

# Annual Report 2024

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Annual Report 2024

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## Foreword by the Chief Inspector

# 2024 was another busy and productive year for the Inspectorate of Prisons.

The Inspectorate pursued its new programme of unannounced general inspections of prisons, with visits to Arbour Hill Prison, Midlands Prison, Limerick Women's Prison and a follow up visit to Cloverhill Prison. Reports on five inspections were completed, on: Mountjoy Men's Prison, the Training Unit, Cork Prison, Cloverhill Prison and the Dóchas Centre. These are currently with the Minister for Justice, awaiting his consent for publication.

We have found that the scourge of overcrowding continues to afflict almost every prison in Ireland, and the situation has worsened significantly over the last year. In March 2023, the prison population had already exceeded 4,900 people, a figure that I then characterised as "many hundred in excess of the number that can be safely accommodated". Today, as I write, the population is nearly 5,300 and very many prisoners are being held in conditions that can be described as inhuman and degrading.

It remains my firm view that the overcrowding crisis that has now engulfed the Irish Prison Service can only be resolved by courageous action at political level, including agreeing to impose an enforceable ceiling on the number of people who can be safely held in each prison. It is no longer credible to respond to these concerns with rote answers referencing future increases in the capacity of the prison estate. No comparable jurisdiction has ever succeeded in building itself out of overcrowding.

In its first set of reports on unannounced general inspections, the OIP has made a determined effort to formulate meaningful operational recommendations addressing not only the Governors of the prisons inspected, but also the Director General of the Irish Prison Service and the Minister himself; those latter recommendations can be found in Appendix A to this report.

The OIP is also charged with the independent investigation of deaths in prison custody. Sadly, 2024 saw 31 deaths, the highest-ever number in any year since the Inspectorate first undertook this task in 2012. There is no doubt that the pressures created by overcrowding have played their part in generating this increase. Investigators have also identified poor risk assessment processes on committal that have contributed to tragic outcomes, as well as areas for improvement in the health care supervision of prisoners suspected of internally concealing contraband.

The Inspectorate has now inspected both of the prisons in Ireland accommodating women, the Dóchas Centre and Limerick Women's Prison. It is increasingly recognised that many women living in prison have suffered various forms of physical, sexual or psychological violence, including domestic violence, before their imprisonment. They may also have a high level of mental health-care needs, drug dependency, specific health-care needs, and demanding caretaking responsibilities for their children and/or their families.

Consequently, a key focus of the 2024 inspection of Limerick Women's Prison was to assess the purported trauma-informed nature of this new prison, and to examine if and how this ethos was being implemented in practice.

In May 2024, Ireland was visited by the Council of Europe's European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). I met with the CPT's delegation at the beginning and the end of its visit. The delegation focussed on prison conditions. including the situation of women in prison, prisoners held on restricted regimes, mental health care in prisons and deaths in custody. Its report was submitted to the Government of Ireland before the end of 2024, requiring a formal response by summer 2025. The quality of that response will provide a litmus test of the Government's commitment to restoring humane conditions in Ireland's prisons.

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Ireland signed the Optional Protocol to the United Nations Convention Against Torture (OPCAT) in October 2007. More than 17 years later, the State now finds itself in the unenviable position of being the only one of the 46 member States of the Council of Europe that has yet to ratify this treaty and designate a National Preventive Mechanism (NPM) to monitor the treatment of everyone deprived of their liberty. Long-promised legislation designed to enable this to happen the Inspection of Places of Detention Bill - has been languishing in the Office of Parliamentary Counsel for a number of years. Over the course of 2024, the OIP continued its work to build the professional relationships that it will require to assume its future role as the NPM for the criminal justice system. We are fortunate to enjoy the fulsome support of the European Union (DG-Reform) and the Council of Europe for our ongoing efforts in this area.

The Inspectorate also continues to work closely with the Office of the Ombudsman and the Director General of the Irish Prison Service on the design of a new and better system to examine complaints by prisoners. I hope that this work will come to fruition in 2025.

Our move to new, own-door, premises in central Dublin was a bright spot in summer 2024. Our small and dedicated staff team now has much improved working conditions, and the Inspectorate is better prepared for the future expansion in its role. I am enormously grateful to my OIP colleagues for their hard work and genuine commitment to the Inspectorate's mission throughout 2024, which you will find fully reflected in this annual report.

Lastly, I should note that, once again, this annual report is being submitted to the Minister for Justice by the statutory deadline of the end of March in the following year. Our annual report for 2022 was submitted to the Minister on 31 March 2023, but was not published until 13 October that year. Last year's annual report was submitted on 29 March 2024, but was not published until 28 February this year.

The Prisons Act 2007 requires that, "as soon as practicable" after receiving the OIP's annual report, the Minister shall "cause a copy of it to be laid before each House of the Oireachtas and to be published." I hope that, in a spirit of transparency and accountability, this annual report will be published in the very near future.



Mark Kelly
Chief Inspector

### 01

### Introduction

#### 1.1 Functions of the Inspectorate of Prisons

The Inspectorate of Prisons was established pursuant to Section 30 of the Prisons Act 2007 ("the Act") in January 2007. The Chief Inspector of Prisons is appointed by the Minister for Justice to perform the functions conferred on him by Part 5 of the Act. The current Chief Inspector was appointed on 1 June 2022 for a five-year term in office with effect from 15 August 2022, under Section 30 of the Act. The Chief Inspector of Prisons is independent in the performance of his functions.

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

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



# The role of the Chief Inspector of Prisons includes:

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

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

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#### 1.2 The Inspectorate Team

On 31 December 2024, the staff serving in the Office of the Inspectorate of Prisons were:



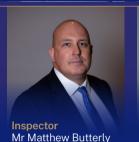
















Inspector Dr Sarah Curristan









**Executive Officer** Mr Ross Mallon

# **Our Vision** Our Mission

Our Vision, Mission, Values

A criminal justice system that respects, protects and fulfils the human rights of people deprived of their liberty.

& Strategic Goals



To ensure that the human rights of those deprived of their liberty are upheld and to promote accountability across the criminal justice system.



#### **Our Values**

- We are Human Rights-Focussed, valuing diversity and respecting the dignity of all individuals. We act with kindness and strive to create an inclusive environment where everyone is treated with fairness and respect.
- We are Independent & Impartial. Our work is guided by authoritative knowledge, rigorous standards, and a dedication to objectivity in all we do.
- We are Transparent & Collaborative, working openly and inclusively to build trust. Through collaboration, influence, and expertise, we foster professionalism and accountability in all our engagements.
- challenging conventional thinking and embracing innovation. We take initiative, remain adaptable, and respond proactively to the needs of those we serve.

### Our Strategic Goals

- To bring about measurable improvements in the lives of people deprived of their liberty, in line with national and international human rights standards, and best practice.
- To create and implement a world class National Preventive Mechanism, that independently monitors the treatment of people deprived of their liberty across the criminal justice system.
- To continue to ensure high standards of corporate governance, and build an organisation fit for the future

02

# Developing a Criminal Justice National Preventive Mechanism in Ireland

### 2.1 National Preventive Mechanism (NPM) Engagement at Regional Level

In 2024, the Inspectorate continued to build its engagement with NPM counterparts across Europe, through the Council of Europe NPM Forum. The OIP was represented by Senior Inspector Dr Ciara O'Connell at a NPM workshop in Strasbourg from 4–5 June 2024, on the theme of monitoring of material conditions of detention and rights of persons held in pre-trial detention.

Discussions at the workshop were centred around the implementation of the Council of Europe standards on pre-trial detention, as well as the EU Recommendation on procedural rights of suspects and accused persons subject to pre-trial detention and on material detention conditions. In addition, other sessions were dedicated to thematic issues and challenges of interest to NPMs, including administrative detention of migrants and asylum seekers.

In September 2024, Chief Inspector Mark Kelly, Senior Inspector Pia Janning and Lead Inspector Michelle Martyn, attended a conference jointly organised by the European NPM Forum and the Pompidou Group. The conference was entitled Improvement and safeguards of health conditions of persons deprived of their liberty with substance use disorders.

The conference brought together 140 participants from 38 European countries. Participants included representatives of NPMs, decision and policy makers responsible for the design, implementation and monitoring of drug treatment interventions in custodial settings, practitioners working in detention, academia, international and civil society organisations and the Council of Europe including representatives of the European Committee for the Prevention of Torture (CPT).



# 2.2 European Commission Technical Support Instrument Project

An official 'kick-off' meeting of this project was held in Strasbourg on 23 September 2024. Participants included representatives from the Council of Europe, DG Reform of the European Commission, the OIP and the Cypriot Office of the Commissioner for Administration and the Protection of Human Rights (Ombudsman). The event facilitated presentations on the practical plans for how the project will be implemented and how outcomes will be measured.

On 22 October 2024, the project was officially launched in Ireland. The launch event brought together over sixty stakeholders, including senior officials from the Department of Justice, representatives from statutory agencies, criminal justice bodies, civil society, international experts, academia, a representative from the European Commission, as well as members of the Office of the Inspector of Prisons' Expert Panel.

Pictured in Strasbourg (left to right) - Tigran Karapetyan, Head of Transversal Challenges and Multilateral Projects Division, Directorate General I — Human Rights and Rule of Law, Council of Europe, Nevsija Durmish, Project Assistant, Transversal Human Rights Responses, Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards, Directorate General I - Human Rights and Rule of Law, Council of Europe, Kyriacos Kyriacou, Officer, Office of the Commissioner for Administration and the Protection of Human Rights (Ombudsman) Cyprus, Paul Blanchard, Project Officer, Transversal Human Rights Responses, Directorate General I — Human Rights and Rule of Law, Council of Europe, Pia Janning, Senior Inspector, Office of the Inspector of Prisons, Mark Kelly, Chief Inspector, Office of the Inspector of Prisons, Sebastian Potaufeu, Senior Advisor for Human Rights and Coordinator for the Abolition of the Death Penalty, Council of Europe, Joana Kashi, Senior Project Officer, Transversal Human Rights Responses, Transversal Challenges and Multilateral Projects Division, Directorate General I — Human Rights and Rule of Law, Council of Europe. Anastasiia Saliuk, Head of Unit, Transversal Human Rights Responses, Directorate General I — Human Rights and Rule of Law, Council of Europe, Katiuska Tarquis Marin, Directorate General for Structural Reform Support (DG REFORM), Project Assistant & Country Coordinator for Austria, REFORM. B2 — Governance and Public Administration DG-REFORM, European Commission.

Opening remarks were made by Chief Inspector Mark Kelly; Katerina Kallitsioni, on behalf of the Cypriot Ombudsman; and Tigran Karapetyan from the Council of Europe. Florian Hauser, Deputy Head of Unit for Public Administration and Governance at the European Commission's DG Reform, made a virtual presentation. An overview of the project including initial priorities, the key activities and how the success of the project will be measured, was presented by representatives from DG Reform and the Council of Europe.

A panel discussion, focusing on safeguarding the rights of those in custody, followed with presentations from Deirdre Malone, Director of the Irish Human Rights and Equality Commission (IHREC); Kate Mulkerrins, Executive Director for Legal and Compliance, An Garda Síochána; Sam Gluckstein, Head of the UK NPM; and Professor Gautam Gulati,

Consultant Forensic Psychiatrist and Irish member of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).

Project launch participants benefited from the wealth of expertise on the panel that incorporated both domestic and international perspectives in relation to the development of a NPM. The presentations also facilitated a range of questions that evidenced a strong commitment, from those in attendance, in support of the objective of the project, to notably improve respect for the rights of persons deprived of their liberty.

On 29 November 2024, the project was officially launched in Nicosia in Cyprus, with a focus on strengthening the already existing Cypriot NPM. The OIP was represented by Inspectors Laura Anderson and Matthew

Butterly and Lead Inspector Mark Wolfe. Participants at the event included members of parliament, senior police officials, senior legal representatives, NGOs, representatives from government departments and other partners of the Cypriot Ombudsman.

Laura Anderson provided opening remarks alongside Maria Stylianou-Lottides, Head of the Cypriot NPM, Kjartan Björnsson, Deputy Director for Support to Member States Reforms at the European Commission's DG Reform, and Tigran Karapetyan.

