



**Oifig An Chigire Príosún**  
**Office of the Inspector of Prisons**

# **Report on the Unannounced General Inspection of Cork Prison**

27 March - 5 April 2023

# Contents

|   |           |
|---|-----------|
| <b>FOREWORD</b>                           | <b>4</b>  |
| <b>SUMMARY OF KEY FINDINGS</b>            | <b>5</b>  |
| <b>ABOUT THE INSPECTORATE OF PRISONS</b>  | <b>8</b>  |
| <b>1 INTRODUCTION</b>                     | <b>10</b> |
| A. Inspection Process                     | 10        |
| B. Cork Prison                            | 12        |
| C. Immediate Action Notification (IAN)    | 13        |
| <b>2 RESPECT &amp; DIGNITY</b>            | <b>14</b> |
| A. Living Conditions                      | 14        |
| Accommodation                             | 14        |
| Hygiene & Sanitation                      | 19        |
| Clothing & Bedding                        | 21        |
| Out-of-Cell Time                          | 24        |
| Meals & Nutrition                         | 26        |
| B. Relationships & Interactions           | 28        |
| C. Non-Discrimination                     | 31        |
| D. Information                            | 33        |
| <b>3 SAFETY &amp; SECURITY</b>            | <b>36</b> |
| A. Record-Keeping                         | 36        |
| B. Regimes                                | 37        |
| Restricted Regimes                        | 37        |
| Prisoner and Staff Safety                 | 38        |
| Staffing                                  | 40        |
| C. Complaints                             | 41        |
| D. Disciplinary Processes                 | 42        |
| <b>4 HEALTH &amp; WELLBEING</b>           | <b>44</b> |
| A. Healthcare Resources                   | 45        |
| Healthcare Services & Staffing            | 45        |
| Environment                               | 47        |
| B. Healthcare Delivery                    | 49        |
| Primary Healthcare                        | 50        |
| Specialist / External Healthcare Services | 52        |
| Mental Healthcare                         | 53        |
| Addiction                                 | 55        |
| C. Healthcare-Informed Decision-Making    | 57        |
| Healthcare Input                          | 58        |
| Committal Assessments                     | 59        |
| D. Patient Experience                     | 60        |

|  |            |
|--|------------|
| Confidentiality                                      | 60         |
| Patient Voice  | 61         |
| <b>5 REHABILITATION &amp; DEVELOPMENT</b>            | <b>62</b>  |
| <b>A. Purposeful Activity</b>                        | <b>62</b>  |
| Work Training  | 64         |
| Library  | 71         |
| Exercise   | 73         |
| <b>B. Education</b>                                  | <b>78</b>  |
| <b>C. Contact</b>                                    | <b>85</b>  |
| Meaningful Human Contact in Prison                   | 85         |
| Family Contact                                       | 88         |
| <b>6 RESETTLEMENT</b>                                | <b>92</b>  |
| <b>A. Preparation for Release</b>                    | <b>92</b>  |
| <b>B. Release</b>                                    | <b>96</b>  |
| <b>APPENDIX</b>                                      | <b>102</b> |
| <b>A. Immediate Action Notification</b>              | <b>102</b> |
| <b>B. OIP Previous Recommendations Status Update</b> | <b>105</b> |
| <b>C. List of Repeat and New Recommendations</b>     | <b>118</b> |

# FOREWORD

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This report forms part of the first set of comprehensive reports on unannounced general inspections of prisons in Ireland produced by the Office of the Inspector of Prisons.

This new programme of unannounced general inspections began in late 2022. So far, my colleagues and I have fully inspected nine of the fourteen prisons in the State, housing two-thirds of all people living in prison in Ireland.

The reports on our first five inspections – of Mountjoy Prison, the Training Unit, Cork Prison, Cloverhill Prison and the Dóchas Centre – have been submitted to the Minister for Justice as a batch.



This approach has meant that some time has elapsed since the very first of those inspections were completed. Nonetheless, this process has created the necessary space for the Inspectorate to reflect deeply on a number of the systemic issues affecting the prison system as a whole, and I am convinced that it will stand the test of time. Recommendations designed to address those issues have been standardised across this first set of reports, which should facilitate the task of the Minister for Justice, the Director General of the Irish Prison Service and Prison Governors in responding to the Inspectorate's concerns.

This report on the inspection of Cork Prison identifies a number of such systemic issues. Chief amongst these is the scourge of overcrowding and the ongoing scandal of people living in prison being obliged to sleep on mattresses on the floor. Work, education and training opportunities are analysed in detail, enabling the Inspectorate to chart the curtailment of these activities due to the redeployment of prison staff to escorting functions outside the prison. Other recurring themes include shortcomings in record keeping, the absence of administrative support for Chief Officers and Chief Nurse Officers, an ineffective complaints system and unduly limited telephone contact with the outside world. The report also addresses the persistent presence in prisons of people with acute mental health conditions.

Turning to the prison itself, while general areas were clean, windows across the prison required repair. There was a shortage of bedding and some mattresses were in a poor state. For those who could access it, the quality of education was excellent. We also recognise that the Open Door "Pop-up Kitchen" Initiative was a positive example of the power of collaboration, and could serve as a potential model for the Irish Prison Service to adopt across the prison estate. A summary of our key findings follows this Foreword.

Looking to the future, and provided that the necessary human and financial resources are made available to the Inspectorate, we aspire to carry out unannounced general inspections of every prison in Ireland at least once every three years, and to complete our draft reports on those inspections within a maximum of six months from the end of the inspections concerned.

**Mark Kelly, Chief Inspector of Prisons**

# SUMMARY OF KEY FINDINGS

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- The situation of overcrowding in Cork Prison was of serious concern, particularly for prisoners on restricted regimes who were “locked back” in overcrowded cells for large portions of the day.
- While the general areas of the prison were clean, windows across the prison required repair. The overall prison environment benefitted from the recent installation of photographic murals.
- In-cell sanitation, including access to in-cell showers, was positive for people in Cork Prison. However, the absence of privacy partitions for sanitary facilities in shared cells resulted in degrading conditions for prisoners.
- The policy on clothing in Cork Prison had a discriminatory impact on certain prisoners, particularly on foreign national prisoners and people of less financial means. There was good practice in the labelling and storage of prisoners’ clothing, which should be applied across the prison estate.
- Due to a shortage of bedding, many prisoners did not have the full complement of duvet, sheet, towel, pillow and pillowcase. There were a number of mattresses in a poor state of repair.
- Meal scheduling remained inappropriately misaligned with the times at which people eat in the general community.
- It was welcome to see positive working relationships between operational staff and service staff. Reported levels of low staff morale in the prison was a concern. Relationships between prisoners and staff were generally good; however, some prisoners expressed fear of reprisals if they were to raise issues of concern regarding Cork Prison.
- The Inspectorate noted significant deficiencies in record-keeping including: inconsistent use of logbooks, dates not completed/out of order, and insufficient detail being recorded, especially of incidents that occurred in prison accommodation and on landings.
- Staff at Cork Prison were experiencing genuine difficulties in ensuring that all relevant information systems remained appropriately updated. Senior Officers up to and including Chief Officer 1 level spent significant amounts of their time completing elementary administrative tasks. This was due to under-resourcing in the prison’s administration offices.
- Reported prisoner confidence in the complaints system was very low. More than half of prisoner survey respondents did not feel safe making a complaint in the prison, and similarly more than half of prisoners did not think the complaint systems work well.
- The Inspectorate’s review of the P19 paperwork at Cork Prison indicated that disciplinary processes were conducted in a fair manner and the sanctions imposed were proportionate. However, as was found during the 2022 inspection of Mountjoy Men’s Prison, the P19 process was being used as a surrogate incident recording system.

- Healthcare services, for the most part, were supported operationally by the consistent provision of prison escort staff; however, access to designated meeting and therapy rooms was a challenge for service providers.
- There was a need for additional administrative support staff for healthcare providers.
- Technologies used to document and track healthcare services were not sufficiently interconnected, resulting in arduous referral processes.
- Wait-times to see a General Practitioner were too long and the workload of the GP was excessive.
- There was a need for additional nurse staffing at night and weekend periods.
- There was an ongoing concern about the capacity of Cork Prison to provide care for mentally disordered challenging prisoner-patients, and the lack of special medical facilities, including at the National Forensic Mental Health Service, to accommodate these prisoner-patients.
- Opportunities were missed to facilitate healthcare team input into decision-making in the prison, in particular concerning healthcare infrastructure, sanitation practices, exercise programmes food and nutrition for prisoners (aside from specific diets).
- Aside from essential work, there were not many opportunities for prisoners to engage in work training in the prison.
- Training was limited, and in most cases, was not sufficient to secure employment on release from prison.
- Prisoners engaged in essential work were inadequately compensated, and the 2012 IPS Prisoner Gratuity and Private Cash Policy required review and updating.
- Workshops were frequently closed, and staff trained to facilitate work training were often redeployed to posts that were not focused on prisoner rehabilitation.
- At least one hour of access to the fresh air in the yards was offered to prisoners on a daily basis, which aligned with the standard set by the Prison Rules 2007-2020, Rule 32(1). However, prisoners who elected not to go to the yard were not facilitated to engage in another activity; instead they were “locked back” in their cells.
- There were no activities or exercise equipment available in the yards, and the recreation area for some landings was not adequately provisioned to encourage meaningful interactions amongst prisoners.
- The length and frequency of phone calls were insufficient to maintain family contact. Prisoners on remand (unconvicted) were not being provided with their telephone call and visit entitlements, as established in Rules 35(3) and 46(4) of the Prison Rules 2007-2020.
- Cork Prison was effectively staffing the Censor’s office and there were limited reports in delay of incoming and outgoing post.
- Integrated Sentence Management Officers were not sufficiently supported to carry out their work efficiently.
- Pre-release planning carried out by resettlement services was impacted by a lack of housing support in the community; this had a knock-on effect for prisoner eligibility with early release schemes.

- Staff and services involved with sentence management and pre-release planning were committed to their job, and working to provide an effective service, despite capacity and resource limitations.
- Early Release Schemes such as Community Return and Community Support Schemes were not maximised due to external resourcing and capacity issues, particularly in relation to community supervision by the Probation Service.
- While efforts were made to provide practical supports to prisoners immediately prior to their release, the environment for the provision of information about these supports was not suitable. The lack of support (e.g., prisoners released with their belongings in clear plastic bags) did not provide a seamless transition into the wider community.

# ABOUT THE INSPECTORATE OF PRISONS

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

Section 31(1) of the Act places an obligation on the 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 is as follows:

- Regular inspection of all 13 prisons in Ireland;
- Carry out investigations of deaths in custody and also of any death of a person on temporary release that occurs within one month of his/her release;
- Investigate any matter arising out of the management and operation of a prison at his own volition or at the request of the Minister for Justice;
- Receive and reply to letters from prisoners in accordance with Rule 44 of the Prison Rules 2007-2020;
- Oversight of the Irish Prison Service prisoner complaints system and carry out the functions assigned pursuant to Prison Rule 57B of the Prison Rules 2007-2020;
- 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 the Act, as soon as practicable after receiving a report from the Inspector of Prisons, the Minister must, subject to the following caveats, lay it before both Houses of the Oireachtas and publish the report. However the General Scheme of the Inspection of Places of Detention Bill envisages that, in future, the Inspectorate will be able to publish its own reports.

At present, the Minister may omit any matter from any report laid before the Houses of the Oireachtas if she is of the opinion that:

1. Its disclosure may be prejudicial to the security of the prison or of the State, or
2. After consultation with the Secretary General to the Government, that its disclosure
  - a. would be contrary to the public interest, or
  - b. may infringe the constitutional rights of any person.

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

In 2020, the Office of the Inspector of Prisons published A Framework for the Inspections of Prisons in Ireland. This document sets out how the Inspectorate conducts inspections of prisons in Ireland, as well as outlines assessment ratings criteria used by the Inspectorate to evaluate compliance with legislation and human rights standards. The Framework was updated in 2024, after a consultation process including the Irish Prison Service, civil society organisations and other stakeholders.

Under the Framework for the Inspection of Prisons in Ireland, “in the event that an Inspection Team identifies concerns, either around current performance or the risk of adverse impact on future performance, of such significance and consequence that an immediate intervention to mitigate is required, then the Chief Inspector may raise an Immediate Action Notification (IAN).” An IAN can be raised with the Governor of the prison concerned, the Director General of the Irish Prison Service or the Minister for Justice, or each one of them, as the Chief Inspector considers appropriate (paragraph 2.3.5 of the Framework). Based on findings from the full General Inspection of Cork Prison, the Inspectorate raised an IAN in respect of Cork Prison in relation to a serious concern regarding the call bell system in the landings at Cork Prison (see, Immediate Action Notification, Appendix A).

# 1 INTRODUCTION

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## A. Inspection Process

- 1.1 The Office of the Inspector of Prisons (OIP) conducted an unannounced General Inspection of Cork Prison between 27 March and 5 April 2023.

The OIP Inspection Team consisted of: Mr Mark Kelly, Chief Inspector, Ms Helen Casey, Deputy Chief Inspector, Dr Ciara O’Connell, Senior Inspector, Ms Michelle Martyn, Inspector, Ms Fiona O’Dea, Inspector and Dr Douglas Nanka-Bruce, Data Analyst. The Inspection Team is especially grateful for the assistance provided by the experts who form part of the expert pool, on this inspection, a medical expert, Professor Claire Harrison, as well as by our colleagues from the Inspectorate of the Department of Education, Senior Inspectors Ms Liz O’Neill and Mr Gavin Doyle. The Inspectorate is especially grateful for the assistance provided by the experts who form part of its expert panel, as well by our colleagues from the Inspectorate of the Department of Education

Prior to this inspection, Cork Prison was inspected in May / June 2021 (COVID-19 Thematic Inspection). Recommendations made as a result of this inspection, and the Irish Prison Service Action Plan and subsequent status updates, are available on the OIP website.

### 1.2 Assessment

The General Inspection was carried out in accordance with *A Framework for the Inspection of Prisons in Ireland*. The prison was assessed against five Focus Areas:

|                      |                      |                       |                                 |              |
|----------------------|----------------------|-----------------------|---------------------------------|--------------|
| Respect &<br>Dignity | Safety &<br>Security | Health &<br>Wellbeing | Rehabilitation &<br>Development | Resettlement |
|----------------------|----------------------|-----------------------|---------------------------------|--------------|

### 1.3 Methodology

The OIP employs a range of assessment approaches to gather evidence and examine prison compliance with legislation and human rights standards. These include:

- Review of documentation and records
- Meetings with Irish Prison Service Headquarters personnel
- Discussions with people living in prison
- Observation of facilities and activities
- Meetings with Prison Senior Management
- Discussions with prison staff (operational and service staff)
- Review of CCTV footage
- Electronic surveys completed by people in prison and people working in the prison

The OIP Inspection Team is assisted by Medical Experts to assess healthcare provision in prisons (Chapter 4 - Health & Wellbeing). The Department of Education Inspectorate assists the OIP to evaluate provision of education in the prison context (Section 5.B - Education).<sup>1</sup>

On the first day of inspection, the Inspectorate provided the prison with an Information Request which sets out the documentation requested by the Chief Inspector of Prisons. The

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<sup>1</sup> See, Office of the Inspector of Prisons and Department of Education Inspectorate Memorandum of Understanding (March 2022).

OIP engaged with prison staff during and after the inspection visit to ensure fulfilment of the Information Request.

As part of the inspection process, the Inspectorate requests that prison management provide a self-assessment status update on ongoing recommendations previously made to the prison by the Inspectorate.

The Inspectorate has developed electronic surveys to afford people living and working in prison the opportunity to engage with the OIP anonymously. The prisoner survey was administered by the OIP Inspection Team using digital tablets. This allowed for real-time data analysis which informed the inspection approach. The password protected staff survey was hosted on the OIP website, and all staff were provided with survey access information via email. A total of 142 prisoners and 125 prison staff (operational and service staff)<sup>2</sup> completed the electronic surveys.

As part of the General Inspection, the Inspectorate assesses implementation of recommendations made to the Irish Prison Service in relation to previous inspections (Appendix B).

The General Inspection concluded with a Closeout Meeting on 5 April 2023. The OIP shared and discussed initial findings and recommendations with the prison's Senior Management team.

All inspection findings are evidence-based and informed. Recommendations made by the OIP are rooted in relevant legislation and international human rights standards, including the International Covenant on Civil and Political Rights (1966), the United Nations Convention against Torture (1985), the European Prison Rules (2020), the United Nations Standard Minimum Rules for the Treatment of Prisoners (UN Nelson Mandela Rules 2015) and United Nations and Council of Europe recommendations.

The Irish Prison Service is requested to respond to all OIP recommendations (Appendix C) by developing an Action Plan. Action Plans should apply the SMART approach to recommendation implementation, that is they should be specific, measurable, achievable, realistic and time-bound. In line with the Recommendations Monitoring Policy<sup>3</sup>, the Inspectorate monitors progress made in addressing recommendations. This is done through (i) IPS bi-annual self-assessment status updates on outstanding recommendations, and (ii) monitoring of progress made in implementing Action Plans as part of the Inspectorate's inspection process.

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<sup>2</sup> Operational staff includes prison management, IPS healthcare personnel and prison officers. Services staff includes teachers, other healthcare providers and people employed with in-reach services.

<sup>3</sup> OIP (2021) Recommendations Monitoring Policy.

## B. Cork Prison

- 1.4** Cork Prison is a closed medium security prison for adult men. It is the committal prison for counties Cork, Kerry and Waterford, and has a bed capacity of 296.

The prison is comprised of two wings, both of which have three landings (A1, A2, A3, B1, B2 and B3). A1 landing accommodated people on protection regimes (Rule 63) and A2 and A3 landings accommodated people in the general prisoner population. B1 landing served as the Committal landing for the prison, and also accommodated people in the Vulnerable Prisoners Unit and the Challenging Behaviour Unit.

The majority of prisoners on an Enhanced Regime were accommodated in the B2 and B3 landings. Both B2 and B3 landings also accommodated prisoners serving longer sentences, as well as prisoners involved in essential work in the prison.

- 1.5** On 27 March 2023, there were 304 people in Cork Prison, and an additional one person in the hospital. There were seven people accommodated on mattresses on floors of cells in the prison. Over the course of the inspection, the prison bed capacity was between 102% and 105%.

Of the total prisoner population in Cork Prison, 74% were serving a sentence. On 28 March 2023, bed capacity in the prison was at 102%, and there were 81 people (27%) in the prison serving a sentence of less than 12 months; 52 of 81 people were serving sentences of six months or less (17% of prisoner population).

90% of prisoners were recorded by the prison as Roman Catholic, other religions included prisoners of Islamic Faith and Christianity.

Cork Prison accommodated 35 foreign national prisoners (12%), and people ranging in age from 18 to 77 (**Table 1**).

**Table 1: Prisoner Ages in Cork Prison, 28 March 2023**

| 18 - 20      | 21 - 25       | 26 - 30       | 31 - 40        | 41 - 50     | 51 - 60      | 61 - 70     | 71+         | Total |
|--------------|---------------|---------------|----------------|-------------|--------------|-------------|-------------|-------|
| 17<br>(5.6%) | 39<br>(12.8%) | 62<br>(20.3%) | 106<br>(34.8%) | 55<br>(18%) | 20<br>(6.6%) | 5<br>(1.6%) | 1<br>(0.3%) | 305   |

- 1.6** Irish Prison Service staff working in Cork Prison ranged in age from 24 to 59. A large proportion of the staff had worked for the Irish Prison Service for more than 15 years (65%), and 8% had joined within the three years prior.

All senior management roles in the prison were held by men, and 16% of operational prison staff (Chief Officers, Assistant Chief Officers, Prison Officers, Recruit Prison Officers, Work Training Officers) were women.

## C. Immediate Action Notification (IAN)

- 1.7 Section 31 (1) of the Prisons Act 2007 provides that the Chief Inspector of Prisons “shall carry out regular inspections of prisons and for that purpose may— [...] (c) in the course of an inspection or arising out of an inspection bring any issues of concern to him or her to the notice of the Governor of the prison concerned, the Director-General of the Irish Prison Service, or the Minister or of each one of them, as the Inspector considers appropriate.”

Under the Framework for the Inspection of Prisons in Ireland, “in the event that an Inspection Team identifies concerns, either around current performance or the risk of adverse impact on future performance, of such significance and consequence that an immediate intervention to mitigate is required, then the Chief Inspector may raise an Immediate Action Notification (IAN).” An IAN can be raised with the Governor of the prison concerned, the Director General of the Irish Prison Service or the Minister for Justice, or each one of them, as the Chief Inspector considers appropriate (paragraph 2.3.5 of the Framework).

- 1.8 On 3 April 2023, arising from inspection findings, the Inspectorate issued an **Immediate Action Notification (IAN)** to the Director General of the Irish Prison Service, with respect to a **serious concern regarding the call bell system** on the landings in Cork Prison (Appendix A).

The Director General responded promptly to the IAN, and established a course of immediate action to address the issues raised by the Inspectorate. Following two meetings on 4 April and 14 April 2023, with Irish Prison Service technical staff, the Inspectorate considered the action proposed sufficient to address the concerns raised (Appendix A).

## 2 RESPECT & DIGNITY

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- 2.1 In line with A Framework for the Inspection of Prisons (2020), the Inspectorate assesses how prisoners and staff experience *Respect and Dignity* in prisons. Drawing on national legislation and international standards, the Inspectorate evaluates performance across four themes:
- A. **Living Conditions:** accommodation, hygiene and sanitation, clothing and bedding, out-of-cell time and meals and nutrition
  - B. **Relationships & Interactions:** prisoner relationships, staff relationships and prisoner-staff relationships
  - C. **Non-Discrimination:** experiences of fair and equal treatment
  - D. **Information:** access to information in the prison

### A. Living Conditions

#### Accommodation

- 2.2 International standards require that all cellular accommodation align with minimum cell-size requirements.<sup>4</sup> Accommodation should provide decent sleeping and living conditions and the means to keep clean, which includes proper sanitation, including toilet and shower facilities, washing water, cleaning products, laundry, and personal hygiene products.<sup>5</sup>

Single-cell accommodation is considered to be international best practice, except for where it is preferable for prisoners to share accommodation.<sup>6</sup> In 2021, the Council of Europe's Committee for the Prevention of Torture (CPT) expressed the view that all prisons should have a maximum occupancy number in order to guarantee the minimum standard of personal living space (4m<sup>2</sup> in multi-occupancy cells).<sup>7</sup> Under the Prison Rules 2007-2020, the Minister for Justice can specify the maximum number of persons to be accommodated in a cell.<sup>8</sup>

National legislation and international standards establish that sentenced and remand prisoners should be accommodated separately; with the European Prison Rules 2020 setting out that exceptions to separate detention can be made to facilitate participation in organised activities, and where prisoners consent to sharing cells.<sup>9</sup>

#### Overcrowding

- 2.3 Much like the situation found in Mountjoy Men's Prison in November/December 2022, Cork Prison was experiencing unprecedented overcrowding at the time of inspection. The Inspectorate found that overcrowding impacted negatively on safety and security in the prison, as well as on the capacity for the prison to offer rehabilitative services to prisoners.

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<sup>4</sup> CPT (2015) Living Space per Prisoner in Prison Establishment.

<sup>5</sup> CPT (2021) A Decency Threshold for Prisons - Criteria for Assessing Conditions of Detention.

<sup>6</sup> European Prison Rules (2020), Rule 18(5).

<sup>7</sup> CPT (2021) 31<sup>st</sup> General Report.

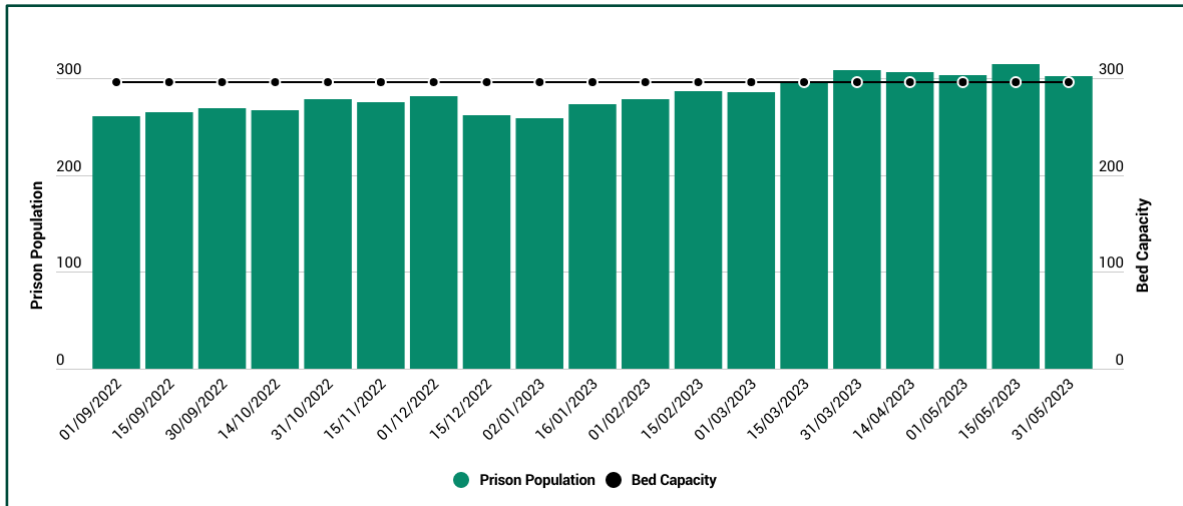
<sup>8</sup> Prison Rules 2007-2020, Rule 18(2)(a).

<sup>9</sup> European Prison Rules (2020) Rule 18(8) and 18(9), and Prison Rules 2007-2020, Rule 71.

As one member of staff put it, “*With overcrowding now becoming a problem, conditions for both staff and prisoners are getting more dangerous.*”

**2.4** The situation of overcrowding in the prison had worsened in the months leading up to the inspection, and remains an ongoing concern (**Figure 1**).

**Figure 1: Population and Bed Capacity, Cork Prison (September 2022 - May 2023)**



**2.5** The reported IPS bed capacity for Cork Prison was 296, not including four Special Observation cells and ten committal cells. However, this did not account for the *real* operational bed capacity in the prison, which can be impacted by:

- decommissioning of cells for repair,
- movement of prisoners to areas of the prison based on their behaviour and medical or protection needs, and
- the designation of certain areas of the prison for prisoners who are engaged in work and/or on an Enhanced regime.

Although ten committal cells were not included in the Irish Prison Service bed capacity figure for Cork Prison, not all prisoners accommodated in these cells were recent committals to the prison. At the time of inspection, committal cells also accommodated prisoners on protection and general population prisoners.

**2.6** **Table 2** provides a breakdown of bed occupancy across Cork Prison on 28 March 2023, and highlights how the operational design of the prison, rooted in safety and security needs, results in overcrowding challenges that cannot be captured purely based on a prisoner-to-bed calculation.

**Table 2: Distribution of Beds, Cells and Occupancy in Cork Prison, 28 March 2023**

| Area of Prison | Location Details   | No. of Cells | No. of Beds | No. of Prisoners | Sleeping on Floor | Unoccupied Beds |
|----------------|--|--------------|-------------|------------------|-------------------|-----------------|
| A1             | 2 Protection Groups, 1 General Population Group                  | 30           | 60          | 62               | 5                 | 3               |
| A2             | General Population Prisoners (no Protection Prisoners)           | 29           | 58          | 62               | 4                 | 0               |
| A3             | General Population Prisoners (no Protection Prisoners)           | 30           | 60          | 59               | 0                 | 1               |
| B1 - CU        | 1 Protection Group (2 prisoners), Committal Unit, additional CBU | 10           | 13          | 12               | 1                 | 3               |
| B1 - CBU       | Challenging Behaviour Unit                                       | 6            | 6           | 5                | 0                 | 1               |
| B1 - VPU       | Vulnerable Prisoners, 3 prisoners in hospital                    | 7            | 7           | 7                | 0                 | 0               |
| B2             | General Population Prisoners (Enhanced / Working)                | 26           | 49          | 45               | 0                 | 4               |
| B3             | General Population Prisoners (Enhanced / Working)                | 28           | 56          | 50               | 0                 | 5               |
| <b>Totals:</b> |  | <b>166</b>   | <b>309</b>  | <b>302</b>       | <b>10</b>         | <b>17</b>       |

On 28 March 2023, there were 309 beds available for use in Cork Prison (inclusive of committal cells), and 302 people in prison; resulting in a prisoner-to-bed capacity calculation of 97.7%. Twenty nine prisoners were accommodated in 10 cellular units with 19 beds and were sleeping in overcrowded conditions, indicated in **Table 2** with 10 people sleeping on the floor. However, 17 beds were left unoccupied due to safety and security requirements in the prison.

**2.7 The situation of overcrowding in Cork Prison is one part of a much larger prison estate-wide crisis, which in order to remedy, requires a renewed commitment to prioritising alternatives to imprisonment, including those set out in the 2022-2024 Review of Policy Options for Prison and Penal Reform.<sup>10</sup>**

### Cell Accommodation

**2.8** The standard size of a double-occupancy cell measured by the Inspectorate was 13.27m<sup>2</sup> (inclusive of a 3.15m<sup>2</sup> sanitary facility), resulting in 10.12m<sup>2</sup> of living space. When occupied by three people, the in-cell living space fell short of the 4m<sup>2</sup> per prisoner living space standard set out by the Committee for the Prevention of Torture (CPT) (**Figure 2**).<sup>11</sup> Moreover, as can

<sup>10</sup> Department of Justice (2022) Review of Policy Options for Prison and Penal Reform 2022-2024, pages 18-19.

<sup>11</sup> CPT (2015) Living Space per Prisoner in Prison Establishments.

be seen in the photograph in **Figure 2**, the real floor space in a double-occupancy cell occupied by three people was minimal.

**Figure 2: Double-Occupancy Cell, Occupied by Three People**



- 2.9** Over the course of the inspection, an average of ten people were accommodated on mattresses on cell floors each day. This means that approximately thirty people each day (~ 9% of the population) were accommodated in overcrowded cells that did not align with the minimum living space standard established by the CPT.
- 2.10** The situation of overcrowding particularly impacted on people on restricted regimes, as they spent far less out-of-cell time than general population prisoners. Prisoners on protection (Rule 63), for example, who were accommodated in three-man cells designed for double occupancy, spent 22 hours many days in 10m<sup>2</sup> of living space; they ate meals, used the toilet, made phone calls and slept in the presence of each other for extensive periods of time.

**The situation of prisoners held on restricted regimes and who were accommodated in three-person double-occupancy cells amounted to degrading treatment.**

### **Accommodation of Convicted and Unconvicted Prisoners**

- 2.11** The Prison Rules 2007-2020, Rule 71, sets out that, in so far as is practicable and subject to the maintenance of good order and safe and secure custody, unconvicted prisoners should be accommodated separately from convicted prisoners. In addition, Rule 18.8 (a) of the European Prison Rules (2020) outlines that in deciding to accommodate prisoners in particular prisons or particular sections of prisons, due account should be taken of the need to detain untried prisoners separately from sentenced prisoners. This was not the practice in Cork Prison.

All landings in the prison accommodated a mix of sentenced and remand prisoners, and across the prison 103 prisoners (34% of the prisoner population) shared a cell with a prisoner who did not have the same legal status. There was no policy in place to ensure that convicted and unconvicted prisoners were accommodated in distinct areas and/or cells in the prison.

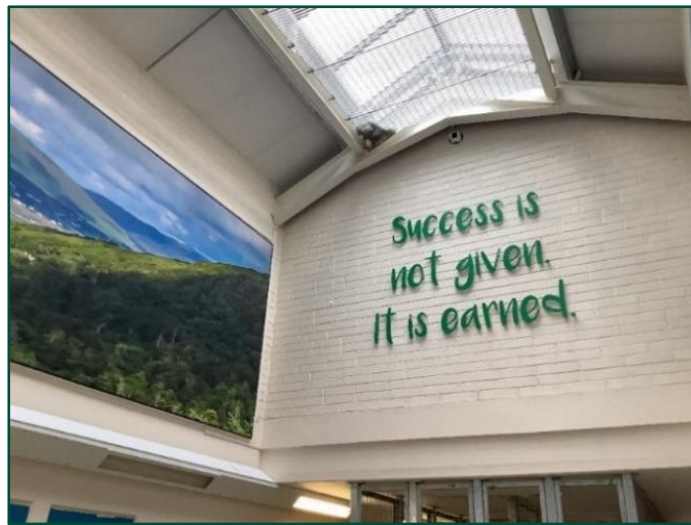
## Prison Environment

- 2.12** General prison areas were clean and well-kept, and conditions in cells were good. However, a large number of in-cell windows were not fully functional, which was also the case in some administrative buildings. Vents and blinds in many cell windows did not open and close, resulting in cold drafts in the rooms. Prisoners fashioned curtains from bedding and other fabric to lessen incoming drafts.

The prison had recently been decorated with photographic murals and quotations intended to be inspiring on prison landings (**Figure 3**), as well as photographic murals in the yards (section 5.36). These greatly improved the appearance of the areas concerned.

Nonetheless, some staff and prisoners indicated they would have wished to be consulted on the choice of imagery. The Irish Prison Service may wish to bear this observation in mind when rolling out this commendable initiative in other prisons.

**Figure 3: Cork Prison Landing Environment**



## 2.13 Accommodation Assessment

*The situation of overcrowding in Cork Prison was of serious concern, particularly for prisoners on restricted regimes who were “locked back” in overcrowded cells for large portions of the day. These conditions could be considered degrading.*

*Sentenced and remand prisoners were accommodated in the same areas of the prison, and shared cellular accommodation.*

*The overall prison environment benefitted greatly from the recent installation of photographic murals. While the general areas of the prison were clean, windows across the prison required repair.*

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## 2.14 RECOMMENDATION

### To the Minister for Justice

**Repeat Recommendation MDOJ22-1** (*recommendation also made in relation to Mountjoy Men's Prison*): The Minister for Justice should take urgent action to place an enforceable upper limit on the number of persons that can be committed to Cork Prison, as well as in all other prisons in Ireland.<sup>12</sup> 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.

**Repeat Request for Information MDOJREQ22-1** (*request for information also made in relation to Mountjoy Men's Prison*): 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".

