**Current issues and good practices in prison management – Thematic report of the UN Special Rapporteur on Torture**

Ireland

November 2023

**Areas of particular focus**

*The Special Rapporteur has sought general information on:*

*A. Major challenges and their causes*

Two particular challenges have been identified in the Irish prison system at this time; overcrowding and keeping drugs out of prisons.

1. **Overcrowding**

Some figures may provide an initial sense of the scale of this issue:

* There were 4,641 people in prison custody on 2 November 2023 with a bed capacity of 4,515.
* At its peak there were 4,749 people in prison custody on 26 July 2023, at a time when the bed capacity was 4,487.
* On 2 November 2023, there were 107 people sleeping on mattresses in overcrowded cells;
* **185** new committals were received into prisons in the previous 7 days.

The Irish Prison Service (IPS) is committed to providing safe and secure custody for all people committed to prison while ensuring a safe working environment for staff. Officials in the Irish Prison Service and the Department of Justice are continuously working to identify short, medium and longer term proposals to help manage the current capacity issues in our prisons.

The Irish Prison Service does not have the option of refusing committals and must accept all prisoners committed by the Courts Service. The prison system is under increasing pressure with factors such as: ongoing population growth, rising remand population, increasing Garda and Judicial resources, and more serious criminal activity which are all contributing to a prison population that is growing. It is also the case that COVID-19 impacted the operation of our criminal justice system.

1. **Keeping Drugs out of Prisons**

The pernicious nature of the problems caused by the presence of harmful drugs in prisons and in communities, has been well-documented. The incursion of illicit drugs to the prison environment poses a number of challenges and problems for prisoners and prison-based staff, not only in terms of the negative health issues caused by addiction, but also by increasing threats to safe custody and good order as manifested in acts of violence, self-harm, bullying and other criminal activity.

It must be recognised that the prison environment mirrors the same range of activity and challenges arising in many communities grappling with the scourge of harmful drug use. It remains that poverty, both financial and educational, is the greatest contributor to creating and fostering addiction. In order to meaningfully tackle the issue of drug-use and demand in prisons, the Irish Prison Service must work in partnership with all agencies across the criminal justice sector, additional support agencies active in Irish prisons, and relevant community-based organisations to achieve the goals of the strategy together. In particular, the Irish Prison Service intends to continue to build an integrated care model to address the dual diagnoses of addiction and mental health illness in collaboration with the HSE and relevant community-based agencies.

The Irish Prison Service employs a range of practices to detect and reduce the smuggling of drugs into prison and to increase retrieval rates of drugs that make their way into the prison led by the Operational Support Group and a significant number of drugs are detected and intercepted before reaching the prison population. Security measures in place to deter the obtrusion of dangerous contraband into prisons include: the installation of nets over exercise yards, vigilant observation of prisoners by staff, enhanced CCTV monitoring, strict control of visits, drug-swabbing equipment similar to airport-style explosives swabbing devices, random and targeted searches and joint operations with An Garda Síochána. Nevertheless, preventing the incursion of contraband items into prisons remains a major challenge. The Irish Prison Service continues to research and develop opportunities to install new security equipment including the consideration of x-ray scanners for point-of-entry screening and drone technology, and to pursue new security measures by consulting and networking with other prison jurisdictions.

The Irish Prison Service will publish a new Drug Strategy before the end of 2023 setting out a series of goals to advance work towards reducing the harm of substances of abuse in the prison environment.

1. *Innovation and good practices*

The Irish Prison Service is continuously working to improve the quality of services provided to its stakeholders through new business processes that place collaboration, innovation and communication as the foundational principles for our ways of working.

Examples of innovative and creative initiatives in the Irish Prison Service include those in response to COVID-19, to mitigate the impact of the pandemic on prisoners:

* Healthcare teleservices for prisoners
* Virtual visits for in-reach service provision
* Electronic funds transfer for private prisoner funds
* In-cell information TV channel
* Courts video-link
* Virtual family video visits
* E-correspondence for prisoner letters

Other examples of innovative and creative initiatives include:

* The Mountjoy Prison and Maynooth University Partnership (MJMU) – promotes access to education and supports the reintegration of prisoners in society.
* ‘Horses of Hope’ - a new equine centre was developed on grounds adjacent to Castlerea Prison.
* ‘Bikes for Africa’ – prisoners in the open centres of Loughan House and Shelton Abbey are being given a purpose in up-cycling bikes that are shipped to Africa.

The above initiatives support learning skills that can be leveraged for future employment opportunities, foster responsibility and build confidence and self-belief while also developing compassion through the care of animals.

