise and association times prisoners have each day
33. Number of life sentence prisoners
34. Number of prisoners serving sentences of twelve months or less
35. Age profile of the prisoner population
36. Number of prisoners in the parole system

Illustrative examples of the templates that will be used in relation to inspections are provided at Appendix E and F.

Appendix E – Form templates

- Briefing Note Template
- Discussion Guide Template
- Immediate Action Notification Template
- Data Request Template

Briefing note – Inspection of [...]

Introduction
[Explaining inspection is underway]

Purpose and Plan
[Explaining purpose and plan/ timetable – including when investigation will report]

Engagement
[Set out how prisoners and staff can engage with the inspection team]

Discussion guide

Introduction
[Explaining inspection which is underway]
[Explain any commitment to anonymity]

Discussion topics
The discussion will include the following topics:

- [...]
- [...]
- [...]

These are not intended to be exhaustive, and other matters may be raised or covered during the interview.

Immediate Action Notification

From: Chief Inspector of Prisons
To: Director General of the Irish Prison Service
For information: Minister for Justice and Equality
Date:
Action Required: Immediate and urgent response to issue identified in inspection of [...]

Data Request to IPS – [DATE]

| | |
|--------------------------------|-------|
| Return completed by (name) | _____ |
| Return completed by (position) | _____ |
| Signature | _____ |
| Date | _____ |

Appendix F – Report templates

- Report on Follow-up Inspection Template
- Report on Functional Inspection Template
- Report on General Inspection Template
- Report on Thematic Inspection Template

Report of Follow-up Inspection in [Name] Prison

[MONTH] [YEAR]

Report of Functional Inspection on [Theme]

[MONTH] [YEAR]

Report of General Inspection of [Name] Prison

[MONTH] [YEAR]

Report of Thematic Inspection on [Theme]

[MONTH] [YEAR]

Contact

If you have any comments or queries in relation to this Framework or its operation, please contact:

Email info@oip.ie

Postal address Oifig an Chigire Príosún,
24 Siúlan Shisil,
Sráid Mhic Coinín,
An tAonach,
Co. Thiobraid Árann,
E45 NN73

Office of the Inspector of Prisons,
24 Cecil Walk,
Kenyon Street,
Nenagh,
Co. Tipperary,
E45 NN73

Telephone +353 67 42210



OIFIG AN CHIGIRE PRÍOSÚN
OFFICE OF THE INSPECTOR OF PRISONS