### To the Minister for Justice and the Director General of the Irish Prison Service:

**Repeat Recommendation MDOJ22-2 / DG22-1** (*recommendation also made in relation to Mountjoy Men's Prison*): 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 (4m<sup>2</sup> for each person, exclusive of sanitary facilities).

## Hygiene & Sanitation

- 2.15** The Prison Rules 2007-2020 and European Prison Rules 2020 provide that prisons should be equipped with the necessary cleaning supplies to allow prisoners to keep their cells clean and to ensure all areas of a prison are hygienic and sanitary.<sup>13</sup> In addition, as provided for in international human rights standards, prisoners should have privacy when using sanitary facilities and all parts of the prison should be properly maintained and clean at all times.<sup>14</sup>
- 2.16** Positively, cellular accommodation in Cork Prison was fitted with showers, sinks and toilet facilities. This enabled people in prison to shower at a time suitable to them, and also ensured there was a sufficient number of showers available for the number of people in the prison.

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<sup>12</sup> Prison Rules 2007-2020, Rule 18(2)(a): "The Minister may specify the maximum numbers of persons who may, in normal circumstances, be accommodated in cells or rooms belonging to such class as may be so specified." Rule 18(2)(b) highlights that the Minister should have regard to the size of, and availability of lighting, heating, ventilation and fitting in cells when specifying a maximum number. In 2021 the CPT considered that for every prison, there should be an absolute upper limit for the number of prisoners, in order to guarantee the minimum standard in terms of living space, namely 6m<sup>2</sup> per person in single cells and 4m<sup>2</sup> per person in multi-occupancy cells (excluding the sanitary annexe). See ¶102. On 'Establishing thresholds' in Council of Europe (2022) 31<sup>st</sup> General Report of the CPT, European Committee for the Prevention of Torture and Inhuman Degrading Treatment or Punishment.

<sup>13</sup> Prison Rules 2007-2020, Rule 20 and European Prison Rules (2020), Rule 19.

<sup>14</sup> European Prison Rules (2020), Rule 19.1 and Rule 19.3.

- 2.17** However, in-cell sanitary facilities were not effectively partitioned from the remainder of the cell and did not provide adequate privacy (**Figure 4**). This resulted in a situation where prisoners ate, slept and lived within the physical presence of people urinating and defecating in the same confined space. Some prisoners fashioned temporary partitions made from sheets and towels in an attempt to preserve a modicum of dignity.

**Figure 4: In-Cell Sanitary Facility**



- 2.18** The Irish Prison Service January 2023 Census indicates that on 17 January 2023, 226 prisoners used sanitary facilities in the presence of another prisoner in Cork Prison; this had increased to 274 at the time of inspection (90% of the prisoner population).
- 2.19** On observation, cells were equipped with a supply of cleaning materials, and were generally kept to a high standard of cleanliness. Prisoners who completed the survey reported (67%, 89 of 132) being provided with sufficient cleaning supplies to keep their living area clean. However, not all prisoners were provided with adequate out-of-cell time to clean their cells on a daily basis. Some prisoners reported having to choose if they wanted to attend structured activities or clean out their cell, and that in the event they chose to clean their cell they were not subsequently escorted to the activity.
- 2.20** There was no facility to provide people in prison with haircuts. Instead, when possible, prisoners received haircuts from fellow prisoners on the prison landings. Other prisons, such as Midlands Prison and Mountjoy Men's Prison<sup>15</sup>, operate prisoner-led Barbershops which not only provide a designated place for people to maintain their hygiene and appearance, but also create an opportunity for work training in the prison.
- 2.21** While many prisoners had a supply of soap and toothpaste in their cells, not all prisoners had access to these materials. For instance, the Inspection Team assisted one foreign national prisoner, who had been in the prison since early 2023, to obtain a toothbrush and toothpaste for the first time.

## **2.22 Hygiene & Sanitation Assessment**

*In-cell sanitation, including access to in-cell showers, was positive for people in Cork Prison. However, the absence of privacy partitions for sanitary facilities resulted in prisoners being held in conditions that could be considered degrading.*

*There was no dedicated facility for prisoners to receive a haircut.*

<sup>15</sup> OIP. (2021) COVID-19 Thematic Inspection of Midlands Prison (June 2021), pg. 53, and OIP (2023) Thematic Inspection on Education & Work Training (April - June 2022), pg. 42.

*The vast majority of prisoners had access to cleaning and personal hygiene supplies, but the Inspection Team encountered a small number of prisoners who were not provided with some of these supplies.*

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## 2.23 RECOMMENDATION

### **To the Director General of the Irish Prison Service:**

**Repeat Recommendation DG22-2:** (*recommendation also made in relation to Mountjoy Men's Prison*): The Director General of the Irish Prison Service should take steps to ensure that all multi-occupancy cells across the estate are equipped with fully-partitioned sanitary facilities.<sup>16</sup>

## Clothing & Bedding

- 2.24** As provided for in the Prison Rules, 2007-2020, all people in prison should have access to clean and warm clothing.<sup>17</sup> The European Prison Rules (2020) set out that people in prison should be supplied with a bed as well as climate-appropriate bedding.<sup>18</sup> Bedding and clothing should be laundered on a regular basis.<sup>19</sup> The UN Mandela Rules (Rule 5.1) provide that the prison regime should seek to minimize any differences between prison life and life at liberty that tend to lessen the responsibility of the prisoners or the respect due to their dignity as human being.

### **Clothing**

- 2.25** Upon committal to Cork Prison, prisoners were provided with two sets of prison clothing and a towel. Prisoners were permitted up to four sets of personal clothing. However, only once they had three sets of clothing in their personal belongings locker were they permitted to wear their own clothes in the prison. To request access to their clothing, prisoners completed a laundry application form, although this form did not explain the policy on clothing in the prison, and was only available in English.
- 2.26** The three-set clothing policy, which was not in place in other prisons, had a disproportionate impact on prisoners who were not from Ireland, did not speak English, and/or who did not have financial means.
- 2.27** It was positive that the prison operated a "charity" clothing box, however this was not used to supplement clothing items needed by prisoners who did not have the required three-sets of clothing. It was also not the case that additional prison clothing items were provided to prisoners who did not have the full complement of three sets of clothing.

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<sup>16</sup> With respect to other prisons in the estate, the Irish Prison Service has committed to "(work) on the design of a partition that meets appropriate security standards" with the intention being to "install the partitions once the design is completed." See, [OIP Inspections Recommendation Database](#): Wheatfield Prison Recommendation WFCT4 and Arbour Hill Prison Recommendation ACHT7.

The CPT's minimum standard for personal living space in prison establishments includes 4m<sup>2</sup> of living space per prisoner in a multi-occupancy cell and fully partitioned sanitary facility. See European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) (2015) [Living space per prisoner in prison establishments: CPT standards](#). The OIP re-emphasizes the State's obligations under Article 3 and Article 8 of the [European Convention on Human Rights](#).

<sup>17</sup> Prison Rules 2007-2020, Rule 21.

<sup>18</sup> [European Prison Rules \(2020\), Rule 21](#).

<sup>19</sup> Prison Rules 2007-2020, Rule 22: "Each prisoner shall be issued with separate bedding adequate for warmth and health, which shall be cleaned regularly", and that "A prisoner shall not be required to sleep without a mattress." However, the European Prison Rules (2020), Rule 21 states that: "Every prisoner shall be provided with a separate bed and separate and appropriate bedding."

- 2.28** One foreign national prisoner, who was on remand in the prison since early 2023, had not been provided with his personal clothing, despite his family having brought several shirts and trousers to the prison. His family, who did not speak English and was visiting from abroad during the time of the inspection, was very distressed about the clothing, and had not been informed about the three-set clothing policy. Upon consultation with prison management, the Inspection Team identified clothing from the “charity” box to complement the missing clothing items, and subsequently three-sets of clothing were provided to the prisoner.
- 2.29** While the Prison Rules 2007-2020, Rule 21(1) sets out that prisoners’ entitlement to wear their own clothing is contingent on approval from the Governor, the UN Mandela Rules make clear that efforts should be made to minimise differences between life in and outside of prison in order to promote respect and dignity for people in prison.
- 2.30** **The three-set clothing policy operating in Cork Prison was not consistent with practices in other prisons, and had a discriminatory impact on people in prison who did not necessarily have the means or access to multiple sets of clothing.**
- 2.31** There was good practice identified in the labelling and storage of prisoners’ personal clothing. Each item of clothing belonging to a prisoner was labelled upon receipt in the reception area of the prison, and an identification number and detailed description of each item was noted in the Prisoner Information Management System (PIMS). Labelling of prisoner belongings in this way ensured easy identification of items, and less risk of losing belongings. However, due to inconsistencies in the ways in which prisoner clothing was labelled across the prison estate, challenges arose when prisoners were transferred to and from other prisons and labels were removed or replaced. Given that prisoners often report lost personal belongings, there should be a universal and consistent practice in place to identify and label prisoner clothing. The practice in Cork Prison could prove beneficial in identifying a consistent approach across the prison estate.
- 2.32** Laundry was collected and returned on one day of the week for each landing. Prisoners with extra clothing, or who had clothing with another name on it, or no label at all, were not permitted to use the prison laundry. Instead, they washed their “undocumented” clothing in sinks and dried it on pipes in the cells. This caused the air in the cells to become hot and humid, and resulted in a poor living environment.

### **Bedding**

- 2.33** Cork Prison was experiencing shortages in supply of duvets, sheets, pillows and towels. Some mattresses and bedding were found to be torn or soiled, and in need of replacement (**Figure 5**). Each prisoner was provided with one towel each week, which was used following showers as well as in the gym and also as a pillow by prisoners who did not have one. Officers working on landings were responsible for requesting replacement bedding and mattresses, but there was no evidence of a continuous audit of bedding provision.

**Figure 5: Bedding**



- 2.34** Mattresses used to sleep on the floor were rolled and stored each day under the bunk bed in the cell (**Figure 6**). Additional bedding could not be purchased by prison management, as this was also purchased centrally by Irish Prison Service Headquarters.

**Figure 6: Mattress Storage in Three-Man Cell**



**2.35 Clothing & Bedding Assessment**

*The policy on clothing in Cork Prison had a discriminatory impact on certain prisoners, particularly on foreign national prisoners and people of less financial means.*

*There was good practice identified in the labelling and storage of prisoners' clothing which should be applied across the prison estate.*

*Due to a shortage of bedding, many prisoners did not have the full complement of duvet, sheet, towel, pillow and pillowcase. There were a number of mattresses in a poor state of repair.*

## 2.36 RECOMMENDATIONS

### To the Governor of Cork Prison:

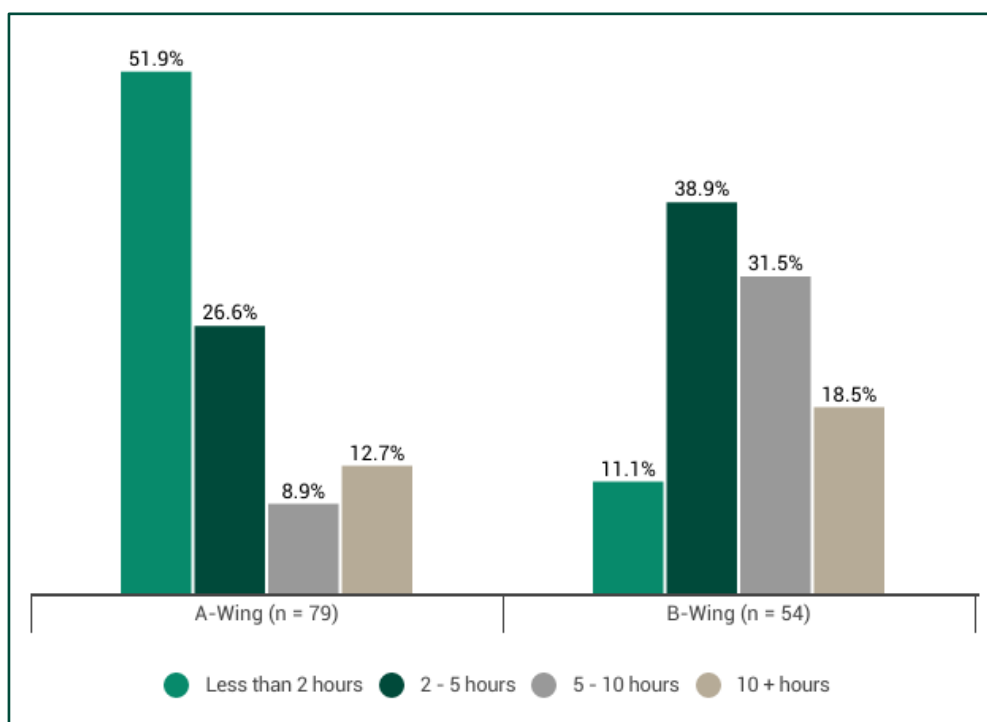
**Recommendation CK23-1:** The “three-set” clothing policy in Cork Prison should be replaced by a clothing policy that does not have a discriminatory impact on specific groups of prisoners.

**Recommendation CK23-2:** Prison managers should conduct ongoing recorded audits of the availability of bedding, and where necessary, ensure the replacement of all mattresses, duvets and pillows. All prisoners should each have a clean duvet, sheet, pillow and pillowcase, as well as a sufficient number of towels to use across the course of the week’s activities.

## Out-of-Cell Time

- 2.37** The Prison Rules 2007-2020 provide that all prisoners should spend as much time out of their cells as is practicable to associate with other prisoners.<sup>20</sup> The Rules also state that each convicted prisoner should be engaged in authorised structured activity for a period of not less than five hours on each day of five days a week.<sup>21</sup> The CPT recommends that prisoners should be able to spend eight hours daily out of their cells engaged in purposeful activities.<sup>22</sup>
- 2.38** Out-of-cell time was comprised of time spent on landings, collection of medication and food, tuck shop attendance, participation in activities, services and visits and time in the yard and the gym.

**Figure 7: Prisoner Reports of Out-of-Cell Time, Weekday (by Part of Prison)**  
(n = 79, 54)



<sup>20</sup> Prison Rules 2007-2020, Rule 27(1).

<sup>21</sup> Prison Rules 2007-2020, Rule 27(3).

<sup>22</sup> As referenced by the CPT, in the 2015 [Living Space per Prisoner in Prison Establishments](#), and the CPT's (2021) [A Decency Threshold for Prisons-Criteria for Assessing Conditions of Detention](#).

Prisoners spent between 13 and 23 hours in their cells each day. Generally, prisoners in the B-Wing area of Cork Prison were afforded more out-of-cell time than people in the A-Wing (**Figure 7**). Although, out-of-cell time for prisoners on A1 landing and B1 landing, where people were either on restricted regimes or under increased supervision, was most limited in the prison.

**2.39** Prisoners who spent the most time out of their cells, up to 11 hours a day, were involved in essential work in the prison (B2 / B3 landing). Prisoners on A2, A3, B2 and B3 landings also engaged with the school and had regular access to the gym.

**2.40** Although there were designated “unlock” periods from 09:30 - 12:00, 14:00 - 16:00 and 17:00 - 19:00, prisoners who did not attend work or school, or go to the yard, were “locked back” in their cells during these periods (Sections 2.61, 5.37 and 5.40). This practice was consistent with the prison’s Regime Management Plan, which established that “prisoners will have the option of remaining in cell thereby reducing numbers for recreation.” Prisoners were not permitted to spend time on the landings, and when “locked back” in their cells there was little or no engagement with prison staff. One member of prison staff explained, *“No effort is made to get prisoners out of their cells.”*

**2.41** A prisoner on protection recounted his experience of the routine on A1 landing:  
*“We have no access to school. If we do not go to the yard we are locked in our cell all day we should at least get some time on the landing. Very hard to get a job on the landing constantly threatened with being put into main population when asking for one.”*

**2.42** “Protection prisoner” groups alternated access to yards and had very limited engagement with structured activity on a daily basis. Out-of-cell time consisted of time in the yards (sections 5.35-5.40), or alternatively participation in a visit (once a week) or attendance in school (every other week for one day).

**2.43** Record-keeping on out-of-cell time for people on Rule 63 restricted regime was inadequate, and did not allow for an accurate assessment of actual out-of-cell time for each prisoner on this regime.

On 4 April 2023, there were 63 people on restricted regimes: 48 people on protection and 15 people in the VPU and CBU (B1 landing). This means that on that day, at least 20% of the prisoner population experienced less than three hours out-of-cell time; with 52% of prisoner survey respondents on A wing (41 of 79) indicating they received less than two hours out-of-cell time on a typical weekday.

#### **2.44 Out-of-Cell Time Assessment**

*Approximately 20% of the prisoner population was accommodated under a Restricted Regime, which resulted in very limited daily out-of-cell time for those prisoners.*

*People engaged in essential work in the prison were out of their cells for a greater portion of the day, many in excess of eight hours, which aligned with the CPT’s recommendation on access to purposeful activity.*

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## 2.45 RECOMMENDATION

### To the Director General of the Irish Prison Service:

**Repeat Recommendation DG22-3:** (*recommendation also made in relation to Mountjoy Men's Prison*): 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. [see also, CKCT13 (2021)].

## Meals & Nutrition

- 2.46** Under the Prison Rules 2007-2020, Rule 23, the Governor of the prison is responsible for ensuring that prisoners receive good quality and varied meals.<sup>23</sup> In addition to this, international standards require that meals be served at reasonable intervals and at times reflective of mealtimes in the community.<sup>24</sup>
- 2.47** The food provided to prisoners in Cork Prison was of good quality, and was ranked by prisoners as the most positive part of being in the prison. The majority of prisoners attended a servery at the top of the landing to collect their meals and items such as tea and bread. Prisoners on A1 and B1 landings had meals delivered to them at their cell doors by way of a portable servery; the food provided was hot and prisoners could choose the food they wished to eat.
- 2.48** While most meals were of a sufficient portion size, some prisoners reported feeling hungry in the evening. In 2021, the Inspectorate recommended that "scheduling around meal times be amended to ensure meals are served at reasonable intervals and at usual times: lunch (midday) and dinner (evening)." While the amendment to meal scheduling remains outstanding, and is the subject of pay discussions with the staff representation body, the Inspectorate welcomes plans to increase the amount of food provided to prisoners as part of the final (16:00) meal of the day.
- 2.49** Given that prisoners accommodated on A1 landing were not permitted to leave their cells to collect food, portions of bread and milk were placed on the floor to be collected by prisoners when cell doors were opened (**Figure 8**).

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<sup>23</sup> Prison Rules 2007-2020, Rule 23.

<sup>24</sup> UN Mandela Rules (2015), Rule 22 and European Prison Rules (2020), Rule 22.4.

**Figure 8: Food on Floor of Landing**



**2.50** Across the prison, prisoners left their plates by the cell doors for collection by prison officers, who stepped on the plates and pushed them out of the cells with their foot. A prisoner explained,

*“Then after our dinner is finished we wash the plates and leave them at our door and they come along and stomp on it with their boots; the plates we have to eat off.”*

**These undignified practices should be brought to an end.**

**2.51** Prisoners ate in their cells, in close vicinity to an un-partitioned sanitary facility. Some people ate on the floor as there was not sufficient counter space in the overcrowded cells.

**2.52** It was positive that prisoners were able to physically attend the prison Tuck Shops, as this offered a sense of normalcy. It was also positive that unconvicted prisoners were provided with additional opportunities to attend the Tuck Shop.

**2.53** However, prisoners were not provided with a price list for items in the Tuck Shop, reportedly because the prices changed on a frequent basis. The only way for prisoners to learn about the prices, and also their account balance, was to enquire at the Tuck Shop window in the presence of other prisoners.

As noted previously by the Inspectorate, with respect to Cork Prison in 2021:<sup>25</sup>

*“The issue of transparent and easily accessible pricing is of concern to the Inspectorate given the open environment nature of the Tuck Shop in Cork Prison. While beneficial for prisoner interaction and engagement, it may also present a situation where prisoners are able to overhear information about prisoner accounts, i.e., a prisoner may not be able to afford an item after requesting information on the pricing. It is for this reason that the Inspectorate urges Cork Prison to consider providing Tuck Shop price lists to prisoners, and to also ensure prisoners are able to easily and privately access their accounts information.”*

In response to this concern, Cork Prison indicated that,

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<sup>25</sup> OIP (2021) COVID-19 Thematic Inspection of Cork Prison (May-June 2021), pgs 17-18.

*“new committals (would) receive a Tuck Shop list which includes the price of each item available [...] the price list (would be) available on noticeboards and copies (would be) available at the Tuck Shop (where) prisoners are able to bring a copy back to their cell.”*

**2.54** Unfortunately, access to prisoner accounts, and Tuck Shop pricing transparency and accessibility, was not in place during the full inspection in 2023. The Inspectorate welcomes initiatives to address this concern, such as the proposed digitalisation of prisoner accounts, whereby prisoners can access their financial accounts, as well as manage their services and visit schedules, by way of a digital in-cell kiosk. **The Inspectorate wishes to receive further information about this digitalisation project.**

## **2.55 Meals & Nutrition Assessment**

*Food provided to prisoners was of a good quality and many prisoners had a sufficient quantity of food to eat each day. Some undignified food-handling practices were observed, such as placing food on floors, and collecting plates by stepping on them.*

*Meal scheduling remained inappropriately misaligned with the intervals at which people eat in the general community.*

*The Inspectorate welcomes efforts to increase portion sizes as part of the prison menu review.*

*It was positive that prisoners could physically attend Tuck Shops in the prison, but it remained a concern that pricing and prisoner account information were difficult for prisoners to access.*

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## **2.56 RECOMMENDATIONS**

### **To the Director General of the Irish Prison Service:**

**Repeat Recommendation CKCT3 (2021):** Scheduling of meal times at Cork Prison should be amended to ensure meals are served at reasonable intervals and at times that correspond to those in the community.

### **To the Governor of Cork Prison:**

**Recommendation CK23-3:** Cork Prison should provide tuck shop pricing to prisoners and ensure prisoners are able to easily and privately access their financial accounts information.<sup>26</sup>

## **B. Relationships & Interactions**

**2.57** Both the Prison Rules 2007-2020<sup>27</sup> and the European Prison Rules (2020) outline the importance of positive, respectful relationships between management, frontline prison staff and prisoners. Relationships are fundamental to the fostering of a prison context that treats “all prisoners with humanity and with respect for the inherent dignity of the human person”.<sup>28</sup>

<sup>26</sup> This issue was previously raised with prison management of Cork Prison. See OIP (2021) [COVID-19 Thematic Inspection of Cork Prison](#), 2.2.3.

<sup>27</sup> Prison Rules 2007-2020, Rules 75(2) and 85(3), and [European Prison Rules \(2020\)](#), Rules 72.1 and 72.2.

<sup>28</sup> [European Prison Rules \(2020\)](#), Rule 72.1, 74 and 75.

Prisoner experiences of humanity, staff professionalism and help and assistance are fundamental to assessing the quality of prison life for people in prison. When prisoner perceptions of trust and fairness are elevated this leads to better outcomes in other areas, such as prison order.

### **Staff-Prisoner Relationships**

- 2.58** Over half of the landings in the prison accommodated more than 50 prisoners, which, given the large size of the landing population, posed challenges for staff to foster and maintain positive staff-prisoner relationships. Despite activities available to people in Cork Prison, opportunities for prisoners to engage in meaningful human contact with prison staff were lacking.<sup>29</sup> A member of staff explained,

*“The bigger landings in terms of numbers, i.e., over 55 prisoners on a landing, means even the best of class officers cannot keep track of vulnerable prisoners and their needs.”*

- 2.59** Some prisoners reported issues with bullying by particular prison staff, and claimed that there were instances where prison staff ignored or dismissed their requests or needs.

On numerous occasions prisoners reported a fear of reprisal, such as transfer to another prison, if they were to raise a complaint or concern about treatment in the prison. A prisoner explained, *“(you) can’t really complain about much here, you’ll get transferred”*, and another stated, *“they want us to remain silent”*. This echoes the Inspectorate’s 2021 inspection findings.<sup>30</sup>

- 2.60** In Cork Prison, positively, 61% of prisoners (84 of 137) reported being treated fairly by prison officers. Additionally, 37% of prisoners (50 of 136) trusted prison staff in the prison.

- 2.61** Periods of “lock-back” (section 2.41), resulted in a large number of prisoners not being permitted to engage with fellow prisoners or prison staff for significant periods of time each day (sections 5.37 and 5.40). As member of prison staff put it:

*“Class officers have now become ‘key turners’, thus prisoners have no respect for officers, (and officers) cannot give required attention to vulnerable prisoners”.*

- 2.62** There were some good examples of operational and service staff displaying an in-depth knowledge of the needs and experiences of the people in prison. For instance, Senior Management and prison officers participating in a Community Support Scheme review meeting readily spoke about the progress made by individual prisoners, as well as identified their specific pre-release support needs.

- 2.63** A Governor carried out the daily Governor’s Parade; the Inspectorate welcomes adherence to this Rule in Cork Prison as it promotes opportunities for prisoners to exercise their right to engage with the Governor (Rule 55.1).

### **Staff Relationships**

- 2.64** Working relationships amongst operational staff ranked amongst survey respondents as the most positive component of working in Cork Prison. There was also a good connection between operational prison staff and service staff, particularly in relation to cross-prison

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<sup>29</sup> European Prison Rules (2020), Rule 72.3.

<sup>30</sup> OIP (2021) COVID-19 Thematic Inspection of Cork Prison (May-June 2021), pgs. 25-26.

initiatives such as the recent Open Door Cooking course (section 5.21). There were no complaints raised by staff against fellow staff in the 12 months preceding the inspection.

- 2.65** However, survey respondents indicated that relationships between prison staff, prison management and Irish Prison Service Headquarters could be more problematic. A significant proportion of staff survey respondents (45%, 53 of 117) said they did not feel valued as members of staff in the prison and only 19% of prison staff survey respondents (21 of 113) said they felt supported by Irish Prison Service Headquarters. A small number of staff reported incidents of staff bullying to the Inspection Team.
- 2.66** Whereas 67% of prison staff respondents (78 of 117) reported that relationships between officers and prisoners were respectful and professional, only 36% of prison officers (40 of 112) indicated that they considered that relationships between prison officers and prison management to be respectful and professional.
- 2.67** Some members of staff reported elements of a positive working environment, such as: *“overall Cork is the best prison I have worked in to date”*, while others recounted a more negative experience: *“I was so proud to become a member but in the last number of years, I regret it everyday”*, and *“It is a most toxic working environment currently and never have I felt less like coming to work”*.
- 2.68** Staff raised concerns about a lack of transparency around promotions, “mandatory” imposition of overtime, understaffing and inadequate training. Only 39% of prison staff survey respondents (45 of 114) agreed that staff morale was good in the prison and more than half of prison staff survey respondents (62 of 116) were not satisfied with levels of work-related stress. A member of staff noted that *“prisoners (were) the easiest and most rewarding part of (the) job.”*
- 2.69** In 2021, the Inspectorate noted concerns about the working environment and culture in Cork Prison, and noted that “all Prison Service staff should act in accordance with the 2012 Council of Europe Code of Ethics for Prison Staff, which states that “prison staff shall promote a spirit of co-operation, support, mutual trust and understanding among colleagues.”<sup>31</sup>
- 2.70** Over the course of inspection, frontline staff brought issues of concern to the Inspectorate and noted they had previously raised these issues with prison management but had not seen action taken.
- 2.71** Similar to prisoners, staff survey respondents raised concerns with grievance processes in the prison; nearly half of survey respondents (49%, 57 of 117) did not feel comfortable expressing work-related grievances.
- 2.72** **It is of concern to the Inspectorate that both staff and people in prison expressed a certain level of unease when it came to raising issues of concern (complaints/ grievances) in the prison.**

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<sup>31</sup> Council of Europe (2012) Code of Ethics for Prison Staff CM/Rec(2012)5, IV(F)(30).

## Prisoner Relationships

- 2.73** Overcrowding in the prison increased the potential for tension and stress amongst people in prison. Due to increased population size, more prisoners spent increased amounts of time in their cells, and had less opportunity to engage in activities and services. A small number of inter-prisoner violent incidents occurred in the prison during the time of inspection. In the days following the inspection, a severe incident of violence occurred in a shared cell, with one prisoner subjected to life-changing injuries.
- 2.74** More than half of prisoner survey respondents indicated they had heard of incidents of bullying by prisoners and physical attacks carried out on prisoners by fellow prisoners. Despite this, prisoners indicated that the person they felt most comfortable discussing their concerns with in the prison was a fellow prisoner.
- 2.75** Like many other prisons in Ireland, Cork Prison faced ongoing issues with contraband being trafficked into the prison. As a result of ongoing issues with narcotics and other types of contraband in the prison, prisoners could accrue debts and find themselves in precarious situations with fellow prisoners.

## 2.76 Relationships & Interactions Assessment

*It was welcome to see positive working relationships across operational staff and service staff. However, reported levels of low staff morale in the prison was a concern; this has the potential to impact negatively on living and working conditions in the prison.*

*Relationships between prisoners and staff were generally good; however, some prisoners expressed fear of reprisals, in the form of transfer to another establishment, if they were to complain or raise issues regarding Cork Prison.*

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## 2.77 RECOMMENDATION

### To the Director General of the Irish Prison Service:

**Recommendation 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.

## C. Non-Discrimination

- 2.78** Under Section 42 of the Irish Human Rights and Equality Commission Act 2014, the Irish Prison Service has a duty to eliminate discrimination and promote equality of opportunity for both prison staff and people in prison.<sup>32</sup> The Prison Rules 2007-2020 also set out a duty on the Governor of a prison to ensure the Rules “are applied fairly, impartially and without discrimination and that all persons to whom these Rules apply are made aware of these Rules and of the consequences of any breach of prison discipline under these Rules”.

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<sup>32</sup> Irish Human Rights and Equality Commission Act 2014, Section 42, Prison Rules, 2007 -2020, Rule 75(5). See also, UN Mandela Rules (2015), Rule 2 and European Prison Rules 2020, Rule 13.

- 2.79** A number of practices at Cork Prison did not account for the differing experiences of imprisonment for people from different backgrounds, and could produce a discriminatory impact on certain groups of people in the prison.
- 2.80** The aforementioned “three-set” clothing policy (sections 2.26 - 2.31) resulted in a form of socio-economic discrimination<sup>33</sup> in that people with lesser financial means, or whose families were not located in Ireland, were less able to fulfil the ‘three-set’ requirement. People in this situation wore prison clothing for long periods of time, unlike those who had access to money/family support.
- 2.81** During COVID-19, a policy was introduced across the prison estate prohibiting families of people in prison from delivering personal belongings to the prison in-person. This had a similar socio-economic impact on people who did not have the financial means to send items to prisoners through the postal system. Prisons were directed to reverse this policy in late-2022<sup>34</sup>, however it remained in place in Cork Prison in March/April 2023.
- 2.82** While 49% of prisoners who responded to the survey (49 of 100) reported that they did not feel they were discriminated against in the prison, 18% reported experiencing discrimination on grounds of their membership of the Traveller Community, 10% reported experiencing discrimination due to their nationality and 7% reported discrimination due to their race/ethnicity. A small number of prisoners, particularly those not from Ireland, indicated that they felt that prison staff had been racist towards them.
- 2.83** More than 70% of prison staff who responded to the staff survey (75 of 104) indicated they did not consider that they were discriminated against or treated unfairly in the prison. However, 12% of prison staff (12 of 104) reported feeling discriminated against on grounds of gender.
- 2.84** Approximately 34% of prison staff survey respondents (37 of 108) reported that they did not feel adequately trained in cultural awareness and sensitivity, and 50% of staff (54 of 108) felt satisfied with the training they received in human rights.
- 2.85** Foreign national prisoners, particularly those who did not speak English, appeared to face particular challenges in the prison. They were not provided with ready access to interpreters, and information available in other languages was very limited (sections 2.90 - 2.96). Consequently, they relied heavily on other prisoners to learn about the prison and the services available to them. Some foreign national prisoners also reported that they felt their queries had been dismissed or ignored because prison officers could not easily understand them.

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<sup>33</sup> Discrimination on grounds of socio-economic status is defined by the Irish Human Rights and Equality Commission as “key practical and identifiable features of difference across social classes” including the following indicators: family background such as inter-generational history of occupation; Geographical location such as living in areas of relatively high concentrations of socio-economic disadvantage; House tenure or home ownership; Educational background; and Economic situation.” See, IHREC (2017) Observations on the Equality (Miscellaneous Provisions) Bill 2017.

<sup>34</sup> Houses of the Oireachtas, Prison Service, Tuesday 29 November 2022.

## 2.86 Non-Discrimination Assessment

*Positively, the vast majority of prisoners and staff reported they had not experienced discrimination in the prison. However, policies on clothing and personal property could have a discriminatory impact on people with less financial means, and/or who were not from Ireland; this could amount to a form of socio-economic discrimination.*

*Some foreign national prisoners reported negative experiences, including exposure to racism, in the prison, and there was insufficient information (in an understandable language and form) provided to non-English speaking prisoners.*

## 2.87 RECOMMENDATION

### To the Governor of Cork Prison:

**Recommendation CK23-4:** In line with Section 42 of the Public Sector Duty, the prison should work towards eliminating all forms of discrimination within Cork Prison, with due consideration to, inter alia, (i) clear communication of staff obligations under the Duty, (ii) provision of reasonable accommodations to ensure accessibility, (iii) and means to allow for the expression of one's identity and beliefs.

## D. Information

**2.88** The Prison Rules 2007-2020, Rule 13, requires that all people in prison be provided with an information booklet which outlines their entitlements, obligations and privileges while in the prison. The European Prison Rules (2020) also require that prisoners be provided as often as necessary with information in a language they understand, about the regulations governing prison discipline and their rights and duties in the prison.<sup>35</sup>

The CPT previously recommended that Irish authorities should take steps to ensure that foreign nationals and prisoners with reading and writing difficulties be provided with information on the regime in the establishment and on their rights and duties in a language they understand and that this information should be provided both in writing and orally.<sup>36</sup>

**2.89** Upon committal, prisoners were provided with an English-language Irish Prison Service Information Booklet. This booklet was not available in other languages, and was not available in a form accessible to people who could not read (i.e., an audio or graphic version).