1. *Recommendations on how to improve existing prison management*

The Irish Prison Service (“the Service”) operates as an executive office of the Department of Justice (“the Department”), without separate legal identity but with a high degree of delegated autonomy. An Oversight Agreement with the Department sets out the broad governance and accountability framework within which the Irish Prison Service operates. While various areas of the Department have dealings with the Irish Prison Service, the day-to-day relationship is mainly embodied in the interactions between the Irish Prison Service and the Department’s Criminal Justice Policy and Criminal Justice Governance functions respectively. Criminal Justice Policy liaises frequently with the Irish Prison Service on matters including the ongoing penal policy reform programme. Criminal Justice Governance has primary oversight responsibility for the Department’s aegis bodies in the criminal justice sector. Four of the Department’s Principal Officer-led teams have specific dealings with the Irish Prison Service as follows:

* Criminal justice performance and compliance;
* Standards, including advice on new governance structures, as required;
* Financial and capital resources;
* Human resources and appointments.

In the interest of partnership and accountability, the Irish Prison Service is committed to a “no surprises” principle in informing and/or consulting the Department in relation to any significant governance-related issues or concerns, as well as any significant new strategic initiatives or research projects that relate to governance, management or strategic objectives.

A separate Performance Delivery Agreement (“PDA”) between the Department and the Irish Prison Service sets out a range of targets/performance indicators. The PDAs are agreed annually under the governance architecture provided by the Oversight Agreement with the Department. Progress updates on key deliverables and other matters are provided through governance meetings, which are convened on a quarterly basis.

The Irish Prison Service has adopted an Operating Model which is an important component of our Governance Framework. It is designed to align Directorates, Prisons and Support Units to the Irish Prison Service’s strategic objectives by providing clarity on decision making authority and ultimately support delivering the primary function of the Service to provide safe and secure custody with dignity of care for people committed to prison and reduce the risk of harm to the public and the likelihood of reoffending by providing rehabilitation for people in prison.

The Operating Model was implemented in the last two years following recommendations further to a review of governance and decision making. The IPS are evaluating it at the moment to make further improvements.

The Operating Model includes four cross-cutting leadership elements, which are summarised below.

1. The Strategy Forum is a consultative platform for key internal strategic stakeholders to represent the challenges of the Irish Prison Service and to support the cascade of strategy and messaging across the organisation. Its membership comprises of the Director General as chair; functional Directors; Lead Governors; Principal Officers and equivalents.
2. The Directors Leadership Team is responsible for leading and directing the activities of the Irish Prison Service, and ensuring the safe operation of prisons by overseeing the development, approval and implementation of appropriate policies and procedures. The Directors Leadership Team is also responsible for efficiently managing resources and exercising oversight in line with the vision and values of the Irish Prison Service. Its membership comprises of the Director General as chair; functional Directors and the Governor 1 Prison Support and Development;
3. The Prisons Leadership Team, which represents frontline operations, is responsible for ensuring the effectiveness, quality and consistency of service delivery across the Prison Estate. It provides a consultative platform for sharing knowledge, adopting common approaches to identifying and mitigating key risks, and making optimal use of allocated resources. Its membership comprises of the Governor 1 Prison Support and Development as Chair and Lead Governors. The Director General routinely attends, as do Functional Directors and others when required.
4. The Functional Leadership Groups are led by Directors and are responsible for leading and directing functional stewardship for their Directorate across the Irish Prison Service. Its primary aims are to:
   1. Ensure that distinct functions supported by the various Directors are reflected at local prison level in order to provide clarity in relation to key objectives, deliverables, reporting mechanisms and accountabilities.
   2. Build and maintain close working relationships between Directorates and prisons.

Its membership comprises of relevant staff from each function and prison as required and appointed by Directors and Lead Governors.

Another feature of the Governance Framework is the Organisational Dashboards which have gone live in the last year. This project is aimed at providing metrics to promote data driven decision across the service which assist in better management of our Service. The Irish Prison Service has identified data points and developed metrics to this end. It is hoped that all metrics will rely on automated data feeds eventually. A lot of work is ongoing to align data sets to achieve appropriate value added metrics. The metrics are assigned a RAG status with monthly commentary provided by each Prison and Directorate. A management process for addressing the Red metrics is under design. Phase 2 of this project will see many more metrics added over the next 12 month period.

The Irish Prison Service continuously strive to improve its governance standards based on lessons learned in the context of a unique and dynamic operating environment. In 2022, the Irish Prison Service implemented its new Governance Framework and Operating Model.

As well as documenting a comprehensive summary of the principal features of corporate governance within the Irish Prison Service, the framework and model support clarification of responsibilities within organisation which in turn enhances accountability for all of our prisons, functions, teams and individually.

The improved governance environment, along with an agreed Risk Management Strategy supports good governance and compliance and assists in determining priorities, objectives, and decision-making arrangements. It helps to clarify accountabilities in demonstrating how the service and its stakeholders are best served.