The outline of project was presented to the participants, followed by a panel discussion hosted by representatives from those engaged in the Cypriot NPM, including the CPT, the Director of Prisons, the Immigration Service, the Mental Health hospital, the Asylum Service, Social Welfare Services and DG Home. The

presentations, along with the questions that followed, demonstrated that even though Ireland and Cyprus are at different stages in respect of NPM development, many of the concerns faced in Ireland are also evident in Cyprus, most notably overcrowding in places of detention and a desire to progress alternatives to custody.

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Key priorities for the project in Ireland in 2025, include further engagement with relevant stakeholders, especially An Garda Síochána, to develop a monitoring framework for OPCAT, the development of awareness raising activities around OPCAT and carrying out a legislative analysis once the Inspection of Places of Detention Bill is published.



















# Activities — Inspection & Investigation

#### 3.1 Inspections

In 2024, the Inspectorate pursued its new programme of unannounced inspections of prisons. Four inspections were completed, to Arbour Hill Prison (19–25 March 2024); Midlands Prison (26 June–9 July 2024); Limerick Women's Prison (18–22 November 2024) and Cloverhill Prison (follow-up inspection) (9–11 December 2024).

In 2024, the OIP continued its partnership with the Department of Education (DE) Inspectorate, which assessed and reported on the provision of education in all four prisons inspected during the year. The OIP was also supported in its inspection activities by members of its Expert Panel.



Double Cell in Arbour Hill with Bunk Bed Ladder Obstructed, and Close Proximity of Toilet-Sink Unit

#### 3.2 Key Findings

#### 01. Arbour Hill Prison

At the time of inspection, Arbour Hill Prison accommodated approximately 134 prisoners and was operating at 98% capacity.<sup>1</sup>

A focus of this inspection was to assess how Arbour Hill supports people in the prison, many of whom are older and completing long sentences, to prepare for re-integration in the community.

The Inspectorate was pleased to note that relationships within the prison were positive and respectful. The majority of prisoners (81%, 75 of 93) who responded to the OIP's survey reported that they were treated fairly by prison staff.<sup>2</sup> People living in the prison appreciated the extent to which they had freedom of movement within its confines and could mix with others.

Arbour Hill is one of the few prisons within the prison estate that is not operating beyond its official bed capacity. While this is positive, the accommodation provided to many of the people in the prison could be substantially improved. The doubling of cells which were, to begin with, small in size meant that many prisoners did not have an adequate minimum standard of living space. For example, the Inspectorate found examples of shared cells in which living space was less than the minimum  $4m^2$  per person sharing that is recommended by the CPT.<sup>3</sup>

The living space within cells was often cramped, containing bunk beds, toilet/sink units, counter tops, and storage units. This left very little room for prisoners to move in their cells. Bunk bed ladders were often inaccessible due to lack of space, and men were required to clamber on furniture, or hoist themselves upwards to reach the top bunk.

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Toilets in cells were not partitioned and some did not even have lids. Beds on the lower bunk were in close proximity to un-partitioned toilets; for example, distances of 40cm and 60cm between beds and open toilets were observed.

In light of these factors, the Inspectorate recommended that there should be no increase in bed capacity at Arbour Hill. Furthermore cells that are double occupancy should be returned to single occupancy as soon as practicable.

The Inspectorate examined issues of Safety and Security at the prison. It was very positive that the vast majority of both prisoner participants (88%, 80 of 91), and staff participants (94%, 47 of 50) at Arbour Hill Prison who responded to the OIP's survey reported that they felt safe.

One issue identified by the Inspectorate concerned record keeping in relation to transfers out of the prison, which typically resulted from serious disciplinary breaches. Often the rationale for this decision was not clearly recorded. Furthermore, prisoners had no formal channel through which to challenge decisions of this nature.

On healthcare, the majority of people in prison surveyed (74%, 66 of 89) by the OIP reported that they received good healthcare. Wait times for primary healthcare and in-reach health services were efficient. The Inspectorate noted some improvements that could be made to the physical surgery environment.

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Since the Inspectorate's last inspection at Arbour Hill, the prison had significantly strengthened and improved its delivery of Integrated Sentence Management. Additional resources were in place, and sentence planning practices were individualised, targeted, and benefitted from the collaborative input of services like work training, the school, and the Probation Service.

The school was a highly valued resource within the prison and was well attended by people in the prison. There was evidence of good integration with other services within the prison such as work training. Commendably, all recommendations made by the Department of Education Inspectorate concerning the school in the Education & Work Training thematic inspection report had been actioned and implemented.<sup>4</sup>

However, the Inspectorate found that there remained a lack of opportunity for certification through workshops within the prison.<sup>5</sup> In addition, there were no opportunities for community-based training or employment initiatives.

<sup>1</sup> Irish Prison Service (2024) Daily Prison Populations 2024

<sup>2</sup> This figure is based on participants who completed the OIP's

<sup>3</sup> European Committee for the Prevention of Torture (2015)
Living space per prisoner in prison establishments: CPT
standards.

<sup>4</sup> Office of the Inspector of Prisons (2023)
Thematic Inspection on Education & Work Training.

<sup>5</sup> Office of the Inspector of Prisons (2023)
Thematic Inspection on Education & Work Training.

#### 02. Midlands Prison

Midlands Prison is the largest prison in Ireland. At the time of inspection, it accommodated approximately 982 prisoners and was operating at 112% capacity.6

The inspection visit included an assessment of the National Violence Reduction Unit (NVRU).7

Overcrowding in the Midlands Prison was of particular concern to the Inspectorate. Over the duration of the inspection, the average number of men sleeping on mattresses on the floors was 31.



Conditions of an overcrowded cell, (one man sleeping on a mattress on the floor)

Conditions were degrading in the many cells where men were living with others sleeping on mattresses on the floors., Occupants of those cells often ate their meals sitting on the floor in close proximity to unpartitioned toilets.

The Inspectorate also examined Safety and Security issues. It found that there were inconsistencies and deficiencies in recordkeeping for out-of-cell time.

Some prisoners on restricted regimes were offered only 30 minutes daily yard time and 30 minutes daily on the landings to take a shower and clean out their cell. Many prisoners on restricted regimes declined yard time; this meant that they could spend 23.5 hours daily in their cells. The Inspectorate observed the impact of restricted regimes on the mental health of prisoners. There was limited planning in place to reduce the number of men on a restricted regime.

Reception cells were being deployed as a means for "cooling off" prisoners; however, there was no record-keeping of this practice.

There was poor record-keeping on the use of force, as well as for persons detained in Close Supervision Cells (CSC). The practice of placing prisoners in refractory clothing in CSCs continued, despite a recommendation made in 2020 by the European Committee for the Prevention of Torture (CPT) that it should end.8

There was a very low number of complaints in the prison. The Inspectorate attributed this to a number of factors including: lack of complaint forms and sealable envelopes available on landings, the collection of complaint forms by

Assistant Chief Officers<sup>9</sup> and prisoners reported fears of reprisals for making a complaint.

There was only one night nurse on duty to conduct multiple tasks and cater to a prisoner population of 986 men (as of 5 July 2024) which was of serious concern to the Inspectorate. In addition, the night nurse was located a considerable distance away from some prison landings. One night nurse cover was insufficient to respond to medical emergencies in the prison.

Access to GPs was good at the time of inspection. However, there was a long waiting list to access other healthcare services such as the dentist, addiction counselling, and psychology services. There was no CPR and limited First Aid training available in the prison.

The pharmacy used by the prison was located far away from the prison. This resulted in issues around the delivery of medication, for example, the last prescription had to be submitted for processing by 3.30pm in order for medication to be received on the same day.

It was positive that preventive healthcare programmes, such as prostate screening, were available. A smoking cessation programme was in place and Naloxone (an antidote to opioid overdoses) was offered to people upon release.

Prisoners with psychiatric issues were accommodated on a small unit known as C1 Left. There were good relationships between staff and prisoners detained on C1 Left.

These prisoners received increased levels of psychiatric and psychological input and care.

Workshop facilities were spacious and generally well-equipped. However, there were not enough work training opportunities for people in the prison, workshops were frequently closed due to staff shortages and there were limited opportunities for certification in the prison.

Yards were ill-equipped with exercise or sporting equipment; instead most prisoners walked alone or in small groups around the perimeter of the yard. There was also an underutilisation of recreation spaces in the prison.

Enhanced visits had not returned to the prison since prior to the COVID-19 pandemic.<sup>10</sup> Enhanced visits were highly valued by prisoners for maintaining family relationships, and were viewed as an essential component to strive towards in terms of an individual's progression. It was positive that in-cell phones were available: however, the short duration of phone calls (six minutes) did not support family contact.

The discharge process observed at the time of inspection was good (for example, there was a clear explanation of release conditions, the return of personal property and assistance with travel plans).

<sup>6</sup> Irish Prison Service (2024) Daily Prison Populations 2024.

The National Violence Reduction Unit was opened in 2018 and is managed separately from the Midlands Prison.

<sup>8</sup> See para 58. CPT/Inf (2020) 37 Report to the Government of Ireland on the visit to Ireland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 23 September to 4 October 2019.

<sup>9</sup> This task should be carried out by a Chief Grade member of staff.

<sup>10</sup> A prisoner on an enhanced regime may receive an enhanced visit.

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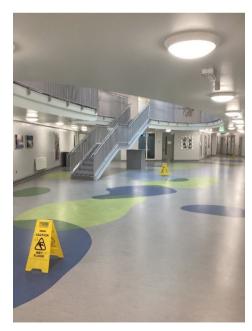
#### National Violence Reduction Unit (NVRU)

The NVRU was conceived as a joint coled unit between Psychology and Prison Operations. However, at the time of inspection, the Inspectorate found that the NVRU was predominantly security focused. There was limited meaningful therapeutic engagement for people living in the NVRU (e.g. 50% of the men living there had no engagement with Psychology Services) and there appeared to be no structured progression plans in place.

#### 03. Limerick Women's Prison

The newly-designed Limerick Women's Prison was opened in October 2023, with a capacity to accommodate 54 women. Over the course of the inspection, Limerick Women's Prison faced one of the worst levels of overcrowding in the prison estate. On average, there were 80 women in custody and the official bed capacity was at 144%.<sup>11</sup>

A key focus of the inspection was to assess the purported trauma-informed nature of the prison and if and how this ethos was implemented in practice.



Limerick Women's Prison

The standard of accommodation in some parts of the prison was excellent. However, it was clear that overcrowding was impacting on the physical, psychological, and emotional safety of women living there; rooms originally intended as single accommodation had been doubled with the introduction of bunk/camp beds, and there were few common spaces in the prison.

Trust within the prison was affected by a lack of information provision. For example, women did not receive information booklets on committal, and there was little written information on rules, regimes, or how women could access support or in-reach services.



Camp bed in a cell at Limerick Women's Prison

Opportunities for empowering women were not capitalised upon. Areas designed for independent living did not have the requisite items to facilitate the practice of independent living skills; for example, apartments with kitchenettes were not equipped with cookware, and a fully functioning catering kitchen was not in use. Women had very limited choice in how they spent their time-options were generally limited to attending the garden. school, recreation room, or being locked back in their rooms. Communal spaces such as the recreation room and the garden had limited to no activities available to the women. All of these deficits in provision are at odds with what a trauma-informed environment should provide.12

A very low number of complaints was received in the prison. Of the women surveyed, 54% (29 of 54) reported that they did not feel safe making a complaint – a statistic that is comparable to that of other prisons. The Inspectorate again raises its concerns regarding the complaints process across the estate, and strongly reiterates its call for reform in this area.<sup>13</sup>

There were a number of areas in which record keeping could be improved, particularly in relation to restricted regimes, use of force, and the recording of serious incidents. Both the Irish Prison Rules 2007-2020 and international standards, such as the United Nations Standard Minimum Rules, emphasise the need for

<sup>11</sup> Irish Prison Service (2024). Daily Prison Populations 2024.

<sup>12</sup> Elliott, R., Giannotti, N., Pfaff, K., & Cruz, E. (2024). <u>Trauma-Informed Care in Undergraduate Nursing Education</u>: An Integrative Review. Journal of Nursing Education, 63(11), 737–745.