Many prisoners felt well-informed about the rules in the prison, with 57% of prisoners (80 of 140) who responded to the survey indicating the prison rules were explained to them in a manner and language they could understand. However, some prisoners reported that their knowledge of the prisons' rules and policies was acquired primarily through engagement with other prisoners, and not because they were informed by prison staff. For example, prisoners indicated, "*When I first came in I was told nothing about prison not even how to get a phone call or do laundry*", and "*Nothing (was) explained to me in beginning. Prisoners told me more about available services than staff.*"

<sup>35</sup> Prison Rules 2007-2020, Rule 13 and European Prison Rules (2020), Rule 30.

<sup>36</sup> CPT (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.](#)

- 2.90** Complaint forms were only available in English, and there was no mechanism, other than a request to meet the Governor (Rule 55), by which prisoners who could not read or write could submit a confidential complaint. Similarly, committal forms were only available in English. Many prisoners indicated they were not aware of their entitlement to write to the Inspectorate, and other designated bodies, under Rule 44 of the Prison Rules 2007-2020. The Inspectorate directly issued information on Rule 44, and contact information for the Inspectorate, to all prisoners during the inspection.
- 2.91** The Inspectorate encountered a number of foreign national prisoners, who because of their limited understanding of English remained unaware of common policies in the prison. For instance, one prisoner did not know he needed to complete an application form in order to be supplied with new clean clothing. Consequently, he had not been supplied with his personal clothing until the Inspectorate intervened on his behalf.
- 2.92** As noted, at the time of inspection, 12% of prisoners in Cork Prison were not from Ireland. Despite accommodating foreign national prisoners from non-English speaking countries, interpretation services were only employed in Cork Prison on six occasions over a span of six months.
- 2.93** When people committed to the prison did not speak English, prison staff used online translation tools or requested that fellow prisoners come to the committal area to translate during committal interviews. Given the sensitive nature of committal interview questions, which include information about next-of kin, previous and current mental health issues and fears for safety in the prison, it was not appropriate that the prison had to resort to fellow prisoners as surrogate interpreters. This put prisoners in a potentially unsafe position, and had implications for protection of personal data, as set out in Rule 16 of the 2020 European Prison Rules: “All information collected at admission and thereafter shall be kept confidential and made available only to those whose professional responsibilities require access to it”.
- 2.94** Resettlement coordinators also relied on fellow prisoners and online translation tools to communicate with prisoners who did not speak English. This was particularly relevant, and challenging when prisoners were required to complete resettlement forms, including forms to grant consent to share personal data with other agencies and organisations.
- 2.95** In 2021, the Inspectorate determined that “Non-English speaking prisoners acting as interpreters/ translators, by virtue of holding and sometimes sharing personal information, may be placed in compromising and/or embarrassing situations which may impact on their safety and security in the prison.”

The Inspectorate recommended at that time that Cork Prison management, in line with Section 42 of the Public Sector Duty, ensure that foreign national and non-English speaking prisoners be provided with equal access to information and that positive measures be taken to ensure the protection of the rights of non-English speaking and foreign national prisoners. In response, the Irish Prison Service committed to ensuring that “interpreters are used for all committal interviews and for sentence planning purposes.”

**2.96** In March 2023, the Prison Service indicated, by way of a Self-Assessment recommendation update:

*“Interpreter services are provided on request both in person and online. The Prison In cell TV channel is in place in prisons and provides for information dissemination in cell. Content can be uploaded and played in any language for different programmes as required. Complementary modes of information dissemination to include subtitles can also be played on the Prison In Cell TV channel.”*

**2.97** Unfortunately, at the time of the 2023 inspection, prison staff reliance on fellow prisoners and online translation tools remained commonplace as methods to communicate with prisoners who did not speak English.

**2.98 Information Assessment**

*The great majority of prisoners felt well-informed in the prison, and had a clear understanding of the rules and regulations.*

*However, prisoners who did not speak English faced challenges with provision of information and communication in the prison. Previous recommendations made by the Inspectorate to improve access to information and communication for prisoners who do not speak English were yet to be fully implemented.*

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**2.99 RECOMMENDATIONS**

**To the Director General of the Irish Prison Service:**

**Recommendation 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. [See also, CKCT18].<sup>37</sup>

**To the Governor of Cork Prison:**

**Recommendation CK23-5:** All information materials and forms, including committal, complaints and resettlement documentation, should be developed and readily available in all applicable languages spoken by people in custody. In addition, as is being developed in Cloverhill Prison, Cork Prison (and all committal prisons across the estate) should create an introductory committal video, available in all necessary languages.<sup>38</sup> [See also, CKCT5 and Mr C 2022, Recommendation 4.]

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<sup>37</sup> CKCT18 (August 2021): The Inspectorate recommends that qualified interpreters be made available, either in-person or through videolink, to assist prisoners and the resettlement team in Cork Prison to ensure information is conveyed accurately and effectively over the course of the resettlement preparation process.

<sup>38</sup> CKCT5 (August 2021): In line with Section 42 of the Public Sector Duty, the Irish Prison Service must ensure that Foreign National and non-English speaking prisoners have equal access to provision of information. It must also enact positive measures to ensure the protection, promotion and fulfilment of the human rights of non-English speaking and Foreign National prisoners, including the right to private and family life (ECHR Article 8, European Prison Rules, Rule 37.1).

## 3 SAFETY & SECURITY

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- 3.1** In line with A Framework for the Inspection of Prisons (2020), the Inspectorate assesses how prisoners and staff experience *Safety & Security* in prisons. Drawing on national legislation and international standards, the Inspectorate evaluates performance across four themes:
- A. Record-Keeping:** the extent to which official records are accurately and effectively maintained
  - B. Regimes:** how the prison responds operationally to safety and security issues
  - C. Complaints:** the functioning of the prisoner complaints system, in line with Rule 57B of the Prison Rules 2007-2020
  - D. Disciplinary Processes:** the manner by which discipline is carried out in the prison, and to what effect
- 3.2** Based on the Inspectorate’s evaluation of Safety & Security in Cork Prison, an Immediate Action Notification was raised on 3 April 2023 (see, [section 1.C](#))

### A. Record-Keeping

- 3.3** As outlined under various provisions of the Prison Rules, 2007-2020 transparent and up-to-date record keeping is essential to the safety and security of persons detained in a prison setting.<sup>39</sup> Reasons for the importance of record keeping are three-fold as it: (i) contributes to good management of the prison, (ii) guarantees the protection of the rights of persons in custody and (iii) enhances data management with a view to facilitating individualised care.<sup>40</sup>

All custodial records, including the electronic records maintained in the Prisoner Information Management System (PIMS), must be regularly updated including where relevant, with recent photographs. Records such as class officer journals and reports between Assistant Chief Officers, night guard books and other systems designed to reduce corporate risk are equally if not more important, where staff can find themselves involved in unsubstantiated allegations.

Accurate operational record-keeping of a contemporaneous nature is essential if safety and security are to be maintained by the prison.

- 3.4** In the course of the inspection, the Inspectorate noted significant deficiencies in record-keeping including: inconsistent use of logbooks, dates not completed/out of order, and insufficient detail being recorded, especially of incidents that occurred in prison accommodation and on landings.

As during the inspection of Mountjoy Prison, there was a reliance on emails between ACOs to share shift handover information.

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<sup>39</sup> Prison Rules, 2007-2020, Rules 4, 8, 10, 11, 14, 34, 55, 60, 62, 63, 64, 65, 78, 80, 83, 102, 105, 107. See also, [UN Mandela Rules \(2015\), Rule 6 and European Prison Rules \(2020\) Rule 16A.1.](#)

<sup>40</sup> See Association for Prevention of Torture, [Files and Records](#), and UNODC (2008) [Handbook on Prisoner File Management](#).

- 3.5** The NIMS system, which is designed to alert the State Claims Agency to matters that may involve future financial liabilities, was the only centralised means of recording significant incidents in which prisoners or staff were injured. Details recorded in the NIMS system were minimal.
- 3.6** As was found during the 2022 inspection of Mountjoy Men’s Prison, staff at Cork Prison were experiencing genuine difficulties in ensuring that all relevant information systems remained appropriately updated. Senior Officers up to and including Chief Officer 1 level spent significant amounts of their time completing elementary administrative tasks. This was due to under-resourcing in the prison’s administration offices. Equally, administrative staff at junior grades were struggling with very heavy workloads of a complex and sensitive nature, such as verifying the validity of committal warrants.

### **3.7 RECOMMENDATIONS**

#### **To the Director General of the Irish Prison Service:**

**Repeat Recommendation DG22-4** (*recommendation also made in relation to Mountjoy Men’s Prison*): 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.

#### **To the Governor of Cork Prison:**

**Recommendation CK23-6:** The Governor of Cork Prison must ensure that both electronic and paper-based record-keeping are comprehensive, accurate, timely and transparent in all key areas, in compliance with various provisions of the Prison Rules 2007-2020, and that ensuring good record-keeping is embedded in the prison amongst all staffing ranks.

## **B. Regimes**

### **Restricted Regimes**

- 3.8** As provided for under the Prison Rules 2007-2020, people in prison who are placed on a restricted regime must be appropriately accommodated to ensure their safety, as well as the safety of others.

Rule 63 of the Prison Rules provides for the protection of vulnerable prisoners:

*A prisoner may, either at his or her own request or when the Governor considers it necessary, in so far as is practicable and subject to the maintenance of good order and safe and secure custody, be kept separate from other prisoners who are reasonably likely to cause significant harm to him or her.*

People accommodated on regimes that are particularly restrictive, that is 22 or more hours each day in their cell, with less than two hours of meaningful human contact, experience conditions of solitary confinement.<sup>41</sup>

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<sup>41</sup> UN Mandela Rules (2015), Rule 44.

People held in these conditions for periods in excess of 15 days experience *prolonged solitary confinement*, which has significant negative impacts on a person’s health and wellbeing. The CPT makes clear that “special efforts should be made to enhance the regime of those kept in long-term solitary confinement, who need particular attention to minimise the damage that this measure can do to them.” The imposition of solitary confinement should always be used as a last resort and should not be used for prisoners with physical or mental disabilities.<sup>42</sup>

In 2017, the Irish Prison Service committed to the elimination of solitary confinement across the prison estate.<sup>43</sup>

**3.9** **Table 3** provides a breakdown of the number of prisoners on a particular restricted regime, as well as the relevant Rule applied by the prison, under the Prison Rules 2007-2020.

**Table 3: Prisoners on Restricted Regimes (26 March 2023)**

| Restricted Regime                            | Numbers   |
|--|-----------|
| Rule 62 - Removal on Grounds of Order        | 2         |
| Rule 63 - Protection of Vulnerable Prisoners | 40        |
| Rule 64 - Special Observations               | 0         |
| Rule 80 - Special Monitoring of Prisoner     | --        |
| Rule 103 - Recommendations of Prison Doctor  | --        |
| <b>Total Number on a Restricted Regime</b>   | <b>42</b> |

### 3.10 RECOMMENDATIONS

**To the Director General of the Irish Prison Service:**

**Repeat Recommendation DG22-6** (*recommendation also made in relation to Mountjoy Men’s Prison*): 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, such as conflict mediation and restorative justice practices 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.

### Prisoner and Staff Safety

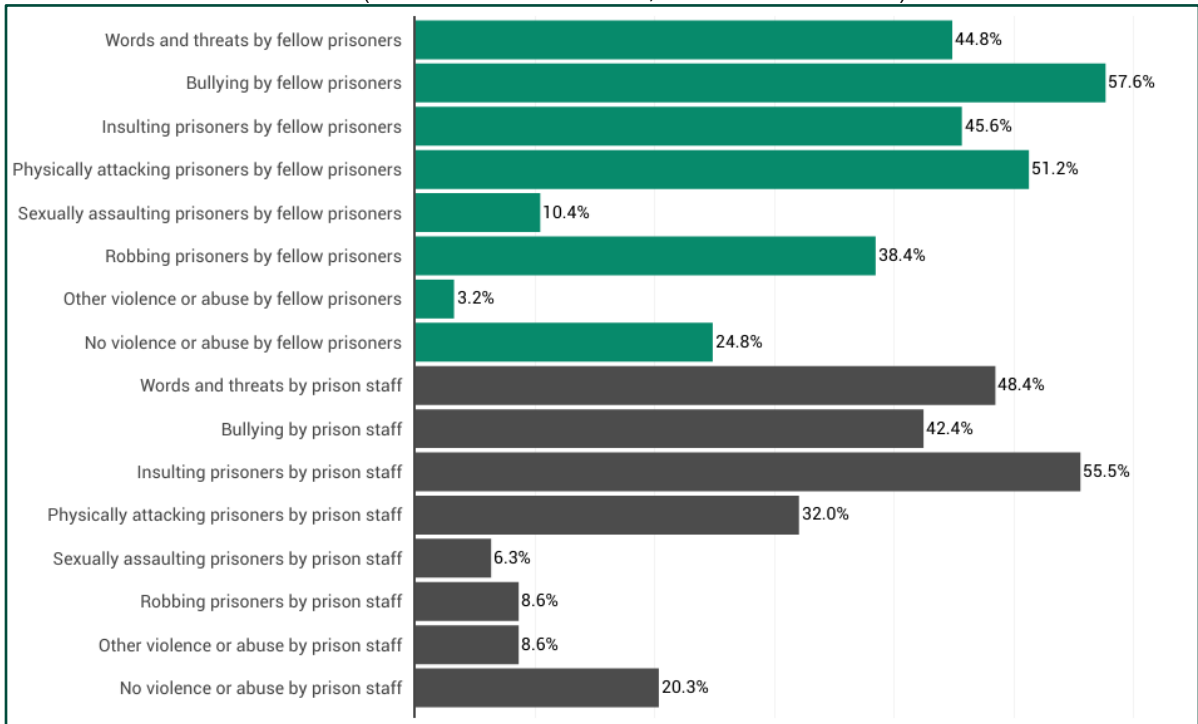
**3.11** Prisoner and staff survey respondents alike reported hearing about incidents of violence and assault in Cork Prison (**Figures 9 and 10**).

<sup>42</sup> UN Mandela Rules (2015), Rule 45.

<sup>43</sup> IPS (2017) Elimination of Solitary Confinement.

**Figure 9: Prisoner Reports of Violence (%)**

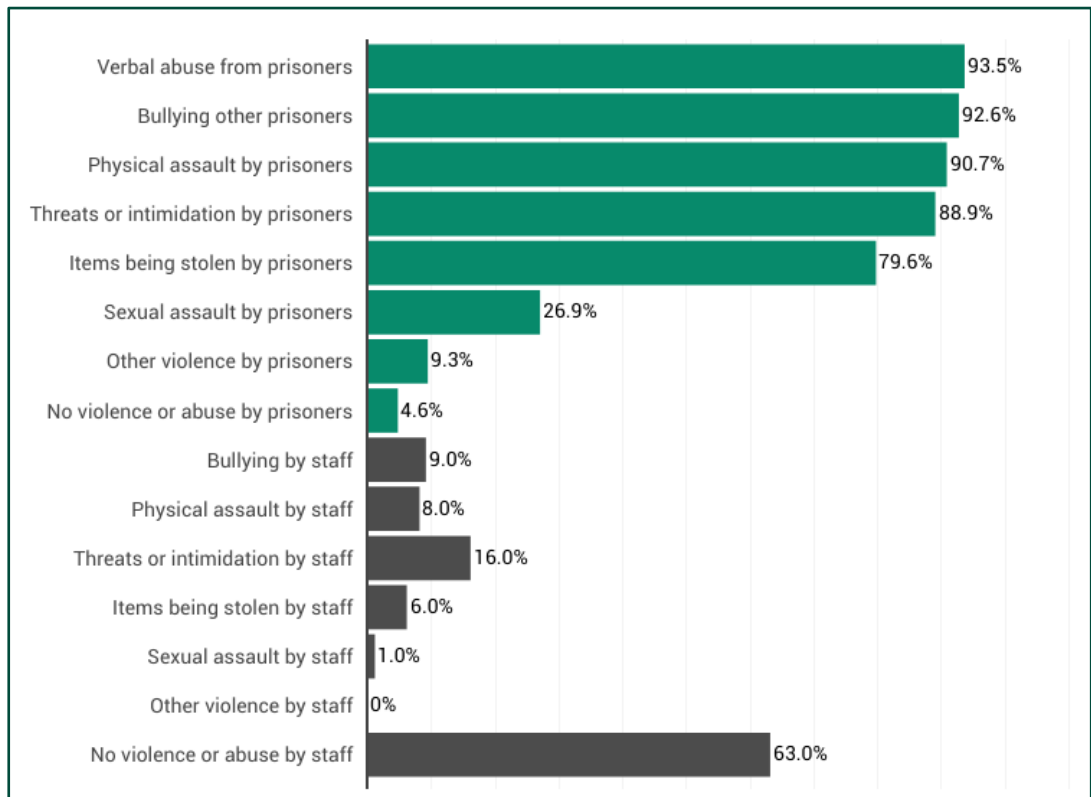
(Prisoner violence: n = 125; Staff violence: n = 128)



**3.12**

**Figure 10: Staff Reports of Violence (%)**

(Prisoner violence: n = 108, Staff violence: n = 100)



## Staffing

**3.13** The European Prison Rules (2020) establish that prison management must ensure prisons operate at consistently high standards and are adequately staffed in order to maintain a safe environment.<sup>44</sup> Prison staff should be deployed in a fashion that enables a minimum guaranteed level of safety and security, while ensuring access to rehabilitation activities for people in prison.

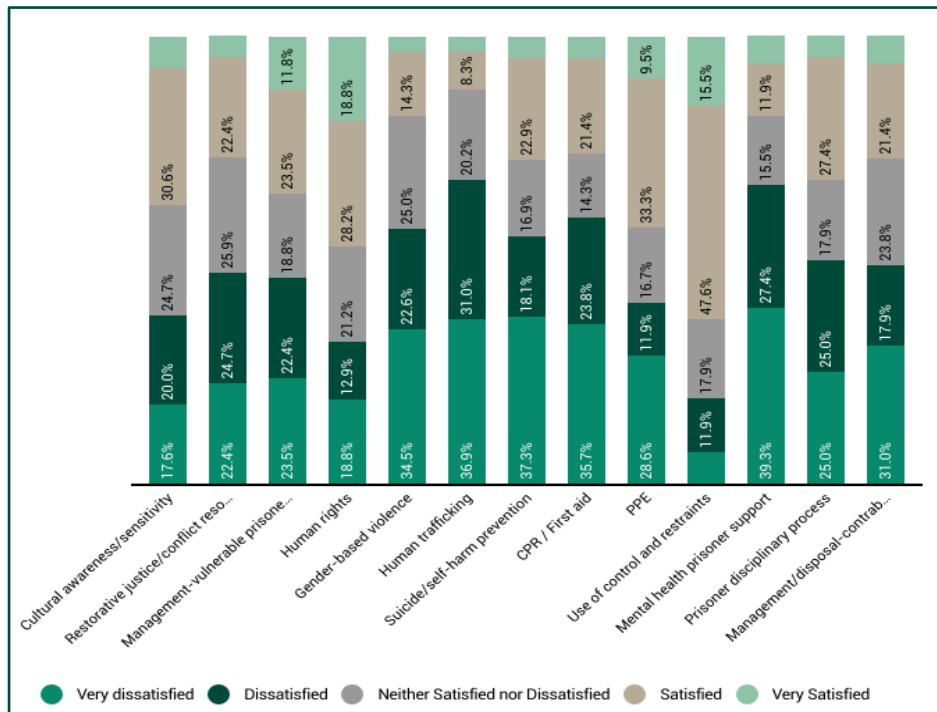
International standards set out that all frontline staff working in prisons should have, maintain and improve their knowledge and professional capacity, and that prison administration should ensure continuous provision of in-service training courses. In particular, staff who work with specific groups of prisoners, for example foreign national prisoners, women or mentally ill prisoners, must be given specific training for their specialised work.<sup>45</sup>

Moreover, alongside the role played by prison staff in direct contact with people in prison, there is a vital requirement for administrative staff to ensure the smooth running of policies and procedures.

Cork Prison was experiencing a number of staff vacancies, managerial and prison officer vacancies, at the time of inspection. Four clerical staff had resigned in the last year.

**Figure 11: Operational Staff Reports of Training Satisfaction Levels**  
(n = range between 83 and 85 respondents)

**3.14**



<sup>44</sup> European Prison Rules (2020), Rule 83

<sup>45</sup> European Prison Rules (2020), Rule 81.2 and 81.3, UN Mandela Rules (2015), Rules 75.1, 75.3

A large number of operational staff survey respondents in Cork Prison did not feel they were adequately trained (**Figure 11**). In particular, they identified mental health prisoner support, human trafficking and CPR / First Aid as areas in which they were unsatisfied with the level of training they had received.

## C. Complaints

- 3.15** The European Committee for the Prevention of Torture (CPT) sets out that the principles of a strong prisoner complaints system must include: availability, accessibility, confidentiality/safety, effectiveness and traceability. In order to be effective a complaints system must be perceived to be fair as well as independent from the agency responsible for persons deprived of their liberty.<sup>46</sup>

The UN Mandela Rules (2015), Rule 57.2 and the European Prison Rules (2020) Rule 70.9 requires that complainants must not be subjected to negative consequences, including reprisal or intimidation as a result of raising a complaint. As part of a complaints system, it is important that prisoners are facilitated to effectively participate in the complaints process, which includes being provided with practical information about complaints procedures.<sup>47</sup>

While the Inspectorate does not investigate individual complaints, under Rule 57(B) of the Prison Rules 2007-2020, it does play a role in the oversight of the prisoner complaints system.

For many years, the Office of the Inspector of Prisons has deemed the Irish Prison Service Complaints System to be unfit for its purpose.<sup>48</sup>

- 3.16** In addition to its role in the oversight of prisoner complaints, the Inspectorate also receives and responds to confidential correspondence from prisoners, under Rule 44 of the Prison Rules 2007-2020. All people in prison custody are entitled to send and receive letters from the Inspectorate in confidence.
- 3.17** Reported prisoner confidence in the complaints system was very low. More than half of prisoner survey respondents did not feel safe making a complaint in the prison, and similarly more than half of prisoners did not think the complaint systems work well (**Figure 12**). However, nearly three-quarters of prison staff survey respondents thought the prisoner complaint system worked well.

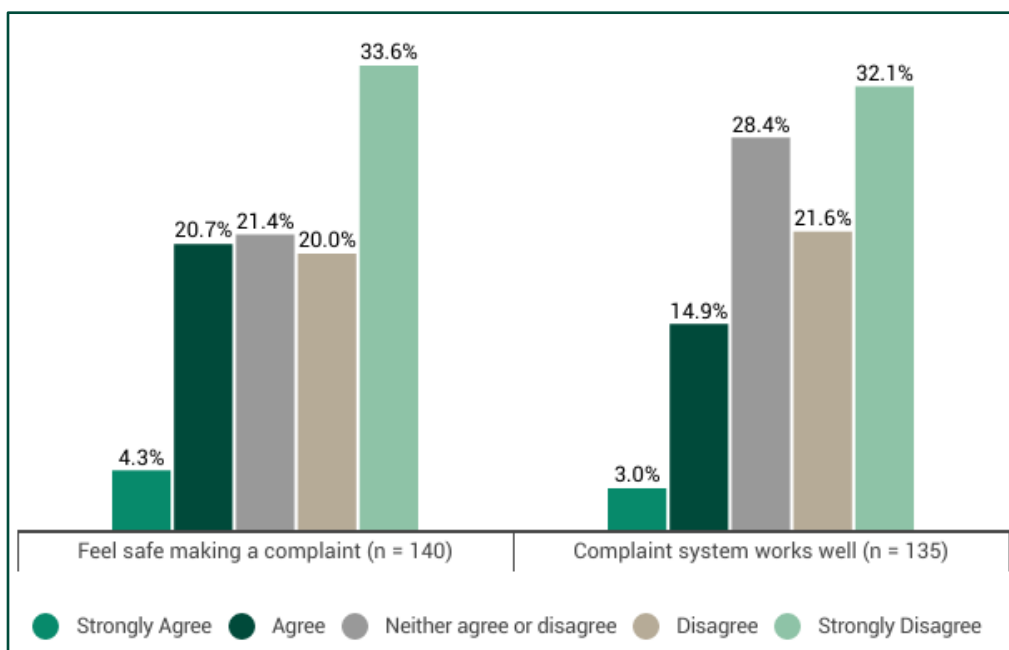
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<sup>46</sup> CPT (2018) Complaints Mechanisms.

<sup>47</sup> European Prison Rules (2020), Rule 70.1, 70.4 and 70.6.

<sup>48</sup> OIP (2020) Annual Report 2020, pg. 24; OIP (2021) Annual Report 2019, pg. 42; and OIP (2018) Annual Report 2018, pg. 14; and OIP (2016) Review, Evaluation and Analysis of the Operation of the present Irish Prison Service Prisoner Complaints Procedure.

Figure 12: Prisoner Reports on Complaints System



### 3.18 RECOMMENDATIONS

#### To the Minister for Justice:

**Repeat Recommendation MDOJ22-3** (*recommendation also made in relation to Mountjoy Men's Prison*): 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.

## D. Disciplinary Processes

- 3.19** International human rights standards provide that disciplinary procedures should be mechanisms of last resort. Alternative restorative mechanisms should be used to resolve disputes in the prison. Prisoners charged with disciplinary offences should be informed promptly in a language they understand, have adequate time and facilities to prepare their defence, be allowed to defend themselves or be provided with legal assistance, request the attendance of witnesses, and have the free attendance of an interpreter if so required. The severity of any punishment imposed shall be proportionate to the offence committed.<sup>49</sup>

<sup>49</sup> European Prison Rules 56.1, 56.2, 59, 60.2 and UN Mandela Rules (2015) Rules 36, 38 (1), 39(2) and 41.

### **3.20 Disciplinary Processes**

There were 173 P19s issues over a five month period (September 2022 to February 2023). The Inspectorate's review of the P19 paperwork at Cork Prison indicated that disciplinary processes were conducted in a fair manner and the sanctions imposed were proportionate. However, as was found during the 2022 inspection of Mountjoy Men's Prison, the P19 process was being used as a surrogate incident recording system.

### **3.21 RECOMMENDATIONS**

**To the Director General of the Irish Prison Service & Governor of Cork Prison:**

**Recommendation DG22-9 / CK23-7:** The Director General of the Irish Prison Service and the Governor of Cork Prison should ensure a clear demarcation between incident recording and the P19 (disciplinary sanction) recording system.

## 4 HEALTH & WELLBEING

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- 4.1** People living in prison should have access to a standard of healthcare equivalent to that in the outside community.<sup>50</sup> It follows that prisoners should not be constrained to live in conditions which are “detrimental to their health”, “make their health deteriorate” or have “no or poor access to health care services”.<sup>51</sup>

Primary healthcare for people living in prisons should take account of their distinctive needs, including a higher prevalence of mental illness, substance abuse disorders, infectious diseases, and intellectual disabilities, that require targeted service provisions and management strategies.<sup>52</sup> Prisons also accommodate an over-representation of marginalised people whose pre-existing health inequalities have often led to them being in generally poor health and/or having chronic untreated diseases.<sup>53</sup>

- 4.2** The general inspection of Cork Prison included an assessment of the health of people in the prison, including the health services available to them and factors that could impact on their health outcomes. This assessment was carried out in line with the healthcare standards established by the European Committee for the Prevention of Torture (1993), the Council of Europe Recommendation on Ethical and Organisational Aspects of Healthcare in Prison (1999) and the Irish Prison Service Healthcare Standards (2011).

In addition, the assessment of Health and Wellbeing in Cork Prison is rooted in the “Availability, Accessibility, Acceptability and Quality (AAAQ)” Healthcare Assessment Framework, as set out by the United Nations Committee on Economic, Social and Cultural Rights General Comment Number 14 on the Right to the Highest Attainable Standard of Health.<sup>54</sup>

Unconvicted prisoners have distinct healthcare rights to that of sentenced prisoners as provided for under Irish law. Unconvicted prisoners have the right to access private healthcare<sup>55</sup>. Where an unconvicted prisoner requests to be provided with medicine, equipment or access to facilities as prescribed by a registered general practitioner or registered dental practitioner, the Governor should arrange for its provision. An unconvicted prisoner in receipt of private healthcare or provision of medicine or equipment is required to pay the expenses themselves.<sup>56</sup>

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<sup>50</sup> [UN Mandela Rules \(2015\) Rule 24.1](#); CPT. (1993) [Health Care Services in Prisons](#); Danish Institute Against Torture - Dignity (2021) [Monitoring Health in Places of Detention: An Overview for Health Professionals](#).

<sup>51</sup> Danish Institute Against Torture (Dignity) (2021) [Monitoring Health in Places of Detention](#).

<sup>52</sup> Kennedy, HG et al (2004) [Mental Illness in Irish Prisoners](#). National Forensic Mental Health Service.

<sup>53</sup> [WHO Regional Office for Europe \(2023\) Status Report on Prison Health in the WHO European Region 2022](#).

<sup>54</sup> UN CESCR. [General Comment No. 14 on the Right to the Highest Attainable Standard of Health](#).

<sup>55</sup> [Rule 73, Prison Rules, 2007](#).

<sup>56</sup> [Rule 74 Prison Rules, 2007](#)

**4.3** Drawing on national legislation and international standards, the Inspectorate evaluates *Health & Wellbeing* performance across four themes:

- A. Healthcare Resources:** available healthcare services and staffing, prison environment and healthcare technologies and infrastructure
- B. Healthcare Delivery:** healthcare services available to prisoners, waitlists to access services, equivalence and continuity of care, barriers to access, staff training, and measures taken to address the needs of the prisoner population
- C. Healthcare-Informed Decision-Making:** healthcare input into operational decision-making, healthcare assessments on committal and in relation to isolation
- D. Patient Experience:** patient-centred considerations in provision of healthcare services, patient voice on experience of healthcare engagement and confidentiality assurances

## A. Healthcare Resources

**4.4** International standards outline the importance of aligning medical services in prisons with the general health administration in the community, with an emphasis on the integration of prison healthcare with national health policy.<sup>57</sup> Prison authorities are responsible for safeguarding the health of prisoners in their care. This includes ensuring every prison has at least one qualified General Practitioner<sup>58</sup>, and that prisoners also have access to qualified psychiatrists, psychologists, dentists, opticians and other specialists.<sup>59</sup> In addition, prison medical units should be equipped with appropriate medical equipment<sup>60</sup> suited to the needs of the prisoner population, including technologies to support the delivery and administration of healthcare services.

In Ireland, the provision of healthcare in prisons remains the responsibility of the Department of Justice, rather than the Department of Health. The Minister is responsible for making arrangements related to the provision of primary healthcare services in each prison, and appoints the Director of Prison Healthcare Services of the Irish Prison Service.<sup>61</sup> In addition, the Minister may be involved in decision-making in respect of the number of approved posts for doctors and nurses, as well as the provision of other healthcare services in prisons.<sup>62</sup>

## Healthcare Services & Staffing

**4.5** Healthcare services available in Cork Prison included general practice and nursing, psychology, psychiatry, and addiction and drug use treatment.

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<sup>57</sup> European Prison Rules (2020), Rules 40.1 and 40.2.

<sup>58</sup> European Prison Rules (2020), Rules 41.1.

<sup>59</sup> European Prison Rules (2020), Rules 41.5. In addition, see European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) (1993) [Health Care Services in Prison](#) and European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2017) [Inspection of a Prison Medical Service by a CPT Doctor Checklist](#).

<sup>60</sup> CPT (2017) [Inspection of a Medical Service by a CPT Doctor-Checklist](#)

<sup>61</sup> Prison Rules 2007-2020, Rule 99(1).

<sup>62</sup> Prison Rules 2007-2020, Rule 99(2-5).

- 4.6** As is the case for all prisons in Ireland, general practice and nursing healthcare services and staffing were provided for by the Irish Prison Service; the Health Service Executive (HSE) did not operate or oversee these healthcare services in the prison. Staffing shortages could not be addressed by drawing upon HSE staff, and the regulatory body designated to assess healthcare quality in the community, the Health Information and Quality Authority (HIQA), did not carry out oversight of healthcare services in Cork Prison.
- 4.7** The staffing complement for in-prison healthcare services available to people in Cork Prison is set out in **Table 4**.

**Table 4: Cork Prison Multidisciplinary Primary Care Team**

| Healthcare Staff                           | Description   |
|--|---|
| General Practice                           | 1 Full-time GP  |
| Nurses                                     | 1 Chief Nurse Officer, 11 Nurses (10 Full-Time)<br>Each day: 2-3 Nurses rostered, 1 Nurse on at night |
| Psychologists                              | 1 Senior Grade Psychologist<br>1 Staff Grade Psychologist (leave)<br>2 Assistant Psychologists        |
| Addiction Counsellor                       | 2 Full-time Counsellors – Merchants Quay  |
| Consultant Psychiatrist                    | 1 Part-time Psychiatrist (.3 WTE)   |
| Psychiatry Registrar                       | 1 Part-time (.6 WTE), 8 clinics a week  |
| Psychiatry Clinical Nurse Specialist (CNS) | 1 Part-time (.6 WTE)  |
| Psychiatry Advanced Nursing Practice (ANP) | 1 Part-time (.6 WTE) (50% funded by NFMHS)  |
| Forensic Psychiatry Nurse                  | 1 Part-time   |
| Social Worker                              | .6 Social Worker (100% funded by NFMHS)<br>(supported by trainee Social Worker)                       |

- 4.8** The psychiatry in-reach team was funded by HSE South, as well as supported by in-reach staff from the National Forensic Mental Health Service Hospital.

- 4.9** Prisoners could request access to healthcare services in a variety of ways. These included: through screening at the committal stage, approaches made to staff (Prison Officers, Nurses, Psychologists, Addiction Counsellors) on landings (by prisoners and/or other staff), through contact with staff whilst participating in group sessions, such as psychology groups, or when proactively seen by the psychology team (for example, prisoners involved in violent offences, those in receipt of life sentences, and prisoners aged 18 to 24).
- 4.10** In addition to in-prison healthcare services, the prison also offered external, including secondary/tertiary level (hospital-based) healthcare. External services available to prisoners, included chiropody, dental treatment, ophthalmic health services and physiotherapy. Prisoners could be referred to hospital-based services including the local Emergency Department, Medical Assessment Unit and the Minor Injury Unit (Mercy Injury Unit).
- 4.11** The Inspectorate found that the availability of and access to a multidisciplinary care team, which included general practice, psychiatry, nursing, psychology, addiction services, social work, pharmacy, dentistry, optician, and chiropodist service, supported positive healthcare outcomes for prisoners.