Accountability is informed by the following processes, which are specifically tailored to the Governance Framework of the Irish Prison Service:

* **Assurance mapping:** The assurance mapping systems stems from the outcome of a business process review. Like most organisations, the Irish Prison Service relies on a wide range of internal controls, monitoring systems, reporting arrangements and compliance inspections to provide assurance to key stakeholders. Assurance maps illustrating such sureties on a visual chart alongside key organisational activities using a colour-coded (green, amber and red) system. The process enables senior management to understand how they can obtain assurance and from whom on key risks and compliance requirements, and also helps to identify any gaps which may need be addressed through remedial action plans. The system is designed to be iterative, whereby the assurance maps are periodically reviewed and updated.
* **Organisation Dashboard:** A range measures based on key business activities are reported through “dashboards” using a colour-coded (green, amber and red) system. The dashboards operate within a tiered structure, in which granular information captured at operational level are summarised into higher level tables for assessment at directorate and (overarching) corporate levels. The dashboards shed light on key areas that require attention by senior management, they also help to promote compliance with statutory requirements, enhance performance and deliver on strategic objectives.
* **Audit Tracking:** a centralised recommendation tracking system helps to promote accountability for progressing and ultimately completing commitments made on foot of recommendations put forward by internal and external oversight mechanisms.
* **Strategy & Business Planning:** The Strategic and Business Planning process is an on-going organisational process that helps the Service to determine its strategic and operational priorities and outputs. From this, the Service identifies its objectives and monitors success against those objectives through measures and reports progress to all key stakeholders.

There are 3 phases in the Irish Prison Service Strategy and Business planning Process:

Strategy Development

Business Planning

Annual Deliverables

Under this process there is clarity on our respective responsibilities to achieve, as far as possible, objectives relevant to the Irish Prison Service Business Plans and the most current Statement of Strategy and monitoring progress to that end.

* The Irish Prison Service has a **five year Strategy Statement** which details initiatives and a supporting roadmap to deliver on goals and objectives. The Business planning process cascades strategic initiatives and priorities to Directorate and prison business plans and actions. The business plans clarify directorate and cross Directorate-Prison activities and how they are configured and linked.
* The Corporate Services Directorate initiate the **Business Planning** Cycle each year in sufficient time to align with the overall budget cycle. The roadmap to support delivery of strategic initiatives is reviewed with the Strategy Forum to gain input feasibility, project sequencing, actions and priorities.

The final 5 year roadmap is prepared by Corporate Services and reviewed at a Directors Leadership Team meeting for approval.

The 5 year roadmap is then circulated to the Strategy Forum participants Directors and Lead Governors review the 5 year roadmap with their teams and develop a supporting business plan that includes strategic an operational priorities for their Directorate or Prison.

* Directors & Lead Governors submit Business Plans to Corporate Services who:
  + Translates relevant 5 year roadmap initiatives into directorate or prison initiatives.
  + Perform an internal analysis of directorate or prison priorities based on input from stakeholders and staff on operating priorities, an analysis of the organisation dashboards and governance requirements.
  + Considers the key risks associated with delivering the strategy and priorities and any change to the directorate or prison risk profile as recorded in the Irish Prison Service risk register. This will trigger a formal risk review or feed into the ongoing risk register review by the Head of Risk and Compliance.
  + Collate the strategic and operational priorities into a 5 year Directorate or Prison Business Plan

The Corporate Services Directorate collate all IPS business plans and identify cross functional and cross site initiatives. These are presented to the Directors Leadership Team for sign off and to assess impact on resources. The collated plans are communicated to all Strategy Forum members who are tasked with communicating the Business Plans and messaging to their respective organisations. The Corporate Services Directorate initiate the Annual Deliverables process.

* **Annual Deliverables**: The annual deliverables process is an annual cycle of aligning the Directorate Business Plans to Directorate and Prison deliverables and then monitoring progress to ensure delivery over the period January to December.

The Annual Deliverables process involves defining the specific annual expectations and targets for the Directorates and Prisons.

Under this process, the Director General has one on one meetings with each Director and Lead Governor to review and align on the Annual Deliverables for their area of responsibility. Adjustments are made as needed and both parties sign off on the annual deliverables.

Each Director and Lead Governor provides a quarterly progress update to the Director General This quarterly review provides an avenue for escalation of issues that require direction and/or adding agenda items to the Directors Leadership Team or Prison Leadership Team as appropriate.

* **Meetings**: The Director General meets bilaterally with Directors and Governors on a monthly basis to discuss business priorities, direction and progress.

The DG also attends the Prison Leadership Teams quarterly to discuss priorities, provide direction and monitor progress.