<sup>13</sup> Office of the Inspector of Prisons (2023). Annual Report 2022;
Office of the Inspector of Prisons (2022). Annual Report 2021.
Office of the Inspector of Prisons (2021). Annual Report 2020.

accurate and timely record keeping where such operational decisions are taken.<sup>14</sup>

Healthcare delivery at the prison was generally very good. However, the Inspectorate noted that the prison would benefit from additional nursing cover; this is particularly important at night, during which night cover is shared with Limerick Men's Prison. Another key issue in healthcare delivery concerned access to mental health services. 66% (36 of 55) of women surveyed reported to the OIP that a lack of adequate support for mental health was the biggest issue in the prison. While psychology services had recently been bolstered with additional resources, the number of women who engaged with this service was low, 87% (48 of 55) of women surveyed disagreed the prison was equipped to support people with mental health.

There were very few opportunities for work training. The Inspectorate identified a number of ways in which work training could be expanded, and urged the prison to collaborate with the women in custody to identify opportunities of interest.

The introduction of the Structured Temporary Release Pilot Programme was a positive development, and is intended to provide greater support to women on their release to the community.

### 14 See Rules 62, 63, 64, and 93 <u>Irish Prison Rules</u> (2007) and Rule 8 of the United Nations Standard Minimum Rules (2015).

#### 04. Cloverhill Prison

Overcrowding at Cloverhill Prison remained the primary issue of concern to the Inspectorate. Previously, during the Inspectorate's 2023 General Inspection, 25% (112 of 443) of the prisoner population were accommodated four-to-a-cell in cells originally designed for triple-cell occupancy (18 May 2023).

During the Follow-up Inspection, 34% (168 of 491) of the population were accommodated four-to-a-cell in triple occupancy cells. In total, 175 of 491 (35%) people were in cells above their designated capacity.<sup>15</sup>

Of particular concern was the increased number of men sleeping on mattresses on the floors. During the General Inspection, the number of men sleeping on mattresses on the floors ranged from 21 (19 May 2023) to 38 (15 May 2023). During the Follow-up Inspection, the number of men sleeping on mattresses on the floors ranged from 51 (11 December 2024) to 68 (9 December 2024).

Prisoners accommodated in triple cells with three and four occupants did not live in accommodation that met the minimum personal living space in accordance with international human rights standards.<sup>16</sup>

Toilets were not fully partitioned in multioccupancy cells. Some men stood up while eating their meals as a result of the insufficient



Cell conditions in a triple occupancy cell at Cloverhill Prison

number of chairs in overcrowded multioccupancy cells. The Inspectorate observed some prisoners in cells who had no pillows. Prisoners washed and dried their clothes in their overcrowded cells.

The Inspectorate found that some showers across the prison were not functional during days of the Follow-up Inspection; for example, five out of six showers were functional on a landing that accommodated 69 prisoners. The maximum total daily allocated time for showers per landing was one hour. This time allocation did not permit all of the men on larger landings access to a daily shower.

During its General Inspection in May 2023, the Inspectorate recorded temperatures in multi-occupancy cells at 27 degrees Celsius; comparatively, during the Followup Inspectionin winter time (December 2024),temperatures were recorded at



25–26 degrees Celsius.<sup>17</sup> There was limited ventilation in these cells.

The vast majority of people were living in degrading conditions at Cloverhill Prison. This is of grave concern to the Inspectorate and has been formally raised by the Inspectorate to the Minister for Justice on two occasions.<sup>18</sup>

There were cohorts of people in the prison who should not be accommodated in the prison. The prison accommodated men with serious mental illness who should be diverted to an appropriate therapeutic setting. There were also a number of immigration detainees held in the prison. It is the inspectorate's view that immigration detainees should not be held in prison.

<sup>15</sup> This number included cells designed for single occupancy that were being used as double cells.

<sup>16</sup> European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), (2015) <u>Living</u> Space per prisoner in prison establishments: CPT Standards

<sup>17</sup> These temperatures were recorded through the application of a thermometer. Various factors may have affected temperature recordings for example, the cell door was not fully locked during the temperature check and therefore, actual temperature is likely to be higher in cells.

<sup>18</sup> Immediate Action Notification following the General Inspection and letter from the Chief Inspector of Prisons to the Minister for Justice dated 8 October 2024, following the death of a prisoner.

There was considerable scope to improve the committal interview process. At the time of the inspection, there was limited evidence of risk assessment for cell sharing.

It was also of serious concern that there was no cell call log system, and Inspectors found that prison officers had placed tape and card over alarm system in order to mute calls on various prison landings. The Inspectorate welcomes the steps taken recently by the Irish Prison Service to improve cell call systems in this and other prisons.

There had been improvements in the speediness of the completion of National Incident Management System (NIMS) forms since the Inspectorate's General Inspection. However, other significant aspects of recordkeeping were poor, for example, the use of force and control and restraint was still not properly recorded.

Out of cell time was not recorded, with the exception of restricted regime prisoners. Gaps were also observed in the records on C1 and C2, where the majority of restricted regime prisoners were held; these out of cell time records only captured the time out of cell offered, not the time of which people actually availed.

It was positive that there had been improvements in healthcare, in particular, staffing since the OIP's previous General Inspection. A Chief Nurse Officer (CNO) had been appointed. There was one night nurse on cover<sup>19</sup>;

however, due to the healthcare needs of a remand prisoner population and increased prisoner numbers, there should be at minimum two night nurses on duty in the prison. Evening and weekend doctor cover in the prison had been put in place.

There was a long waiting list (69) to access addiction counselling. There was also a number of people with serious mental illness detained on D2 landing and this issue had trickled over to other landings due to the increased number of prisoners presenting with a serious mental illness.

It was positive to note that the Regime Management Plan of Cloverhill Prison prioritised prisoner-supporting staffing roles such as the school. However, out-of-cell time options continued to be limited and included school, gym and yard. Just 20% (104) of the prisoner population were engaged in work training activity. There was limited opportunity for certification, however it was positive that the certification available did not include the prison's name.

It was positive that the school had expanded, and school numbers were due to increase, linked with an increased level of staffing allocated to the school. However, there were some access issues, e.g., the school was scheduled to start at 9.30am, however, it did not always start on time. There were also a number of school closures (11/27) of the available education days in the month prior to the Followup Inspection.

#### Thematic Survey Findings

Between March and November 2024. 457 people in prison and 306 members of operational and service staff completed the Inspectorate's inspection surveys.

Prisoner surveys were conducted using secure digital tablets and staff surveys were hosted on the Inspectorate's website. The use of electronic surveys allowed the Inspectorate to identify potential lines of enquiry during the course of inspection, and also provided an anonymous way for prisoners and staff to engage with the Inspectorate.

The surveys captured demographic information for both cohorts, as well as information about experiences of living and working in the prisons. The Inspectorate tracks survey responses over time to determine potential changes in specific prisons.

In 2024, the Inspectorate identified a number of themes emerging from survey findings.

#### 01 Grievance Procedures

Both prisoner and staff survey respondents indicated a distinct reluctance to engage with current grievance procedures. More than half of people in prison who completed the Inspectorate survey (54%, 236 of 438) reported they did not feel safe making a complaint in prison. Only 27% of prisoner survey respondents (118 of 438) believed the current complaint system works well.

Similarly, more than half of staff respondents (56%, 153 of 271) indicated they did not feel comfortable expressing work-related grievances in the prisons.

#### 02 Experiences of Working in Prison

Slightly less than half of operational and service staff surveyed (47%, 130 of 277) reported that they were satisfied with the quality of their working life. 64% (174 of 272) reported feeling safe working in the prisons.

Two out of five staff respondents (41%, 110 of 271) looked forward to coming to work in the prisons, and 79% (213 of 270) felt that rehabilitation of people in prison was an important part of their job.

Staff respondents had mixed opinions about their levels of work-related stress, with 32% (87 of 272) reporting satisfaction with the stress they experienced at work and 49% (133 of 272) reporting dissatisfaction with their levels of work-related stress.

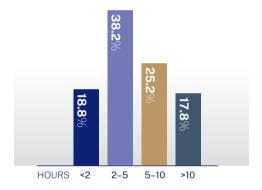
Prison staff who completed the survey reported varying levels of satisfaction on training in the areas of control and restraint (57%, 146 of 255) and human rights (31%, 80 of 257), Only a minority of staff felt satisfied with their training when working with prisoners with mental health issues (17%, 44 of 254). Similarly, a quarter of staff reported satisfaction with training in CPR/ First Aid (26%, 66 of 256) while only a minority were satisfied in training received in genderbased violence (12%, 30 of 257).

#### 03 Experience of Living in Prison

Overall, more than half of prisoner survey respondents (56%, 247 of 437) reported that they felt safe in prison. Of 437 prisoner survey respondents, 19% (82) reported spending less than two hours out of their cells on a typical weekday. Many prisoners (38%, 167 of 437)

reported spending between two and five hours out of their cells each day.

#### Out of Cell Time as perceived by people in the three prisons (n = 437)



More than half of prisoner survey respondents (62%, 286 of 464) reported that they considered that they had experienced some form of discrimination in prison.

Perceptions of discrimination were reported based on nationality (10%, 48 of 464), race/ ethnicity (7%, 32 of 464) or membership of the Traveller or Roma communities (9%, 40 of 464).

Depending on their self-identified ethnicity<sup>20</sup>, prisoner survey respondents reported some differences in experiences of imprisonment:

- While less than half of White Irish respondents (45%, 113 of 249) indicated they had experienced discrimination in the prisons on one or more grounds, more than 80% of respondents who were Irish Travellers, Roma, Any Other White Background, Black, Asian and Other, including mixed group/background (144 of 177) reported experiencing discrimination.
- 56% (158 of 282) of White Irish respondents and 47% (57 of 120) of respondents who were Irish Travellers, Roma, Any Other White Background, Black, Asian and Other, including mixed group/background reported having a job in the prison. Similarly, 72% (203 of 280) of White Irish respondents and 69% (82 of 119) of all other respondents indicated they attended school in the prisons.
- Nearly two-thirds of White Irish respondents (65%, 177 of 274) considered that staff treated them fairly, while a lower percentage, (55%, 63 of 115) of respondents who were Irish Travellers. Roma. Any Other White Background, Black, Asian and Other, including mixed group/background, reported being treated fairly by staff.
- Three out of ten (30%, 35 of 117) prisoner survey respondents who were Irish Travellers. Roma, Any Other White Background, Black, Asian and Other, including mixed group/ background reported feeling safe making a complaint, while just a guarter (26%, 71 of 275) of White Irish respondents reported similarly.

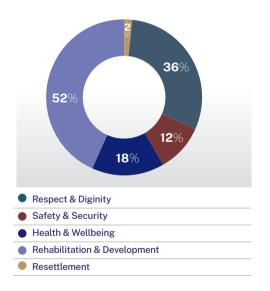
#### **Inspection Recommendations** Monitoring

In line with A Framework for the Inspection of Prisons in Ireland, the OIP monitors the implementation of all recommendations made to the Irish Prison Service on an ongoing basis. Monitoring is achieved by examining progress against recommendations during the general inspection programme and followup inspections. Direct monitoring is also supplemented by a process of self-assessment which the IPS has committed to submitting on a bi-annual basis.

The OIP received one self-assessment update from the Irish Prison Service in 2024. In September 2024, the IPS provided an update on the status of 120 recommendations that they regarded as currently active and ongoing. The update provided information on the status (whether ongoing or complete) of each recommendation, as well as details of the progress made as of O2 2024. These updates were published on the OIP website.

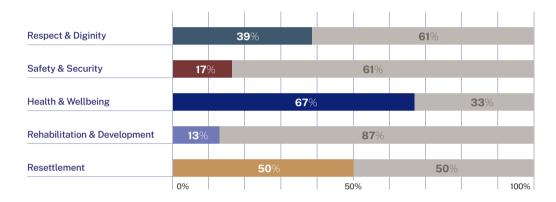
A breakdown of recommendations by inspection focus area is provided in Figure 1. The majority of recommendations relate to the Rehabilitation and Development focus area; this is largely due to a number of recommendations contained in the OIP's Thematic Inspection on Education and Work Training which was published in the previous year.