## Environment

### Physical Setting & Infrastructure

- 4.12** Access to healthcare services benefitted from a degree of prioritisation in the prison's Regime Management Plan, whereby the posts assigned to escort prisoners to attend general practice and hospital-based appointments were not often redeployed to other operations in the prison.

However, certain posts, such as prisoner officer escorts to addiction and drug treatment services, were not supported to the same extent.

- 4.13** A number of features of Cork Prison promoted better mental and physical health, including pleasant artwork in various areas including the medical unit and an exercise track (for prisoners on the Enhanced regime).

The infrastructure of the prison was not optimal to support prisoners with disabilities or musculoskeletal issues. For example, the healthcare unit was not equipped with a hoist and the quality of mattresses provided to some prisoners was inadequate (see, section 2.34).

The development of infrastructure to support prisoners with neurodiversities required more attention, particularly given that 27% of prisoners surveyed (35 of 128) reported having a learning/intellectual or sensory disability. A large number of prison staff survey respondents (64 of 111 (58%)) also indicated that they considered that the quality of support services for prisoners with disabilities was poor/very poor.

Ventilation in the prison's cellular accommodation was poor, and there was a noticeable odour of cigarette smoke on prison landings.

- 4.14** A number of prisoner services shared designated meeting rooms, resulting in constraints in access to these rooms across the different prisoner healthcare services. An increase in designated spaces to facilitate group workshops and individual-based therapies would benefit psychology engagement with prisoners.
- 4.15** In relation to the Vulnerable Prisoners Unit, which accommodated prisoners with enhanced medical needs, staff raised concerns about the safety of the cellular accommodation. For example, the materials used for the sanitary facilities could be broken and used to injure.
- 4.16** Also of concern was the lack of access to occupational therapy and the absence of a therapy room for the cohort of prisoners in the Vulnerable Prisons Unit, whose out-of-cell time was severely restricted. The Inspectorate welcomes the plan to install a therapy room for these prisoners.

### **Technologies**

- 4.17** The prisons' general practice was well-equipped, including 24-hour blood pressure monitoring, ECG, hand therapy balls and a camera to document skin lesions. The healthcare service operated within a supportive environment where staff could request equipment as needed.

However, the healthcare service lacked administrative and technical system supports.

- 4.18** The healthcare service referral process was not sufficiently integrated. For example, the primary healthcare service relied on the digital Prisoner Healthcare Management System (PHMS) to manage prisoner healthcare. This system was restricted to access by the primary healthcare team, and was not integrated across services. For instance, the psychology electronic medical record system was not linked to the PHMS, which resulted in time-consuming and cumbersome referral processes between the two services. Users of both the PHMS and psychology record system indicated that joined-up access would be beneficial to ensuring a streamlined and effective referral service.

The PHMS was also limited in its capacity; for example, there was no mechanism by which to flag potential drug interactions.

- 4.19** Healthcare staff, particularly nursing staff, were not sufficiently supported by a cohort of administrative staff, and as a result carried out a significant level of administrative duties; this impacted on time available to engage with patients.

As noted in the 2022 IPS Healthcare Needs Assessment, nursing staff in many prisons could frequently be required to undertake administrative or routine tasks not directly related to healthcare services, which impacts on their ability to perform clinical functions.<sup>63</sup>

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<sup>63</sup> Irish Prison Service (2022) Health Needs Assessment for the Irish Prison Service, Section 4.6.3

#### 4.20 Healthcare Resources Assessment

*There was a multidisciplinary approach to the provision of healthcare services to the people in Cork Prison, which promoted positive healthcare outcomes.*

*Healthcare services, for the most part, were supported operationally by the consistent provision of prison escort staff; however, access to designated meeting and therapy rooms was a challenge for service providers.*

*The infrastructure in the prison was not adequate to support the needs of people with disabilities. Ventilation in cellular accommodation was poor, and complaints about the quality of mattresses were omnipresent.*

*There was a need for additional administrative staff to support healthcare providers.*

*Technologies used to document and track healthcare services were not sufficiently interconnected, resulting in arduous referral processes.*

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#### 4.21 RECOMMENDATIONS

##### **To the Director General of the Irish Prison Service:**

**Repeat Recommendation MHT22 (2023):** It is recommended that the lack of mutual access to clinical records and documentation between psychology and other clinical disciplines is overcome. Even if certain information is deemed highly confidential and remains restricted, broader mutual access to certain core information should be facilitated, particularly when it relates to key risks to self and others.

##### **To the Governor of Cork Prison:**

**Recommendation CK23-8:** The effectiveness of the ventilation system in Cork Prison should be reviewed in order to provide a cleaner air environment. In the meantime, consideration should be given to accommodating smoking and non-smoking prisoners in different cells in order to reduce the risks associated with passive smoking.

## B. Healthcare Delivery

- 4.22** Primary health care must be available to people in prison whenever needed. Access to secondary health care and hospital care, upon advice of a prison doctor, should be guaranteed by employed or contracted specialists, particularly psychiatrists, and by fully-equipped hospitals whenever needed. Appropriate arrangements must be in place for immediate medical care at any time in emergency situations. Unimpaired access to healthcare in prisons implies that prison managers and administrations should ensure appropriate health care professionals are available in prison, and good communication and co-operation takes place with health care professionals and hospital facilities outside prisons.<sup>64</sup>

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<sup>64</sup> Council of Europe (2019) Organisation and Management of Health Care in Prison Guidelines, pg. 22.

## Primary Healthcare

### General Practice

- 4.23** Wait time to attend an appointment with the General Practitioner was reported by the prison to be approximately one week from the point of request. This could be reduced to within a 24-hour time period, dependent on clinical urgency, but efforts will be required to improve this level of service.

General Practice working hours were 08:00 - 17:00 each weekday, and 10:00 - 13:00 on Saturdays. Each landing was designated a specific day on which to attend General Practice appointments in the Medical Unit; General Practice reviews with prisoner-patients could also take place on prison landings as needed.

- 4.24** There were 802 General Practitioner appointments with prisoner-patients over a three-month period (July - September 2022), ranging from 0 to 21 patients per day with an average of 11 patients each day. However, between July and September 2022, there was no General Practitioner in the prison on 21 of 92 days.<sup>65</sup>

- 4.25** In the event that a prisoner requested to see a GP on the day after their designated landing day they would need to wait until the next week to attend a General Practice appointment. This arrangement is unduly restrictive, and should be reviewed.

- 4.26** When a General Practitioner was not in the prison on particular days of the week this had a knock-on effect for prisoners who were designated a specific date to attend General Practice. For example, there was no General Practitioner in the prison on 12 and 26 July 2022, which meant that prisoners designated General Practice attendance on Tuesdays missed two of four Tuesdays in July.

In certain situations, the General Practitioner did see patients on days other than those designated, although this was dependent on clinical need.

- 4.27** The General Practitioner also provided same-day cover to Castlerea Prison, located a round trip of more than 500km away; this is not an effective use of a valuable primary care medical resource. In addition, the GP was expected to provide off-site cover on the weekends, at night and as required when other prisons need assistance. Drug detoxification and Opioid Substitution Therapy were also the responsibility of the GP.

- 4.28** Although a majority of prisoner survey respondents indicated (86%, 109 of 127) they were able to attend an appointment with a medical doctor within one week of making a request; only 9% (11 of 127) indicated they could see a medical doctor on the same day as a request. This is unsatisfactory.

- 4.29** While access to General Practitioner healthcare services in Cork Prison remained reasonable, there is clear scope for improvement in a number of areas.

- 4.30** Locum doctors were employed to facilitate the provision of primary healthcare in the prison, but they were not provided with the necessary orientation training to support them in carrying out this work. For instance, locum doctors required more training on the PHMS and also in relation to strategies to avoid inappropriate diversion of prescription drugs.

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<sup>65</sup> The OIP requested the number of patients seen for Q4 2022, but was provided with information for Q3 2022.

- 4.31** Primary healthcare service in the prison was heavily reliant on a number of key individual staff and there was no long-term strategy in place to ensure a sustainable and effective healthcare service.

Succession planning would be of benefit to address this overreliance on individual staff members.

### **Nursing**

- 4.32** Wait time to see a member of Nursing staff was generally same day, although this could be immediate, dependent on clinical urgency.

Nursing staff attended the landings three times each day, which provided opportunities for prisoners to engage with nurses during these periods. In addition to the Chief Nurse Officer, between two and three Nurses worked in the prison each week day; this was four nursing staff for a population of more than 300 people.

- 4.33** Nursing cover at night was provided by one nurse. In the event of an emergency in the prison, situations could arise where this was not sufficient to provide adequate healthcare coverage to the prison. **Healthcare staffing, particularly on weekends and overnight, was not sufficient.**

- 4.34** While General Practitioners engaged in a programme of Continuous Professional Development (CPD) meetings amongst General Practitioners, there was a lack of formal career pathways and limited opportunities for support staff to develop additional skills that would be of benefit to the prisoner population; for example Custodial Medicine, Forensic Psychiatry and Nursing sub-specialities.

- 4.35** With respect to accessing nursing care, prisoner survey respondents (52%, 54 of 104), indicated they could see a nurse on the same day a request was made to see one; 71% (74 of 104) reported they would be seen within a period of 48 hours.

### **Preventive Healthcare**

- 4.36** Given that many prisoners, particularly those who come into frequent contact with the criminal justice system, rely on prisons to provide primary healthcare services, it is essential that a preventive care programme be embedded into the routine healthcare service offered in the prison.

- 4.37** Preventative care programmes were signposted in different areas of the prison. For example, there was information provided on landings on prison community-based health first aid, which was promoted by the Red Cross programme. Displayed posters included information on handwashing, testing for sexually transmitted infections, Hepatitis C screening, men's sexual health, exercise and smoking cessation.

- 4.38** Other screening initiatives were described as available to people in the prison:

- Those over 40 years of age were offered blood tests and blood pressures checks.
- An initiative between General Practice and the hepatology team at Cork University Hospital had resulted in the development of a Hepatitis C screening program (150 prisoners screened by the time of the inspection), which had resulted in the detection of prisoners with Hepatitis C through testing to estimate viral load, fibroscanning (to further assess liver health) and therapy.

- Additional screening for sexually transmitted infections was done on an opportunistic basis.

In addition, as clinically appropriate, prisoners were offered COVID-19, Influenza, Pneumococcal and Tetanus immunisations.

In relation to harm reduction, initiatives such as provision of condoms and needle exchange programmes had reportedly not been instituted due to a belief that such practices could encourage behaviours of concern, rather than help prevent harm. Evidence internationally does not support this approach.

For example, the World Health Organisation (WHO) has noted that health protection in prison involves the reduction of hazards in the prison environment which include the availability of harm reduction services. Given the commonality of drug use and sexual activity in prisons, the WHO recommends that health intervention packages include harm reduction interventions such as condoms and lubricants, needle and syringe programmes, opioid agonist maintenance therapy and naloxone for overdose management<sup>66</sup>. Furthermore, the European Monitoring Centre for Drugs and Drug Addiction notes “prisons can be a core setting for engaging with people who inject drugs and who may have been hard to reach in the community, allowing the provision of harm reduction, counselling, testing and treatment services before they return to the community”<sup>67</sup>.

The approach to harm reduction in Cork Prison at the time of inspection did not sufficiently align with international standards in the area of harm prevention in prison settings.

## Specialist / External Healthcare Services

- 4.39** Wait times for in-reach and external healthcare services were variable but could be significant depending on the specialty and clinical urgency.

The waitlist for dentist services was reportedly one to two weeks, with a weekly appointment schedule of approximately 20 prisoner-patients. Prisoner survey respondents (66%, 65 of 99) indicated they could see a Dentist within one week of requesting an appointment.

The waiting time to attend an appointment with a Chiropodist or an Optician was at least one month, with the Chiropody service being impacted by long-term sick leave in the months preceding the inspection. Appointments with a Physiotherapist had a wait time of months.

- 4.40** There were a number of specialist / external healthcare services either not available, or not readily available to people in Cork Prison.

There were no formal chronic disease management clinics available in the prison. Occupational therapy was not provided in the prison, nor was the healthcare team supported by a Dietician.

<sup>66</sup> WHO (2021) The WHO Prison Health Framework –A Framework for assessment of prison health performance, and WHO (2021) Recommended Package of Interventions for HIV, Viral Hepatitis and STI prevention, Diagnosis, Treatment and Care for People in Prisons and Other Closed Settings.

<sup>67</sup> European Monitoring Centre for Drugs and Drug Addiction (2023) Prisons and Drugs: Health and Social Responses.

Despite a patient population prone to musculoskeletal injury and symptoms, an in-reach physiotherapy with outpatient physiotherapy was not readily available.

Healthcare staff also reported challenges in obtaining assistance from hospital-based and palliative care for prisoner-patients requiring treatment for advanced cancer.

## Mental Healthcare

- 4.41** Mental healthcare services were provided to people in Cork Prison by psychology and psychiatry teams. These teams were responsible for the care of more than 300 prisoners.

Prisoner survey respondents (46%, 62 of 134) indicated the prison was not sufficiently well-equipped to support people with mental health needs. Almost half of prison staff survey respondents (48%, 65 of 112) expressed the view that the quality of mental health services for prisoners was poor.

- 4.42** Some prison staff were concerned with the level and standard of training they had been provided with in relation to the identification and management of prisoners who had mental health support needs. One member of Cork Prison staff explained they were *“here (in Cork Prison) a year and a half and received no specific training with regards to recognising mental health issues and how best (to) manage them.”*

Another member of prison staff stated,

*More and more prisoners presenting with mental health issues that we are not equipped to deal with. Prisoners with severe mental health issues locked in a small room which I feel makes them worse. They need specialist intense help.”*

Prison staff survey respondents (71%, 77 of 109) indicated they did not feel staff were sufficiently well-equipped to manage the mental health needs of people in the prison.

- 4.43** Prisoners could access psychiatry, psychology and addiction services by way of General Practice referrals, nurse referrals, flags raised at Multi-Disciplinary Team meetings, prison officer referrals and prisoner self-referrals.

Prisoners could also access mental health supports, including Merchants Quay Ireland and peer listeners.

### Psychology

- 4.44** The wait time for prisoners to attend an appointment with a member of the psychology team was up to 12 weeks. Dependent on clinical urgency, some patients might be seen more quickly.

- 4.45** At the time of inspection, there were 98 prisoners accessing psychology services in the prison, and 29 people on the wait list to access these services. Given the wait times and caseloads, the number of psychology staff in Cork Prison is insufficient.

### Psychiatry

- 4.46** An assessment of psychiatric care for people in Cork Prison was carried out by the Inspectorate in February – March 2023, as part of the *Thematic Inspection: An Evaluation*

*of the Provision of Psychiatric Care in the Irish Prison System.*<sup>68</sup> This inspection found that the quantity of multidisciplinary in-reach clinical staff, and the breadth of disciplines, was broadly sufficient to cope with demand in Cork Prison. This was the best situation found in any of the prisons visited at that time.

- 4.47** The wait time to attend psychiatry was dependent on clinical urgency, and was approximately within one week. If needed, a prisoner-patient could be seen by a member of the psychiatry team within a day, and also on committal as appropriate.
- 4.48** The psychiatric service in Cork Prison appeared to be commendably inclusive, without overreliance on rigid criteria in order to be seen. The team had knowledge of and links to community services to aid provision of continuity of care.
- 4.49** Although access to the psychiatry team was timely, there were delays in linkage to psychology or to addiction services, although there were provisions in place to prioritise appointments, dependent on clinical urgency.
- 4.50** At the point of committal, prisoners were screened for mental health issues, including risk of self-harm. When deemed appropriate by healthcare staff, prisoners were flagged for the attention of the in-reach psychiatry team, who accepted a broad range of patients ranging from those with anxiety and depression to those who had more severe and enduring mental illnesses and suicidality.
- 4.51** At the time of the inspection in March / April 2023, two people in Cork Prison were on the waitlist for the National Forensic Mental Health Service Hospital.<sup>69</sup>

There was a lack of sufficient and timely access to centres dedicated to the treatment of prisoners with mental health needs who required management on an involuntary basis. The result of this was that patients with psychosis could remain in this state without treatment for extended periods of time before being admitted to the NFHMS, or being released from the prison.

- 4.52** Central to the success of mental health provision in the prison was multidisciplinary care and collaboration across healthcare services. A multidisciplinary healthcare team fed into collaborative review meetings, and was underpinned by good working relations amongst mental healthcare services, primary healthcare providers and addiction services.
- 4.53** While collaboration with community-based mental healthcare services was working effectively to ensure handovers of transition of care, continuity of care for unhoused people released from prison was negatively impacted by geographical resettlement location. This resulted in a situation whereby people who were unhoused and released from prison to a location in the city were much more likely to be provided with ongoing mental health care than their counterparts located in rural areas.

In addition to access to a multidisciplinary team to support mental health (e.g., general practice, nursing, psychiatry, psychology and addiction Services), cells were equipped with call and emergency alarm call buttons, which were intended for prisoners to call for assistance by prison officers; although the operation of the call bell system at the time of inspection was not adequate to ensure prisoner access to prison officers.

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<sup>68</sup> OIP (2023) [Thematic Inspection: An Evaluation of the Provision of Psychiatric Care in the Irish Prison System.](#)

<sup>69</sup> OIP (2023) [Thematic Inspection: An Evaluation of the Provision of Psychiatric Care in the Irish Prison System,](#) section 3.51.

## Suicide and Self-Harm

- 4.54** The 2011 Irish Prison Service Health Care Standards - Health Care Standard 3: Mental Health Services<sup>70</sup> sets out a recommended approach to provision of mental health care in the prisons. This includes that within the prison there should be: “appropriate implementation of, a) promoting and protecting mental health and b) policy on preventing self-injury among prisoners”.

In addition, Cork Prison operates a Standard Operating Procedure on Assessment of Suicide Risk, which outlined guidelines used to ensure early identification of prisoners at risk of self-harm and instructed on appropriate action to ensure prisoner safety.

Standard Operating Procedures also existed on how to assess and manage prisoners who had wounded themselves or who had used ligatures. Documentation for these Standard Operating Procedures did not include a review date, and it was not clear when, and to what extent, they were reviewed.

- 4.55** Between January 2022 and March 2023 there were 23 incidents of self-harm in Cork Prison; there were no suicides in the prison over this time period.
- 4.56** Prison staff survey respondents (62%, 68 of 109) considered efforts in the prison to prevent and manage risk of suicide to be effective; however, 47% (51 of 109) did not feel adequately trained in suicide and self-harm prevention.
- 4.57** As noted above (section 4.16), prison staff were concerned about potential ligature points in the VPU cellular accommodation. In particular, they favoured the introduction of an audit tool to minimise the risk of ligature points in this area of the prison.
- 4.58** Further details regarding the quality of mental health care provided to people living in Cork Prison, and across the prison estate, can be found in the Inspectorate’s 2023 report on its thematic inspection of the provision of mental health care to people living in prisons in Ireland.<sup>71</sup>

## Addiction

- 4.59** The management of substance use in the prison was underpinned by recommendations outlined in the 2012 Irish Prison Service Clinical Drug Treatment and Policies Manual. This document was under review by the Irish Prison Service at the time of inspection.
- 4.60** There were two full-time Addiction Counsellors assigned to Cork Prison. They conducted 60 individual sessions each week, and had received 43 referrals to addiction counselling in March 2023.

There was a waitlist of 112 prisoners to participate in addiction counselling.

More than one-third of the prisoner population was seeking but had not been facilitated to attend addiction support services.

**Given wait times and caseloads in Cork Prison, there was insufficient staff to provide effective addiction services to people in the prison.**

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<sup>70</sup> Irish Prison Service (2011) *Healthcare Standards*.

<sup>71</sup> OIP (2023) Thematic Inspection: An Evaluation of the Provision of Psychiatric Care in the Irish Prison System.

**4.61** Prisoner survey respondents (47%, 34 of 72) indicated they waited more than one month to engage with an Addiction Counsellor. Given that approximately 50% of the prisoner population in Cork Prison was either on remand or sentenced to less than 12 months imprisonment, this wait time did not allow for engagement with a large portion of people in the prison.

Many prisoners reported challenges in accessing addiction counselling, with one prisoner stating *“I found it hard to connect with a drug counsellor”* and another stating, *“I’m waiting over a year to see an addiction counsellor”*.

**4.62** Treatment for drug use, including detoxification and opioid substitution programmes, was available in the prison. Prisoners were initially screened for drug use with urinalysis at the point of committal to the prison. Prisoners had access to a General Practice-led detoxification program and subsequent Opioid Substitution Programme; the latter was facilitated by collaboration with community services to ensure that a community prescriber was in place at the point of release.

Two out of every five prisoner survey respondents (41%, 55 of 133) agreed that people who come into the prison with a drug or alcohol problem are supported to detoxify safely.

**4.63** Other strategies existed within the prison to minimise the risk of harm due to drug use. For example, direct observation of treatment, careful selection of those who could receive a weekly pack of in-possession medication and avoidance of the prescription of drugs prone to diversion.

**4.64** In the aftermath of the response to COVID-19, some services had not returned to the prison. In particular, both staff and prisoners alike spoke about the need re-instate the Alcoholics Anonymous programme.

#### **4.65 Healthcare Delivery Assessment**

*Wait-times to see a General Practitioner were too long and the workload of the GP was excessive, including an obligation to provide health care services at another prison a 500km round trip away.*

*While access to Psychiatry was commendable, more capacity was required for Psychology, Addiction Services, Physiotherapy, Occupational Therapy and a Dietician.*

*Given a heavy reliance on key individuals, General Practice and Nursing required more support. In particular, effective orientation programmes for locum doctors, succession planning for doctors and administrative support for primary healthcare services.*

*There was a need for additional nurse staffing at night and weekend periods.*

*Wait times for external and specialist healthcare services could be significant, in particular for chiropody, optician and physiotherapy services. Some services, such as occupational therapy, dietician services and chronic disease management were not available to people in Cork Prison.*

*There was an ongoing concern about the capacity of Cork Prison to provide care for mentally disordered challenging prisoner-patients, and the lack of special medical units or other facilities, including at the NFMHS, to accommodate these prisoner-patients.*

## 4.66 RECOMMENDATIONS

### To the Director General of the Irish Prison Service:

**Recommendation 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 MHT3 (2023)].

**Recommendation 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.

**Repeat Recommendation MHT8 (2023):** It is recommended that further formal training regarding the recognition, assessment, and treatment of prisoners with mental disorder, including regarding communication and risk issues, is offered to prison officers.

### To the Governor of Cork Prison:

**Recommendation CK23-9:** To meet the needs of the prisoner population, Cork Prison should make efforts to improve access to the following healthcare services: in-reach physiotherapy, occupational therapy, dietician services, services to support prisoners with physical and intellectual disabilities and Alcoholics Anonymous. Additionally, Cork Prison should explore the implementation of additional harm minimisation strategies, such as provision of condoms and needle exchange programmes.

**Repeat Recommendation 2020K2:** Identification of potential ligature points and items of potential self-harm to those at risk should form part of “daily inspections” and policy in all prisons, as agreed in the National Strategy for Prevention of Suicide.<sup>72</sup>

## C. Healthcare-Informed Decision-Making

**4.67** Healthcare professionals working in prisons play a key role in assessing and informing decision-making relevant to individual prisoners, including at points of heightened vulnerability, such as on committal to the prison and when separated from the general prisoner population.

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<sup>72</sup> OIP (2023) *Death in Custody Investigation Mr K 2020*, Recommendation 2020K2. The IPS “partly accepted” this recommendation, and indicated the following action was completed: “Daily checks are currently being carried out by staff whereby they look for damage in the cell which could cause a health and safety issue. If there are any issues they are recorded in the Hazard Report Book and action taken if required. Operations Directorate will review the IPS fault Hazard Sheet which is filled on a daily basis by the class officer with regard to ligature points.” The OIP will continue to monitor this recommendation.

Upon committal, it is the responsibility of the prison doctor to examine a prisoner on the day of his or her admission for the purpose of diagnosis of any physical or mental illness, isolation on medical grounds, determination of a prisoner's fitness to work, the noting of any physical or mental health conditions, any indication of a prisoner's injuries and the recording of any prescribed medication.<sup>73</sup> If a doctor is unavailable for a committal assessment, in exceptional circumstances, it is the responsibility of the nurse to conduct a preliminary committal screening.<sup>74</sup>

If a prisoner is removed from the general population and isolated on grounds of order (Rule 62), the Governor must inform the prison doctor who should keep the individual under review.<sup>75</sup> A prisoner who is placed in a Special Observation Cell for medical reasons (Rule 64) should be examined by a prison doctor as soon as possible. If a prison doctor advises against the decision made by the Governor to accommodate an individual in a Special Observation Cell, then reasons for the Governor's decision should be recorded.<sup>76</sup>

The Governor of a prison should implement recommendations made by a prison doctor, in particular when the doctor determines there is a serious threat to the health of a prisoner and makes a recommendation on medical grounds.<sup>77</sup>

Prison doctors also have a duty to communicate with the Governor of a prison on any aspect of the prison environment or regime that may be harmful to the physical or mental health of any prisoner, any group of prisoners, any prison officer or anyone working or visiting a prison.<sup>78</sup>

In situations where medical professionals are involved in decision-making related to the isolation of a prisoner, the World Medical Association (2019)<sup>79</sup> recommends that physicians should not participate in the decision making processes which determine whether an individual is "fit" to undergo solitary confinement. Further, the CPT states that "A prison doctor acts as a patient's personal doctor. Consequently, in the interests of safeguarding the doctor/patient relationship, he should not be asked to certify that a prisoner is fit to undergo punishment"<sup>80</sup>. The role of medical personnel includes a particular focus on the health of prisoners in solitary confinement, including visiting them daily, as well as a duty to inform the director of the prison when continued solitary confinement would put a prisoner's physical or mental health seriously at risk".<sup>81</sup>

## Healthcare Input

- 4.68** There was a positive culture of healthcare staff, across teams, effectively working together through formal and informal channels to optimise provision of care. A good relationship between the healthcare and management teams resulted in positive outcomes for prisoners, particularly because staff had autonomy and agency to drive ongoing improvements.

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<sup>73</sup> Prison Rules 2007-2020, Rule 11(1)(a-f).

<sup>74</sup> Prison Rules 2007-2020, Rule 11(2).

<sup>75</sup> Prison Rules 2007-2020, Rule 62(7).

<sup>76</sup> Prison Rules 2007-2020, Rules 63 (3-4)

<sup>77</sup> Prison Rules 2007-2020, Rule 103(1).

<sup>78</sup> Prison Rules 2007-2020, Rule 104.

<sup>79</sup> World Medical Association (2019) Statement on Solitary Confinement.

<sup>80</sup> CPT (1992) Third General Report – Health Care Services in Prisons, (CPT/Inf (93)12) ¶73.

<sup>81</sup> European Prison Rules (2020), Rules 43.2 and 43.3.

- 4.69** While healthcare teams in Cork Prison collaborated effectively, despite challenges with shared access to prisoner healthcare information (section 4.18), there was the opportunity for increased collaboration between the healthcare team and particular areas of prison management where decision-making could benefit from healthcare input. For instance, there was limited-to-no input from the healthcare team into sanitation practices, exercise programmes, food and nutrition for prisoners (aside from specific diets).
- 4.70** There was also an opportunity for more engagement with the healthcare team by prison management when programmes to develop healthcare facilities are being considered.

## Committal Assessments

- 4.71** All prisoners committed to Cork Prison were processed through the reception area of the prison, where healthcare staff played a key role in assessing the current and ongoing healthcare needs of each prisoner.
- 4.72** Screening was carried out at the point of committal, as set out in the IPS Healthcare Standards.<sup>82</sup> The screening process included administration of a COVID-19 test, assessment for drug concealment and a medical and psychiatric assessment. Prisoners were also provided with a shower and clean clothing.
- 4.73** On observation, there was a well set-up committal area in Cork Prison, with a designated office for nursing staff to access the Prisoner Health Management System (PHMS), as well as materials required to dress wounds, provide medication and carry out urinalysis.
- Confidentiality was facilitated by the set-up of the clinical room, which also ensured security for staff.
- 4.74** The PHMS prompted healthcare staff to collate relevant information, which included: demographic information; past medical, mental health, substance use and medication history, allergies, and vaccination history; patient concerns; evidence of injuries; screening for TB, depression, and risk of self-harm and an offer of screening for blood borne viruses, such as Hepatitis and HIV, and immunisation against Hepatitis A and B.
- 4.75** The information booklet provided to people upon their committal to prison was available in English (section 2.88), and included a section on healthcare services in the prison.

### **4.76 Assessment of Healthcare-Informed Decision-Making**

*There was a good working culture amongst the healthcare team, and this was complemented by a good working relationship between healthcare services and prison management.*

*Opportunities were missed to facilitate healthcare team input into decision-making in the prison, in particular concerning healthcare infrastructure, sanitation practices, exercise programmes and food and nutrition for prisoners (aside from specific diets).*

*A member of the primary healthcare team attended prisoners upon committal to Cork Prison, and the PHMS was used to gather all relevant information. However, information materials provided to people on committal to the prison were not accessible to people who did not speak English or who could not read.*

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<sup>82</sup> Irish Prison Service. (2011) *Healthcare Standards*.

## 4.77 RECOMMENDATION

### To the Governor of Cork Prison:

**Recommendation CK23-10:** Consultation with healthcare staff should be improved, as it would benefit the development of technologies and services in Cork Prison, as well as across the prison estate. In particular, increased consultation with healthcare staff would be of benefit in relation to provision of food, sanitation and exercise for prisoners, as well as in the development of healthcare facilities and infrastructure and in the improvement of referral and linkage approaches, such as through the Prisoner Healthcare Management System and with community and hospital-based teams.

## D. Patient Experience

**4.78** All patients in prison should be treated with the same respect and dignity as any patient who is not in a prison.<sup>83</sup> Many prisoners, including women, prisoners with disabilities, ethnic minorities, foreign national prisoners, LGBTIQ+ prisoners and elderly prisoners, have needs that require special healthcare considerations.<sup>84</sup> These considerations may take account of cultural or ability needs, and as such all healthcare services provided to prisoners should be free from discrimination, promote equality of opportunity and treatment and should protect the human rights of people to whom healthcare services are provided.<sup>85</sup>

Prisoner-patients should be encouraged to participate in decision-making about their own healthcare<sup>86</sup> and information should be provided to facilitate prisoner-patients to make informed healthcare decisions.<sup>87</sup>

Medical consultations should respect the privacy of prisoners (i.e., these consultations should take place out of sight and hearing from others).<sup>88</sup> Requests made by prisoners to access healthcare consultation should be on a confidential basis and without selection barriers by non-medical staff. Information on how to access medical consultation and on the organisation of health care should be provided to every newly admitted person, preferably in written form.<sup>89</sup>

### Confidentiality

**4.79** In general, appropriate initiatives were in place to maintain confidentiality across the healthcare service in Cork Prison.

**4.80** Measures taken to protect and ensure the confidentiality of prisoner-patients included:

- Medical consultations generally occurred within the medical unit in a consultation room;
- Prison officers assigned to the medical unit stood outside clinical rooms with either partially open or fully closed doors during clinical consultations;

<sup>83</sup> Prison Rules 2007-2020, Rule 100(1)(c).

<sup>84</sup> WHO (2014) *Prisons and Health*, pgs 151-171.

<sup>85</sup> European Prison Rules 2020) Rule 40.3, and see Irish Human Rights and Equality Commission Act 2014, Section 42(1).

<sup>86</sup> Prison Rules 2007-2020, Rule 100(1)(e).

<sup>87</sup> Prison Rules 2007-2020, Rule 100(1)(f)

<sup>88</sup> Prison Rules 2007-2020, Rule 11(7).

<sup>89</sup> Council of Europe (2019) *Organisation and Management of Health Care in Prison Guidelines*, pg. 22.

- Access to the Prisoner Healthcare Management System (PHMS) was restricted to healthcare personnel; and
- The infrastructure of the Committal area was such that confidentiality could be maintained whilst also maintaining security (aided by presence of glass windows).

## Patient Voice

- 4.81** Prisoner-patients had mixed views on the quality of healthcare provision they received in Cork Prison. Whereas 36% (47 of 132) believed the care they received was of good quality, 42% (55 of 132) disagreed.
- 4.82** On committal to the prison the top-three most pressing issues facing prisoners were concerns related to healthcare. These were identified by prisoner survey respondents as:
1. Problems getting medication: 39.4% (52 of 132 survey respondents)
  2. Drugs or alcohol issues (withdrawal): 38.6% (51 of 132 survey respondents)
  3. Mental health issues: 37.1% (49 of 132 survey respondents)
- 4.83** Approximately half (50%, 68 of 135) of prisoner survey respondents did not think prison officers took an interest in their health. In addition, a small number of prisoners reported challenges when interacting with healthcare staff.
- 4.84** While some prisoners indicated there were challenges in gaining access to see a medical doctor, the majority of prisoners indicated that access to primary healthcare in the prison was of a very good standard.
- 4.85 Patient Experience Assessment**

*Effective efforts were made by the healthcare and prison management teams to ensure the healthcare information of prisoner-patients remained confidential, and that access to this information was limited to those who required access to it to ensure provision of healthcare services.*

*People in Cork Prison had mixed opinions about the quality of healthcare service provided to them. However, a majority indicated that they considered that access to primary healthcare services was good.*

## 5 REHABILITATION & DEVELOPMENT

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5.1 The Inspectorate assesses how prisons support people living in prison to rehabilitate and re-integrate into the community. Drawing on national legislation and international standards, the Inspectorate evaluates the prison's *Rehabilitation and Development* performance across three themes:

- A. **Purposeful Activity:** provision of and access to work training, library services and exercise in the prison
- B. **Education:** assessment of teaching and learning conducted by the Department of Education Inspectorate
- C. **Contact:** prisoner experiences of meaningful human contact in prison, and with family and relatives

5.2 People in custody in Cork Prison placed a high value on rehabilitative programmes and services available to them in the prison. Approximately half of prisoner survey respondents thought that the education, work training and other activities offered to them in the prison would be of benefit upon their release from prison. In addition to this, more than three-quarters of Cork Prison staff who responded to the staff survey stated that they believed that prisoner rehabilitation was an important part of their work.