*The Special Rapporteur has also sought specific information on eight further items:*

1. *Measures to reduce overcrowding.*
2. *Designing daily life in prisons to be focused on meaningful and productive activities, rehabilitation and reintegration, and achieving good physical and psychological health.*
3. *Challenges and innovations for providing mental health provision, including for different groups of prisoners such as those with pre-existing psychological issues, victims of torture, persons with neurodiverse conditions etc.*
4. *Measures taken to mitigate the use and impact of solitary confinement and the development of alternative approaches for both disciplinary and non-disciplinary segregation.*
5. *Laws, policies, special measures and management innovations adopted for groups with specific needs, such as women and girls, children and youth, indigenous peoples, members of national, ethnic, religious or linguistic minorities, LGBTQI+ persons, and people living with past trauma and/or people with neurodiverse conditions.*
6. *Preparing for next pandemic (what worked and what didn’t in COVID-19 responses to prison management? Any negative consequences of those measures?).*
7. *Responding to climate-change effects on prisons and prison populations and climate-proofing prison management and conditions of detention.*
8. *Maintaining human rights standards in prisons outsourced to private companies.*

*Information on these items is outlined in turn below:*

*1. Measures to reduce overcrowding*

Where the number of prisoners exceeds the maximum capacity in any prison, the Irish Prison Service make every effort to address the issue through a combination of inter-prison transfers and carefully selecting candidates for Temporary Release.

The Irish Prison Service continues to expand the scope of the successful Community Return Scheme, this scheme grants prisoners early temporary release conditional on their engagement in supervised community service under the auspices of the Probation Service. It is widely recognised that prisoners released via the Community Return and Community Support Schemes that receive key work support have an increased chance of stability and compliance on release.

The Government has provided significant capital funding to the Irish Prison Service to enhance the existing prison infrastructure. These projects have included, bringing 96 beds back into service at the Training Unit in Mountjoy Prison and the commissioning of new and modern male and female prison accommodation in Limerick Prison providing an additional 90 male cell spaces and 22 female cell spaces in 2023.

More recently, in order to alleviate the discomfort and indignity of people having to sleep on mattresses on the floor, the Irish Prison Service has procured a number of bunk beds. The bunk beds will not reduce overcrowding, but will improve the living and sleeping conditions for people in custody. 115 bunk beds have been installed, and a further 160 bunk beds are planned for installation across the prison estate in the coming months.

In addition, there are plans for 4 short-to-medium term capital projects at Castlerea Prison, Cloverhill Prison, the Midlands Prison and Mountjoy Prison. These will deliver an anticipated 620 additional spaces. The need to ensure the continued availability of modern prison facilities with adequate capacity is a priority for the Irish Prison Service.

Alongside efforts to increase prison capacity, the Irish Prison Service and Department of Justice are progressing a range of policy options to increase the range of appropriate options available to the Courts for dealing with people who have committed minor offences. The Irish Programme for Government contains a broad range of policies and proposals that represent a coherent approach to enhancing and sustaining a more just and safe society, with a specific commitment to review policy options for prison and penal reform. In respect of delivering on this commitment, the Government approved the *Review of Policy Options for Prison and Penal Reform 2022-2024* in August 2022. This review seeks to find the balance between ensuring that people who commit serious crimes receive a punishment and a period of incarceration proportionate to that crime, while at the same time acknowledging that sometimes community-based sanctions are more appropriate in diverting offenders away from future criminal activity. It confirms that community-based sanctions have an important role to play to address criminality, reduce re-offending and provide protection to the public, while holding the individual accountable.

*2. Designing daily life in prisons to be focused on meaningful and productive activities, rehabilitation and reintegration, and achieving good physical and psychological health.*

The Irish Prison Service utilise a number of avenues to ensure daily life in prisons is focused on meaningful and productive activities, rehabilitation and reintegration, and achieving good physical and psychological health. This includes:

* Integrated Sentence Management process is a prisoner-centred, multi-disciplinary approach to working with prisoners, with provision for initial assessment, goal-setting and periodic review to measure progress, with an emphasis on prisoners taking greater personal responsibility for their own development through active engagement with both specialist and non-specialist services in the prisons. Important issues such as accommodation, employment and education are addressed to help the prisoner plan towards improved resettlement into the community on release and reduce the risk of re-offending.
* The Psychology Service have developed two separate initiatives to support prisoners early in sentence to consider their risk in an open and transparent manner, in order to develop bespoke sentence plans which target specific areas of risk and need. One of these programmes (Pathways to Change) is cofaciliated by a psychologist and an ex-prisoner.
* A joint initiative is engaged in between the Irish Prison Service and the Probation Service in relation to a multi-disciplinary model for people serving life sentences.
* The Irish Prison Service provides a wide range of rehabilitative and educational programmes that offer purposeful activity to people while serving sentences and encourage them to lead law abiding lives on release, in order to prevent recidivism. These programmes are available in all prisons and everyone in custody is eligible to use the services.
* The work and training function provides work, work-training and other purposeful activities to all those in custody and includes areas such as catering, laundry, industrial cleaning and industrial skills.
* The Irish Prison Service facilitates the provision of in-reach services by a wide range of community-based organisations across all places of detention including
* Community-based health and first aid programme (CBHFA) provided by the Irish Red Cross.
* Samaritans Listeners Scheme
* Prison Visitor Centres – St Vincent de Paul, Bedford Row, St. Nicholas Trust
* Alternatives to Violence Programme (AVP)
* Travellers in Prison Initiative and Peer Support Programmes
* Solas Compass Prison Programme (Wheatfield & Mountjoy)
* Resettlement and Gate Service provided by the Irish Association for Social Integration Opportunities (IASIO)
* Citizens Information Services
* The Irish Prison Service has engaged staff as resettlement co-ordinators in each prison to assist any prisoner wishing to apply for social housing support to do so in advance of their release date.

*3. Challenges and innovations for providing mental health provision, including for different groups of prisoners such as those with pre-existing psychological issues, victims of torture, persons with neurodiverse conditions etc.*

Mental Health Services in the Irish Prison Service are provided primarily by Healthcare, in-reach Psychiatric and IPS Psychology Services through collaboration with the HSE.

The Irish Prison Psychology Service is the largest team of mental health professionals employed directly to provide mental health interventions through group and individual talk therapy across the estate. The service provides primary, secondary and tertiary care, mental health assessment and intervention. It receives between 1500 – 1800 referrals annually with an average of 60% specifically in relation to mental health. Prison Service psychologists work with people who experience the full spectrum of mental health difficulties, from primary care mental health difficulties**,** right through to those who meet the criteria for secondary and tertiary care services.

To meet the needs of the increasing number of people in custody, the Psychology Service have enhanced their model of care to provide greater breadth of provision through group work and workshops.  Their focus is on supporting people through talking therapy in relation to mood and anxiety difficulties, personality difficulties, post-traumatic stress disorder, self-harm and suicidal behaviour, eating disorders, psychosis and schizophrenia, and addiction.  They also assess, diagnose and work with people with developmental disorders, intellectual difficulties, cognitive decline and traumatic brain injuries.

The Irish Prison Service has developed a mental health awareness-training programme, which is currently being delivered to all staff. This training uses a biopsychosocial understanding of mental health difficulties and is delivered by Nurses and Psychologists.

*4. Measures taken to mitigate the use and impact of solitary confinement and the development of alternative approaches for both disciplinary and non-disciplinary segregation*

There are a number of reasons for applying a restriction to a person’s regime while in prison custody. These reasons include for safety or protection reasons, on the grounds of maintaining good order, and to protect the prison population from the spread of infection.

The Irish Prison Service has taken steps to bring the Irish prison system into line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (known as ‘Mandela Rules’) in respect of solitary confinement. This has included the introduction of Statutory Instrument 276 of 2017 which amended Rule 27 of the Prison Rules 2007 and which provides for prisoners to be allowed to spend a minimum period of 2 hours out of his or her cell daily.

There are a number of instances when a person may be on a restricted regime but this is not to say that they will be held in solitary confinement for 22+ hours a day. The Prison Rules 2007 also provide that the imposition of a restricted regime is closely monitored by the Irish Prison Service and the status of each prisoner on restricted regime within the prison system is regularly reviewed.

On occasion, it is necessary for prisoners to be separated from the general prison population. Under Rule 62 of the Prison Rules 2007, a Governor may decide, for the maintenance of good order in the prison, to remove a prisoner from general association or structured activity. The detention of a prisoner under this Rule must be reviewed by the Governor every 7 days. Where a prisoner is detained under Rule 62 for more than 21 days, the Governor must, on a weekly basis, submit a report to the Director General including the views of the prisoner, explaining the need for the continued removal of the prisoner from structured activity or association and requesting an extension on the prisoner’s detention under the Rule.

Rule 63 of the Prison Rules, 2007 provides that a prisoner may, either at their own request or when the Governor considers it necessary, in so far as is practicable and subject to the maintenance and good order and safe and secure custody, be kept separate from other prisoners who are reasonably likely to cause significant harm to them. The number of prisoners on Rule 63 fluctuates daily and the length of time spent on Rule 63 varies greatly as the level of threat and perceived threat changes. Prisoners on Rule 63 may be permitted to mix with other prisoners on Rule 63 in different risk groups and therefore are not necessarily detained on ‘22-hour lock-up’ or considered to be in ‘solitary confinement’. The Governor may also seek to place a prisoner on Rule 63 if information from An Garda Síochána or other intelligence sources indicate concerns about safety.