Figure 1: Breakdown (%) of Self-Assessed Recommendations by Focus Area



<sup>20</sup> The OIP survey uses ethnicity identifiers based on the national Census. Some survey results are compared between two groupings: White Irish and All Other Ethnic Groups or Backgrounds.

Figure 2: Proportion of Completed Recommendations (%) by Focus Area



Of the 120 self-assessed recommendations. the IPS considered that 36 recommendations had been completed; this represents 30% of all self-assessed recommendations. The remaining recommendations (70%) were deemed to be ongoing. Figure 2 provides an overview of completed recommendations. as per the IPS's self-assessment; the chart indicates that the IPS considered that most progress had been made under the Health and Wellbeing focus area.

As part of its inspection activities, the Inspectorate examines the implementation of recommendations and progress made against action plans. The Inspectorate will continue to work in cooperation with the Irish Prison Service to provide timely updates on active recommendations. In time, the Inspectorate intends to provide further analysis of recommendation implementation based on progress in the prison system over time.

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#### Review of the (2020) Inspection Framework

In 2024, the Inspectorate completed a review of A Framework for the Inspection of Prisons in Ireland (2020). The review included consultation with people directly involved in prison inspections, as well as with organisations relevant to the work of the Inspectorate. This involved focus group consultation with people living in four prisons: Cork Prison, the Dóchas Centre, the Progression Unit and Wheatfield Prison. It also included a focus group consultation with families and service providers who worked with families of people in prison. Consultations through surveys were also completed with other key stakeholders. including the Irish Prison Service.

Changes to the Inspection Framework were made following extensive consultations with key stakeholders including people in prison, prison staff, management, national and international monitoring bodies and community-based organisations.<sup>21</sup> These changes reflected in the (2024) Inspection Framework include:

01 Prioritisation of a people-centred approach to prison inspections through the adoption of strategies designed to promote collaboration, information-sharing and active citizenship.

- 03 Review and refinement of Focus Area Indicative Measures which provide an overview of the areas under assessment by the Inspectorate, underpinned by international human rights standards.
- 04 Completion of the self-assessment process of the implementation status of the Inspectorate's recommendations made by the Irish Prison Service on a bi-annual basis.23
- 05 Development of a new internal performance indicator tracking tool to allow the Inspectorate to examine trends in systemic and individual prison performance.
- 06 The Inspection Framework is a "living" document" and is continuously subject to review. The revised Inspection Framework is available on the OIP's website here.

<sup>02</sup> Amendment of the five Inspection Focus Areas<sup>22</sup> from the 2020 Inspection Framework to four (Respect & Dignity. Safety & Security, Health & Wellbeing and Purposeful Activity & Resettlement). The Inspection Focus Area, Purposeful Activity and Resettlement, emphasises the greater connectivity between access to activities and services available in prisons and prospects for positive reintegration outcomes.

<sup>21</sup> The OIP facilitated Focus Groups with people across four prisons: Cork Prison, Wheatfield Prison, Mountjoy Men's Prison-Progression Unit and Mountjoy Women's Prison-Dóchas Centre.

<sup>22</sup> The five Inspection Focus Areas were: Respect & Dignity, Safety & Security, Health & Wellbeing, Rehabilitation & Development and Resettlement

<sup>23</sup> The OIP facilitated Focus Groups with people across four prisons: Cork Prison, Wheatfield Prison, Mountjoy Men's Prison-Progression Unit and Mountjoy Women's Prison-Dóchas Centre.

During 2024 there were 31 deaths which fell within the scope to be investigated by the Inspectorate. Sadly, this was the largest number of deaths to be investigated in any year since the Inspectorate commenced investigating

deaths in January 2012. This represents a significant increase on 2023 when a total of 20 deaths fell within the scope for investigation. A breakdown on the 2024 deaths to be investigated is provided in Table 1.

Table 1: 2024 Deaths in Custody

PRISON	Total Number of Deaths	Death in Prison Custody	Death in <b>Hospital</b>	Death within 1 Month of Temporary Release
Cloverhill Prison	5	4	1	
Cork Prison	5	2	1	2
Loughlan House Open Prison	1*			
Midlands Prison	9	6	2	1
Mountjoy Men's Prison	5	3		2
Portlaoise Prison	1	1		
Wheatfield Prison	5	3		2
TOTAL	31	19	4	7

<sup>\*</sup>Unlawfully at large

In 2024, there were no deaths in custody in either of the women's prisons.

#### **Objectives of DiC Investigations**

The objectives of investigations of deaths in custody are to:

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

#### Meeting with Family / Next-of-Kin

To ensure that the prisoner's family/ Nextof-Kin (NoK) has an opportunity to raise any concerns the investigation team offer to meet with family/NoK shortly after the death of their loved one. Some families/NoK welcome the opportunity to meet, while others prefer not to engage. During the investigation, the Inspectorate endeavors to provide answers to questions/concerns raised by the family.

A second meeting with the family/NoK is offered just prior to the publication of the investigation report. The purpose of the second meeting is to inform the family/NoK that publication is imminent and provide them with a general outline of the findings of the investigation and whether or not the report contains recommendations.

An anonymised report is provided to the family once published by the Minister for Justice.

#### **Death in Custody Publications and Recommendations in 2024**

While the Inspectorate is independent in the performance of its statutory functions, it does not yet have the statutory authority to publish its own investigation reports. During 2024, 20 reports were submitted to the Minister for Justice for publication. At year-end 11 of these

reports had been published along with four other investigation reports which had been submitted to the Minister in 2023. At year end the Minister had nine reports awaiting publication<sup>24</sup>. Details of the published reports is outlined in Table 3.

Table 3: Death in Custody Recommendations Made in Reports Published in 2024.

PRISON	OIP Reference	Death in Prison	Death in Hospital	Temporary Release	Number of Recommendations
Mountjoy Prison	Mr. B 2022		x		2
Wheatfield Prison	Mr. C 2020	х			3
Cloverhill Prison	Mr. C 2021	x			5
Cloverhill Prison	Mr. E 2021	x			2
Midlands Prison	Mr. G 2021	x			0
Cork Prison	Mr. G. 2021	х			8
Limerick Prison	Mr. I 2021	x			7
ISP Custody - Court	Mr. X 2021		x		4
Cork Prison	Mr. H 2023			х	0
Midlands Prison	Mr. H 2021		x		1
Midlands Prison	Mr. K 2022	x			3
Cork Prison	Mr. K 2024	х			8
ISP Custody - Court	Mr. R 2022		x		3
Limerick Prison	Mr. T 2022	х			4
Wheatfield Prison	Mr. U 2020			х	6

24 At the time of finalising this report (March 2025), 4 of those 9 reports had been published

The Director General of the IPS is invited to confirm the factual accuracy of each Death in Custody report before the finalised report is formally transmitted to the Minister for Justice.

Death in Custody Investigation reports include, where considered appropriate, recommendations for the Irish Prison Service to consider. The Director General is asked to confirm if she accepts the recommendation(s) in the respective reports. The Director General is also requested to provide an Action Plan to address the recommendations accepted or part-accepted in each report. Where a recommendation is not accepted the Director General was asked to provide reasons.

Action Plans, developed by the Irish Prison Service in response to recommendation(s) made in Investigation reports, are also submitted to the Minister for Justice and are published on the Inspectorate's website.

As outlined in Table 3 the fifteen reports published in 2024 contained 56 recommendations for consideration by the Director General.

Of the 56 recommendations made in published reports:

- 38 were accepted;
- 7 were part-accepted; and
- 11 were not-accepted.

Recommendations typically related to policy, health and wellbeing, record keeping and the safe operation of the prison by increasing efforts to prevent drugs from entering prisons. Tragically, the OIP encountered deaths associated with synthetic opioids entering the prison system.

Some of the more common areas which resulted in recommendations are as follows:

**Record Keeping:** A number of DiC Reports recommended to the Irish Prison Service that staff should understand the importance of accurate records and the consequences of creating an inaccurate record/report of their duty. It was further recommended that regular audits should be carried out by line management to ensure compliance. A similar recommendation was made in the past in relation to Mr. A 2012, Mr. H 2014 and Mr. I 2018.

Arising from a number of 2024 DiC investigations it was recommended by the OIP that IPS Management should ensure that all sections of official documents are fully and comprehensively completed in legible handwriting and all signatures are supported by block capitals. Similar recommendations have been made in Mr. L and Mr. O 2019.

Healthcare: Prisoner healthcare issues also arose on a number of occasions in DiC investigations and resulted in a number of recommendations. For example, one investigation report recommended that any prisoner who has been referred to an Emergency Department, or any hospital appointment, and who returns to prison without treatment be seen by the prison doctor as soon as possible following their return to the prison.

Mental Health: Unsurprisingly the topic of mental health remained a topic of relevance to a number of DiC investigations in 2024. One DiC report recommended that posters displaying information about the support services/programmes available to prisoners experiencing mental health issues should be rolled-out across the Irish Prison Service estate. Governor grade staff should regularly verify that such posters remain in place.

Next of Kin issues: 2024 also saw concerns raised regarding the timeliness in notifying prisoners' next of kin (NoK) in cases of medical emergencies. Incorrect NoK contact details can cause delays in establishing contact with the families in the case of emergencies. The OIP recommended that IPS staff verify the nominated NoK at committal by ringing the phone number provided.

Following on from NoK contact it was also recommended in 2024 that consideration should be given to a review of the 'Chaplaincy and Next of Kin Notification' document to include guidance on the provision of general practical information to the NoK following a death in custody.

It was further recommended (arising from a 2024 DiC investigation) that when a prisoner is conveyed to hospital in a seriously ill condition the next-of-kin should be informed without delay, thereby complying with section 2.3 of the Irish Prison Service Protocol 'Chaplaincy and Next of Kin Notification' which requires that the family (next of kin) be contacted as quickly as possible in the case of grave illness.

Another recommendation relating to NoK stated that Governors should, as a matter of good practice and courtesy, attempt to make direct contact with the NoK when a person dies in a prison for which they have responsibility. When a family is collecting personal belongings at a prison, they should always be met by a member of the prison's management team.

Contraband & Secretion of Drugs: The issue of contraband in prisons and the serious risks resulting from the secretion of drugs figured in a number of 2024 DiC investigations and a series of recommendations were made as a result. One more than one occasion it was recommended that the Irish Prison Service should intensify its efforts to physically prevent contraband from entering the prisons and to detect its presence once on the premises, including through technological means. It was further recommended that the Irish Prison Service should intensify its engagement with other relevant stakeholders, including An Garda Síochána, to develop a multi-agency written strategy to counter contraband entering a prison. This strategy should examine the use of technology, architectural disruptions, as well as how to prevent exploitation and coercion being used as a means to bring drugs and other contraband into a prison.

The Irish Prison Service should introduce a health care focused policy to respond to the threats and safety risks posed by the internal secretion of drugs and other items of contraband. This policy should clarify the roles and responsibilities of management,

prison officers, and healthcare staff. This new policy should provide for a central role for health care professionals in decision making regarding the supervision and care of a person where there is a suspicion of internal secretion of drugs and other items of contraband. All such decisions should include a recorded risk assessment.

If it is deemed necessary to isolate a person from the general prison population, because of a suspicion that that they have internally secreted drugs or other items of contraband they should be subject to health care, not security observation – including at night – irrespective of whether they are held in a Special Observation Cell (SOC), Close Supervision Cell (CSC) or separation cell.

Safety & Security of Prisoners: The OIP recommended in 2024 that when conducting routine checks of cells, prison officers should be especially attentive to the presence of non-standard items, such as "hammock" type footrests, that could be deployed as ligatures. If detected, such items should be immediately confiscated and a clear written record kept of their confiscation, indicating the cell location and the name of the prisoner concerned.

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# **Complaints**

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

To provide a higher degree of oversight to the Category A complaints process, the Inspectorate continued its procedure (rolled out in Quarter 3 of 2023) of the issuance of Rule 57 oversight letters. These letters are issued by the Chief Inspector to the Governor of the relative place of detention reminding them of their obligations under Rule 57 of the Prison Rules 2007-2020.25

#### **Category A Complaints**

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

The breakdown of Category A Complaints (by prison) notified to the Inspectorate during 2024 is provided below. Similar to previous years, three prisons (Arbour Hill, Loughan House and Shelton Abbey) recorded no Category A complaints in 2024.