If it is to be effective, rehabilitation in a prison setting must be complemented by community support, which includes services that are equipped to meet the needs of people released from prison.

### A. Purposeful Activity

5.3 The Prison Rules 2007-2020, Rule 27(3) set out that, in so far as is practicable, prisoners must be provided with five hours of structured activity on each of five days in a week. In defining “structured activity” the Prison Rules include work, vocational training, education or “programmes intended to increase the likelihood that a prisoner, when released from prison, will be less likely to re-offend or better able to re-integrate into the community.”

The concept of “structured activity” as referred to under Irish law<sup>90</sup> does not fully capture the potential impact that engagement with purposeful activity can have for people in prison. The notion of “purposeful activity” goes further and, alongside the aim of preparing people for re-integration into the community, promotes active community engagement by people in custody. Purposeful activity should benefit prisoners during their period of imprisonment, as well as support their rehabilitation and reintegration outcomes. The CPT has proposed that “a wider definition of purposeful activity should be developed on the basis that purpose is defined by the impact on an individual, rather than the nature of the activity and as such a wider range of formal and informal, individual and group activities can be considered purposeful.”<sup>91</sup>

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<sup>90</sup> Prison Rules, 2007-2020, Rule 27(1).

<sup>91</sup> CPT (2022) *Report to the United Kingdom 2021*, ¶51.

## Incentivised Regimes

5.4

Engagement with purposeful activity directly relates to the IPS Incentivised Regimes Policy, which designates prisoners as being on either a Basic, Standard or Enhanced regime<sup>92</sup>. The different regime levels correspond to prisoners' weekly phone call allocation, their cell assignment in the prison and the weekly gratuity rate.

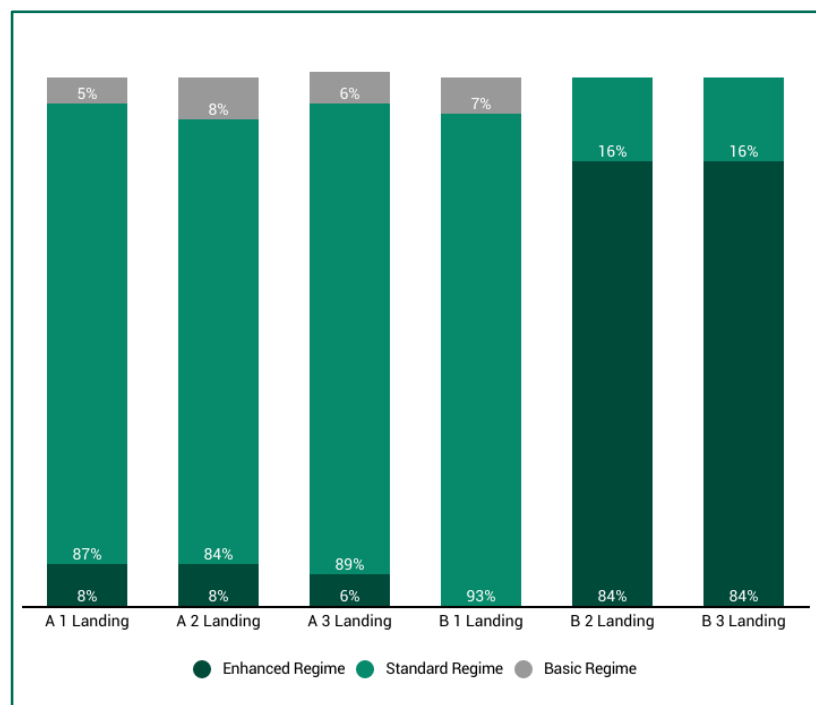
The Incentivised Regime Policy allows for flexibility in application across prisons, and defines engagement with services as:

“regular participation in education activities under the auspices of the prison education centre, work/training activities under the auspices of the Industrial Manager or equivalent and/or offender programmes and/or activities under the auspices of the Psychology and/or Probation Services or approved in-reach services. Certified attendance at activities outside the prison as part of an agreed programme will also confer eligibility.”

While the Irish Prison Service Incentivised Regimes Policy does not allow for prisoners to be penalised if prison operations result in prisoners not being able to attend a scheduled activity, it does make clear that: “prisoners on waiting lists for structured activity will not be eligible for the enhanced regime.” Where access to activities is limited in a prison, there is a subsequent impact on access to the Enhanced regime, and therefore on access to family contact and gratuity payments.

5.5 In Cork Prison, 64% of prisoners were on the Enhanced regime, 32% were on the Standard regime and 4% were on the Basic regime. **Figure 13** provides a breakdown of how regimes were allocated across the prison.

**Figure 13: Incentivised Regimes, by landing (%)**



<sup>92</sup> The IPS Incentivised Regimes Policy (2012) provides for differentiation of privileges between prisoners according to their level of engagement with services and quality of behaviour.

- 5.6** The majority of people engaged in structured activity such as work or school were accommodated on B2 and B3 landing, and as a result of their engagement with activities, had progressed to the Enhanced regime. Many of the prisoners working as cleaners on landings across the prison were also designated as Enhanced prisoners.

However, in contrast, prisoners on protection on A1 landing, or prisoners accommodated on B1 landing (committal, VPU and CBU), were much less likely to have been engaged in structured activity, and therefore had less opportunity to progress to the Enhanced regime. Many prisoners on A2 and A3 landings expressed a desire to engage in activities so that they might advance in the regime, and therefore receive an increase in weekly gratuity and phone calls to family and friends.

## Work Training

- 5.7** The Prison Rules 2007-2020 provide that work training activities should be available to prisoners in order to ensure that individuals can effectively reintegrate into the community.<sup>93</sup> Work should be viewed as a positive element of the prison regime and prisoners should have the opportunity to choose the type of employment with which they would like to engage.<sup>94</sup> The 2020 European Prison Rules 2020 and 2015 UN Mandela Rules establish that a systematic programme of work should be in place, and that prisoners have the opportunity to work.<sup>95</sup> Work should increase opportunities to earn a living after release.<sup>96</sup>

### Essential Work

- 5.8** As in all prisons across Ireland, prisoners engaged in work essential to the daily operations of Cork Prison. This work included waste management, industrial cleaning, kitchen / mess and laundry; which was carried out by prisoners accommodated on B2 and B3 landings in Cork Prison. In addition to this work, there were designated cleaners on each of the landings, who were tasked with daily cleaning, and as a result experienced more out-of-cell time than other prisoners on the landings.

At the time of inspection, there were a total of 89 (68 full-time and 20 part-time) work training places available to prisoners, with 77 prisoners officially allocated to work training. On 27 March 2023, 58 of 77 work training prisoners were assigned to work, not including approximately ten landing cleaners who only worked on the wings. This meant that on this day, only 22% (68 of 304) of the prisoner population was engaged in work training activities in the prison.<sup>97</sup>

- 5.9** There were not enough opportunities available for people to engage in work. Amongst 128 prisoners surveyed, 59% (76 of 128) did not have a job in the prison; of these, 86% (65 of 76) wanted a job in the prison.

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<sup>93</sup> Prison Rules 2007-2020, Rule 27(2).

<sup>94</sup> European Prison Rules (2020), Rule 26.6

<sup>95</sup> European Prison Rules (2020), Rule 105.1 and UN Mandela Rules (2015), Rule 96.1

<sup>96</sup> European Prison Rules (2020), Rule 26.3

<sup>97</sup> Given the data, it is not possible to determine if people engaged in work training were also counted in the school attendance numbers. See, OIP (2023) Education and Work Training Thematic Inspection Report (April – June 2022), section 2.24.

- 5.10** Accredited training was provided to prisoners working in the prison, although this was limited and was not of the level necessary to secure employment in the community.

Essential workers generally received manual handling training, and all people working in the kitchen received basic food certifications. In addition, some prisoners working in the kitchen participated in the “Open Door” cooking course, which resulted in a QQI Level 6 qualification. Work Training Officers were certified in barista training, but this certified training was not available to people in prison.

There was no Clean Pass certification offered to prisoners who worked in industrial cleaning.

Prisoners working in the laundry were recently accredited by the Scottish Qualifications Authority (SQA). The Work Training Officer facilitated on-the-job training and theory components of the qualification training, and this was then certified when a representative from the SQA attended the prison. The Inspectorate welcomes this renewed effort to encourage formal training and certification for prisoners working in laundry.

- 5.11** Prisoners working in the laundry and kitchen and catering areas were required to work every day, including some half days. While prisoners were permitted to attend school, scheduling impacted on prisoner attendance in school courses.

This practice did not align with human rights standards set out in the 2020 European Prison Rules, Rule 26.16, which provide that: “Prisoners shall have at least one rest day a week and sufficient time for education and other activities.”

The Inspectorate encourages Cork Prison to re-evaluate work scheduling for essential prisoner workers, so that each person has one full day off from work each week. As part of this review, efforts should be made to increase the number of prisoners engaged in essential work.

- 5.12** Prisoners engaged in essential work were provided with an “Approved Working Gratuity”, which was established in 2012 at €3.50 each week. An Enhanced prisoner who worked in the prison received a total of €18.90 (€15.40 in Enhanced gratuity + €3.50 AWG) each week. In Cork Prison, 87 people (29% of the population) received the AWG.

Standard regime prisoners, who did not work, whether they wanted to or not, received a weekly prisoner gratuity of €11.90. This means that an Enhanced prisoner, who carried out essential work in the prison for 30 hours each week, would make approximately €0.23 per hour of work.

The CPT has set out that people in prison must have fair remuneration for work, which enables them to afford the basics of a decent and human existence in prison, including additional food and prison shop products.<sup>98</sup> The weekly wage provided to prisoners did not permit them to easily afford common basic necessities. For example, the cost of deodorant in the Tuck Shop (€3.82) was the equivalent of 20% of the Enhanced AWG weekly wage, 32% of a Standard regime weekly wage and 57% of a Basic regime weekly wage.

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<sup>98</sup> OIP (2021) COVID-19 Thematic Inspection of Cork Prison (May-June 2021), Sections 2.21-2.22, and IPS (2012) Prisoner Gratuity and Private Cash Policy.

The Inspectorate recommended in 2022 that the 2012 Irish Prison Service Prisoner Gratuities and Private Cash policy be reviewed and updated.

As part of this review, consideration should be given to the hourly rate at which prisoners who work in the prison are paid.

- 5.13** Despite a recommendation made in 2022 for the Irish Prison Service to develop and adopt a Work Training policy or strategy,<sup>99</sup> **no Work Training policy or strategy was in place at the time of the March / April 2023 General Inspection.**

### Workshops

- 5.14** Alongside essential work, there were a number of workshops in Cork Prison, all of which fell under the Work Training remit. These included: joinery/carpentry, fabric, industrial skills, print shop, light maintenance, sports hall, Hurley shop and horticulture. Workshops were led by Work Training Officers (WTOs), who required specialised training in order to be able to train prisoners in these areas.

When fully operational and staffed, these workshops had a potential daily capacity of 38 prisoners.

However, the workshops were frequently closed, some for extensive periods of time. For instance, the woodwork shop (“Hurley” shop) and fabric shop had been closed for years. The workspaces dedicated to these workshops remained, although they had been repurposed or closed for use (**Figure 14**).

**Figure 14: Fabric Shop**



- 5.15** While workshops were not adequately resourced from the pool of prison officers assigned to the prison, the workshop spaces were also not made available for use by other services in the prison, such as the school. For instance, the school had a waitlist of more than 70 prisoners to attend a school-based woodwork shop, while the woodwork shop located in the prison had remained unused (for more than three years).<sup>100</sup>

<sup>99</sup> OIP (2023) Education and Work Training Thematic Inspection, see Recommendation HQEDWT10.

<sup>100</sup> OIP (2021) COVID-19 Thematic Inspection of Cork Prison (May-June 2021), page 56.

Additionally, the school's physical education teacher was not permitted to use the sports hall to carry out lessons.

- 5.16** There was no individualised risk assessment in place to determine the maximum permissible attendance numbers in work training activities. The implementation of such a practice was recommended by the Inspectorate in 2022. In response, the Irish Prison Service indicated a risk assessment process to determine individual workshop capacity would be considered as part of the Work and Training joint task review.<sup>101</sup>

### **Regime Management**

- 5.17** Many prison staff lamented the frequent closures of workshops in the prison. Officers trained to run these workshops were often redeployed to other areas of the prison, which had a demoralising impact on prison staff and limited the potential for prisoners to engage in purposeful activity. As one member of staff stated: *“keeping WTO workshops open will offer prisoners excellent chances to feel worthy instead (of) doing their time in cell or yard.”*
- 5.18** Implementation of the prison Regime Management Plan (RMP), which set out what regime could be achieved in the prison “with varying staff levels on a daily basis”, did not sufficiently prioritise the staffing of workshops in the prison.

The RMP sets out the order in which prison officer posts can be redeployed from their designated roles to other functions, in reaction to the staffing levels available in the prison on a given day. When a workshop post was removed, the result could be that a Work Training Officer, trained to lead a workshop, would be redeployed to other operational areas of the prison.

In Cork Prison, the RMP sets out the first ten prison officer posts to be designated for redeployment in the event of a shortage in staff unavailability. These first ten posts were to be prioritised for removal each day, with the RMP subsequently establishing the order of other posts to be removed, dependent on staff levels. Following the initial ten posts, the RMP designated six workshops for removal dependent on staffing levels: print, fabric, light maintenance, sports hall, horticulture and industrial skills workshops. By design of the RMP, removal of these workshops should be rotational, and should only occur once the first ten posts on the RMP were removed.

Despite the clear prioritisation of post allocations set out in the RMP, workshop posts were removed from the prison regime before the initial ten “lower” posts on the RMP. For example, on 27 March 2023, three of the six workshop posts remained unstaffed, while seven of the “lower” ten posts remained staffed (**Table 5**).

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<sup>101</sup> IPS (2023) Recommendation Action Plan in Response to Education and Work Training Thematic Inspection Report (April – June 2022), Rec ID HQEDWT3.

**Table 5: Regime Management Plan Post Allocation, 27 March 2023**

| RMP Allocation Post Number<br><small>(lower number prioritised for removal)</small> | Post Status            |
|---|------------------------|
| 1   | Staffed                |
| 2   | Unstaffed              |
| 3   | Staffed                |
| 4   | Staffed                |
| 5   | Staffed                |
| 6   | Staffed                |
| 7   | Staffed                |
| 8   | Unstaffed (library)    |
| 9   | Staffed                |
| 10  | Staffed                |
| 11  | Staffed (fabric shop)  |
| 12  | Unstaffed (print)      |
| 13  | Staffed (horticulture) |
| 14  | Unstaffed (light)      |
| 15  | Staffed (industrial)   |
| 16  | Unstaffed (sports)     |

While the RMP is subject to constant review, and can be adapted to suit the needs of the prison on a daily basis, the practice of prioritising removal of workshop posts from the regime was commonplace in Cork Prison.

**5.19** The Inspectorate noted also that prison officers were allocated to workshops that were not operational at the time of assignment to the post. For instance, on each day of the first week of inspection, a different prison officer was allocated to the fabric workshop post (which included other assistance duties), but the fabric workshop facility had been re-purposed as a storage facility and was not suited for prisoner attendance (see **Figure 13**). Additionally, a prison officer was assigned to assist the Hurley Shop (as well as to carry out other duties) on four of five days of the first week of inspection, but the Hurley shop had not opened for prisoner attendance in several years.

A review of the Regime Management Plan daily allocation of prison officer posts over the duration of the inspection indicated that prison officers were assigned to tasks that were not operational in the prison. The consequence of this was two-fold: (i) daily post allocation reports did not accurately capture the tasks being carried out by officers, and (ii) the tasks assigned to prison officer posts were potentially not designed to ensure maximum prisoner engagement with rehabilitative programmes.

**5.20** In 2022, the Inspectorate recommended that the Irish Prison Service ensure all prison officer posts be maximised to ensure access to and engagement with purposeful activity for all persons in custody.<sup>102</sup> In response to this recommendation the IPS indicated that a review of work training activities was being undertaken across the prison estate and that Joint Task reviews were to be carried out in coordination with the staff representation body.

<sup>102</sup> OIP (2023) Education and Work Training Thematic Inspection Report (April – June 2022), Rec ID: HQEDWT4.

With respect to the above findings (sections 5.17 - 5.19), any such Joint Task Review process should *consider and test* the effectiveness of the implementation of the Regime Management Plan in each prison.

This means that **tasks assigned to prisoner officer posts should not include tasks that no longer exist or are non-operational in the prison, and prison officer tasks should be designed to maximise access to prisoner services.**

In the event that a prison officer post or task is no longer operational or remains unstaffed for extensive periods of time, efforts should be made to proactively identify alternative measures to promote prisoner participation in purposeful activity. For instance, the unused woodwork / Hurley shop could re-open with the support of the school in the prison (section 5.56).

## **5.21 Opportunities for Collaboration**

In order to promote best outcomes for people in prison, rehabilitation programmes and services in Cork Prison should actively collaborate to identify and carry out prisoner initiatives.

### *Open Door “Pop-up Kitchen” Initiative*

A very strong example of one such collaboration initiative was the second annual cooking course offered to prisoners working in the Cork Prison kitchen. The “Open Door: Cork Prison Hospitality, Catering and Culinary Project”, was formed from a partnership between IASIO, work training, the prison school and Munster Technological University. Of the 13 prisoners assigned to work in the kitchen, six were selected by the prison service to participate in the cooking course, which included a Level 6 QQI certification. The course concluded with a dinner prepared by the students enrolled in the MTU course; this dinner was attended by approximately 30 hotel employers from the community. One of the students involved in the course was offered a job in a kitchen in the community, and the other participants spoke very highly of the value this course brought to their lives.

The Open Door “Pop-up Kitchen” Initiative was a very positive example of the power of collaboration, and serves as a potential model for the Irish Prison Service to adopt and sustain across the prison estate; with stakeholder engagement and buy-in central to the success of any such project.

## **Work Training and Benefits for Release**

- 5.22** While 55% of prison staff (61 of 110) rated the quality of vocational training for prisoners as good, some staff raised concerns about the capacity for the training and courses offered in the prison to contribute to future employment on release from prison. One member of staff expressed the opinion that:

*“I feel that the courses and training available to the prisoners are not ideal for future employment once they leave prison. [...] I think more construction based courses should be available as the construction industry has always been a good employer of individuals once they get released from prison. If the prisoners gained the knowledge, experience and competence to apply for construction work it could open many doors.”*

The Inspectorate shares this concern, and recommended to the Irish Prison Service in 2022 that “all prisoners have access to externally accredited qualifications in all work training areas”.<sup>103</sup> Additionally, the Inspectorate urged the Irish Prison Service to ensure that certification offered to prisoners be labour-market tested and recognised by employers to improve employment prospects upon release. In response, the Irish Prison Service indicated a review of accreditation was taking place, with priority areas being industrial cleaning, laundry, catering, waste management and gym. The Irish Prison Service also planned to engage further with Solas (the State agency that oversees the Further Education & Training (FET) sector in Ireland) to review options for training and pathways to future training and employment.<sup>104</sup>

**5.23** In December 2022, the Inspectorate recommended to the Irish Prison Service, with respect to the Dublin-area prisons inspected that year, that education and prison management teams, with the assistance of the Education and Training Board, should work more closely to further align the educational and training programmes with the needs of the students and requirements of future employers.<sup>105</sup>

**The Inspectorate considers with respect to Cork Prison, that increased collaboration between the prison and education services is necessary to foster and promote an effective rehabilitation programme in the prison.**

#### **5.24 Work Training Assessment**

*Aside from essential work, there were not many opportunities for prisoners to engage in work training in the prison. Work, not including landing cleaning, was available to only 25% of the prisoner population.*

*Training was limited, and in most cases, was not sufficient to secure employment on release from prison. The recent Open Door Course and laundry certification were welcome and positive training initiatives.*

*Prisoners engaged in essential work were inadequately compensated, and the 2012 IPS Prisoner Gratuity and Private Cash Policy required review and updating.*

*Workshops were frequently closed, and staff trained to facilitate work training were often redeployed to posts that were not focused on prisoner engagement and rehabilitation.*

*Daily reports of prison officer post allocations did not accurately capture activities being carried out by prison officers, particularly in relation to staffing of some workshop posts.*

*There were missed opportunities to encourage collaboration and therefore increase best outcomes for prisoners, including shared use of underutilised workshop spaces such as the woodwork shop and the sports hall.*

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<sup>103</sup> OIP (2023) [Thematic Inspection on Education & Work Training](#): Wheatfield Prison, Mountjoy Men’s Prison & Arbour Hill Prison April-June 2022 in partnership with the Department of Education inspectorate.

<sup>104</sup> IPS (2023) [Recommendation Action Plan](#) in Response to Education and Work Training Thematic Inspection Report (April – June 2022), Rec ID HQEDWT7.

<sup>105</sup> IPS (2023) [Recommendation Action Plan](#) in Response to Education and Work Training Thematic Inspection Report (April - June 2022), Rec ID HQEDWT15.

## 5.25 RECOMMENDATIONS

### To the Director General of the Irish Prison Service:

**Repeat Recommendation HQEDWT4 (2022):** The Irish Prison Service should ensure that all prison officer posts are maximised to ensure access to and engagement with purposeful activity for all persons in custody. Prison officer posts and associated tasks should be sufficiently flexible and to allow Governors to respond to changes in staffing structures.

**Repeat Recommendation HQEDWT5 (2022):** The Irish Prison Service should review and update its Prisoner Gratuities and Private Cash Policy to ensure it aligns with Rule 28.4 and Rule 105.4 of the revised European Prison Rules.

**Repeat Recommendation HQEDWT7 (2022):** The Irish Prison Service should ensure that all prisoners have access to externally accredited qualifications in all work training areas. Certification offered to prisoners should be labour-market tested and should be recognised by employers to improve employment prospects upon release.

**Repeat Recommendation HQEDWT10 (2022):** In order to provide a consistent approach to managing education provision across the prison estate, the IPS should develop a policy on education and training in collaboration with all of the relevant stakeholders.

### To the Governor of Cork Prison:

**Recommendation CK23-11:** In line with Rule 26.16 of the European Prison Rules (2020), all prisoners carrying out essential work in Cork Prison should be offered at least one full rest day each week.

**Recommendation CK23-12:** Opportunities for prisoner engagement with purposeful activity should be increased. Cork Prison should build on the success of the Open Door initiative and other collaborative programmes to embed a strategy of cross-departmental identification and development of work training, education, prison services and community-based initiatives.

## Library

- 5.26** Under Rule 110(6) of the Prison Rules 2007-2020, a library and information centre should be provided for in each prison. There should be regular access to a wide range of informational, educational and recreational resources catering for the needs and interests of prisoners. Furthermore, Rule 110(7) states that each prisoner shall be entitled to avail of the library service at least once a week and “be actively encouraged to make use of it”. Rule 28.5 of the European Prison Rules (2020) sets out that “Every institution shall have a library for the use of all prisoners, adequately stocked with a wide range of both recreational and educational resources, books and other media.”
- 5.27** The library in Cork Prison was located in the school area, and was only open when the delegated prison officer post was not redeployed from the post; redeployment of this post was a frequent occurrence. The library had been closed 68 of 91 days in Q4 2022.

Across ten days of inspection, the library was open for five days, although due to the rotational scheduling of the library timetable, not all prisoners were offered the opportunity to attend the library over this time period.

- 5.28** A large number of prisoners who responded to the survey reported difficulties with accessing the prison library, with 64% (50 of 78) of people on A wing and 49% (26 of 53) of people on B wing indicating it was not easy for them to get books from the library.

The library prison officer post was very low on the prison's Regime Management Plan, and consequently was one of the first ten posts to be "cut" in the event that staff numbers were reduced in the prison (due to prison staff absences, redeployment to prison escorts or prison staff leave) (Table 5). For example, the prison officer library post was rarely staffed on a Friday, which was the designated library day for A1 and B1 landings. Over Q4 2022 a library officer was not assigned to open the library on any of the 13 Fridays.

Teachers in the school were not able to access the library (section 5.56), and as a result could not use the open library space on days when a prison officer was not made available to open the library.

- 5.29** The library's physical environment was welcoming and quiet. It was equipped with many books, DVDs, an aquarium and areas to sit. However, there were no legal texts available to prisoners in the library.

There was a library trolley in the prison, which was designed to make books accessible to people who could not physically attend the library, primarily prisoners on protection and those who did not attend the school. This service was sometimes made available on Sundays to prisoners on protection on A1 landing; two days in the month preceding the inspection. In Q4 2022, a prison officer was assigned to the library eight of 13 days designated for A1 landing ("protection prisoners").

Prisoners accommodated in the Vulnerable Prisoners Unit were sometimes escorted to the library by a psychiatrist or other member of staff.

Alongside the main library, there were library shelves on B1, although these were not actively in use at the time of the inspection. Following the inspection, prison management installed library shelving on A1 landing and reinforced the availability of books on B1 landings.

- 5.30** The Inspectorate welcomes the installation of small satellite libraries in areas of the prison that accommodate people most frequently denied access to the library. However, this measure should be a supplement to, not a replacement for, access to the main prison library. During periods of "unlock" (09:30 - 12:00, 14:00 - 16:00 and 17:00 - 19:00), prisoners should be given ample time to attend the satellite library space on the landings.

- 5.31** In 2021, the Inspectorate issued a recommendation to Cork Prison to ensure the library in the prison was consistently open and accessible to all prisoners. In response, the Irish Prison Service committed to restoring access to libraries, although this was to be determined in line with prison Regime Management Plans. A Review of Prison Libraries was to be published in 2022<sup>106</sup>, which remains outstanding.

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<sup>106</sup> [Review of Prison Libraries](#), Local Government Management Agency

### 5.32 Library Assessment

*The prison library prison officer post was not consistently staffed, and consequently the library was frequently inaccessible to much of the prisoner population.*

*Despite being located in the school area of the prison, teachers could not use the library space to facilitate more access to education for people in prison.*

*Prisoners accommodated on A1 landing (“protection”) and on B1 landing (committal, VPU and CBU) had very limited access to the library, and as a result prison management established satellite libraries in underserved areas of the prison.*

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### 5.33 RECOMMENDATION

#### To the Governor of Cork Prison:

**Recommendation CK23-13:** The Governor should ensure that the library is consistently open, and that prisoners who do not attend school are facilitated to access library services on a consistent basis.<sup>107</sup> [See also, CKCT15 (2021)]

## Exercise

- 5.34** The Prison Rules 2007-2020 require that prisoners should be provided with ample opportunities for outdoor exercise, at a minimum one hour per day, and alternative indoor exercise arrangements should also be available.<sup>108</sup> Access to exercise is a fundamental right, with the CPT highlighting access to one hour of outdoor exercise as a key component of a minimum decency threshold.<sup>109</sup> Access to outdoor exercise is also crucial for the mental and physical well-being of prisoners who have limited access to natural light and fresh air, with few chances to socialise.<sup>110</sup>

#### Yards

- 5.35** Given a lack of available workshops in the prison, and a relatively low engagement rate in the gym and school each day, the primary activity available to people in Cork Prison was access to the yard. The maximum capacity allowed in the large yard at any one time was 60 prisoners.

Prisoners in the general population, who were not assigned to carry out essential work in the prison, were offered approximately five hours in the yard each day. Prisoners on protection were offered far less time; approximately one and a half hours each day.

This means that the allocation of time for outdoor exercise for the majority of prisoners met the statutory legal requirement of Rule 32 (1) of the Prison Rules 2007-2020: *“Each prisoner not employed in outdoor work or activities shall be entitled to not less than one hour of outdoor exercise in the open air each day, provided that having regard to the weather on the day concerned, that it’s practicable.”*

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<sup>107</sup> See also, IPS Recommendation Action Plan in relation to the Inspectorate’s Education and Work Training Thematic Inspection (May – June 2022). See also Rule 110 of the Prison Rules 2007-2020.

<sup>108</sup> Prison Rules 2007-2020, Rules 32(1), 32(2), and European Prison Rules (2020) Rule 27.

<sup>109</sup> CPT (2021) A Decency Threshold for Prisons-Criteria for Assessing Conditions of Detention.

<sup>110</sup> Association for the Prevention of Torture, Outdoor Exercise.

**5.36** Prison management had made impressive progress in addressing the Inspectorate’s concerns about the environment in the exercise yard facilities. In 2021, the Inspectorate recommended that efforts be made to incorporate green spaces in the yards, as the environment in the yards at that time was grey, bleak and devoid of visual stimulation. In response, photographic murals had been installed across the yards, which greatly enhanced the environment in these areas (**Figure 15**).

**Figure 15: Exercise Yards, with Photographic Murals**



**5.37** Prisoners who did not want to go to the yard were not offered an alternative activity. Instead, they were “locked back” in their cells during “unlock” periods. One person in prison explained that they were “*locked in cell too much if you don’t want to go to the yard*”. The practice of locking prisoners who did not go to the yard back in their cells during “unlock” periods was a missed opportunity for meaningful human contact with these prisoners (section 5.61)

**5.38** The toilet facilities in the yards were well-maintained, as prisoners were assigned to conduct frequent daily cleanings of these areas. A small shelter area was available in the yards although this was not sufficient to protect prisoners from adverse weather conditions in the larger yards.

There was little activity available in the yards. There was no sport or exercise equipment, and people spent much of their time in the yard simply walking in circles with fellow prisoners.

**5.39** Prisoners had many reasons to want to restrict the time they spent in the yards, including avoiding violence and dissociating themselves from contraband-seeking. Contraband often entered the prison by way of the yards, and incidents of violence between prisoners frequently occurred there. Prison staff were not physically present in the yards, and instead monitored prisoner activities from a “hub” area located near the entrance to each of the yards.

On one day of the inspection two prisoner altercations occurred in the yards.

As access to the yard was the only available activity for large portions of the prisoner population, and there were incidents of violence, as well as very little to do in the yard, it was not surprising that prisoners elected to refuse time in the yard and instead remain “locked back” in their cells.

**5.40** Given that prison officers have a duty to “contribute to the rehabilitation and reintegration into the community and general welfare [...] of prisoners”, “unlock” periods should be used by prison staff to maximise meaningful engagement amongst prisoners and between prisoners and staff. **Prisoners who do not attend the yards should be encouraged to engage in meaningful human contact and other purposeful activity.**

### **Recreational Areas**

**5.41** There were two recreation areas available to people in the prison. One of these was a large empty room located off the main yard for prisoners on A2 and A3 landings, and the other was a room equipped with games and seating which was made available to prisoners on B2 and B3 landings in the evening (reserve) period. Prisoners on the A1 and B1 landings did not have access to recreation areas in the prison.

The recreation area for B2 and B3 landings was well-maintained and clean. It was connected to a small yard, and was equipped with pool tables and areas to play card games (**Figure 16**).

**Figure 16: Recreation Area - B2 and B3 Landings**



In contrast, the recreation area for A2 and A3 landings offered little by way of activity, and was equipped with three chairs for use by between 20 and 40 prisoners at any given time. Following the inspection, as of 25 April 2023, prison management provided additional seating for prisoners in this recreation area (**Figure 17**).

**Figure 17: Recreation Area, A2 and A3 Landings**



The A-wing recreation area was located at the opposite side of the yard from where prison officers monitored prisoners in the “hub”. This meant that prisoner activities in the

recreation area were not readily visible to prison officers, and as a result, this area of the prison could be considered less safe for people living in the prison.

### **Gym and Sports Hall**

**5.42** There were two gym facilities in the prison: one main gym for use by the majority of the prison, and a small gym on B1 landing which was not frequently used.

Exercise equipment in the main gym was in a good state, although a few machines required repair. The gym facility was not large enough to accommodate the number of prisoners who sought to attend the gym, and prisoners were not offered daily access to the gym.

The gym timetable established that prisoners on A2 and A3 landings could attend the gym every other day from 09:30 - 12:00, and prisoners on B2 and B3 landings alternated days from 14:30 - 16:00 and 17:30 - 19:00. Prisoners on A1 landing were designated the same time in the gym as B2 landing. With some landings accommodating over 50 prisoners, it was not possible for all prisoners on the landing to attend the gym on the assigned day. The B1 gym timetable set out that prisoners on the CBU could attend the small gym from 09:30 – 11:15 each day, and prisoners on the VPU could attend from 14:30 to 15:30.

Prisoners on protection regimes were very rarely offered opportunities to exercise in the gym, despite A1 landing being timetabled for alternating days with B2 landing. As a result, some prisoners had improvised their own “gym equipment” for in-cell use (**Figure 18**).

**Figure 18: In-Cell “Gym Equipment”**



5.43 In addition to the gym, the prison was equipped with a well-proportioned indoor sports hall, which had the potential to offer organised activities to people in the prison (**Figure 19**).

**Figure 19: Sports Hall**



Unfortunately, **the sports hall had not been open and accessible to prisoners for an extensive period of time**, which was reportedly due to a leak in the roof and issues with staff resourcing. The leak had recently been repaired, and two Gym Instructor Work Training Officers were trained to facilitate access to the sports hall. However, the sports hall remained unopened to prisoners, apparently while discussions took place with the prison officers' representation body.

Many people in the prison were not aware of the existence of the sports hall, and prison staff described the closure of the sports hall as a "waste". One member of staff indicated that the opening of the sports hall to prisoners could relieve tensions in the yards as prisoners may elect to participate in a sports hall activity rather than attend the yard.

Despite the closure of the sports hall for prisoners, prison staff actively used the sports hall to hold spin bike classes for prison officers. The sports hall stage was sectioned off from view, and spin bikes and a television were in place behind the panelling (**Figure 20**).

**Figure 20: Sports Hall**



#### 5.44 Exercise Assessment

*At least one hour of access to the fresh air in the yards was offered to prisoners on a daily basis, which aligned with the standard set by the Prison Rules 2007-2020, Rule 32(1). However, prisoners who elected not to go to the yard were not facilitated to engage in another activity; instead they were “locked back” in their cells.*

*Gym access was limited, particularly for people on protection regimes.*

*There were no activities or exercise equipment available in the yards, and the recreation area for A2 and A3 landings was not adequately provisioned to encourage meaningful interactions amongst prisoners.*

*The photographic murals in the yards had a positive influence on the environment in the yards.*

*The sports hall remained closed for use by prisoners, but was used by prison staff.*

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#### 5.45 RECOMMENDATIONS

##### To the Governor of Cork Prison:

**Recommendation CK23-14:** The sports hall in the prison should be immediately brought back into service and made accessible to all people living in the prison. The utility of this facility should be maximised to ensure consistent and equitable access to meaningful and structured activity, such as fitness classes, education programmes and organised games.