Further to this, a smaller number of prisoners may have their regimes restricted for medical (Rule 64) or for disciplinary reasons (Rule 67). Prisoners placed on a restricted regime for medical reasons are reviewed every 24 hours by the medical team and the Governor.

Statistics available regarding prisoners on a restricted regime are collated by the Irish Prison Service Statistics Unit and published quarterly on its website ([www.irishprisons.ie](http://www.irishprisons.ie/)). This information can be found in the Information Centre under Statistics & Information, Census Reports.

*5. Laws, policies, special measures and management innovations adopted for groups with specific needs, such as women and girls, children and youth, indigenous peoples, members of national, ethnic, religious or linguistic minorities, LGBTQI+ persons, and people living with past trauma and/or people with neurodiverse conditions.*

**Section 42 of the Irish Human Rights & Equality Act 2014**

Since 2014, the Public Sector Equality and Human Rights Duty is part of the legislative framework governing human rights and equality in Ireland. Section 42 of the Irish Human Rights and Equality Commission Act 2014 imposes a statutory obligation on public bodies in performing their functions to have regard for the need to:

* eliminate discrimination;
* promote equality of opportunity and treatment for staff and persons to whom it provides services; and
* protect the human rights of staff and services users.

This Public Sector Equality and Human Rights Duty places equality and human rights at the heart of how a public body fulfils its purpose and delivers on its strategic plan. In keeping with the “assess, address, report” principles of the Duty, an assessment was made across the various functional areas of the organisation and an action plan was compiled.

The Irish Prison Service is responsible for the safe secure custody of all those committed to it by the courts. While it is the Irish Prison Service’s duty to enhance public safety by holding securely those committed by the courts, their role must be deeper than just a custodial function. The Irish Prison Service is committed to ensuring that those deprived of their liberty are treated with dignity and with humanity.

Prisoner care and rehabilitation is a core aim of the Service and the Prison Service strive to achieve a balanced approach in the effective performance of our care and custody functions.

As a responsible organisation of the State the Irish Prison Service operates within the parameters set out in Irish, European and international human rights law. They promote equality and human rights through our policies and practices. In the Irish Prison Service Strategic Plan 2019-2022 the Irish Prison Service outlines its values, duties and expectations in relation to staff, prisoners and those in the greater prison community. In relation to staff, the Prison Service value, trust and treat them in a respectful manner. In return, staff are expected to behave in a fair and respectful manner to all who work, reside or visit our institutions. The Irish Prison Service support staff diversity and take appropriate action against allegations of discrimination, bullying and harassment.

As part of ongoing awareness raising campaigns, staff from the Corporate Services and Human Resources Directorates have been addressing staff in the various institutions on the Code of Ethics and on behavioural norms and values in addition to matters relating to sexual harassment, sexual assault, bullying and dignity at work. One of the main aims of the addresses is to reiterate the messages contained in our guidelines and frequently asked questions document on *Dealing with Allegations of Sexual Harassment and Sexual Assault* and to underline our commitment to providing support to any staff or prisoner experiencing this type of harassment or assault.

Awareness of international instruments, as well as an appreciation of the ethical context within which prisons must be administered, form part of the training for recruit prison officers and in continuous professional development of established staff. Technical skills are underpinned by a belief in the dignity and humanity of everyone involved in prisons. Training programmes emphasise the need to treat prisoners as individuals, with humanity and respect and to act within the law at all times, and it is true to say that the concepts of humane treatment and awareness of international human rights instruments are embedded through elements of Irish Prison Service training programmes. In this regard the Irish Prison Service worked with the Irish Human Rights and Equality Commission to develop bespoke human rights training for prison staff.

The Irish Prison Service College also delivers training on disability awareness to Irish Prison Service staff as part of recruit training and continuous professional development. The classes include Human Rights in a Custodial Environment, Equality and Diversity Awareness, Mental Health Awareness Training, Working with Older Prisoners, Learning Styles and Learning Difficulties, Effects of Addiction, and the health needs of groups including the health of incarcerated women, juveniles, Travellers, older prisoners and the chronically ill.

March is an important month for Irish and global Anti-Racism Movements due to the national and international celebrations and commemoration days that take place, which focus on combating racism and celebrating diversity. Each year, the Prison Service recognises UN Week of Solidarity with the People Struggling against Racism and Racial Discrimination, and during that week and a number of times during the year, anti-racism/anti–xenophobia campaigns are run across the prison estate for staff and prisoners. The aim of the campaigns is to increase a sense of awareness of racism and xenophobia in prisoners, staff and visitors.