#### **Analysis of Category A Complaints** As illustrated in **Table 4**, the Inspectorate received notification of 55 Category A complaints in 2024 from across the Irish prison estate.

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

PLACE OF DETENTION	2024 Notification of Category A Complaints	2023 Notification of Category A Complaints	2022 Notification of Category A Complaints	2021 Notification of Category A Complaints
Arbour Hill Prison	0	0	0	3
Castlerea Prison	3	6	3	5
Cloverhill Prison	15	12	3	32
Cork Prison	2	3	5	5
Limerick Prison	4 (3 Men's prison; 1 Women's prison)	7	7	1
Loughan House	0	0	0	0
Midlands Prison	10	19	24	17
Mountjoy Men's Prison	6	6	10	8
Mountjoy Women's Prison  — Dóchas Centre	5	4	3	3
Portlaoise Prison	4	1	12	9
Prison Service Escort Corps (PSEC)	1	-	-	-
Shelton Abbey	0	0	0	1
Wheatfield Prison	5	6	3	5
TOTAL	55	64	70	89

<sup>25</sup> The letter seeks confirmation that the Governor has (a.) arranged for any relevant material, including CCTV recordings, to be preserved for as long as they may be required for any investigation: (b.) arranged for the prisoner in question to be examined and any injuries or marks recorded and photographed if any physical force is alleged; (c.) arranged for the names of all prisoners, staff and others who may be potential witnesses to be recorded; (d.) advised the complainant that the complaint is being investigated and of the procedures involved; and (e.) Informed An Garda Síochána in all cases where that is required by law.

RULE 57(B) PRISON RULES 2007–2020	Total Received in 2024	Notification Received Relating to 2024
Notifications of Category A complaints	55	55
Governor notification to Inspectorate within 7 days of being notified of the complaint [57B(4)]	49	49
Inspectorate shall be notified of the appointment of the investigator [57B(5)(a)]	40	19
Complaints deemed by the IPS DG to be vexatious, without foundation, or outside scope of rule and terminated. Inspectorate is notified of the decision and reasons for the decision [57B(5)(b)]	18	13
Complaints withdrawn by prisoners and DG decides investigation should be terminated. OIP is (a) advised and (b) the reasons documented [57B(5)(c)]	(a) 1 (b) 1	(a) 0 (b) 0
Complaints that proceeded to Investigation	40	19
Full investigation reports received by Inspectorate	45	11
Interim reports submitted to Inspectorate	33	14
Number of investigation reports received where complaint was grounded, upheld or partially upheld	2	0

Notification Received Relating to 2023	Notification Received Relating to 2022	Notification Received Relating to 2021	Notification Received Relating to 2020
0	0	0	0
0	0	0	0
21	0	0	0
5	0	0	0
(a) 1	(a) 0	(a) 0	(a) 0
(b) 1	(b) 0	(b) 0	(b) O
21	0	0	0
33	1	0	0
19	0	0	0
2	0	0	0

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RULE 57B PRISON RULES 2007–2020	% Compliance 2024
Governor notification to Inspector of Prisons within 7 days of being notified of the complaint [57B(4)]	89%
OIP shall be notified of the appointment of the investigator [57B(5)(a)]*	35%
Complaints deemed by the IPS DG to be vexatious, without foundation, or outside scope of rule and terminated. Inspector of prisons is notified of the decision and reasons for the decision [57B(5)(b)]	100%
Complaints withdrawn by prisoners and Director General decides investigation should	(a) 100%
be terminated. The OIP is (a) advised and (b) the reasons documented [57B(5)(c)]	(b) 100%
Complaints that proceeded to investigation	35%
Full investigation reports received by OIP for new complaints in particular year	20%
Investigation reports received within 3 months	9%
Interim reports submitted to OIP for new complaints in particular year	25%
Number of investigation reports received where the complaint was grounded or upheld	0%

<sup>\*</sup>Measured from the number of cases which proceeded to investigation against cases which are pending investigation

% Compliance 2023	% Compliance 2022	% Compliance 2021	% Compliance 2020
86%	95%	84%	81%
44%	56%	63%	2%
100%	100%	100%	100%
(a) 100%	(a) 100%	(a) 100%	(a) 100%
(b) 100%	(b) 100%	(b) 100%	(b) 100%
44%	67%	87%	86%
24%	24%	49%	32%
7%	17%	24%	3%
12%	15%	40%	12%
0%	17%	13%	8%

Based on the data presented, in 2024, the following key headline issues are noted:

#### Decline in Category A Complaints Notifications

• There has been a 38% decrease in the number of Category A statutory complaint notifications since 2021.

#### Appointment of Investigators

 The Inspectorate was notified of the appointment of investigators to 19 of the 55 Category A complaints in 2024; this signifies an overall trend in the delay in the appointment of investigators to Category A investigations.

#### Complaints outside the scope of Category A

 Compared with previous years, there were a number (18) of Category A Complaints deemed by the Director-General of the Irish Prison Service as outside the 'scope' of the Category A complaints process. Of this number, 13 related to Category A Complaints for 2024 and five related to 2023 Category A Complaints. Some of these complaints were deemed to fall outside the scope of the rule because the allegations had already been subject to investigation, while others were deemed not to meet the criteria of a Category A complaint and were re-categorised into other complaint categories (e.g. Category D-Healthcare). In a small number of cases, the complaint met the criteria of a Category A complaint, however the complainant had since been released from custody and could not be contacted regarding the investigation.

#### **Delays in Investigation Reports**

 During 2024, the Inspectorate received investigation reports into 45 Category A prisoner complaints. This was a decrease when compared to the 66 investigation reports received during 2023. Of the 45 investigation reports received during 2024, a higher proportion were in relation to complaints recorded in earlier years; only 11 reports related to 2024; 33 reports received related to investigations for complaints recorded during 2023 and one investigation report related to 2022.

#### **Outcome of Investigations**

• There was a very low number of complaints upheld. Of the investigations completed in 2024, only two complaints (these related to the year 2023) were upheld.

#### Compliance with Rule 57 B

- Only 20% (11/55) of full investigation reports received by the Inspectorate related to Category A complaints related to 2024. This demonstrates the backlog in the completion of Category A complaints.
- Only 9% (1/11) of investigation reports were completed within the three-month timeline as set out under Rule 57B.

#### **Concerns arising from oversight** of Category A Complaints

The Inspectorate identified a number of systemic issues upon review of Category A complaints data received in 2024.

#### **Delays in the Appointment of Investigators**

There were continued lengthy delays in the appointment of Investigators to investigate Category A complaints. Only 35% (19 of 55 cases) Category A complaints in 2024 had an investigator been appointed.

Lengthy delays in the appointment of investigators undermined the investigation process and resulted in delays in the conclusion of investigations. As evidenced above, only a small proportion of investigation reports (9%) met the three-month timeframe in accordance with Rule 57 B of the Prison Rules.

#### Time lapses in the Investigation Proceedings

It was evident across a number of investigations that time lapses in investigation proceedings undermined the investigation process for example, witnesses could not recollect the incident, or the complainant had since been released from prison.

#### **Public & Prisoner Confidence** in the Complaints System

The low number of complaints upheld (in 2024, only 2 complaints related to the year 2023) undermines prisoner confidence in the complaints system. Overall, the Inspectorate has found during prison inspections a lack of confidence by prisoners in the complaints

system. For example, only 50% of persons surveyed by the OIP across four prisons in 2024 stated that they would feel safe to make a complaint; while only 18% of persons surveyed believed the complaint system works well.

#### A New and Better Complaints Procedure?

Throughout 2024, the Inspectorate continued to engage with the Office of the Ombudsman and the Director-General of the Irish Prison Service regarding the drafting of a Statutory Instrument on a more effective complaints system. It is disappointing that this work did not come to full fruition in 2024, through the adoption of a new Statutory Instrument placing all future complaints by prisoners in the remit of the Office of the Ombudsman. The data provided above again shows the need for a more robust prisoner complaints system. The Office of the Inspector of Prisons will continue to work with the relevant bodies to ensure the development of a robust and transparent complaints procedure.

# **Letters from Prisoners** (Rule 44)

Under Rule 44(1)(h) of the Prison Rules 2007–2020, a person in prison is entitled to confidential correspondence with the Office of the Inspector of Prisons. Rule 44 correspondence is an important channel of communication, which enables people in custody to convey any issues they are experiencing in prison. This information is drawn upon during the Inspectorate's inspection and monitoring work.

In 2024, the Inspectorate received a total of 91 letters from 50 individual prisoners. This represents a decrease in Rule 44 correspondence in comparison to previous years. Letters were received from 10 prisons.

Table 7 illustrates the number of letters received from each prison and a comparison to the previous three years. Within Rule 44 letters, the correspondent commonly writes to convey more than one issue.

Table 7: Number of Letters Received by Prison

PRISON	2024	2023	2022	2021
Arbour Hill Prison	0	3	8	9
Castlerea Prison	1	1	6	6
Cloverhill Prison	3	1	11	4
Cork Prison	2	5	2	3
Dóchas Centre	4	2	6	8
Limerick Men's Prison	6	22	3	7
Limerick Women's Prison	3	8	0	2
Loughan House	0	0	0	0
Midlands Prison	47	52	70	69
Mountjoy Men's Prison	7	7	6	19
Portlaoise Prison	14	5	17	25
Shelton Abbey	0	1	0	3
Wheatfield Prison	4	14	13	13
TOTAL	91	<b>122</b> <sup>26</sup>	14227	168

<sup>26</sup> One letter was received in the general post without an indication as to which prison it came from. No further correspondence was received from that person.

The most common issues raised in Rule 44 letters are summarised in Table 8, with recognition of primary, secondary, and tertiary issues raised.

Table 8: Issues Raised in 2024 Rule 44 Letters

ISSUE	Primary Issue	Secondary Issue	Tertiary Issue	Total Occurrences
Prison Conditions	28	3	1	32
Issues with Staff	7	14	3	24
Healthcare	12	9	1	22
Discrimination	6	5	3	14
Complaints System	3	3	6	12
Legal Correspondence	9	2	1	12
Violence	8	2	1	11
Restricted Regime	0	8	2	10
Mental Health	3	3	1	7
Request to Meet OIP	1	3	0	4
Visits	1	1	2	4
Education	2	1	0	3
Personal Property	3	0	0	3
Transfer	2	0	1	3
Lay Litigation	1	0	1	2
OIP Inspection	2	0	0	2
Medication	1	0	0	1
Protection	1	0	0	1
Temporary Release	1	0	0	1
Warrants	1	0	0	1
P19 / Disciplinary System	0	1	0	1
Post	0	1	0	1
Reprisal	0	1	0	1

<sup>27</sup> One letter was received in the general post without an indication as to which prison it came from. No further correspondence was received from that person.

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# **Activities & Events**

The Office of the Inspector of Prisons continued to work alongside, and in dialogue with the Department of Justice, the Irish Prison Service and other key stakeholders. Throughout 2024, the Office of the Inspector of Prisons met with a number of stakeholders to exchange views and foster relationships. It also attended a number of events to network with various stakeholders and engage with new stakeholders.