**Recommendation CK23-15:** Prisoners accommodated under Rule 63 of the Prison Rules 2007-2020, should be facilitated to attend the gym facility at least every other day; access to the gym for protection prisoners is particularly essential as a measure to counter the often extensive periods of time these prisoners are locked back in their cells.

## B. Education



An Roinn Oideachais  
Department of Education

- 5.46 Cork Prison had a purpose-built education unit that was well-equipped to facilitate education provided in the school.

The school in Cork Prison was under the management of Cork Education and Training Board (CETB). The management of the school was the responsibility of the Director of Further Education CETB and the day-to-day running of the school fell to the Head Teacher who was supported by a Deputy Head Teacher.

## 5.47 Introduction

The Department of Education (DE) inspectors spent one day, 30 March 2023, in the school, and the inspection activities are outlined in **Table 6**.

**Table 6: Inspection Activities**

- Lesson observations
- Classroom visits
- Review of resources and facilities
- Review of students' work
- Meetings with members of school management
- Discussion with CETB's Director of Further Education
- Discussions with teachers
- Feedback to teachers
- Discussions with students
- Discussions with prison management
- Feedback meeting with head teacher, deputy head teacher and school staff

The focus of the DE inspection was on the following questions:

1. How effective is the school in identifying and meeting the needs of its students?
2. How effective is the school in supporting the students to cope with their sentences and achieve good outcomes?
3. How effective is teaching and learning in the school?
4. How effective are school leadership and management?
5. How effective are the prison systems in facilitating access to education for people in the prison?

## 5.48 Main Findings

- There were highly effective processes in place for the initial and ongoing identification of students' learning needs, strengths, and interests. The programmes in place met those needs very well.
- Wellbeing was at the core of the work of the school and the learning programmes were designed to support people in prison to cope with their sentences, and to experience success and enjoyment.
- There was a strong emphasis on enabling students to gain accreditation and certification and the school was ambitious for its students. A review of the results achieved by students in the range of accredited courses showed high levels of achievement.
- The quality of teaching and learning was excellent. Teachers ensured that learning was situated in dynamic and authentic contexts and have embedded a valuable school-wide approach to supporting numeracy and literacy.
- Within the school, digital technology was used in a highly effective manner to support learning.
- The quality of school leadership was excellent. There was a very strong culture of team work and collegial support. All members of school staff shared a common purpose which was to do their very best for the students in their care.

- There was a supportive relationship between the school and the operational side of the prison. Prison authorities rarely restricted access by students in the general prison population to school during school time, there was very good practical support provided, and there was valuable collaboration on school projects and initiatives.
- There were very supportive relationships with Cork ETB, and a range of other agencies which enhanced and supported the school's work. There was excellent collaboration between the prison school and outside agencies to support the families of people in prison.
- Overall, there was good access to the school for people in the prison. However, people on protection regimes had very limited access to education.
- The quality of the facilities in the school was very good.
- While access to general facilities was good, access to a number of facilities was restricted. These facilities included the library, chapel, sports hall and the additional classroom space for woodwork.

#### 5.49 Areas for Improvement

- There was scope for further access to assistive technology software, such as audio-recognition software, to help those students who struggle with writing.
- The prison authorities generally assigned an experienced officer to the school. However, there were times when officers with less experience could be assigned and this negatively affected the operation of the school. There should be a more consistent approach to assigning officers to the school to ensure that only experienced officers are assigned. In order to achieve this, prison authorities will need to plan strategically to develop capacity among prison staff.
- School staff, with the support of the CETB educational psychologist, had a very good understanding of additional educational needs and how they impacted the students. Opportunities should be provided to teachers to share their understanding of additional and special educational needs with the general prison staff.
- The access issues to the library and other currently unavailable learning spaces should be addressed.

#### 5.50 1. How effective is the school in identifying and meeting the needs of its students?

##### *Identifying learner needs and putting the right programme in place*

- There were highly effective processes in place for the initial and ongoing identification of students' learning needs, strengths, and interests. Learning plans were created which took account of prior educational achievement, future plans and other learning goals. The students themselves had a strong voice in the development of the learning plans.

- Students with additional needs were very well supported. Adult Basic Education (ABE) plans were developed for students who had been assessed as having difficulties with learning, literacy, numeracy, or language and targeted support was provided. Cork Education and Training Board (CETB) had provided the school with access to an educational psychologist who carried out more in-depth educational assessments for students who had been identified as requiring more specialised support.
- There was a wide range of educational courses provided. These included the Junior Cycle, Leaving Certificate, Quality and Qualifications Ireland (QQI) courses at levels 2 to 7, Open University and a range of other university involvements for example with University College Cork (UCC), Munster Technological University (MTU), and NUI Maynooth. Consequently, the learning programme had something to suit learners of all ability levels and a wide variety of interests.

### **5.51 *Building on students' strengths and meeting students' needs in the classroom***

- Highly effective whole-school and teacher planning practice was evident. There was much evidence in the classrooms visited that learning activities were designed around students' interests and experiences, and were differentiated to suit learning strengths and needs. An example of high-quality subject planning was evident in the Wood Technology department where the individual learning plan was informed by the length of the prison sentence. This approach was particularly effective in the case of a person on a long sentence, who had a long-term learning plan that incrementally progressed in difficulty to provide suitable challenge to keep the learner motivated.

### **5.52 2. How effective is the school in supporting the students to cope with their sentences and achieve good outcomes?**

#### ***Optimising the value of the school as an essential support for people in prison***

- The quality of curriculum design and planning was exceptional. Decisions were student-driven. Wellbeing was at the core of the learning plans and they were designed to support people in prison to cope with their sentences and experience success and enjoyment. The school was essential in supporting students to fulfil their potential as learners, engage in personal development, and develop skills and qualifications that may help them when they leave prison.
- The students in all the classrooms visited and lessons observed demonstrated an enthusiasm for learning and very good engagement with the learning tasks. They listened and engaged with interest, made valuable contributions, worked together, and engaged in practical tasks. The projects and classwork reviewed were of a very high standard. The students were very appreciative of the work of their teachers and the school in general; they reported that, in addition to a second chance at education, the school offered routine, stability, and a place to feel valued.
- Students' wellbeing was very well supported by the school's curriculum. Positive mental health was explicitly supported through meditation, yoga and the Red Cross supports. There were a range of initiatives, in collaboration with the Health Service Executive (HSE) and Drug and Alcohol Task Force to support students in understanding and dealing with addiction.

- Wellbeing was embedded in the day-to-day curriculum. There was excellent practice in the Arts, where the learning activities facilitated students to create pieces that meant something important to them or that allowed them to express themselves. This approach was particularly effective when done in collaboration with students from UCC and where the resulting work was displayed or published to celebrate achievement.

**5.53 *Students, teachers, and prison management working together to achieve good outcomes for students***

- There was a strong emphasis on enabling students to gain accreditation and certification and the school was ambitious for its students. The recently introduced barbering course was an example of the extensive efforts made to provide the full QQI level 5 award. The school, with the support of prison management, had recently acquired salon equipment to provide the course. A review of the results achieved by students in the range of accredited courses showed high levels of achievement.
- There was very good practice in relation to cross-curricular planning which made use of large scale educational projects to involve as many students and subjects as possible. The “Pop-up Restaurant”, for example, involved the sewing class making labels and napkins, the design and creation of artwork for the restaurant in ceramics class, and the framing workshop for framing the finished art pieces. Through this project, the school has managed to investigate a market for these skills with a local restaurant commissioning labels and napkins. Connections such as these were also used to secure employment for the students when they leave prison. This holistic approach was strong evidence of the creativity of school management and staff in facilitating positive outcomes for students (see also section 5.21).

**5.54 3. How effective was teaching and learning?**

***Teachers working individually and collectively to support learning, literacy and numeracy***

- The quality of teaching and learning in the classrooms visited was excellent. The main methodologies included whole class instruction, one-to-one teaching and support, role play, practical activities and peer collaborative activities. Explanations were very clear and questioning was used to very good effect to support and progress learning.
- Teachers ensured that learning was situated in dynamic and authentic contexts; excellent practice was seen in Spanish, for example, where learning included, participation in ‘Spanish Week’, cooking and eating Spanish food, discussions around Spanish Art, as well as the Junior Cycle, Leaving Certificate, and Open University curriculum study. The success of the teaching was underpinned by the excellent relationships evident between the teachers and their students and the relaxed and purposeful classroom atmosphere. The creative writing and drama programmes provide another good example of this integrated approach.

- There was a valuable school-wide approach to numeracy and literacy and this was evident in the classrooms visited. All classrooms had the key words for the current lesson displayed alongside the key numeracy aspects of the lesson. Students had created literacy resources for each other through the *Voices* series of short booklets, which were culturally rich and reflected students' interests. Teachers in the pyrography and Wood Technology lessons used the projects students were working on to teach aspects of numeracy such as measurement, design and scale. These approaches provided integrated literacy and numeracy support, which complemented the more intensive learning support provision also available.

#### ***Digital technology for learning***

- Teachers used digital technology extensively to support learning. This was evident from the classrooms visited and interactions during the evaluation. **However, while there was good access to digital technology for learning, the students would benefit from access to assistive technology software, such as, audio recognition software which can help students who struggle with writing.**

### **5.55 4. How effective are school leadership and management?**

#### ***Managing and leading the school; a collaborative effort***

- The quality of school leadership was excellent. The school was led by a head teacher who was supported by a deputy head teacher and school leadership team. The importance of care and rehabilitation underpinned decision making and provision. There was a very strong culture of team work and collegial support. Staff meetings and subject department meetings were regularly held. All school staff members shared a common purpose, which was to do their very best for the students in their care.
- There was a supportive relationship between the school and the operational side of the prison. Prison authorities rarely restricted access by students to school during school time, and this was evidence that the school was prioritised for officer resources by prison management which is very good practice.
- There was a very high level of practical support for the school; the school was very well resourced, and there was very good provision of specialised equipment. Prison management was responsive to the needs of the school, for example, at the request of the school additional electrical sockets had been recently provided in the pyrography classroom. The school was pro-active in sourcing resources and equipment for example, the laser cutter and kilns, which had been recently acquired through the *Building Bridges Project*.
- The prison authorities generally assigned an experienced officers to the school. This arrangement worked well as the officers' high level of expertise and experience contributed to the effective running of the school and to enabling students to have optimum access and engagement. However, there were times when officers with less experience could be assigned and this negatively affected the operation of the school. **There should be a more consistent approach to assigning officers to the school to ensure that only experienced officers are assigned. In order to**

achieve this, prison authorities will need to plan strategically to develop capacity among prison staff.

#### ***Supporting people in prison with additional educational needs***

- The students presented with a wide range of additional educational needs, some of which could have a wider impact effecting how they perceived and interacted with the world around them. Examples of such needs include physical disabilities, Autism, Attention Deficit Disorder, General Learning Difficulties, literacy and language difficulties. The school staff with the support of the CETB educational psychologist had a very good understanding of these needs and how they impacted the students. **Opportunities should be provided for this experience of school staff, including the educational psychologist, to inform training and skills development of general prison officers on special education and other additional needs.**

#### ***Engagement in collaboration with the wider community***

- The school had a very supportive relationship with the Director of Further Education, Cork ETB, and a wide variety of further and higher education providers, in enhancing and supporting the work of the school and providing opportunities for students within the school and on release. There was very good collaboration between the school and a range of agencies and partners including; the prison, the school prison officers, the Irish Prison Service (IPS), and the Irish Association for Social Inclusion Opportunities (IASIO), in supporting educational initiatives for students.
- There was excellent collaboration between the prison school and outside agencies to support the families of people in prison. The *Dillon's Cross Project* provided an example of an excellent partnership approach between the IPS, CETB, the management of Cork Prison, the Health Service Executive (HSE) and a range of other agencies including the management and staff of the prison school.

### **5.56 5. How effective are the prison systems in facilitating access to education for people in the prison?**

#### ***Facilitating and encouraging access to education and supporting inclusion***

- Overall, there was good access to the school for people in the prison. The teachers and students who were asked during the evaluation about access to education reported that they were happy with the processes in place and felt they were fair and transparent. The school produced a leaflet outlining its provision, which was distributed to the people in the prison. In keeping with very good inclusive practice, the leaflet was attractively designed and used visual images for students who may have had literacy or language difficulties.
- The students themselves played a valuable role in the life of the school. There was an active student council which, for example, worked on the landings to encourage people to attend school. The students were involved in designing the leaflet advertising the school and they have had a significant impact in promoting inclusion.

- People in the prison who are on protection regimes had access to the school one afternoon per week only. The school supplied books and jigsaws, for example, as well as learning materials to provide activities for people on protection when they are not in the school. While the school is commended for providing these opportunities, this limited access to education was not sufficient for members of this very vulnerable group. **School leaders should explore with prison authorities a means of increasing the access of people on protection regimes to school.**

### ***The quality of facilities and access to facilities***

- The quality of the facilities in the school was very good. The school was divided into two main sections and both were bright and welcoming, with well-equipped classrooms and work spaces. There were many displays showcasing and celebrating students' work. While access to general facilities was good, access to a number of facilities was restricted. These facilities include the library, chapel, sports hall and the additional classroom space for woodwork. **These access issues should be addressed by prison management.**

## **C. Contact**

- 5.57** Maintaining relationships, inside and outside of prison, is essential to both the experience of imprisonment and successful re-integration upon release from prison.

International human rights standards and national legislation set out requirements for how contact is to be promoted and maintained for people in prison, with the objective being to ensure a minimum level of meaningful engagement for prisoners with other people in prison and with family and friends outside of prison.

### **Meaningful Human Contact in Prison**

- 5.58** The Irish Prison Rules 2007-2020 provide that all people in prison should have access to daily meaningful human contact, which is defined as “interaction between a prisoner and another person of sufficient proximity so as to allow both to communicate by way of conversation”.<sup>111</sup>

As provided for under Irish law, all prisoners should have at a minimum two hours out-of-cell time with an opportunity during that period for meaningful human contact.<sup>112</sup>

The University of Essex and Penal Reform International<sup>113</sup> have expanded on this to provide a better sense of what may be considered meaningful human contact in the context of the prison:

Meaningful human contact:

- may be provided by prison or external staff, individual prisoners, family, friends, or a combination;

<sup>111</sup> Prison Rules 2007-2020, Rules 27(1) and 27(4).

<sup>112</sup> See S.I. 276/2017 – Prison (Amendment) Rules 2017. Meaningful human contact is defined in the legislation as interaction between a prisoner and another person of sufficient proximity so as to allow both to communicate by way of conversation.

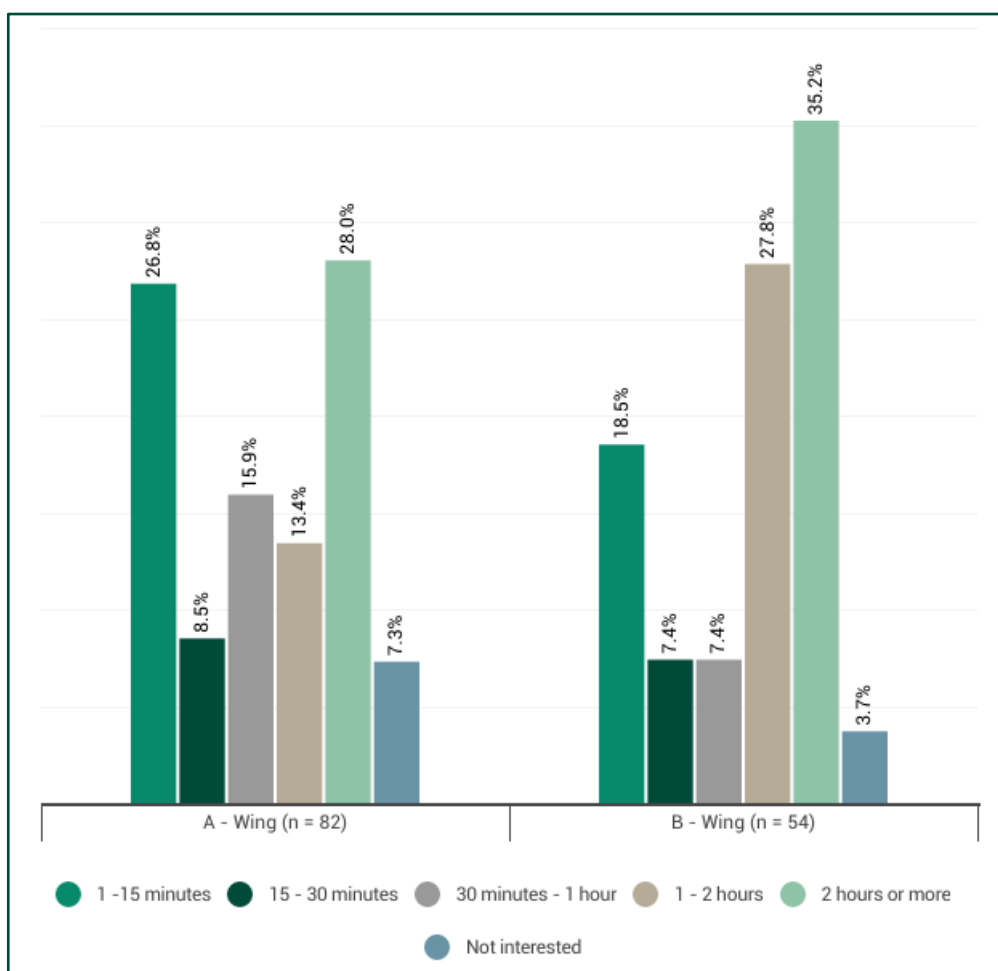
<sup>113</sup> Essex Paper 3 Initial Guidance on the Interpretation and Implementation of the UN Nelson Mandela Rules (2017).

- is carried out directly, face-to-face, allowing for social interaction;
- must not be limited to interactions related to criminal investigations or medical necessity;
- does not include when prison staff deliver a food tray, mail or medication to the cell door; and
- does not include situations where prisoners are only able to communicate by shouting at each other through cell walls or vents.

It follows that meaningful human contact cannot simply be equated with out-of-cell time, but rather an assessment of meaningful human contact must consider engagement with staff, prisoners and family or friends that is face-to-face, substantive and is not purely transactional.

**5.59** Opportunities for meaningful human contact differed across areas of the prison (**Figure 21**).

**Figure 21: Prisoner Reports of Access to Meaningful Human Contact, by part of prison**



On B2 and B3 landings for instance, where many prisoners were engaged in work and school, people were much more likely to have meaningful interactions with fellow prisoners and staff. In general, this was approximately one-third of the prisoner population on a daily basis.

Conversely, prisoners on A1 and B1 landings, who spent the vast majority of their days behind the cell doors (section 2.39), were limited in their opportunity to maintain meaningful contact with people in the prison. For these prisoners, many of whom spent up to 22 hours a day in their cells, contact was limited to brief phone calls with family, one weekly visit, discussions with a cellmate(s) and one day of engagement with the school every other week.

Prisoners in multi-occupancy cells did not necessarily engage in two or more hours of meaningful human contact each day. In situations where prisoners spent a minimum of 22 hours in their cell each day, despite being accommodated with other prisoners, they may experience effects similar to solitary confinement.<sup>114</sup>

- 5.60** The Inspectorate observed positive interactions in the prison that supported meaningful human contact. For instance, on B2 landing, in the evening, some prisoners gathered together to play card games, and in the school there was a positive and supportive working relationship between teachers and people living in the prison (section 5.52).

However, **the Inspectorate did not observe many interactions between prisoners and prison officers working on landings that could be characterised as meaningful human contact.** These interactions tended to be limited to brief conversations consisting of prisoner requests for assistance and information. Often times, these interactions were rushed, with prisoners trying to converse with prison officers while other activities were ongoing, such as when the cell door was briefly opened, or when a prisoner was being escorted to the yard.

- 5.61** As noted in section 5.37, the policy of “locking-back” prisoners during “unlock” times negatively impacted on opportunities for meaningful engagement between prisoners and prison officers working on landings.

### **5.62 Meaningful Contact in Prison Assessment**

*Prisoners engaged in purposeful activity in the prison were afforded opportunities to engage in meaningful human contact, but prisoners not engaged in activities had much more limited opportunities.*

*The policy of “locking back” prisoners who did not attend the yard negatively impacted on opportunities for prisoners and prison staff to engage in a meaningful way.*

*While there were examples of positive and meaningful interaction occurring between prisoners and prisoners and staff, there was little evidence of interactions that could be characterised as meaningful human contact occurring between prisoners and prison staff who worked on prison landings.*

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<sup>114</sup> CPT (2011) Solitary Confinement of Prisoners, CPT/Inf(2011)28-part2, and see also *The Istanbul Statement on the Use and Effects of Solitary Confinement* (2007).

## 5.63 RECOMMENDATION

### To the Governor of Cork Prison:

**Recommendation CK23-16:** The RMP should be reviewed to prioritise the availability of prison staff to engage in interactions with prisoners that amount to meaningful human contact. In particular, prison officers working on the landings should be actively encouraged to engage with prisoners in a more meaningful way.<sup>115</sup>

## Family Contact

**5.64** The European Convention on Human Rights, Article 8, highlights the importance of the right of all people to a private and family life; this right is retained upon committal to prison. For people in prison, a core element of their capacity to re-integrate into society upon release from prison is their ability to maintain relationships with their family members.

International human rights law and standards also set out rights for the children of people in prison, which include the right to have their best interests protected, the right to development, the right to have their views respected and the right to maintain personal relations and have direct contact with their parents on a regular basis.<sup>116</sup>

**5.65** People in Cork Prison were facilitated to engage in family contact through weekly visits (either in-person or video link), brief phone calls and censored correspondence. The amount of family contact each prisoner was permitted each week was dependent on their regime in the prison (sections 5.4 - 5.5), which was in turn dependent on prisoner engagement with activities in the prison. In the event that there were not enough activities available in the prison for prisoner engagement, prisoners were unable to progress to a higher regime level and therefore had less opportunities for family contact.

## Calls

**5.66** The Prison Rules 2007-2020, Rule 46(2) sets out that convicted prisoners, subject to the availability of facilities, shall be entitled to make not less than one telephone call per week to a member of their family or to a friend. For unconvicted prisoners, this entitlement is increased to no less than five telephone calls each week (Rule 46(4)).

**5.67** Positively, the vast majority of cells in Cork Prison were equipped with a phone for prisoner use. The in-cell phones reduced pressures on prisoners to share phones on landings, and allowed prisoners to make contact with their families at times suitable to their family members. All phones tested by the Inspection Team were operational and in a good state of repair. The introduction of in-cell phones in 2021 has been a success, and is very much welcomed by the Inspectorate.

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<sup>115</sup> Prison Rules 2007-2020, Rule 85(3)

<sup>116</sup> See UN [Convention on the Rights of the Child](#) and Council of Europe, [Recommendation CM/Rec\(2018\)5 of the Committee of Ministers to member States concerning children with imprisoned parents](#).

- 5.68** In 2021, Cork Prison piloted a family call-in initiative, which enabled family members to call in directly to their relative in prison.<sup>117</sup> While the pilot programme identified some issues to be addressed in the permanent iteration, the value of the initiative was clear to prisoners and prison staff alike. Despite this, the family call-in initiative was not maintained in the aftermath of the pilot. The Inspectorate considers that the family call-in initiative should be restored in Cork Prison and, indeed, rolled out across the prison estate.
- 5.69** At the time of the inspection, there was no differentiation in the amount of weekly telephone calls provided to prisoners based on their conviction status. Instead, frequency of phone calls was dependent on a prisoner's regime status. Unconvicted prisoners were not being provided with their entitlement of "no less than five telephone calls each week".
- 5.70** The length and frequency of phone calls was identified by prisoners as a significant "problem" in the prison. All phone calls, (including once daily calls made to legal representatives) were limited to six minutes in length, and the amount of calls a person in prison could make to family and friends each week was dependent on the prisoner's regime.
- 5.71** A prisoner on an Enhanced regime received two six-minute calls each day of the week; a prisoner on the Standard regime received one six-minute phone call each day; and a prisoner on the Basic regime received one phone call each week.
- 5.72** The short length and limited number of phone calls, particularly for people on the Basic regime (section 5.5), had a negative impact on the ability of people in prison to maintain strong links with family and friends. One person in living in the prison expressed the view that:
- "Phone calls should be longer (than) 6 (minutes). Then I think it needs to be looked into because for myself my family is everything. I've an 11-week old baby at home so 6 minutes is not (enough) to check up on everything."*
- 5.73** As connections with family and friends are essential to the successful and positive re-integration of people in prison into the community upon release, the Inspectorate considers **the phone call length and frequency of phone calls at Cork Prison and all other prisons in Ireland, should be reviewed and increased.**

### Visits

- 5.74** The Prison Rules 2007-2020, Rule 35(1) establishes that convicted prisoners "shall be entitled to receive by prior appointment not less than one visit from relatives or friends each week of not less than 30 minutes duration." Rule 35(3) sets out that unconvicted prisoners "shall be entitled to receive one visit per day from relatives or friends of not less than 15 minutes in duration on each of six days of the week, where practicable, but in any event, on not less than on each of three days of the week."
- 5.75** All prisoners in Cork Prison, regardless of regime, were permitted a 30 minute in-person visit each week. In addition, prisoners could connect with their families through video calls. A maximum of three visitors could attend an in-person visit; this maximum number did not apply prior to the imposition of COVID-19 restrictions.

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<sup>117</sup> OIP (2021) COVID-19 Thematic Inspection of Cork Prison, page 40.

- 5.76** The environment in the visits facility was positive; it was clean, well-lit and furnished with tables and chairs. Up to ten prisoners could attend the visits area at one time, and with up to three visitors each the volume in the room could prove challenging for people to hear each other.
- 5.77** Despite entitlements set out in the Prison Rules to ensure unconvicted prisoners be facilitated to receive one visit per day of not less than 15 minutes, unconvicted prisoners in Cork Prison only received the same weekly visit entitlement of 30 minutes as convicted prisoners.
- 5.78** Foreign national prisoners who had family members visit from abroad were permitted an increased number of in-person visits over the time their family was in the country. For example, one prisoner, whose family was visiting from abroad for a period of one week, was permitted to visit with his family for multiple days over the course of his family's visit to Ireland. The Inspectorate commends the efforts made by Cork Prison to enable foreign national prisoners increased opportunities to visit with their families.
- 5.79** All visitors to the prison were required to undergo ION scanner contraband screening. In the event that a visitor indicated positively for a prohibited substance, they were offered a screened visit with the person in custody. This practice aligned with the procedure set out in the Irish Prison Service 2020 "OSG Security Screening Procedures" Standard Operating Procedure. Detection of prohibited substances did not happen frequently, and only a small number of prisoners and visitors indicated they had experienced problems with the ION scanner procedure.

### **Correspondence**

- 5.80** The Prison Rules 2007-2020, Rule 43, sets out that prisoners are entitled to send and receive letters from family and friends. Unconvicted prisoners, in addition, are entitled to send letters to other persons, as is necessary for the purpose of managing their affairs. Prisoners can send up to seven letters each week without cost.
- 5.81** All prisoners, regardless of regime status, were permitted to correspond with their family and friends. All incoming and outgoing correspondence (aside from Rule 44 correspondence) was processed through the censor's office, which was staffed appropriately to meet the demands of the prison. There were very few complaints from prisoners about the timeliness of receipt of incoming and outgoing correspondence.

Incoming mail was screened and scanned for prohibited substances prior to delivery to the recipient.

- 5.82** Prisoner contact with family and friends by way of written correspondence was working effectively in Cork Prison.

### **5.83 Family Contact Assessment**

*The length and frequency of phone calls was not sufficient to maintain family contact links (nor to ensure effective communication with legal representation).*

*The Family Call-In Initiative had not continued in Cork Prison, despite recognition of the value of such a programme by prisoners and staff.*

*Prisoners on remand (unconvicted) were not being provided with their telephone call and visit entitlements, as established in Rules 35(3) and 46(4) of the Prison Rules 2007-2020.*

*The return of weekly in-person visits was positive, as were efforts made by the prison to ensure Foreign national prisoners were facilitated to visit with their family on an increased basis.*

*Cork Prison was effectively staffing the censor's office and there were limited reports in delay of incoming and outgoing post.*

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**5.84 RECOMMENDATIONS**

**To the Director General of the Irish Prison Service:**

**Repeat Recommendation DG22-13** (*recommendation also made in relation to Mountjoy Men's Prison & Training Unit*): In order to facilitate and strengthen the right to family contact, the Irish Prison Service should increase the length of phone calls.

**Repeat Recommendation 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.

## 6 RESETTLEMENT

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- 6.1 The Prison Rules 2007-2020, Rules 61 and 75, establish a role for the Governor to advise and assist prisoners to prepare for release from prison.<sup>118</sup> As part of this responsibility, the Rules set out that

*“The Governor shall co-ordinate the delivery of all services to prisoners and ensure, in so far as is practicable, the preparation and implementation of sentence management plans incorporating plans for their reintegration into society. The Governor shall endeavour to ensure that the persons engaged in the delivery of such services and the preparation and implementation of such plans co-operate with one another in such delivery, preparation and implementation.”*

Similarly, Rule 85, sets out that prison officers have a duty to conduct themselves in such a manner as to contribute to the rehabilitation and reintegration into the community of people in prison.

Alongside prison staff, there are a number of in-reach agencies located in the prison which provided support to prisoners throughout their imprisonment and up until their release, these included the Probation Service (Rules 108 and 109), resettlement services such as IASIO, and addiction treatment specialists such as Merchants Quay Ireland.

In addition to these services, there existed external services particular to geographic regions, such as the Cork Alliance Centre, which linked with in-prison supports to assist prisoners on release from prison.

- 6.2 Drawing on national legislation and international standards, the Inspectorate evaluates the prison’s Resettlement performance across two themes:
- A. **Preparation for Release:** provision of in-prison pre-release supports such as sentence planning and management, including engagement with services
  - B. **Release:** utilisation of early release schemes and the prison discharge process

### A. Preparation for Release

#### In-Prison Pre-Release Support

##### *Sentence Planning*

- 6.3 Prisoners sentenced to 12 months or more were eligible for sentence planning supports provided by Integrated Sentence Management (ISM) officers. There were three ISM officers assigned to Cork Prison to serve an eligible population of approximately 145 prisoners. The ISM role was also tasked with providing assistance on the landings of the prison at several points throughout the course of the day. These assist periods amounted to a minimum of three hours each day, which was time that ISM officers were not assigned to carry out ISM-related work.

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<sup>118</sup> Prison Rules 2007-2020, Rules 58 and 61.

- 6.4** Positively, the ISM officers were well-known by people living in the prison, and the Inspectorate observed these officers engaging with prisoners on the landings throughout the course of the inspection.
- 6.5** ISM officers developed Personal Implementation Plans (PIPs), which established sentence plans for prisoners, and Community Integration Plans (CIPs), which were prepared 12 months before the release of a prisoner. Prisoners were not directly involved in the development of PIPs, but were interviewed by ISM officers to determine their needs. ISM officers also played a key role in liaising with resettlement services inside and outside the prison to support prisoners on release.
- 6.6** Engagement with prisoners by ISM officers was most often done on the landings, and was not scheduled or structured. Ideally, prisoner engagement with ISM officers should be planned in coordination with prisoners and also done more formally on a regular basis; this was not the practice in Cork Prison. Additionally, PIPs should be reviewed with prisoners on a yearly basis, but these review meetings were not formally scheduled.
- 6.7** Although the vast majority of ISM officer interactions occurred on prison landings, these officers were not equipped with a portable/digital means of recording prisoner interactions.<sup>119</sup> While the IPS secured funding to purchase tablet computers for use by ISM officers, these were not yet made available for use in the prisons.<sup>120</sup>
- 6.8** While the designation of three prison officers to the role of ISM officer is to be commended, the officers concerned had also been assigned additional “assist” tasks for example assisting in unlock on landings. The assignment of these additional duties hampered the capacity of the ISM officers to provide a structured and effective sentence management service to prisoners.

#### *Pre-Release Planning*

- 6.9** Resettlement support services in Cork Prison benefitted from collaborative engagement across a number of services. On a consistent basis, the prison was serviced by an IASIO resettlement officer and also a resettlement coordinator employed by the Irish Prison Service to specifically address the needs of unhoused prisoners. The Probation Service also had a physical presence in the prison, and liaised with other services to provide pre-release supports.

In preparing for release, 50% of prisoner survey respondents (29 of 58) indicated they had received support through engagement with either ISM, Probation Service, Resettlement Officers or Counsellors.

- 6.10** The IASIO service in Cork Prison was staffed by one Resettlement Officer, and was a service not available to prisoners on remand or who were serving a sentence of less than three months. IASIO received resettlement referrals from ISM officers, but these were only for prisoners serving a sentence of at least 12 months.

Therefore, IASIO resettlement services were not available to 26% (78/302) of the prisoner population in Cork Prison. An additional 75 prisoners were not eligible for ISM services

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<sup>119</sup> The Inspectorate recommended in 2021 that ISM officers be provided with laptops in order to support them to carry out their work with prisoners. Office of the Inspector of Prisons (2021) [COVID-19 Thematic Inspection of Mountjoy Women's Prison-Dóchas Centre](#), see Recommendation DOCT21.

<sup>120</sup> OIP. Recommendations Database, “Integrated Sentence Management”, Recommendation IDs: MJCT21, CHCT22, WFCT23, LMCT23, SACT17, AHCT17, MDCT26, LHCT13 and DOCT21.

(those sentenced for more than 3 months but less than 12 months) and were therefore not referred to IASIO resettlement services through the ISM sentence planning process. This created an intervention gap as many prisoners with short sentences, or who were on remand and released from prison on bail, had acute resettlement needs which were not being met through resettlement or through-the gate services.