Both the “No to Racism” and “No Sexual Harassment” campaigns feature prominently on the IPS intranet platform as a constant reminder to staff of the importance the organisation places on these two important messages.

In keeping with the National LGBTI+ Inclusion Strategy’s aim to create an Ireland that cherishes its LGBTI+ people equally, the Irish Prison Service supports LGBTI+ staff and prisoners by displaying prominently/flying the rainbow flag (also known as the gay pride flag or LGBT pride flag) during June across the prison estate. In addition, Irish Prison Service staff have in recent years been participating in the Dublin Pride Parade in support of LGBTI+ colleagues and allies, as part of celebrating and raising awareness of LGBTI+ diversity and inclusion.

In relation to conditions of detention for all prisoners, either physical or regime, the Irish Prison Service strives to conform to international standards including those instruments set out by the United Nations as a minimum. Where possible, the Irish Prison Service endeavour to exceed these standards and become a global leader in penal practice. Where deficiencies are identified, the Irish Prison Service ensure appropriate action is taken to address them.

The Irish Prison Service is aware of the varying needs of prisoners with disabilities, including physical, sensory, psychological and intellectual. A full assessment of all persons committed to prison takes place by a team led by the prison doctor. Depending on the findings or the declared needs, the team may refer the prisoner onwards to occupational therapy, psychological or educational resources for further assessment. All physical and psychological issues are dealt with as part of a care pathway as devised by this team.

The Irish Human Rights and Equality Commission launched an eLearning module in April that builds understanding of equality and human rights concepts as well as legislation and the statutory obligation Public Sector Equality and Human Rights Duty. A link to this online course has been made available to all headquarters staff.

The Human Resources Directorate and Irish Prison Service College, as part of recent recruitment drives to promote staff diversity, published promotional videos aimed at potential candidates from diverse backgrounds to apply for careers in the Irish Prison Service.

The Irish Prison Service is aware that the deprivation of liberty is the sentence handed down by the courts as punishment for offending and its role is to administer that sentence in a way which is no more restrictive than required. The Irish Prison Service aims to ensure that prison regimes provide for appropriate out-of-cell time and sufficient constructive and rehabilitative activities are provided during periods of unlock. When the restriction of a prisoner’s regime is necessary the Irish Prison Service ensure that it is done for no longer than is required and in a manner that upholds the prisoner’s right to access, where possible, prison services including education, training and healthcare. The Irish Prison Service is aware of and understand the special role the Irish Prison Service has on behalf of society in respecting the dignity of the prisoners in our care. Through strong leadership by our management teams the Irish Prison Service ensures that all our staff are mindful of this responsibility.

The safety and security of all persons working, residing, or visiting any of our institutions is of utmost importance to the Irish Prison Service. As such, for safety reasons, the Irish Prison Service has introduced appropriate security measures in all our prisons. The Irish Prison Service ensures that all staff conducting searches within our prisons, including the searching of persons or property, do so in a manner that recognises the inherent dignity of the person and their property.

The Irish Prison Service is committed to working with the various national and international bodies involved in the inspection and monitoring of prisons and places of detention. The Irish Prison Service expect staff and management to keep accurate records, to secure all relevant evidence and to cooperate fully with national and international accountability bodies. This is a vital process for us and such inspections are valuable and critically important mechanisms.

*6. Preparing for next pandemic (what worked and what didn’t in COVID-19 responses to prison management? Any negative consequences of those measures?).*

Pandemic preparedness is key to managing a similar unpredictable situation such as COVID-19. Pandemic preparedness main aim is to strengthen existing systems such as:

* PPE Supply-lines
* Public Health/CHO relationships attached to the different prisons. Ongoing work is continuing with the Public Health staff in areas where prisons are attached.
* Education platforms for both staff and prisoners (Staff education platform currently not on the CPD programme)
* Identify the risks associated with overcrowding and infection control
* Maintain audits to ensure best practice around the IPS estate
* Ensure correct cleaning regimes / education packages are maintained across the prison estate.
* Maintain staffing levels (Healthcare / operational)

*7. Responding to climate-change effects on prisons and prison populations and climate-proofing prison management and conditions of detention*

A. Climate Action Mandate – Climate Action Roadmap

The Irish Prison Service appointed a new Climate Action Lead at Assistant Principal Officer in January 2023 to support the organisation in the achievement of climate action and sustainability targets set out in the Climate Action Plan. The Irish Prison Service published its first *Irish* *Prison Service Climate Action Roadmap* in March 2023 in accordance with the requirements of the Public Sector Climate Action Mandate. The Roadmap sets out the current actions being taken by the organisation as we work towards achievement of the very ambitious targets for reduced energy consumption and reduced carbon emissions.