DATE	Event/Meeting	Location/Hosts
12 January 2024	Disrupting Penal Policy	Jesuit Centre for Faith & Justice
22 January 2025	Senior Management of the Policing Authority and Office of the Inspector of Prisons	Policing Authority
24 January 2024	Bi-Annual meeting with the Department of Education Inspectorate	Office of the Inspector of Prisons
6 February 2024	Office of the Inspector of Prisons and Jane Gordon, Human Rights Advisor/ Consultant to the Policing Authority	Office of the Inspector of Prisons
8 February 2024	'The Secondary Punishment' A Scoping Study on Employer Attitudes to Hiring People with Criminal Convictions	Irish Penal Reform Trust (IPRT)
20 February 2024	Launch of the OIP Thematic Report on the provision of psychiatric care in the prison system	Office of the Inspector of Prisons
26 February 2024	Stakeholder Consultations with people in prison–Inspection Framework	Wheatfield Prison
29 February 2024	Stakeholder Consultations with people in prison–Inspection Framework	Cork Prison
4 March 2024	Stakeholder Consultations with people in prison–Inspection Framework	Dóchas Centre/ Progression Unit Mountjoy

DATE	Event/Meeting	Location/Hosts
4 March 2024	Council of Europe mission to Dublin. The Council of Europe was represented by Mr. Tigran Karapetyan, Head of Division, Transversal Challenges and Multilateral Projects Task Force, Directorate General of Human Rights and Rule of Law, and a member of his team, Mr. Paul Blanchard.  As part of the Council of Europe's mission, the following took place:	
	Roundtable discussion with Civil Society representatives including the Irish Penal Reform Trust, Irish Council for Civil Liberties, Mental Health Reform and the Travellers in Prison Initiative.	Office of the Inspector of Prisons
	Meeting with Senior Management of the Department of Justice, including Deputy Secretary General for Criminal Justice, John O'Callaghan	Department of Justice
	Meeting with management and operational staff at the National Forensic Mental Health Service facility	National Forensic Mental Health Service facility, Portrane
05 March 2024	The mission continued with the following: Meeting with Members of the Senior Management Team at the Policing Authority	The Policing Authority
	Meeting with Irish Human Rights and Equality Commission (IHREC) Deirdre Malone and colleagues	Irish Human Rights and Equality Commission (IHREC)
11 March 2024	Engagement with Action for Children and Families of Prisoners on Inspection Framework	Office of the Inspector of Prisons
26 April 2024	Are we well-beings?	One Learning Webinar
30 April 2024	Office of the Inspector of Prisons and Assistant Commissioner Paul Cleary and Inspector Thomas Barrett, An Garda Síochána	Office of the Inspector of Prisons
07 May 2024	Flightrisk Report Launch	Irish Council for Civil Liberties (ICCL)

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DATE	Event/Meeting	Location/Hosts
08 May 2024	Office of the Inspector of Prisons and Professor Jim Lucey, Inspector of the Mental Health Services, Mental Health Commission	Office of the Inspector of Prisons
04/05 June 2024	European NPM Forum Workshop	Council of Europe, Strasbourg
20 June 2024	Office of the Inspector of Prisons and the Senior Management of the Probation Service, Mark Wilson (Director of the Probation Service) and Fíona Ní Chinnéide (Deputy Director, Prisons and Reintegration)	Probation Service
03 July 2024	CORD Event	CORD
11 July 2024	CORD Event	CORD
11 July 2024	Criminal Justice Open Research Dialogue Workshop	Maynooth University
22 August 2024	Know Your Rights Conference	Irish Penal Reform Trust (IPRT)
27 August 2024	Office of the Inspector of Prisons and the following members of an Garda Síochána, Assistant Commissioner Paul Cleary , Assistant Commissioner Governance and Accountability Jonathan Roberts, Kate Mulkerrins, Executive Director Legal and Compliance, Siobhán Toale, Chief Corporate Officer, Michelle Gorman, member of Deputy Commissioner's team	An Garda Síochána HQ, Phoenix Park
11 September 2024	Chief Inspector presented to Senior Probation Officers at their Regional Management Meeting	Irish Prison Service Training College, Portlaoise
23 September 2024	Kick off meeting of the Technical Support for more effective and resilient National Preventive Mechanisms project	Council of Europe, Strasbourg, France
24/25 September 2024	Improvement and safeguards of health conditions of persons deprived of their liberty with substance use disorders	Council of Europe, Strasbourg, France
	Joint Conference of the European NPM Forum and the Pompidou Group	Council of Europe Strasbourg, France

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DATE	Event/Meeting	Location/Hosts
27 September 2024	Transgender Policy Meetings with the Irish Prison Service	Office of the Inspector of Prisons
08 October 2024	The Office of the Inspector of Prisons, The Policing Authority and the Garda Inspectorate	Office of the Inspector of Prisons
17 October 2024	Drugs in Prisons: A Security Lens on Trends, Technology and Rehabilitation	EuroPris
22 October 2024	TSI Project – Technical Support for more effective and resilient National Preventative Mechanisms – Irish Launch	Office of the Inspector of Prisons/ Council of Europe, Dublin
22 October 2024	Justice Innovation Conference	Department of Justice
25 October 2024	Chief Inspector attended Heads of Agencies Meeting	Irish Human Rights and Equality Commission (IHREC)
06 November 2024	Meeting with International Committee of the Red Cross, ICRC	Office of the Inspector of Prisons
07 November 2024	Neurodiversity in the Workplace	One Learning Webinar
14 November 2024	Data sharing agreement meeting with the IPS	Office of the Inspector of Prisons
27 November 2024	Transgender Policy Meetings with the Irish Prison Service	Office of the Inspector of Prisons
29 November 2024	TSI Project – Technical Support for more effective and resilient National Preventative Mechanisms – Cypriot Launch	Nicosia Cyprus
12 December 2024	Office of the Inspector of Prisons presented to An Garda Síochána Strategic Human Rights Advisory Committee (SHRAC)	An Garda Síochána HQ, Phoenix Park

The Inspectorate also delivered presentations about the role and functions of the Office of the Inspector of Prisons to recruit prison officers during the year on 11 January, 7 March, 28 May, 8 August and 26 November 2024.



- 01 Chief Inspector Mark Kelly and Chief Inspector Yvonne Keating of the Department of Education Inspectorate sign a new Memorandum of Understanding between the two Inspectorates
- 02 Director General of the IPS Caron McCaffrey speaking at Launch of the OIP Thematic Report on the provision of psychiatric care in the prison system
- 03 Launch of the OIP Thematic Report on provision of psychiatric care in the prison system
- 04 Patrick Bergin, Head of Service, Central Mental Hospital, speaking at the Launch of the OIP Thematic Report on provision of psychiatric care in the prison











- 05 Chief Inspector Mark Kelly meets with Deputy Chief Commissioner of An Garda Síochána, Dr Shawna Coxon, at OIP HO
- 6 Chief Inspector Mark Kelly speaking at the Launch of the OIP Thematic Report on provision of psychiatric care in the prison system

07 Chief Inspector Mark Kelly attended Annual Dinner of the Prison Officers Association at the invitation of POA General Secretary, Karl Dalton (April 2024)

## **Corporate information**

#### 7.1 Audit

During 2024, all of eleven low priority recommendations made by Internal Audit Unit of the Department of Justice in 2023 were implemented in full.

#### 7.2 Financial Matters

The Office of the Inspectorate of Prisons is funded under the Justice Vote (24), for which the Secretary General of the Department is the Accounting Officer. The budget allocation for 2024 was €2.238m.

#### 7.3 Accommodation Matters

In Summer 2024, the Inspectorate moved into new own door premises in central Dublin.

It continues to operate a small regional hub in Cork, currently co-located with the Probation Service.

#### 7.4 Protected Disclosures

As the Inspectorate is currently structured as an independent statutory agency under the aegis of the Department of Justice, the Inspectorate follows departmental policy in relation to Protected Disclosures. The Office of the Inspector of Prisons received no Protected Disclosures during 2024.

### 7.5 Public Sector Equality & Human Rights Duty

The Office of the Inspector of Prisons is fully committed to ensuring that its obligations under Section 42 of the Irish Human Rights and Equality Commission Act, 2014 are fulfilled. The Office recognises its responsibility to eliminate discrimination, promote equality of opportunity. and protect the human rights of public sector staff and service users.

The OIP's Public Sector Duty working group coordinates the Office's Public Sector Duty activities and oversees the OIP's Public Sector Duty action plan. The composition of the working group is intended to broadly represent the functions of the Office, and includes representation from senior management. The working group met nine times during 2024.

The objectives of the working group are to:

- Carry out an assessment of the human rights and equality issues relevant to the role and functions of the OIP through staff consultation and policy analysis.
- Develop and publish the OIP's first Public Sector Duty action plan.
- · Progress actions assigned to the working group within the action plan.
- Review draft OIP policies / standard operating procedures to ensure that they reflect PSD obligations.
- Monitor and report on progress made by the Office against the action plan, and ensure that developments are appropriately tracked and recorded.

- · Report on the developments and achievements through internal (staff emails, team meetings) and external communication (OIP annual report, website) channels.
- · Continue to assess human rights and equality issues relevant to the work of the OIP with stakeholders and service users.

The following sections summarise the activities of the working group in 2024, chief of which was the development and publication of the OIP's PSD action plan.

#### **Development and Publication** of PSD Action Plan

In late 2023, the working group conducted a staff survey to identify priority areas for inclusion in the OIP's Public Sector Duty action plan. In January 2024, the results of this survey were analysed and shared with all OIP staff.

In addition to this, in early 2024, the working group carried out an analysis of all OIP policies to identify areas by which OIP work practices could be improved with respect to its obligations under the Duty.

The results of the staff survey and the policy analysis were used to draft a Public Sector Duty Action Plan for the OIP. This draft was shared with all staff and their feedback was incorporated, before sending the final draft to the Senior Management Team for approval.

In June 2024, the action plan was approved and was uploaded to the OIP website. Each action is assigned to a member of the working group in order to monitor its progress.

#### **Staff Training**

At the end of 2024, 78% of staff had completed training Public Sector Duty. This represents an increase in the uptake of this training across the organisation, which stood at 50% in 2023.

In 2024, the working group developed a repository of relevant training resources for Inspectorate staff. The repository was

shared with all OIP staff in October 2024. The repository includes training resources on human rights and equality topics relevant to the Duty that can support and inform inspection and investigation practices. New resources continue to be added over time by the working group, and relevant training resources are regularly highlighted by the working group at OIP staff meetings and through internal communication.

#### **Building Accessibility**

In August 2024, the OIP moved to new premises in central Dublin. As the building is a protected structure, colleagues from the Facilities Division of the Department of Justice conducted a survey of the premises in conjunction with the Chief Inspector and a member of the Public Sector Duty working group. As a result, various additional features, including a disability access lift on the ground floor have been fitted.

#### **Policy Review**

One of the obligations of the PSD working group is to review new OIP policies and standard operating procedures to ensure that they reflect PSD commitments. In December 2024, procedural guidelines were drafted to set out the review process that will be used by the working group in assessing all new OIP policies and procedures.

#### Other Actions

Other actions that were implemented during 2024 included the introduction of measures to record prisoner complaints data where complaints concern issues of discrimination: this action will help to inform inspection and monitoring work.

Another example is the introduction of on-call interpreter services; this allows rapid access to interpretation services, which can be required to assist in communicating with people in prison or next of kin who are not native English speakers. The introduction of these services has helped to foster more inclusive communication processes and service delivery.

Finally, in 2024, the OIP began the process of renewing its strategic plan, which included staff and stakeholder consultation activities. As part of this process, the Office's commitment to its obligations under the Duty will be set out clearly in its new strategic plan document.

#### 7.6 Freedom of Information / GDPR

#### 7.8 Training

Eleven requests under FOI Legislation were received during the year.

#### 7.7 Integrity at Work

The Inspectorate has an Integrity at Work Membership Agreement with Transparency International (Ireland). In maintaining this membership, the Inspectorate recognises the importance of an ethical workplace.

Members of the Inspectorate Team attended a number of training courses during 2024 including the following:

- JAM card e-learning module,
   Department of Justice, OneLearning
- Gender-Sensitive Detention Monitoring, Association for the Prevention of Torture
- Introduction to Data Protection,
   Department of Justice, OneLearning
- Human Rights and Equality Module, Department of Justice. OneLearning
- Equality and Human Rights Understanding Your Role, Department of Justice, OneLearning
- Fundamentals of Detention Monitoring, Association for the Prevention of Torture
- Gender-Sensitive Detention Monitoring, Association for the Prevention of Torture
- Home Workstation Ergonomics 2024, OneLearning

# 08 Governance

#### 8.1 Internal Controls

The "comply or explain" provision of the Code of Practice for the Governance of State Bodies (2016) applies to the Office of the Inspectorate of Prisons.<sup>28</sup> As the Office currently falls under the Justice Vote (Vote 24), it does not yet have its own Internal Audit Unit or Audit and Risk Committee. Furthermore, it is not yet required to produce Annual Financial Statements. The Office has access to the Department's Internal Audit and Internal Audit and Risk Committee in relation to financial governance. The Department's Financial Management Unit reports on the Office's income and expenditure in its monthly management reports. Procedures are in place to ensure expenditure is authorised in accordance with the Department's policies and procedures. The Office is compliant with tax law obligations.