- 6.11** With very limited resources, the IASIO resettlement service in Cork Prison worked with internal and external stakeholders to prepare people for release from prison. Much of this work was focused on practical needs, such as establishing links for prisoners with medical, addiction and welfare services in the community. For instance, IASIO sourced medical cards for all individuals referred to resettlement services. IASIO also coordinated training and employment links for prisoners to take up on release and connected prisoners with outreach support workers.
- 6.12** In addition to pre-release services, IASIO played a role in training programmes in the prison. For example, IASIO played a key role in developing the Open Door cooking course initiative (section 5.21). IASIO also worked with the ISM officers to identify prisoners soon to be released from prison, and contributed to assessing prisoner eligibility for transfer to an open prison.
- 6.13** In Cork Prison, IASIO contributed to Community Return Scheme (CRS) reviews, but did not participate in Community Support Scheme (CSS) reviews. The practice in Cork Prison differed from other prisons, such as Castlerea Prison, where IASIO was central to CSS resettlement coordination. Given that IASIO was not part of the CSS review process, situations arose where a prisoner would be identified as eligible for release, with insufficient time given to IASIO to put in place community support services. This means situations arose where prisoners were released on the Community Support Scheme without all resettlement services in place.
- 6.14** Overcrowding in the prison directly impacted on the quality of service provided by IASIO. When prisoners were released from the prison, increasingly as a measure to address overcrowding, there was not always sufficient notice or time to put in place community supports other than to coordinate social welfare. **The unstructured use of Temporary Release as a valve to ease overcrowding did not lend itself to good pre-release planning, and could potentially result in a “revolving door” situation rather than provide a long-term solution to overcrowding in the prison.**
- 6.15 Unhoused Resettlement Coordination**
- While IASIO services addressed the needs of prisoners with accommodation in the community, the IPS resettlement coordinator in Cork Prison worked specifically with people who were unhoused and therefore did not have accommodation upon release from prison.
- 6.16** Sourcing accommodation was a significant challenge, particularly due to a shortage of housing available through Cork County Council. People from outside of Cork were not eligible for housing through the local authority. Housing options available to the resettlement coordinator were often limited to temporary hostel accommodation or “homeless services”, which were impacted by overcrowding and a “bed backlog”.

- 6.17** There were no wraparound supports available to people upon release; which was particularly concerning as many people leaving the prison had complex needs which required high levels of support.
- 6.18** Foreign national prisoners were a particularly vulnerable cohort when attempting to establish pre-release supports. For instance, foreign national prisoners who did not have an address or Personal Public Service (PPS) number were not entitled to housing support or welfare payments. There were occasions where foreign national prisoners were released without housing supports.
- 6.19** Despite a 2021 recommendation to support non-English speakers to engage with Resettlement Coordination by provision of an interpretation service, this was not in place at the time of inspection.<sup>121</sup>
- 6.20** Over a six-month period (September 2022 - February 2023), approximately one-quarter of people (89 of 344 people) released from Cork Prison were not released into “sustainable accommodation”, and were instead released into hostel or emergency accommodation. Temporary accommodation was not appropriate to equip prisoners with an opportunity to successfully re-integrate into the community.
- 6.21** While the Housing for All<sup>122</sup> strategy recognises that “*prisoners and other persons convicted before the courts frequently present as homeless with high and complex support needs and that homelessness poses a significant risk for many post release*”, the ongoing shortage of sustainable housing available to people released from prison continues to undermine policy efforts made to address recidivism and overcrowding in prisons.
- 6.22** Given the high level of pre-release support needs in Cork Prison, and a policy focus on release of eligible prisoners as a means to combat overcrowding, additional IASIO Resettlement Coordinators may be required to provide pre-release support and to allow more time to work with individual prisoners.

### **6.23 Probation Service**

There were three Probation Service staff assigned to Cork Prison: 1 Senior Probation Officer who split coverage across prisons, 1 full-time Probation Officer and one part-time Probation Officer. Much of the work carried out by the Probation Service focused on addressing offending behaviour, however some of these programmes, such as *Choice and Challenge* and *Living with Life* programmes which were suspended during the COVID-19 pandemic had not yet been re-instated in the prison.

The Probation Service also prepared court and Parole Board reports, engaged with IASIO to link prisoners with training opportunities and carried out assessments as part of the Community Return Scheme (sections 6.33 - 6.34).

- 6.24** Due to a lack of available staffing, the Probation Service was not able to provide community supervision to people deemed eligible for release on the Community Return Scheme. This resulted in people eligible for release being held in prison for longer periods. For example,

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<sup>121</sup> OIP (2021) COVID-19 Thematic Inspection of Cork Prison May - June 2021, Rec ID CKCT18.

<sup>122</sup> Government of Ireland, Housing for All A new Housing Plan for Ireland p.52.

one person referred to the Community Return Scheme in January 2023 had not yet been released by the time of inspection.

## 6.25 Preparation for Release Assessment

*Integrated Sentence Management Officers were not sufficiently supported to carry out their work efficiently; particularly given the amount of time each day they were obliged to spend on carrying out “assist” tasks.*

*Pre-release planning carried out by resettlement services was impacted by a lack of housing support in the community; this had a knock-on effect for prisoner eligibility with early release schemes.*

*Staff and services involved with sentence management and pre-release planning were committed to their job, and working to provide an effective service, despite capacity and resource limitations.*

*Early release schemes, intended to support prisoners to re-integrate into society and also release pressures of overcrowding in the prison, were not being utilised effectively due to external resource issues.*

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## 6.26 RECOMMENDATIONS

### To the Director General of the Irish Prison Service:

**Recommendation 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.

**Recommendation 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.

## B. Release

### 6.27 Early Release Schemes

The Criminal Justice (Temporary Release of Prisoners) Act 2003 allows the Minister for Justice to release persons from custody temporarily for a number of reasons, including assessing the person’s ability to reintegrate into society upon release, as well as preparing them for release upon the expiration of their sentence of imprisonment.<sup>123</sup> The Minister for Justice may justify the release of a prisoner on health grounds or other humanitarian grounds.<sup>124</sup> Prisoners on remand are not eligible for Temporary Release.

In addition to Temporary Release, there were other forms of structured early release programmes available to prisoners, including the Community Return Scheme (CRS) and the Community Support Scheme (CSS).

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<sup>123</sup> Irish Statute Book, Criminal Justice (Temporary Release of Prisoners Act) 2003.

<sup>124</sup> See section 2(1)(b) (i.) (ii.)

## Community Support Scheme

- 6.28** The Community Support Scheme (CSS) is a supervised early release programme introduced by the Irish Prison Service in 2011. The CSS was developed in collaboration with the Probation Service in order to alleviate overcrowding, with its aim being to address recidivism for prisoners serving short sentences.

The eligibility criteria for the Community Support Scheme was initially for prisoners serving sentences of between three to 12 months. However, in June 2023, the Minister for Justice broadened the criteria to include prisoners serving sentences of between three and 18 months.<sup>125</sup>

- 6.29** Between September and February 2023, 47 people were released from Cork Prison under the CSS. At the time of inspection, there were 25 individuals from Cork Prison on the Community Support Scheme and an additional 44 prisoners on the CSS on the review list.
- 6.30** CSS review meetings were held in the prison each week, and were attended by prison management, ISM officers, Irish Prison Service Headquarters and Cork Alliance Centre. All prisoners on the review list were assessed, with input from each of the stakeholders being considered as part of the review. The stakeholders knew the prisoners' names, family situations and support needs, and where a prisoner was not deemed eligible at that time for the scheme, measures were identified to progress the prisoner towards eligibility.
- 6.31** A confirmed address was a prerequisite to be considered eligible for CSS; which was a considerable obstacle given a shortage of housing available to people on release from prison (sections 6.15 - 6.21). All prisoners on the Community Support Scheme were required to attend appointments in Cork City, which proved difficult for people who lived far from the area.
- 6.32** As noted, IASIO did not participate in these meetings (section 6.13), which had a knock-on effect in terms of providing practical supports to prisoners soon to be released.

## Community Return Scheme

- 6.33** In 2012, the Director General of the Irish Prison Service announced the formal establishment of a new Community Return Unit,<sup>126</sup> comprised of officials from both the Irish Prison Service and Probation Service. Through a selection process, prisoners eligible for this scheme could be granted temporary release in exchange for agreeing to partake in unpaid community work.

At the time of its introduction, the Irish Prison Service aimed to place 400 prisoners per annum in this scheme, with a maximum of 150 prisoners participating in the Community Return Scheme at any one time.<sup>127</sup>

Initially, the Community Return Scheme was applicable to prisoners serving sentences of more than one year and less than eight years. Those selected and participating were granted renewable temporary release having served at, or over, 50% of their sentence,

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<sup>125</sup> This was confirmed in a letter from the Minister for Justice to the Chief Inspector of Prisons following an Immediate Action Notification (IAN) for Cloverhill Prison subsequent to inspection, received on 26 June 2023.

<sup>126</sup> <https://www.oireachtas.ie/en/debates/question/2022-05-31/561/>

<sup>127</sup> [http://www.irishprisons.ie/images/pdf/community\\_return.pdf](http://www.irishprisons.ie/images/pdf/community_return.pdf)

with a condition of their release being to undertake community service supervised by the Probation Service.<sup>128</sup>

The Minister for Justice approved a change to the eligibility criteria of Community Return in mid-2023, which broadened access to Community Return for those serving sentences up to, and including 18 months. It also allowed prisoners serving a sentence of between three and five years to be considered eligible for the Community Return Scheme at the halfway stage of their remitted sentence.<sup>129</sup>

- 6.34** Some prisoners could not access the Community Return Scheme in Cork Prison because they had no address in the community, and were therefore ineligible for this scheme.

Due to capacity issues and provision of community supervision by the Probation Service (section 6.23), prisoners deemed eligible for this scheme were not being released.

- 6.35** The Inspectorate welcomes the Government commitment<sup>130</sup> to coordinate with the Irish Prison Service and the Probation Service to review the Community Return and Community Support programmes. The objective of the review will be to “identify innovative, effective interventions and new supervision modalities to maximise early release from custody to improve rehabilitation, resettlement and rehabilitation outcomes for people in custody”.

#### **6.36 Discharge from Prison**

The Prison Rules 2007-2020, Rule 61, establishes basic release provisions to be ensured by the Governor of the prison, which include:

- sufficient means for travelling to a person’s destination within the State
- provision of suitable clothing for people who have inadequate, or no clothing of their own
- subsistence of an amount determined by the Governor as appropriate for the circumstances

The Inspectorate observed the release process to determine what release provisions, information and supports were provided to prisoners to ensure the success of initial re-integration into the community.

- 6.37** All prisoners interviewed by the Inspectorate about the release process indicated they had received sufficient means for travel (if they required it), had suitable clothing and had sufficient money to carry them over until they collected a welfare payment. Additionally, the prisoners released at that time all had accommodation sorted with their family or friends.

- 6.38** Release from Cork Prison was conducted through the reception area, with input from prison administrative staff, IASIO and reception staff.

Administrative staff provided soon-to-be released prisoners with information about the conditions of their release, if any, a travel voucher and also returned the person’s belongings to them. Prisoners’ phones were not returned until just before exiting the prison gates.

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<sup>128</sup> <https://www.gov.ie/en/organisation-information/16d7b-service-users-your-questions-answered/#what-community-return-is>

<sup>129</sup> This was confirmed in a letter from the Minister for Justice to the Chief Inspector of Prisons following an Immediate Action Notification (IAN) for Cloverhill Prison subsequent to inspection, received on 26 June 2023.

<sup>130</sup> Department of Justice, [Criminal Justice Policy Review of Policy Options for Prisons and Penal Reform 2022-2024](#).

**6.39** The IASIO service was essential to the release process, as many of the concerns raised by prisoners to the Inspectorate were addressed through engagement with the Resettlement Officer. For instance, one prisoner, who was not from the Cork area, was concerned about how he would travel to his home location as he did not know the location of the train station. IASIO provided this person with a map to services, as well as train timetables and information about Intreo (Public Employment Services).

Prisoners were also provided with clear and easy-to-read documentation related to the scheduling of appointments for prisoners in the community.

**6.40** Despite efforts made by prison and resettlement staff to provide prisoners with the supports and information they needed for release, the release process was somewhat hectic, rushed and required review to ensure prisoners were supported on release from the prison.

The discharge process did not occur in a private and calm setting. There was no opportunity for prisoners to sit with a prison officer or resettlement officer to go through documentation, or to ask questions about release supports and processes.

**6.41** Some prisoners indicated they had hoped for more support while in prison to link with training or employment in the community upon their release.

Prisoners' phones were not charged prior to their return to the owners, which made it very difficult for people to contact their families or make their way to support service appointments.

**6.42** Similarly, prisoners were not provided with a "Certificate of Imprisonment", which was required in order to access social welfare services, until they left the prison grounds. Instead, they collected this document at the visitor's centre. The Inspectorate observed the release process through to the point of walking through the gates, and noted that because former prisoners were not escorted to the visitor's centre by a member of staff, some of them forgot to collect their certificates. Only once this was mentioned to a member of prison staff by the Inspectorate were the former prisoners called back to collect their certificates.

**6.43** The majority of prisoners released from the prison had to travel to different areas of the city to participate in appointments with release services. Some of these prisoners left the prison with all of their belongings in heavy, clear plastic bags (**Figure 22**).

**Figure 22: Prisoner Belongings on Release from Prison**



When a prisoner queried if he might be allowed to leave his plastic bag at the visiting centre for a short period while he attended the appointments, his request was denied by prison staff.

#### **6.44 Release Assessment**

*The Community Return Scheme and Community Support Scheme were not being maximised for use due to external resourcing and capacity issues, particularly in relation to housing and community supervision Probation Services.*

*While efforts were made to provide practical supports to prisoners immediately prior to their release, the environment for the provision of information about these supports was not suitable.*

*Prisoners were released from prison with their belongings in clear plastic bags and uncharged phones; while simple, these things negatively impacted on the aftermath of release and did not support prisoners to begin a re-integration process that could be daunting.*

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#### **6.45 RECOMMENDATIONS**

**To the Director General of the Irish Prison Service:**

**Repeat Recommendation DG22-15:** *(recommendation also made in relation to Mountjoy Men's Prison):* 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.

**To the Governor of Cork Prison:**

**Recommendation CK23-17:** Immediate practical steps should be taken to promote best release outcomes, including (i) the establishment of a private, calm and secure area for pre-release discussions, (ii) charging mobile phones of prisoners immediately prior to release; and (iii) provision of opaque bags to prisoners that are discreet and suitable for transporting their belongings in a dignified way.<sup>131</sup>

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<sup>131</sup> Prison Rules 2007-2020, Rules 61 and 75.

# APPENDIX

A.

## Immediate Action Notification



**Oifig An Chigire Príosún**  
**Office of the Inspector of Prisons**

### IMMEDIATE ACTION NOTIFICATION

|                   |  |
|-------------------|--|
| <b>FROM:</b>      | Mark KELLY, Chief Inspector of Prisons   |
| <b>TO:</b>        | Caron McCaffrey, Director General of the Irish Prison Service<br>Ger Manley, Acting Governor II, Cork Prison |
| <b>DATE:</b>      | 3 April 2023, <u>revised and reissued</u> , 4 April 2023 <sup>1</sup>  |
| <b>REFERENCE:</b> | OIP/IAN/CK/1/2023_rev1   |
| <b>SUBJECT:</b>   | Cork Prison: Serious concern regarding call bell system  |

|                       |           |
|-----------------------|-----------|
| <b>LIKELY IMPACT:</b> | CRITICAL  |
| <b>PROBABILITY:</b>   | LIKELY    |
| <b>RISK LEVEL:</b>    | VERY HIGH |

The *Framework for the Inspection of Prisons in Ireland* provides that: “In the event that an Inspection Team identifies concerns, around either current performance or the risk of adverse impact on future performance, of such significance and consequence that an immediate intervention to mitigate is required, then the Chief Inspector may raise an Immediate Action Notification (IAN)”.<sup>2</sup>

In the course of the current full unannounced inspection of Cork Prison, my Inspection team has identified a **serious concern regarding the call bell system at the prison.**

At present, if any prisoner in Cork Prison presses the ordinary call button in their cell, it is not possible for prison staff to cancel that intercom/priority call from the Class Office or the Control Centre without answering it. Moreover, for so long as prison staff do not answer that call, all other intercom/priority calls from every other cell in their accommodation Division (A or B) will remain stacked in a queue. This means that the current call bell system enables the refractory actions of a single prisoner to prevent prison staff in the Class Office and in the Control Centre from answering any other intercom or priority call from a prisoner living in the same Division until the first call in the queue has been answered.

<sup>1</sup> The precise technical operation of the call bell system at Cork Prison was clarified during a very useful meeting at Cork Prison on 4 April 2023 with Alan Strutt, Barrie Garland and Ronan Todd, as well as the Acting Governor II and Acting Chief Officer I. As a result, the description of the operation in practice of the system has been revised and updated in this version - OIP/IAN/CK/1/2023\_rev1 - of the IAN. However, the OIP’s assessment of the risk concerned and the substantive content of the IAN remains unchanged.

<sup>2</sup> Framework for the Inspection of Prisons in Ireland, Office of the Inspectorate of Prisons, March 2020, paragraph 2.3.5.

For emergency calls, although these go directly to the Control Centre as well as to Class Offices, the first emergency call made will remain at the top of the queue until the cell from which it was made has been physically visited to carry out a reset. In the meantime, no other emergency call in the queue can be answered until the first emergency call in the queue has been answered.

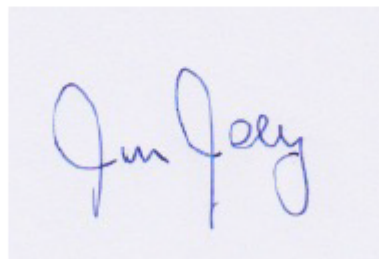
The dangers of this situation are obvious: it could easily be the case that a genuine emergency call goes unremarked and unanswered for a critical period of time, leading to a variety of avoidable harms, up to and including the death of a person living in the prison.

The Inspectorate of Prisons considers that the likely impact of this concern is **critical** and that the probability of this impact occurring is **likely**. Consequently, the Inspectorate deems the risk involved to be **very high**.

Given the gravity of this concern, I have decided to raise the following Immediate Action Notification:

*Having become aware of a serious concern regarding the call bell system at Cork Prison which is **likely** to have a **critical adverse impact** on people living in Cork Prison, the Chief Inspector of Prisons:*

- *Formally notifies the Director General of the Irish Prison Service and the Acting Governor II of Cork Prison that this concern has been deemed by the Inspectorate of Prisons to involve a **very high risk**;*
- *Requests the Director General of the Irish Prison Service and the Acting Governor II of Cork Prison to **intervene immediately** to mitigate the very high risk identified in this Immediate Action Notification;*
- *Requests the Director General of the Irish Prison Service and the Acting Governor II of Cork Prison to inform him, at the latest by 5pm on 17 April 2023, of the steps that they propose to take to **mitigate** the very high risk identified in this Immediate Action Notification.*



Mark Kelly  
Chief Inspector of Prisons

Cork Prison, 4 April 2023



**Oifig An Chigire Príosún**  
**Office of the Inspector of Prisons**

Director General Caron McCaffrey,  
Irish Prison Service,  
IDA Business Park,  
Ballinalee Road,  
Longford,  
Co. Longford  
N39 A308

Dublin, 2 May 2023

Dear Director General,

Thank you once again for the positive engagement of the Irish Prison Service with the recent Immediate Action Notification (IAN reference: OIP/IAN/CK/1/2023\_rev1) that I raised with you and the Acting Governor II of Cork Prison.

I have now had the opportunity to consider the various detailed proposals advanced by your colleagues during their meeting on 14 April 2023 with Deputy Chief Inspector Helen Casey and Senior Inspector Ciara O'Connell. Whilst it is not the role of the Office of Inspector of Prisons to endorse any particular technical solution, the measures that are being proposed do appear to address the principal concerns raised in the Immediate Action Notification.

I would add only that fully addressing the issue raised in the IAN transcends a purely technical response and may also require careful reconsideration of the staffing levels and practices that are required to keep this particular risk at a manageable level.

It will also be crucial that both prison staff and people living in the prison are assisted to understand the full implications of any changes that are introduced.

The Office of the Inspectorate of Prisons remains committed to working with you and your team as you roll out your proposed actions and would appreciate being kept informed of the progress of this work.

Kind regards,



Mark Kelly  
Chief Inspector

Oifig an Chigire Príosún, Oifigí Halla Pheambróg, 38-39 Cearnóg Mhic Liam Thiar, Baile Átha Cliath 2, D02 NX53

*Office of the Inspector of Prisons, Pembroke Hall Offices, 38-39 Fitzwilliam Square West, Dublin 2, D02 NX53*

## B. OIP Previous Recommendations Status Update

| Rec ID   | Recommendation  | IPS Action Plan<br>(02 September 2021)  | Action Required /<br>Owner   | Timeline  | IPS Details of Action Taken<br>(1 September 2022)   | IPS Details of Action Taken<br>(Q1 / Q2 2023) | OIP Assessment<br>March / April 2023  |
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| <b>CKCT1</b><br><br>(Isolation /<br>Quarantine<br>Information)<br><br><i>Focus Area:<br/>                     Respect &amp;<br/>                     Dignity</i> | In line with Rule 54 of the Nelson Mandela Rules, Cork Prison and the Irish Prison Service should ensure that written and oral information about the process of quarantine is provided to prisoners on an ongoing basis. This information should be designed to assist prisoners in adapting to quarantine, and should clearly outline what they can expect while in quarantine. The information should be provided in a language and form that can be understood by the prisoner; this may require the assistance of interpreters. Prisoners should be provided with ongoing opportunities to raise questions and to be informed of all matters necessary to adapt to quarantine and prison life in general. | The Irish Prison Service provides a comprehensive Prisoner Information Book to all new committals to prison. The Book is printed in several languages and gives basic information about regimes and services within prisons. A bespoke booklet titled "Covid-19 – Living in Cell" was developed by the Red Cross Prisoner Volunteers to provide detailed information to prisoners on isolation/quarantine and gives specific information on the Covid-19 testing process. The information, which has been designed by prisoners for prisoners, is provided in a clear, easy to read plain English format. This information booklet has been translated into several languages. In addition prisoners are provided with verbal information by prison management on the quarantine process including the timelines and testing process. | The Irish Prison Service will continue to provide translations of information provided.<br><br>The Chief Officer in Cork provides a verbal briefing to new committals and prisoners going on temporary release. Governor follows this up following committal quarantine. | In place and will be reviewed and augmented on an ongoing basis | <b>Complete</b><br><br>A 'Living in Cell' booklet has been provided throughout the covid-19 pandemic and has been updated on a number of occasions to reflect latest procedures. The booklet is circulated via the Covid-19 prison liaisons group. The document is developed in collaboration with the Prison Red Cross Volunteers and is approved by NALA. A new recording studio has been introduced in Loughan House and it is proposed that future communications will be broadcast via the Prisoner TV Channel. The Service continues to provide a comprehensive Prisoner Information Booklet to all new committals which is available in up to 7 different languages. | NA  | <b>COMPLETE</b><br><br>People committed to Cork Prison were no longer accommodated in quarantine. |

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| <p><b>CKCT2</b><br/>(COVID-19 - Provision of Framework/ Unwinding Restrictions to Prisoners)</p> <p><i>Focus Area: Respect &amp; Dignity</i></p> | <p>The Irish Prison Service should provide prisoners with a written copy of the Framework for Living with COVID-19 and/or Unwinding of Prison Restrictions (as applicable). Prisoners should be consulted, and updated on future plans relating to family visits, regimes, and sentence progression as COVID-19 restrictions unfold.</p> | <p>The Irish Prison Service has completed significant unwinding of prison restrictions in line with the roll out of the covid-19 vaccination programme in all prisons. Extensive communication with prisoners is undertaken at all times to raise awareness of changes to restrictive measures. Cork management continue to brief prisoners on changes via Governor's Parade and class officers are available to communicate with prisoner at all times. The prisoners Red Cross continue to develop information booklets and arrange regular information leaflet cell drops. The Prisoner TV channel is also updated as the Covid-19 situation evolves.</p> |  | <p>In place and ongoing</p> | <p><b>Complete</b></p> <p>The Prison Service introduced a framework for restrictive measures, (five levels) in line with the Government Framework for living with Covid-19. In 2021 the Service moved to link the unwinding of prison restrictions with the roll out of the covid-19 vaccination. In addition, the Service developed and utilised a Contingency Plan for the Management of Covid-19 Outbreaks which set out the actions to be taken for the management of an outbreak in a prison setting. In 2022, the Service moved to the management of outbreaks using a contact tracing model. The Service is currently developing a new Covid-19 Management Framework centred on the maintenance of services during possible outbreaks and support to mitigate against restrictions should enhanced restrictions be required.</p> | <p>NA</p> | <p><b>COMPLETE</b></p> <p>Cork Prison was no longer operating with a COVID-19 specific regime in place at the time of inspection.</p> |
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| <p><b>CKCT3</b></p> <p>(Food – Meal Scheduling)</p> <p><i>Focus Area: Respect &amp; Dignity</i></p> | <p>In line with the Nelson Mandela Rules, Rule 22 and European Prison Rules, Rule 22.4, the Inspectorate recommends that the scheduling around meal times be amended to ensure meals are served at reasonable intervals and at times reflected in the community: breakfast (morning), lunch (midday) and dinner (evening).</p> | <p>In 2019, the Irish Prison Service introduced a pilot alteration to the schedule of meal times in Castlereagh and Mountjoy Prison (Progression Unit).</p> <p>The purpose was to examine the impact of providing the main daily meal in the evening. The results of the pilot were positive and the IPS decided, in 2019, to roll out this meal schedule to all prisons.</p> <p>The Irish Prison Service has been engaging with the staff representative association with regard to implementing this change across the prison system.</p> <p>The Irish Prison Service has identified the review of prisoner mealtimes as a priority action in the Public Service Agreement 2021/2022 and continues to engage with the staff representative association in this regard.</p> | <p>The Irish Prison Service will continue to engage with the staff representative association with regard to the alteration of the existing prisoner meal schedule</p> <p>The Irish Prison Service has reintroduced divisional unlock across all prisons as part of the unwinding of restrictions.</p> | <p>Ongoing</p> | <p>An alteration to the prison of the main meal was completed in Castlereagh Prison and the Mountjoy Prison Progression Unit.</p> <p>The Irish Prison Service has identified the review of prisoner mealtimes as a priority action in the Public Service Agreement 2021/2022 and continues to engage with the staff representative association in this regard.</p> <p>The Irish Prison Service will continue to engage with the staff representative association with regard to the alteration of the existing prisoner meal schedule.</p> | <p><b>Ongoing</b> (2 March 2023)</p> <p>A Steering Committee gave oversight to the review process. A sub-committee comprising 2 members from Care &amp; Rehabilitation and 2 members from the Staff representative association carried out the review in 2022 by visiting 4 prisons; Castlereagh Prison, Cork Prison, Wheatfield and the Progression Unit. The review was limited to reviewing the practicality of changes to the scheduling of the main daily meal, no changes are being proposed to the serving times or intervals between meals in prisons.</p> <p>The following were the recommendations from the review accepted by the steering Committee: 1. Revision and modernising of menu 2. Standardisation of the serving times across all prisons in line with standard prison day to maximise access to prisoner services. Prisoners will remain in their morning structured activity until at least 12:15pm and in the afternoon until at least 4:15pm. 3. Provide enhanced tea/evening meal offering 4. Increase range of menu options for special dietary requirements. 5. Provide only a small range of menu alternatives. 6. Strict adherence to menu and alternatives. 7. Provision of amended menu options for female prisoners.</p> | <p><b>ONGOING</b></p> <p>Mealtimes in Cork Prison did not reflect the sequence of meals (breakfast, lunch, dinner) in the community.</p> <p>A revised 28-day menu was in preparation, which was not intended to reconfigure the meal times, but would instead increase the amount of food served as the final meal of the day.</p> |

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| <b>CKCT4</b><br><br>(Court - Remote Courts)<br><br><i>Focus Area:<br/>Respect &amp;<br/>Dignity</i> | Taking into consideration Article 6 of the ECHR and Article 14 (3) of the ICCPR, the Irish Prison Service should continuously monitor and engage with persons in custody on the impact of remote court hearings. | The Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020 allows for certain type of court hearings to be heard by video link. This includes arraignments, returns for trial, sentencing hearings and certain hearings in relation to surrender proceedings for extradition. While video link is not the default, the Act gives this authority to the Courts allowing them to make certain proceeding of their choosing by default. This authority is vested firstly in the Presidents of the Courts and subsequently in the Judges themselves. The IPS and the Courts Service are working to increase the capacity of video link. Infection control measures introduced during Covid-19 have resulted in the widespread use of video link for Court appearances. Approximately 60% of Court appearances are now taking place via video link. The use of video link will allow the Service to redirect vital resources into the provision of prisoner services. | The Irish Prison Service will continue to engage with Court Services as necessary.<br><br>The Irish Prison Service will continue to explore the use of video link for the provision of other services such as Probation interviews, prisoner case conferences, education and remote learning. | Reviewed on an ongoing basis | The Irish Prison Service continues to enhance the physical infrastructure to support enhanced use of video link for prisoner attendance at Court.<br><br>The Irish Prison Service will continue to engage with Court Services as necessary.<br><br>The Irish Prison Service will continue to explore the use of video link for the provision of other services such as Probation interviews, prisoner case conferences, education and remote learning.<br><br>Reviewed on an ongoing basis | <b>Ongoing</b> (13 March 2023)<br>The Irish Prison Service continues to take steps to enhance physical and ICT facilities to support the use of video link for prisoner attendance at Court. The Irish Prison Service continues to engage with Court Services as necessary to continuously improve the operation of video-courts to ensure that the rights of prisoners are upheld. The Irish Prison Service will continue to explore the use of video link for prisoner engagement with therapeutic and other support services. All opportunities to use video-link to the benefit of prisoners are reviewed on an ongoing basis. | <b>ONGOING</b><br>Prisoners used video court links to attend court sessions, as required. |