The Climate Action Roadmap, which will be updated annually, is built on five key Action Areas namely:

* Action Area 1 – Monitoring and Reporting;
* Action Area 2 – Culture of sustainability;
* Action Area 3 – Reduce energy Consumption and Carbon Emissions in Buildings and Fleet;
* Action Area 4 – Green Procurement;
* Action Area 5 – Reduce the Generation of Waste.

B. Building our Climate Action Structures

Central to the achievement of our Climate Action ambitions is developing and resourcing our climate action and sustainability structures at all levels of the organisation. As required under the Climate Action Mandate the Director of Finance and Estates has been designated as the Climate Action Champion for the Organisation and the Climate Action Lead designated as the Energy Performance Officer.

A new Climate Action Governance Structure has been developed and is currently being implemented with Green Teams being established at local and national level to ensure a co-ordinated and consistent approach to climate action.

The IPS has sought additional technical resources to support the delivery of complex projects and building retrofits required to achieve climate action targets and these will be critical in driving the necessary changes to building fabric and contributing to future building projects to ensure our buildings meet the highest standards for efficiency in energy usage and reduce our reliance on fossil fuel based energy systems.

C. Key Infrastructural challenges and Projects (Ongoing)

The prison estate is comprised of a mix of buildings and accommodation block spanning the last 3 centuries. Achieving high energy efficient rating for some buildings will be challenging given their construction and design. Current numbers in custody will prevent any major building upgrade and retrofit as same would require vacant possession of large accommodation areas.

The Irish Prison Service has identified a number of large scale projects that will support reduced reliance on fossil fuel systems, including:

* **LED light replacement programme** – The IPS is currently engaged in a programme to replace all inefficient light fittings and bulbs with new LED lighting which are more energy efficient.
* **Window replacement Programme –** The IPS has engagement in an ongoing programme of window replacement to enhance air tightness and to reduce heat loss.
* **Solar PV** – This Irish Prison Service has initiated a project to develop a solar farm at Shelton Abbey capable of delivering up to 450,000 KwH of energy. It is intended to deliver a similar project in Loughan House in 2024. The Irish Prison Service intend to roll out solar PV where possible across the prison estate.
* **Biomass** – The IPS is exploring the full replacement of the heating system in Wheatfield Prison, which also powers Cloverhill, with a biomass boiler. The feasibility of same is being examined.
* **Bio digesters –** The Irish Prison Service has introduced a new bespoke bio-digester across the prison estate which diverts all food and organic waste away from landfill. The bio-digesters are in operation in 6 locations across the prison estate and will be operational in all prisons by the end of 2024.
* **Fleet – Battery Electric Vehicles (BEV)-** The Irish Prison Service has introduced 15 BEVs in 2023 which represents 6% of the IPS Fleet. The age of the current Irish Prison Service fleet ranges from 1997 to 2023. The oldest vehicles in the fleet are currently being replaced and will reduce the age range of the IPS fleet to 2005 to 2023 by the end of 2023. Further development of the fleet is in process with the largest cellular vehicles in the oldest category planned for replacement in 2024. By the end of 2024, the age range of the IPS fleet is planned to be 2010 to 2024. This will see 11 years removed from the fleet age profile in a two year period with a mix of Battery Electric Vehicles (BEV’s) and modern diesel engine vehicles with Euro 6.3 engines.
* **Upgrade of server room IPS HQ** – In 2023 the IPS completed an upgrade of the cooling system for the server room in IPS HQ Longford which resulted in reduced energy consumption.

D. Summary of actions/achievements in 2023

* Comprehensive engagement with the Sustainable Energy Association of Ireland (SEAI) and the SEAI Public Sector Programme in 2023
* Completion of Climate Action Roadmap in March 2023
* Appointment of senior personnel to Climate Action Roles in Organisation
* Development of enhanced monitoring and reporting of energy consumption and cost
* Establishment of new climate action governance structure including Green Teams (Completion - Oct 2023)
* Ongoing estate wide energy audit to inform key decision making and actions (Due Q4 2023)
* Continuation of estate wide window replacement programme and LED lighting programme to support reduction in energy use and carbon emissions
* Roll out of electric vehicles in the IPS Fleet
* Introduction of new Bio digesters in 6 locations across the estate to reduce waste going to landfill
* Partnership with the Office of Public Works (OPW) Optimising Power at Work programme to support real-time energy monitoring and management
* Commencement of Solar PV project in Shelton Abbey
* Replacement of chillers for communications and server room in IPS HQ with more energy efficient system

*8. Maintaining human rights standards in prisons outsourced to private companies*

Ireland does not currently have any prisons outsourced to private companies.

Department of Justice, Ireland

Department of Foreign Affairs, Ireland

November 2023