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

The Code of Governance for State Bodies 2016, requires the provision of a Statement of Internal Controls (SIC). The SIC applies to all controls operating in the Office of the Inspector of Prisons, including ICT matters.

The IM&T Division in the Department of Justice has confirmed that, to the best of its knowledge and belief, adequate ICT controls, as set out in a Statement of Assurance, are in place and operating effectively.

The Office of the Inspectorate of Prisons maintains a Risk Register which is kept under continuing review. This Register sets out current controls to mitigate risks and actions to improve controls. Updated versions of the Risk Register were provided to the Department of Justice during the course of 2024.

Procurement activity undertaken by the Office during 2024 was carried out in accordance public procurement guidelines.

### 8.2 Oversight Arrangements

The Code of Practice for the Governance of State Bodies ("the Code") sets out the fundamental governance standards that must be respected by all State bodies. The Inspectorate is fully cognisant of its responsibilities under the Code. Until the end of 2024, an "Oversight Agreement" was in place between the Office of the Inspector of Prisons and the Department of Justice. These oversight arrangements are currently under review, having due regard to the requirement to ensure that the statutory independence of the Inspectorate is fully respected.

<sup>28</sup> The OIP is not currently required to produce a customer charter or associated action plan. Nonetheless, the OIP follows the principles and procedures set out in the Department's Customer Charter".

## 8.3 Performance Agreement

Until the end of 2024, a "Performance Delivery Agreement" was in place between the Office of the Inspectorate of Prisons and the Department of Justice. Tables 9 and 10 provide further information.

Table 9: Performance Agreement Targets

Output area or initiative	Metric	Assoc. Strategic Objective	2024 Target	2024 Outturn	Comment
Prison Inspections	Full General Inspections conducted	1, 3	4	3+1	Three unannounced general inspections were completed, in addition to one follow-up inspection.
Prison Inspections	Full General Inspection Reports transmitted to the Irish Prison Service (Prior to Submission to the Minister)	1, 3	7*	_	*Reports on five unannounced general inspections, totalling 559 pages, were fully completed in 2024.  For practical reasons, these reports were transmitted to the IPS in mid-January 2025.
Thematic/ Focused Inspections	Thematic/Focused inspections conducted	1, 3	2	_	The Inspectorate prioritised its programme of unannounced general inspections.  Its thematic report on the Provision of Psychiatric Care in the Irish Prison System was published by the Minister for Justice in February 2024.

Output area or initiative	Metric	Assoc. Strategic Objective	2024 Target	2024 Outturn	Comment
Death-in- Custody investigations	Reduction in average time taken between notification of death and submission of DiC Report to the IPS	4	25%	19%	19% in relation to 15 submitted reports (compared to 3% for 7 submitted reports in 2023).
	Percentage of standard DiC investigation reports completed and submitted to the IPS within six months of notification of a death in custody	4	35%	7%	2024 saw the highest ever recorded number of deaths in prison custody (31), adding significantly to the OIP's workload in this area.
Letters received from prisoners under Rule 44 of the Prison Rules	% of correspondence received from prisoners under Rule 44 acknowledged within five working days % of final replies issued within 20 working days	1	90%	96.7%	
Review of Category A prisoner complaints	% of Category A complaints reviewed within 20 days of receipt	7	100%	97.8%	

#### Table 10: Other Targets and Outturns 2024

Output Area or Initiative	Target & Timeframe	Outtrun
Full costing, drawing upon appropriate external professional expertise, of the additional human and financial resources required for the OIP to assume its functions as the Inspectorate of Places of Detention (OIPD	Q3	During 2024, the Inspectorate consulted widely with comparable agencies, especially those which have, or are acquiring, their own Votes.  Further external expertise will be retained, if necessary, during 2025.
Review of the Framework for the Inspection of Prisons in Ireland.	Q2	Done
Expansion of the Framework to include a new framework for monitoring detention by An Garda Síochána (AGS), in consultation with AGS and other relevant stakeholders	Q3	In development, in close cooperation with An Garda Síochana and the current and future Garda accountability mechanisms, as well as the Irish Human Rights and Equality Commission.
Detailed Project Activities developed for the progression of the EU-funded Project to support the establishment of the National Preventative Mechanism (NPM) after consultation with relevant stakeholders	Q2	Done

#### 8.4 Climate Statement

#### Overview

In 2024, the OIP drew up its first Climate Action Roadmap.

The Climate Action Roadmap has been prepared in line with the updated Public Sector Climate Action Mandate, published in Climate Action Plan 2024 (CAP24) in December 2023.

The purpose of the Climate Action Roadmap. is to provide the Inspectorate with a strategic vision, coordination, organisation and mobilisation regarding its public sector climate obligations. The Roadmap has been drafted in line with the Public Sector Climate Action Strategy 2023-2025 and the SEAI Climate Action Roadmap guidance.

The Roadmap will be revised annually in line with an annual review of the Public Sector Climate Action Mandate.

#### **Senior Management Statement**

The Office of the Inspector of Prisons, as a Public Sector Body, has a responsibility to play its part in a whole of Government approach to combating the threats posed by climate change. Collective commitment and concrete action are required to combat and mitigate against the very real challenges that we face. The actions set out within our Roadmap, will be actively led and supported by the Senior Leadership Team and we will invest the necessary time and resources to ensure that the commitments set out within this document can be successfully actioned and implemented.

Senior Leadership Team, Office of the Inspector of Prisons.

#### **Staff Engagement**

In 2024, the OIP nominated a Climate and Sustainability Champion at senior management level and established a Green Team with representatives from across the organisations.

Staff members of the Inspectorate will engage in climate and sustainability training in order to enhance knowledge across the organisation.

# 09 Appendix

# Recommendations to the Minister for Justice & the Director General of the Irish Prison Service.

Since the commencement of the OIP's new programme of unannounced general inspections in late 2022, the Office of the Inspector of Prisons has made seven recommendations to the Minister for Justice and one request for information.

The Inspectorate has also made 35 recommendations to the Director-General of the Irish Prison Service and two requests for information.

This table sets out the recommendations concerned. The Inspectorate's recommendations to the Governors of the prisons inspected are set out in the respective reports on those inspections.

Each recommendation carries a recommendation code. The code is comprised of the action owner for the recommendation (for example: 'MDOJ' = Minister for Justice, 'DG' = Director General of the Irish Prison Service,), the year the recommendation was first made, and the chronological recommendation number from that inspection activity. For example, MDOJ22-1 is a recommendation made to the Minister for Justice in 2022, and the first such recommendation.

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#### Reporting

The Inspectorate relocated from shared serviced premises to a new (rented) premises in July. A comprehensive analysis will be carried out and new baselines established over the coming year.

The OIP is linking in with the SEAI and reports into its Public Sector Monitoring and Reporting platform.

Sustainability actions undertaken in 2024

- Joined the Re-Turn Communities Fundraising Initiative
- Inclusion of sustainability criteria in procurement processes
- Review of food waste and scoping of food waste collection options
- Installation of drinking water refill points across the office
- · Use of thermostats in new office building
- · Secure bicycle parking at new office building
- Ceasing the use of disposable plates, cups and cutlery in the day-to-day operation of the office. Progressive elimination of the use of single use items during events/meetings

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Recommendation ID	OIP Recommendations to the the Minister of Justice	Prisons
	Overcrowding	
MDOJ22-1	The Minister for Justice should take urgent action to place an enforceable upper limit on the number of persons that can be committed to Mountjoy Men's Prison, as well as in all other prisons in Ireland. This should be accompanied by determined action to implement the alternatives to imprisonment foreseen in the 2022-2024 Review of Policy Options for Prison and Penal Reform.  Informed by:  • European Committee for the Prevention of Torture (2022) 31st General Report of the CPT	Mountjoy Men's Prison (2022), Cork Prison (2023), Cloverhill Prison (2023), Dóchas Centre (2023)
MDOJREQ22-1	The Inspectorate would appreciate receiving detailed information about the work of the Department of Justice to implement the recommendations of the 2022-2024 Review of Policy Options for Prison and Penal Reform, including the work of the proposed "multi-stakeholder taskforce to address the current accommodation crisis."	Mountjoy Men's Prison (2022), Cork Prison (2023), Cloverhill Prison (2023), Dóchas Centre (2023)
	Cell Conditions	
MDOJ22-2	In line with Rule 21 of the European Prison Rules (2020), the Minister for Justice and the Director General of the Irish Prison Service must ensure that every person in custody has their own bed and that cell occupancy is in line with CPT living space standards (4m2 for each person in a multi-occupancy cell, exclusive of sanitary facilities).  Informed by: • Rule 21 of the (2020) European Prison Rules • European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2015) Living space per prisoner in prison establishments: CPT standards	Mountjoy Men's Prison (2022), Cork Prison (2023), Cloverhill Prison (2023), Dóchas Centre (2023)

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	Complaints System	
MDOJ22-3	The Minister for Justice should take all possible measures to ensure the prompt review and adoption of the draft Statutory Instrument to amend the Prison Rules 2007-2020 Rule 57B. The amended Rule should take into account the requirements of a well-functioning complaint system, which includes independence, expediency and the opportunity for independent appeal.  Informed by:  • Rule 70 of the (2020) European Prison Rules  • Rules 56 & 57 of the (2015) United Nations Standard Minimum Rules for the Treatment of Prisoners  • European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2018) Complaints Mechanisms	Mountjoy Men's Prison (2022), Cork Prison (2023), Cloverhill Prison (2023), Dóchas Centre (2023)
	Pre-Trial Detention	
MDOJ23-1	The Minister for Justice should take urgent action to reduce the high number of prisoners, and prolonged lengths of time prisoners are held in pre-trial detention in Cloverhill Prison, as well as in all other prisons in Ireland. This should be accompanied by determined action to ensure that viable alternatives are available including the commissioning of research on the use of remand detention for people before the district court as well as the developments of a Supported Bail Service.  Informed by:  • European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2017) Remand detention	Cloverhill Prison (2023), Dóchas Centre (2023)
	Immigration Detention	
MDOJ23-2	The Minister for Justice should bring an end to the practice of immigration detainees being held in prisons.  Informed by: • European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2017) Immigration detention	Cloverhill Prison (2023), Dóchas Centre (2023)

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	Release Processes	
MDOJ23-3	In line with Ireland's commitment to the Lisbon Declaration, and the Government's Housing for All Strategy, steps must be taken in partnership with relevant agencies to ensure that every person leaving prison has access to housing and pledged "intensive supports".	Cloverhill Prison (2023), Dóchas Centre (2023)
MDOJ23-4	Consideration should be given to the development of a re-integration unit to support women in the lead up to their release from prison. This should include access to community-based re-integration programmes for all women preparing to re-join the community. In the longer term, as the prison estate develops, consideration should be given to the construction of an open prison for women.  Informed by:  • Rule 46 of the (2010) United Nation Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders	Dóchas Centre (2023)

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Recommendation ID	OIP Recommendations to the Director-General of the Irish Prison Service	Prisons
	Overcrowding	
DG22-1	In line with Rule 21 of the European Prison Rules (2020), the Minister for Justice and the Director General of the Irish Prison Service must ensure that every person in custody has their own bed and that cell occupancy is in line with CPT living space standards (4m² for each person in a multi-occupancy cell, exclusive of sanitary facilities).  Informed by:  Rule 21 of the (2020) European Prison Rules  European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2015)  Living space per prisoner in prison establishments: CPT standards	Mountjoy Men's Prison (2022), Cork Prison (2023), Cloverhill Prison (2023), Dóchas Centre (2023)
	Cell Conditions	
DG22-2	The Director General of the Irish Prison Service should take steps to ensure that all multi-occupancy cells in across the estate are equipped with fully-partitioned sanitary facilities.  Informed by:  • European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2015)  Living space per prisoner in prison establishments: CPT standards	Mountjoy Men's Prison (2022), Cork Prison (2023), Cloverhill Prison (2023), Dóchas Centre (2023)
	Out-of-cell time	
DG22-3	In the ongoing review of the Prison Rules 2007-2020, consideration should be given to amendment of Rule 27(1)(a) to increase the minimum amount of out-of-cell time, in line with the CPT's Decency Threshold for Prisons (2021), which sets out a goal of at least eight hours out-of-cell time engaged in purposeful activities for people in prison. Particular consideration should be given to safeguarding the minimum out-of-cell time for prisoners on restricted regimes.  Informed by:  • Rule 25.2 of the (2020) European Prison Rules • European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2021) A decency threshold for prisons-criteria for assessing conditions of detention.	Mountjoy Men's Prison (2022), Cork Prison (2023), Cloverhill Prison (2023), Dóchas Centre (2023)