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| <b>CKCT5</b><br><br>(Foreign National Prisoners - Information)<br><br><i>Focus Area: Respect &amp; Dignity</i> | In line with Section 42 of the Public Sector Duty, the Irish Prison Service must ensure that Foreign National and non-English speaking prisoners have equal access to provision of information. It must also enact positive measures to ensure the protection, promotion and fulfilment of the human rights of non-English speaking and Foreign National prisoners, including the right to private and family life (ECHR Article 8, European Prison Rules, Rule 37.1). | <p>Management will ensure that Interpreters are used for all committal interviews and for sentence planning purposes.</p> <p>Cork Prison Management will explore other options to support non-English language speaking prisoners to overcome language difficulties</p>  | Management to advance the purchase of hand-held interpretation devices to assist non-English speaking prisoners.   | End Q4 2021   | <b>Complete</b><br>The Irish Prison Service has developed a comprehensive Prisoner Information Booklet with extensive information about all aspects of prison regimes and services. The booklet is translated into a number of languages and is reviewed every two years. The booklet is currently under review. Consideration is being given to creating an induction video, based on the Living in Cell Booklet, which will be broadcast via the prisoner TV Channel. The TV channel will be managed centrally to allow for consistent management of information across the estate. | NA  | <p><b>ONGOING</b></p> <p>Foreign National and non-English speaking prisoners continued to face challenges in accessing information in a language and form they could understand.</p> <p>Interpreters were not readily available at committal stages, or at points thereafter.</p> <p>Over a period of six months, interpreters were employed on only six occasions.</p> |
| <b>CKCT6</b><br><br>(Staff Training – Human Rights)<br><br><i>Focus Area: Respect &amp; Dignity</i>            | In line with Section 42 of the Public Sector Duty, the Irish Prison Service should ensure that all prison staff participate in ongoing and continuous training and awareness-raising programmes on international human rights standards and principles of equality and non-discrimination.   | <p>All staff are reminded on an ongoing basis of the need to treat prisoners with dignity and respect. All staff who join the Irish Prison Service receive training in relation to human rights, equality and diversity. This training has evolved in response to evolving societal values, legislation and international human rights. The IPS appointed an Equality and Diversity Lead in 2019 with a view to advancing a number of actions to enhance dignity and respect within the Service.</p> <p>A specific anti-racism awareness campaign was rolled out via the</p> | <p>E-learning modules in development.</p> <p>Publication of Code of Ethics</p> <p>Enhanced anti-racism and discrimination awareness programme to be developed locally and nationally.</p> <p>Survey to be completed on prisoner experiences and perceptions of making complaints</p> | <p>Ongoing</p> <p>Q4 2021</p> <p>Q4 2021</p> <p>Q4 2021</p> |   | <p><b>Ongoing</b> (9 March 2023)</p> <p>All staff joining the Irish Prison Service receive training in relation to human rights, equality and diversity.</p> <p>The e-learning platform is due to be launched at the start of April 2023 and topics emanating from Section 42 of the Public Sector Duty will be developed as a priority in the e learning packages.</p> | <p><b>ONGOING</b></p> <p>A high number of operational staff expressed dissatisfaction with the training they had received in the area of cultural awareness and sensitivity (38%) and gender-based violence (57%).</p>  |

|  |   | Intranet in March 2021 by the Equality and Diversity Lead. The DG wrote to all staff in March 2021 reminding them of the need to uphold human rights. IPS recently procured a Learning Management System and we hope to provide training to our staff in relation to our new Code of Ethics (completed and due for publication in Q4 2021) and Section 42 responsibilities through E-Learning in the near future. The IPS is committed to designing and delivering more bespoke training in relation to the important areas of human rights, equality, diversity and inclusion. A prisoner may raise a concern or make a formal complaint via the Prisoner Complaint Process. All complaints are treated with the utmost seriousness and will be thoroughly investigated. |  |             |   |   |  |
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| Rec ID   | Recommendation  | IPS Action Plan<br>(02 September 2021)  | Action Required /<br>Owner   | Timeline    | IPS Details of Action Taken<br>(1 September 2022)   | IPS Details of Action Taken<br>(Q1 / Q2 2023)   | OIP Assessment<br>March / April 2023   |
| <b>CKCT7</b><br><br><i>(Prisoner Engagement with OIP - Reprisal)</i><br><br><i>Focus Area: Respect &amp; Dignity</i> | In line with the European Prison Rules (93.3), Cork Prison and the IPS should undertake a robust information campaign to ensure prisoners and prison staff are informed of their right to engage with the OIP, and other monitoring bodies, without fear of reprisal. | The Irish Prison Service will roll out an awareness campaign in consultation with the Office of the Inspector of Prisons.   | Communications Team to develop awareness materials with the Office of the Inspector of Prisons for dissemination through the Prisoner TV Channel and inclusion in Prisoner information Literature. | End Q4 2021 | Work has commenced on the development of a comprehensive awareness campaign for both prisoner and staff on a number of issues such as contact with the Inspector of Prisons Office, correspondence with bodies under Rule 44 of the Prison Rules and the Prisoner complaints Process. The campaign will be rolled out in Q3 2022. | <b>Ongoing</b> (10 March 2023)<br><br>The IPS Communications Team continue to work on an awareness campaign in conjunction with the Operations Directorate which it is hoped will be progressed in Q3 2023. | <b>ONGOING</b><br><br>Positively, in 2023, prisoners did not indicate a fear of reprisal for engaging with the OIP. However, prisoners' knowledge about their entitlement to write to the OIP under Rule 44 of the Prison Rules 2007-2020 was lacking. |
| <b>CKCT8</b>   | The Inspectorate recommends that the Irish Prison Service engages with the Department   | Cork prison has a bed capacity of 296. The daily average number in custody in 2020 was 271 or an average occupancy level of 93%. The average number in  | The IPS will continue to review the Prison Population  | Ongoing     | The Minister for Justice has published the Review of Penal Policy which includes actions to   | <b>Ongoing</b> (13 March 2023)<br><br>The Minister for Justice has approved amendments proposed   | <b>ONGOING</b>   |

| <p><i>(Overcrowding – Reduce Population)</i></p> <p><i>Focus Area: Safety &amp; Security</i></p>                | <p>of Justice to maximise all opportunities available for reducing the prison population. The reduction in prison numbers reduces the number of people cell-sharing, minimises the risk of COVID-19 transmission, and enables prisoners to practice social distancing.</p>          | <p>custody in Cork in 2021 (to 23/8/2021) is 259 or 88%. In March 2020 the Irish Prison Service took decisive action to reduce the prison population to ensure effective infection control measures. The IPS has engaged with the Dept of Justice to examine potential solutions to continue to manage the prison population in a way that ensures effective infection control measures. In addition, the Criminal Justice Efficiencies Group has tasked data analysts from across the sector with examining the potential impacts on prison numbers over the next 12 months.</p> | <p>Management Plan and will introduce new measures to address prison overcrowding as necessary.</p> <p>Data analysis on the impact of increased committals to be completed.</p>  | <p>Operations Directorate</p> <p>Criminal Justice Efficiencies committee</p> | <p>reduce reoffending and incorporate the principle of imprisonment as a last resort. The Training Unit has reopened in July 2022 providing an additional 96 prisoner spaces. An additional 90 male spaces and 22 female spaces are due to come on stream in late Q4 2022/Q1 2023 with the opening of new prisoner accommodation in Limerick Prison for male and female prisoners. (Subject to the availability of staffing resources).</p>   | <p>by IPS to the Community Return Scheme and Community Support Scheme to allow for prisoners to be considered for both schemes at an earlier stage of their sentence.</p> <p>It should be noted that prison Governors are required by law to accept all prisoners into their custody who have been committed to prison by the Courts. The Irish Prison Service therefore has no control over the numbers committed to custody at any given time.</p> | <p>Cork Prison was experiencing unprecedented overcrowding at the time of the 2023 full General inspection. The prison bed capacity was between 102% and 105%, with an average of ten people sleeping on mattresses on the floors of cells, over the course of the inspection.</p> |
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| Rec ID  | Recommendation  | IPS Action Plan (02 September 2021)   | Action Required / Owner  | Timeline   | IPS Details of Action Taken (1 September 2022)  | IPS Details of Action Taken (Q1 / Q2 2023)   | OIP Assessment March / April 2023  |
| <p><b>CKCT9</b></p> <p><i>(Family Contact - Telephone)</i></p> <p><i>Focus Area: Health &amp; Wellbeing</i></p> | <p>In line with Rule 24.1 of the European Prison Rules, and following the success of the family call-in pilot project in May/June 2021, the Inspectorate recommends that all necessary steps be taken to ensure the family call-in initiative is made permanent in Cork Prison.</p> | <p>A cross-Directorate Group oversaw the recent pilot ‘proof of concept’ initiative in Cork Prison, led by Operations and ICT.</p> <p>The Pilot is being reviewed with a view to identifying the requirements for broadening and roll out to all locations.</p> <p>This includes identification of the resource requirements including licencing and technology costs..</p>   | <p>Review of Pilot project to be completed</p> <p>Additional resources have been sought through the 2022 Estimates process that, if approved, will allow for the enhancement of in-cell telephony solutions in Cork and across the prison system</p> | <p>Q1 2022</p> <p>Prison Mgmt/ Operations / ICT</p> <p>ICT/DOJ</p>           | <p>The IPS has allocated capital funding for the installation of in-cell telephones in all cells across the prison estate. In-cell telephones are now available in Castlereagh, Cloverhill, Midlands, Cork and Limerick prisons. The IPS anticipates the completion of in-cell telephony to Dóchas Centre, Portlaoise and Wheatfield Prisons by end 2022. Subject to the availability of necessary resources, the IPS intend to provide in-cell telephony in Arbour Hill and Mountjoy Male prison in 2023. The installation of telephones to allow for a call out service has been prioritised.</p> <p>The enabling of a system to allow call in will be considered in due course and requires careful consideration for operation and security reasons however initial</p> | <p><b>Ongoing</b> (10 March 2023)</p> <p>The in-bound telephony initiative was a pilot and was operational in Cork prison during the pilot phase only. The learnings from the pilot are being factored into revised business requirements. It is intended to implement in-bound telephony across the estate in 2023 subject to the availability of required resources.</p>   | <p><b>ONGOING</b></p> <p>While the 2021 “Family Call-In” pilot initiative was successful, the initiative was not in place at the time of inspection in 2023.</p>   |

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| <b>CKCT10</b><br><i>(COVID-19 – Meaningful Human Contact)</i><br><br><i>Focus Area: Health &amp; Wellbeing</i> | In line with the June 2021 SPT Follow-Up Advice relating to COVID-19, the Inspectorate urges the Irish Prison Service to implement all possible measures for improving social and family contact for people in order to compensate for COVID-19-related isolation. | Every effort continues to be made by the Irish Prison Service to allow prisoners in Quarantine/Isolation to have contact with family and prison services. This includes the use of in-cell telephones and the use of tablet computers for those on significantly restricted regimes. A critical measure in the prevention of the possible spread of covid-19 to the prison population has been the isolation and quarantining of suspected or positive cases of covid-19. This measure is consistent with action taken by other services who manage positive and suspected cases. The priority for the Irish Prison Service and prison management is to limit and reduce the time spent by prisoners in isolation/quarantine through the testing process. Physical visits to prisons have also recommended in line with the roll out of the prison vaccination programme. Physical visits recommenced on Friday 3rd September 2021. | Continue the provision of in cell technology to allow prisoners to maintain contact with family and services. | Ongoing  | Throughout the pandemic every effort was made to ensure all prisoners could continue to have meaningful contact with others. Prisoners who were confirmed as Covid-19 positive or suspected as having Covid-19 were isolated, in line with Standard Operating Procedures, to prevent the spread of infection. This is in line with action taken in the community. The Irish Prison Service introduced video visiting technology to allow prisoners to communicate with family and friends when physical visits were suspended. This option has been retained as an additional communication tool to support family contact. In-cell telephones were introduced in all locations as a temporary measure during the pandemic however, a major project to install in-cell telephones in all cells across the prison estate on a permanent basis has been commenced.<br><br>As a result in-cell telephones have been installed in is complete in Castlerea, Cloverhill, Midlands, Cork and Limerick prisons. The Service anticipates the completion of in-cell telephony to the Dóchas Centre, Portlaoise and Wheatfield Prisons | <b>Ongoing</b> (8 March 2023)<br><br>A project for the installation of in-cell telephones to all prison cells is ongoing.<br><br>In-cell phones are operational in Castlerea, Cloverhill, Cork, Limerick and Midlands Prisons.<br><br>Projects in Portlaoise Prison and Dóchas Centre are currently ongoing and will be completed by the end of Q2 2023.<br><br>Tenders for Arbour Hill, Mountjoy Prison including the Training Unit and Progression Unit will be completed before the end of Q2 2023 with the installation completed by the end of 2023. | <b>COMPLETE</b><br><br>People committed to Cork Prison were no longer accommodated in quarantine.<br><br>While people were no longer experiencing restrictions on meaningful human contact due to COVID-19 related restrictions, many prisoners (approximately 20%) in Cork Prison experienced very little out-of-cell time and have little opportunity to engage with other people in a meaningful way. |

|   |   |  |                            |          | by the end of this year. Subject to the availability of necessary resources, the Service intend to provide in-cell telephony in Arbour Hill and Mountjoy Male prison in 2023. While physical visits were suspended for periods during 2020 and 2021 (for infection control reasons) the Irish Prison Service ensured that suspension of physical visits was lifted as soon as it was deemed safe to do so. The Service has continued to unwind restrictions on physical visits with visits now permitted every fortnight and no restrictions on capacity. It is expected to return to weekly visits in Q3 2022 subject to available resources. |   |   |
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| Rec ID  | Recommendation  | IPS Action Plan<br>(02 September 2021)   | Action Required /<br>Owner | Timeline | IPS Details of Action Taken<br>(1 September 2022)  | IPS Details of Action Taken<br>(Q1 / Q2 2023)   | OIP Assessment<br>March / April 2023  |
| <b>CKCT11</b><br><i>(COVID-19 – Isolation/ Quarantine – Fresh Air)</i><br><br><i>Focus Area: Health &amp; Wellbeing</i> | Prisoners in quarantine/isolation must have access to at least one hour in the open air each day.   | Prisoners in quarantine have restricted out of cell time, in accordance with Rule 32A of SI 250/2020 Prison Rules 2020. Prisoners are fully informed of the quarantine rules on committal by the Governor on parade.<br><br>Restrictions are reviewed on an ongoing basis by the Emergency Response Planning Team. |                            |          | It was not possible to allow prisoners in isolation or quarantine out of cell time to prevent the spread of infection. The Irish Prison Service continued to review the Standard Operating Procedure for quarantine and isolation throughout the pandemic. This included the reduction of the isolation period in line with guidance from the Health Authorities. As a result all new committals are now tested on day one of committal and, if the return a negative test, they may enter general population on day 4. Reviewed on an ongoing basis.  | <b>Complete</b> (7 March 2023)<br><br>New committals are tested on day one and if negative, can enter general population.<br><br>The isolation period for positive Covid cases is consistent with public health advice. | <b>COMPLETE</b><br><br>People committed to Cork Prison were no longer accommodated in quarantine. |
| <b>CKCT12</b><br><i>(COVID-19 – Mental healthcare)</i>  | Measures must be taken to mitigate the detrimental effects of isolation or quarantine, including psychological support during and after quarantine/isolation in order to assist prisoners | A Covid outbreak-specific mental health protocol has been put in place by the IPS Psychology Service. The approach incorporates a three-tiered layered care model which includes preventative, enhanced and acute mental health care interventions. This includes the use of                                       |                            |          | <b>Complete</b><br><br>A Covid outbreak-specific mental health protocol has been put in place by the IPS Psychology Service.   | NA  | <b>COMPLETE</b><br><br>People committed to Cork Prison were no longer accommodated in quarantine. |

| <i>Focus Area: Health &amp; Wellbeing</i>   | coping with the restrictive measures imposed by COVID-19.  | tablets to proactively engage people on significantly restrictive measures, where require  |   |                                   |  |   |   |
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| Rec ID  | Recommendation   | IPS Action Plan<br>(02 September 2021)   | Action Required / Owner   | Timeline                          | IPS Details of Action Taken<br>(1 September 2022)  | IPS Details of Action Taken<br>(Q1 / Q2 2023)   | OIP Assessment<br>March / April 2023  |
| <b>CKCT13</b><br><i>(Restricted Regime - Out of Cell Time)</i><br><br><i>Focus Area: Rehabilitation &amp; Development</i> | The Inspectorate urges Cork Prison to consider all available ways to increase out-of-cell time and maximise access to services for prisoners accommodated under Rule 63 of the Irish Prison Rules.                                   | Every effort is made by prison management to provide maximum out of cell time for prisoners on restricted regime for protection reasons. The Irish Prison Service has introduced new technologies to support those who are more confined to their cells and these technologies will allow greater levels of access to regimes and services post covid-19. These include in-cell telephones and the Prisoner TV/Information Channel. Providing enhanced regimes for restricted prisoners is being considered as part of the development of an in-cell learning plan (CKCT14 refers). The operation of Rule 63 is also being reviewed by the Irish Prison Service as part of the Review of the Prison Rules, 2007. The aim of the Irish Prison Service is to reduce the number of prisoners confined to their cells under Rule 63. | Review of Rule 63 to be completed as part of Review of Prison Rules<br><br>----<br>Operations Directorate   | Q2 2022                           | The review of prison rules is ongoing. It is intended to bring forward the review of a number of priority rule changes in 2023 and it is intended to consider the operation of Rule 63 in this regard. Every effort is made by the IPS to ensure the safety of all those accommodated in prisons. Prisoners who are accommodated on restricted regimes can be limited in their ability to engage with important rehabilitative services. The IPS has introduced new technologies to support those who are more confined to their cells and these technologies will allow greater levels of access to regimes and services post covid-19. These include in-cell telephones and the Prisoner TV/Info Channel. Enhancing in-cell supports for those accommodated on a more restricted regime by harnessing new technological advancements will be considered in context of the development of the next IPS Strategic Plan 2023 - 2025 (subject to provision of required resources). | <b>Ongoing</b> (28 March 2023)<br><br>The Irish Prison Service commenced a review of Prison Rules in 2020 following the publication of the revised European Prison Rules by the Council of Europe. Progress on the Review was delayed due to challenges presented by the Covid-19 pandemic. However, work on the Review restarted in 2022 and significant progress has been achieved on the development of a working document. This includes the development of draft amendments to give effect to the provisions of the European Prison Rules 2020, amendments suggested from within the Irish Prison Service and amendments arising from the public consultation phase. The working document is currently being considered by the Irish Prison Service, and once this is completed, the Irish Prison Service will be engaging with officials in the Department on the next steps. | <b>ONGOING</b><br><br>Many people accommodated in Cork Prison, particularly people on Rule 63 “protection” on A1 landing experienced out-of-cell time restrictions. Prisoners on protection were rarely offered exercise in the gym, and were only permitted to attend the school for one day every other week. |
| <b>CKCT14</b><br><i>(Education – Digital Tablets)</i><br><br><i>Focus Area: Rehabilitation &amp; Development</i>          | To meet the education needs of prisoners (European Prison Rule 28.1), which include facilitating more substantive engagement with education (and other services), the Irish Prison Service should make digital tablets available for | The Irish Prison Service is developing an in-cell learning strategy to enhance learning from prison cells. A new prisoner TV Channel has been developed and is being rolled out across the estate. This allows for the broadcasting of local and national information and for the provision of educational material. CDETB have  | A large volume of in-cell audio-visual and printed material has now been produced by the ETBs. Complete engagement with the staff representative association on the | Q4 2021<br><br>End September 2021 | The Irish Prison Service is reviewing the enhanced use of technology to facilitate in-cell learning. A new Prisoner TV Channel has been introduced and is supporting in-cell learning. The Service is engaging with other prison services who have enhanced  | <b>Ongoing</b> (2 March 2023)<br><br>In-cell TV information channel was developed in 2022 with educational content in place in all prisons. Specific in-cell blended learning is in place in Dublin prisons. The Building Bridges Project in late 2022 prioritised €500,000 SOLAS   | <b>ONGOING</b><br><br>Digital tablets were not in use to support the education for prisoners. The manner in which prison staff were deployed in the prison  |

|   | prisoner use. These digital tablets could be pre-loaded with education materials.   | developed a substantial quantity of audio-visual course materials to be viewed on the TV channel and will provide accompanying supporting hard copy documentation to facilitate blended learning.   | introduction of blended learning. ----<br>Care and Rehabilitation |          | use of in-cell technology with a view to enhancing in-cell learning and service provision.<br><br>This action remains under review.  | allocated funding. ETBs included Cork ETB, Limerick Clare ETB, Laois Offaly ETB and City of Dublin Education and Training Board (CDETB). Funding was primarily expended on technological enhancements in the prison schools for the teaching of prisoners engaging in education. The Department of Further and Higher Education, Research, Innovation and Science has allocated further funding of €5m in 2023. The project will be expanded to include all seven ETBs. | inhibited prisoner access to education.  |
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| Rec ID  | Recommendation  | IPS Action Plan<br>(02 September 2021)  | Action Required / Owner   | Timeline | IPS Details of Action Taken<br>(1 September 2022)  | IPS Details of Action Taken<br>(Q1 / Q2 2023)   | OIP Assessment<br>March / April 2023   |
| <b>CKCT15</b><br><br><i>(Library - Access)</i><br><br><i>Focus Area:<br/>Rehabilitation &amp;<br/>Development</i>                       | In line with Rule 110 of the Irish Prison Rules, Cork Prison should proactively consider the re-opening of library services in the prison   | The library at Cork Prison has re-opened. Closures may occur where resources are reassigned in line with Cork's Regime Management Plan.   |   |          | Access to prison libraries have been restored however, closures of libraries may be experienced in line with the prison Regime Management Plan.<br><br>The Local Government Management Agency has commissioned a review of Prison Libraries and the Report of the group is to be published in Q3 2022. | <b>Ongoing</b> (2 March 2023)<br>Access to prison libraries have been restored however, closures of libraries may be experienced in line with the prison Regime Management Plan. The Local Government Management Agency has completed a review of Prison Libraries and work is underway to implement the recommendations from that report with a view to completing during 2023 and 2024.   | <b>ONGOING</b><br><br>The library experienced frequent closures (68 of 91 days closed in Q4 2022). Efforts were made by prison management to make books available on the landings.                   |
| <b>CKCT16</b><br><br><i>(COVID-19 Mitigate 2020 Rule Amendments)</i><br><br><i>Focus Area:<br/>Rehabilitation &amp;<br/>Development</i> | In line with the requirement to ensure "meaningful human contact," the Inspectorate recommends that Cork Prison develops and implements measures designed to mitigate the impact of restrictions imposed on prisoner exercise and interactions by Rule 32A of the Irish Prison Rules; this should be done in consultation | Rule 32A is implemented, when necessary, as a measure to ensure the health and safety of all prisoners and staff working in prisons.<br><br>Prisoners are fully informed of the quarantine rules on committal by the Governor on parade. Restrictions are reviewed on an ongoing basis by the Emergency Response Planning Team. |   |          | <b>Complete</b><br><br>The introduction of rotational or landing unlock resulted in reduced out of cell time for prisoners during certain periods of restrictions in 2020 and 2021.<br><br>As part of the unwinding of prison restriction divisional unlock was  | NA  | <b>COMPLETE</b><br><br>Limitations on access to exercise were not in place as a result of the imposition of Rule 32A of the Prison Rules 2007-2020, at the time of the 2023 general full inspection. |

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|  | with prisoners and staff working in the prison.  |  |  |                 | reintroduced in July 2021 across the estate.   |   |   |
| <b>CKCT17</b><br><i>(Environment – Green Space)</i><br><i>Focus Area: Rehabilitation &amp; Development</i> | The Inspectorate recommends that efforts be made to include green spaces in and around the yards.  | Consideration will be given to enhancing the aesthetics of the prison yards.<br>Security considerations will be taken into account when considering any enhancement to the prison yards.     | Prison Management;<br>Finance & Estates<br>Directorate   | End Q2 2021     | The Irish Prison Service intends to enhance the aesthetics of prison yards through its ongoing maintenance programme.<br><br>Enhancement to prison yards will be subject to security considerations which are paramount. | <b>Ongoing</b> (8 March 2023)<br><br>The IPS has commenced a program of yards upgrades including the installation of graphic packages to enhance the aesthetics of prison yards. Works have been completed in Cork Prison and Training Unit. A tender is under way for a graphics package for Castlereagh and Cloverhill with works to be completed in both locations before the end of Q4. Additional works are planned for the Portlaoise A Yard, Cloverhill B Yard and new Unit based yards in Wheatfield, and graphic packages will be included in these works. It is hoped to complete works in Portlaoise in Q4 2023 with works in Wheatfield and Cloverhill progressing in the first half of 2024. | <b>COMPLETE</b><br><br>Great efforts were made by prison management to enhance the environment in the yards through the display of large photographic murals.             |
| <b>Rec ID</b>  | <b>Recommendation</b>  | <b>IPS Action Plan</b><br>(02 September 2021)  | <b>Action Required / Owner</b>   | <b>Timeline</b> | <b>IPS Details of Action Taken</b><br>(1 September 2022)   | <b>IPS Details of Action Taken</b><br>(Q1 / Q2 2023)  | <b>OIP Assessment</b><br>March / April 2023   |
| <b>CKCT18</b><br><i>(Foreign National Prisoners - Interpreter)</i><br><br><i>Focus Area: Resettlement</i>  | The Inspectorate recommends that qualified interpreters be made available, either in-person or through videolink, to assist prisoners and the resettlement team in Cork Prison to ensure information is conveyed accurately and effectively over the course of the resettlement preparation process. | The Governor has agreed with the ISM team that all non-English speaking prisoners are offered the option of an interpreter.<br><br>Additional technological solutions will also be explored. | Management to advance to purchase of hand-held interpretation devices to assist non-English speaking prisoners.<br>-----<br>Cork Prison Management | End Q4 2021     | Technical solutions for the provision of interpretative services continue to be explored. The majority of solutions require internet access which is not currently available. ICT are looking at options                 | <b>Ongoing</b> (7 March 2023)<br><br>Interpreter services are provided on request both in person and online.<br><br>The Prison In cell TV channel is in place in prisons and provides for information dissemination in cell. Content can be uploaded and played in any language for different   | <b>ONGOING</b><br><br>Prison officers and resettlement service staff did not have ready access to an interpreter service at the time of the 2023 full General Inspection. |

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|  |   |   |  |         |  | programmes as required. Complementary modes of information dissemination to include subtitles can also be played on the Prison In Cell TV channel. |   |
| <b>HQEDWT5</b><br><i>(Prisoner Accounts - Gratuity)</i>                    | The Irish Prison Service should review and update its Prisoner Gratuities and Private Cash Policy to ensure it aligns with Rule 28.4 and Rule 105.4 of the revised European Prison Rules.                             | Revision of Prison Rules and additional resources to give effect to this recommendation will be sought as part of Budget 2024 submission.   | IPS will review Prisoner Gratuities and Private Cash Policy and update as appropriate.<br><br>Care and Rehabilitation                        | Q3 2023 |  |  | <b>ONGOING</b><br><br>The 2012 Prisoner Gratuities and Private Cash Policy had not been reviewed or updated as of March / April 2023. |
| <b>HQEDWT10</b><br><i>(Work Training / Education – Policy Development)</i> | In order to provide a consistent approach to managing education provision across the prison estate, the IPS should develop a policy on education and training in collaboration with all of the relevant stakeholders. | The Irish Prison Service will undertake to develop a policy on education and training in collaboration with the relevant stakeholders. The Building Bridges work plan for 2023 will further progress collaboration. | A policy on education and training in collaboration with the relevant stakeholders will be developed in 2023.<br><br>Care and Rehabilitation | Q3 2023 |  |  | <b>ONGOING</b><br><br>As of March / April 2023, the Irish Prison Service had not developed a policy on education and work training.   |

## C. List of Repeat and New Recommendations

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, 'CK' = Governor of Cork Prison), 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. Where a recommendation has been previously issued and is then repeated, this has been indicated in the table.

| Rec. Code   | Recommendation   |
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| <p><b>Repeat Rec.:</b><br/><b>MDOJ22-1</b></p>  | <p><b>Repeat Recommendation:</b> The Minister for Justice should take urgent action to place an enforceable upper limit on the number of persons that can be committed to Cork 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.</p> |
| <p><b>Repeat Rec.:</b><br/><b>MDOJ22-2</b><br/><i>(also made to IPS DG,<br/>see DG22-1)</i></p>                   | <p><b>Repeat Recommendation:</b> 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 (4m<sup>2</sup> for each person, exclusive of sanitary facilities).</p>                                       |
| <p><b>Repeat Rec.:</b><br/><b>MDOJ22-3</b></p>  | <p><b>Repeat Recommendation:</b> 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.</p>      |
| <b>IPS Director General</b>   |  |
| <p><b>Repeat Rec.:</b><br/><b>DG22-1</b><br/><i>(also made to Minister<br/>for Justice, see<br/>MDOJ22-2)</i></p> | <p><b>Repeat Recommendation:</b> 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 (4m<sup>2</sup> for each person, exclusive of sanitary facilities).</p>                                       |

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| <b>DG22-2</b>  | The Director General of the Irish Prison Service should take steps to ensure that all multi-occupancy across the estate are equipped with fully-partitioned sanitary facilities.  |
| <b>Repeat Rec.:<br/>DG22-3</b>   | <b>Repeat Recommendation:</b> 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. [see also, CKCT13 (2021)].   |
| <b>Repeat Rec.:<br/>DG22-4</b>   | <b>Repeat Recommendation:</b> 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.  |
| <b>Repeat Rec.:<br/>DG22-6</b>   | <b>Repeat Recommendation:</b> 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, such as conflict mediation and restorative justice practices 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. |
| <b>Repeat Rec.:<br/>DG22-9</b><br><br><i>(also made to<br/>Governor of Cork<br/>Prison CK23-7)</i> | The Director General of the Irish Prison Service and the Governor of Cork Prison should ensure a clear demarcation between incident recording and the P19 (disciplinary sanction) recording system.   |
| <b>Repeat Rec.:<br/>CKCT3<br/>(2021)</b>   | <b>Repeat Recommendation:</b> Scheduling of meal times at Cork Prison should be amended to ensure meals are served at reasonable intervals and at times that correspond to those in the community.  |
| <b>DG23-1</b>  | 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.   |
| <b>DG23-2</b>  | 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. [See also, CKCT18].   |

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| <p><b><u>Repeat Rec.:</u></b><br/><b>MHT22</b></p>                      | <p><b><u>Repeat Recommendation:</u></b> It is recommended that the lack of mutual access to clinical records and documentation between psychology and other clinical disciplines is overcome. Even if certain information is deemed highly confidential and remains restricted, broader mutual access to certain core information should be facilitated, particularly when it relates to key risks to self and others.</p>  |
| <p><b>DG23-3</b></p>  | <p>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 MHT3 (2023)].</p> |
| <p><b>DG23-4</b></p>  | <p>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.</p>   |
| <p><b><u>Repeat Rec.:</u></b><br/><b>MHT8</b><br/><b>(2023)</b></p>     | <p><b><u>Repeat Recommendation:</u></b> It is recommended that further formal training regarding the recognition, assessment, and treatment of prisoners with mental disorder, including regarding communication and risk issues, is offered to prison officers.</p>  |
| <p><b><u>Repeat Rec.:</u></b><br/><b>HQEDWT4</b><br/><b>(2022)</b></p>  | <p><b><u>Repeat Recommendation:</u></b> The Irish Prison Service should ensure that all prison officer posts are maximised to ensure access to and engagement with purposeful activity for all persons in custody. Prison officer posts and associated tasks should be sufficiently flexible and to allow Governors to respond to changes in staffing structures.</p>   |
| <p><b><u>Repeat Rec.:</u></b><br/><b>HQEDWT5</b><br/><b>(2022)</b></p>  | <p><b><u>Repeat Recommendation:</u></b> The Irish Prison Service should review and update its Prisoner Gratuities and Private Cash Policy to ensure it aligns with Rule 28.4 and Rule 105.4 of the revised European Prison Rules. [See also, DOCT-5 (2021)]</p>   |
| <p><b><u>Repeat Rec.:</u></b><br/><b>HQEDWT7</b><br/><b>(2022)</b></p>  | <p><b><u>Repeat Recommendation:</u></b> The Irish Prison Service should ensure that all prisoners have access to externally accredited qualifications in all work training areas. Certification offered to prisoners should be labour-market tested and should be recognised by employers to improve employment prospects upon release.</p>   |
| <p><b><u>Repeat Rec.:</u></b><br/><b>HQEDWT10</b><br/><b>(2022)</b></p> | <p><b><u>Repeat Recommendation:</u></b> In order to provide a consistent approach to managing education provision across the prison estate, the IPS should develop a policy on education and training in collaboration with all of the relevant stakeholders.</p>   |

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| <b>Repeat Rec.:</b><br>DG22-13                     | <b>Repeat Recommendation:</b> In order to facilitate and strengthen the right to family contact, the Irish Prison Service should increase the length of phone calls.  |
| <b>Repeat Rec.:</b><br>DG22-14                     | <b>Repeat Recommendation:</b> The Irish Prison Service should review the application in practice of the Prison Rules 2007-2020 across the prison estate to ensure the rights of unconvicted prisoners are fulfilled, particularly with respect to telephone calls and visits.   |
| 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.   |
| 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.  |
| <b>Repeat Rec.:</b><br>DG22-15                     | <b>Repeat Recommendation:</b> 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.   |
| <b>Governor of Cork Prison</b>                     |   |
| CK23-1   | The "three-set" clothing policy in Cork Prison should be replaced by a clothing policy that does not have a discriminatory impact on specific groups of prisoners.  |
| CK23-2   | Prison managers should conduct ongoing recorded audits of the availability of bedding, and where necessary, ensure the replacement of all mattresses, duvets and pillows. All prisoners should each have a clean duvet, sheet, pillow and pillowcase, as well as a sufficient number of towels to use across the course of the week's activities.   |
| CK23-3   | Cork Prison should provide tuck shop pricing to prisoners and ensure prisoners are able to easily and privately access their financial accounts information.  |
| CK23-4   | In line with Section 42 of the Public Sector Duty, the prison should work towards eliminating all forms of discrimination within Cork Prison, with due consideration to, inter alia, (i) clear communication of staff obligations under the Duty, (ii) provision of reasonable accommodations to ensure accessibility, (iii) and means to allow for the expression of one's identity and beliefs.   |
| CK23-5   | All information materials and forms, including committal, complaints and resettlement documentation, should be developed and readily available in all applicable languages spoken by people in custody. In addition, as is being developed in Cloverhill Prison, Cork Prison (and all committal prisons across the estate) should create an introductory committal video, available in all necessary languages. [See also, CKCT5 and Mr C 2022, Recommendation 4] |
| CK23-6   | The Governor of Cork Prison must ensure that both electronic and paper-based record-keeping are comprehensive, accurate, timely and transparent in all key areas, in compliance with various provisions of the Prison Rules 2007-2020, and that ensuring good record-keeping is embedded in the prison amongst all staffing ranks.  |
| CK23-7<br><i>(also made to IPS<br/>DG: DG22-9)</i> | The Director General of the Irish Prison Service and the Governor of Cork Prison should ensure a clear demarcation between incident recording and the P19 (disciplinary sanction) recording system.   |

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| <b>CK23-8</b>                             | The effectiveness of the ventilation system in Cork Prison should be reviewed in order to provide a cleaner air environment. In the meantime, consideration should be given to accommodating smoking and non-smoking prisoners in different cells in order to reduce the risks associated with passive smoking.   |
| <b>CK23-9</b>                             | To meet the needs of the prisoner population, Cork Prison should make efforts to improve access to the following healthcare services: in-reach physiotherapy, occupational therapy, dietician services, services to support prisoners with physical and intellectual disabilities and Alcoholics Anonymous. Additionally, Cork Prison should explore the implementation of additional harm minimisation strategies, such as provision of condoms and needle exchange programmes.  |
| <b>Repeat Rec.:<br/>2020K2<br/>(2023)</b> | <b>Repeat Recommendation:</b> Identification of potential ligature points and items of potential self-harm to those at risk should form part of “daily inspections” and policy in all prisons, as agreed in the National Strategy for Prevention of Suicide.  |
| <b>CK23-10</b>                            | Consultation with healthcare staff should be improved, as it would benefit the development of technologies and services in Cork Prison, as well as across the prison estate. In particular, increased consultation with healthcare staff would be of benefit in relation to provision of food, sanitation and exercise for prisoners, as well as in the development of healthcare facilities and infrastructure and in the improvement of referral and linkage approaches, such as through the Prisoner Healthcare Management System and with community and hospital-based teams. |
| <b>CK23-11</b>                            | In line with Rule 26.16 of the European Prison Rules (2020), all prisoners carrying out essential work in Cork Prison should be offered at least one full rest day each week.   |
| <b>CK23-12</b>                            | Opportunities for prisoner engagement with purposeful activity should be increased. Cork Prison should build on the success of the Open Door initiative and other collaborative programmes to embed a strategy of cross-departmental identification and development of work training, education, prison services and community-based initiatives.   |
| <b>CK23-13</b>                            | The Governor should ensure that the library is consistently open, and that prisoners who do not attend school are facilitated to access library services on a consistent basis. [See also, CKCT15 (2021)]   |
| <b>CK23-14</b>                            | The sports hall in the prison should be immediately brought back into service and made accessible to all people living in the prison. The utility of this facility should be maximised to ensure consistent and equitable access to meaningful and structured activity, such as fitness classes, education programmes and organised games.  |
| <b>CK23-15</b>                            | Prisoners accommodated under Rule 63 of the Prison Rules 2007-2020, should be facilitated to attend the gym facility at least every other day; access to the gym for protection prisoners is particularly essential as a measure to counter the often extensive periods of time these prisoners are locked back in their cells.   |
| <b>CK23-16</b>                            | The RMP should be reviewed to prioritise the availability of prison staff to engage in interactions with prisoners that amount to meaningful human contact. In particular, prison officers working on the landings should be actively encouraged to engage with prisoners in a more meaningful way.   |
| <b>CK23-17</b>                            | Immediate practical steps should be taken to promote best release outcomes, including (i) the establishment of a private, calm and secure area for pre-release discussions, (ii) charging mobile phones of prisoners immediately prior to release; and (iii) provision of opaque bags to prisoners that are discreet and suitable for transporting their belongings in a dignified way.   |

## Requests for Information

| No.  | Information Request  | Action Owner         |
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| <b><u>Repeat Req.:</u></b><br><b>MDOJREQ22-1</b> | <b><u>Repeat Information Request:</u></b> 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”. | Minister for Justice |