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	Record Keeping	
DG22-4	To ensure accurate and effective record-keeping, the Director General of the Irish Prison Service should review the organisation of compliance functions across the prison estate.	Mountjoy Men's Prison (2022), Cork Prison (2023), Cloverhill Prison (2023), Dóchas Centre (2023)
	Restricted Regimes	
DG22-5	The Director General of the Irish Prison Service should take immediate action to implement the 2017 Policy for Elimination of Solitary Confinement, and in line with Rules 43 and 44 of the UN Mandela Rules (2015), should with immediate effect, cease the practice of prolonged solitary confinement.  Informed by: • Rules 43 & 44 of the (2015) United Nations Standard Minimum Rules for the Treatment of Prisoners	Mountjoy Men's Prison (2022), Cork Prison (2023), Dóchas Centre (2023)
DG22-6	The Director General of the Irish Prison Service should set out and make public a strategy to reduce the number of people accommodated under Rule 63 of the Prison Rules 2007-2020. This strategy should consider implementation of alternative measures and restorative justice practices, such as conflict mediation, to reduce prisoner tensions and concerns for safety. As part of this strategy, a review of the mechanisms by which prisoners sign-on and off protection should be conducted to ensure these processes are comprehensive and risk-assessed.	Mountjoy Men's Prison (2022), Cork Prison (2023), Cloverhill Prison (2023)
	Regime Management Plan	
DG22-1	The Inspectorate recommends that the Director General of the Irish Prison Service commission a review of the operationalisation and impact of the current Regime Management Plan in Mountjoy Men's Prison. The review should assess the capacity of the RMP to deliver requisite standards of safety and security while also ensuring fulfilment of prisoners' entitlements, as enshrined in the Prison Rules 2007-2020 and international human rights standards. Appropriate action is required to ensure the staffing of key prisoner facing facilities such as the gym, school and library is ringfenced. [see also, HQEDWT4 (2022)]	Mountjoy Men's Prison (2022)

	Staffing & Training	
DG22-8	The Director General of the Irish Prison Service and the Governor of the Irish Prison Service Training College should consult with frontline prison staff to identify their training needs, and provision should be made to allow for continuous professional development on a structured basis. In identifying training needs, account should be taken of the need to ensure staff working with specific groups of prisoners receive the requisite training in those areas.  Informed by: • Rule 81 of the (2020) European Prison Rules	Mountjoy Men's Prison (2022), Cork Prison (2023)
	Recording-System	
DG22-9	The Director General of the Irish Prison Service and the Governor of the Prison should ensure a clear demarcation between an incident recording system and the P19 (disciplinary sanction) recording system.	Mountjoy Men's Prison (2022), Cork Prison (2023), Cloverhill Prison (2023), Dóchas Centre (2023)
	Healthcare Resources	
DG22-10	The Irish Prison Service should develop strategies to improve transfer of information between community healthcare services and the prison, including mechanisms by which those who have been released are able to maintain their wait list slot to access mental health and addiction services.	Mountjoy Men's Prison (2022)
DG22-11	The Director General of the Irish Prison Service should endeavour to facilitate greater collaboration with hospital outpatient systems. The Irish Prison Service should develop alternative pathways for rescheduling appointments in circumstances where prisoners are unable to attend outside of their control, so that they may be seen at the next available appointment where appropriate. Additionally, use of virtual systems for certain consultations should be considered.	Mountjoy Men's Prison (2022)

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	Pricanor & Staff Safaty	
DG22-12	Prisoner & Staff Safety  The Director General of the Irish Prison Service, and in particular the Operations Directorate, should review the 2020 "OSG Security Screening Procedure" to ensure the current contraband-detection and visitation procedures are suitably positioned to meet the needs of the prison while also considering and prioritising the rights of prisoners to receive visits, as is their entitlement under Rule 35 of the Prison Rules 2007–2020.	Mountjoy Men's Prison (2022)
	Phone Calls & Visits	
DG22-13	In order to facilitate and strengthen the right to family contact, the Irish Prison Service should increase the length of phone calls.  Informed by: • Rule 24.1 of the (2020) European Prison Rules	Mountjoy Men's Prison / Training Unit (2022), Cork Prison (2023), Cloverhill Prison (2023), Dóchas Centre (2023)
DG22-14	The Irish Prison Service should review the application in practice of the Prison Rules 2007–2020, Rules 35(3) and 46(4) across the prison estate, to ensure the rights of unconvicted prisoners are fulfilled, particularly with respect to telephone calls and visits.	Mountjoy Men's Prison / Training Unit (2022), Cork Prison (2023), Cloverhill Prison (2023), Dóchas Centre (2023)
	Release Processes	
DG22-15	In collaboration with the Probation Service, the Irish Prison Service should prioritise reviewing the operation in practice of the Community Return and Community Support schemes, particularly because these programmes are central to the Government's strategy to alleviate overcrowding in prisons.	Mountjoy Men's Prison (2022), Cork (2023)

	Relationships & Interactions	
DG23-1	IPS Headquarters should conduct a review of the working/management culture at Cork Prison with a view to identifying the underlying reasons for reported levels of low morale amongst certain staff. The review should also examine whether the operation in practice of current grievance procedures is dissuading staff and/or prisoners from pursuing legitimate complaints	Cork Prison (2023)
	Information	
DG23-2	To ensure the protection of prisoners' personal data, and to facilitate effective communication, the Irish Prison Service should embed within its policies and procedures, ready access to interpretation and translation services. These should not only be provided "on request", but should be offered to prisoners at committal, and on an ongoing basis to ensure prisoners are able to communicate over the course of their imprisonment.  Informed by:  Section 42 of the Irish Human Rights & Equality Commission Act 2014	Cork Prison (2023), Cloverhill Prison (2023), Dóchas Centre (2023)
	Healthcare Resources	
DG23-3	The Director General of the Irish Prison Service should ensure an adequate complement of healthcare staff is in place to meet the needs of the prisoner population. In relation to Cork Prison, this should include increasing the hours of presence of the GP. Alternative arrangements should be put in place to avoid the GP having to complete a 500km round trip to provide healthcare at Castlerea Prison. There is also a need for additional nurse staffing on night periods, an increase in psychology and addiction service staffing and systemic planning to ensure staff shortages are addressed [see also MHT23-3 (2023)].	Cork Prison (2023)
DG23-4	The healthcare service should ensure the development of an appropriate orientation programme for new medical staff, including locum Doctors, and continued professional development, for example in the area of chronic disease identification and management.	Cork Prison (2023), Cloverhill Prison (2023)

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	Staffing & Training	
DG23-5	Given the employment, training and resettlement support needs of prisoners in Cork Prison, consideration should be made to increasing the complement of IASIO officers operating in the prison.	Cork Prison (2023)
	Release Processes	
DG23-6	The Irish Prison Service should support Cork Prison Resettlement Services to identify and develop Memoranda of Understanding, and associated Standard Operating Procedures with external partner agencies, in particular, housing authorities, in order to facilitate a structured and seamless reintegration programme.	Cork Prison (2023)
	Relationships & Interactions	
DG23-7	IPS Headquarters should conduct a review of the working/management culture at Cloverhill Prison with a view to identifying the underlying reasons for reported levels of low morale amongst certain staff. The review should also examine whether the operation in practice of current grievance procedures is dissuading staff and/or prisoners from pursuing legitimate complaints.	Cloverhill Prison (2023)
	Record Keeping	
DG23-8	To promote effective handover processes, documentation of incidents in prisons and notification and completion of restricted regime reviews, efforts should be made across the estate to digitalise all records and log books; this will require development and integration of digital technologies accessible to staff throughout the prison.	Cloverhill Prison (2023), Dóchas Centre (2023)

	Healthcare Delivery	
DG23-9	In line with the National Strategy on Drugs 2025–2027, and the Irish Prison Service's commitment to support and treat people with substance use issues, the Inspector urges the Prison Service to increasingly adopt a harm reduction and health-led approach to respond to drug prevalence in prisons.	Cloverhill Prison (2023), Dóchas Centre (2023)
DGREQ23-1	The Inspectorate requests status updates on recommendations made based on findings from the 2023 Thematic Inspection: An Evaluation of the Provision of Psychiatric Care in the Irish Prison System, particularly those that were identified by the Irish Prison Service as requiring commitment and action from other bodies, including the National Forensic Mental Health Service. These recommendations are: MHT23-5, MHT23-6, MHT23-7, MHT23-11, MHT23-14, MHT23-23, MHT23-24 and MHT23-25.	Cloverhill Prison (2023), Dóchas Centre (2023)
	Visits	
DG23-10	The Irish Prison Service should review the practice of blanket screened visits in Cloverhill Prison taking consideration of the rights of prisoners, as well as the rights of their children and their families.  Informed by:  • Article 8 of European Convention on Human Rights  • Article 9(3) of the UN Convention on the Rights of the Child	Cloverhill Prison (2023)
	Research & Remote Court Proceedings	

	Release Processes	
DG23-12	Resettlement services should be formally extended to support (i) people held on remand, and (ii) people serving short sentences.	Cloverhill Prison (2023), Dóchas Centre (2023)
	Non Discrimination	
DG23-13	The Irish Prison Service must ensure that a clear policy on the treatment and management of transgender persons is put in place, and that it aligns with the standards set out in the 2024 CPT Standards on Transgender Persons in Prison. [related to DOCT-9 (2021) and LMCT-18 (2021)]  Informed by:  • European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2024) Transgender Persons in Prison	Dóchas Centre (2023)
	Non Discrimination	
DG23-14	The Inspectorate urges the Irish Prison Service to fully implement its 2022 decision to cease the practice of no longer accepting drop-off of packages by family and friends at the prison gate; this practice puts an additional financial cost on families and friends to send items by post.	Dóchas Centre (2023)
	Risk Assessment	
DG23-15	The committal interview and induction process across the prison estate requires review and amendment to ensure all prisoner placements are based on a formal rigorous and reviewable risk assessment process.  Informed by: • Rule 52.1 of the European Prison Rules	Dóchas Centre (2023)
	Staffing	
DG23-17	It is recommended that the nurse staffing complement in the Dóchas Centre is augmented to provide adequate cover on night duty, and to ensure that night cover is not staffed by just one individual.	Dóchas Centre (2023)

	Staffing	
DG23-17	It is recommended that, in line with the Irish Prison Service (2011) Healthcare Standards, administrative support staff are employed alongside clinical staff to support in the delivery of essential healthcare services.	Dóchas Centre (2023)
	Healthcare Delivery	
DG23-18	Policies for dental care should be reviewed to, at a minimum, align entitlements for remand prisoners to that of sentenced prisoners and to promote equivalence of healthcare services with those available in the community.	Dóchas Centre (2023)
DG23-19	In line with the 2015 New Connections report, and international best practice, improved linkages between IPS Psychology, community-based services and stepdown initiatives should be explored.	Dóchas Centre (2023)
	Healthcare Resources	
DG23-20	An immediate review of the wait list management procedures for addiction services should be undertaken. An agreed written policy should be developed between MQI and IPS that explicitly addresses efforts to engage women on shorter and recurring sentences.	Dóchas Centre (2023)
	Audit	
DGREQ23-2	The Inspectorate requests information on the progress to-date in the development and carrying out of the "culture audit" and the subsequent development of a "culture roadmap", as committed to in the Irish Prison Service 2023-2027 Strategic Plan.	Dóchas Centre (2023)



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