

The 2007 Annual Report of the Mountjoy and Dochas Visiting Committee.

January 2008

To the Minister for Justice Equality & Law Reform

The visiting committee met as a group once a month and also conducted a visit each month by 2 members of the V.C.

Individual members visit on an ad hoc basis, several times per year. At all times V.C. members are available on a request basis to all persons in custody. Issues raised during the year with V.C members are confidential and are dealt with on a case by case basis, usually within 2 weeks.

CONTINUOUS PRISON OVERCROWDING

While improvements continue to be made to both the toilet areas and cells, the benefits are often negated by the necessity to double up in cells due to overcrowding. This occurs far too often and in December numbers exceeded 570 - we noted a level of 515 in our last report. Whilst A wing has been recommissioned since our last report we find these levels unacceptable and contribute to a tense atmosphere within the Prison. We note that the Irish Prison Service (IPS) Annual Report 2006 acknowledges this issue with an average bed capacity of 105.5% in the Mountjoy being the highest of any prison in the jurisdiction.

In the five year period to September 2006 just under 1,000 persons were imprisoned for non payment of debts. A further 177 persons were imprisoned since 2003 for refusing to pay fines incurred for not having a television licence. With the high cost of maintaining a prisoner, is it appropriate to incarcerate such offenders in prison and place unnecessary pressure on an already overstretched and expensive system? Sadly, overcrowding continues to be a major problem.

PRISON CONDITIONS

As has been noted in previous reports, the buildings are unsuitable for the detention of male persons committed there. In 2007 for human beings to still be without adequate sanitary facilities in their cells – the same cells that they eat and sleep in - is totally unacceptable. It is very important for all concerned to remember, that the person is detained to deprive them of their freedom for the duration of their sentence, not for further punishment.

The heating system needs to be better regulated in the summer months, as many complaints were received about this.

We also believe there is adequate space for more temporary workshops, gyms and hobby rooms throughout both prisons.

STAFFING

In our last report we noted the problems associated with the staff absenteeism and that this appeared to be exacerbated by new work practices introduced in 2006. These issues remain and the lack of staff is a constant refrain which curtails the facilities available in the Prison.

We would appeal to the Minister to provide adequate staffing levels to ensure that prison services are not affected.

DETENTION OF ILLEGAL NON-IRISH-NATIONALS

We note that both the male and female prisons continue to provide temporary accommodation for illegal non Irish nationals. In some cases these persons can be held for up to 8 weeks. We question as to whether prison is the appropriate place for such persons. We compliment the prison management and staff for their courtesy, respect and care in dealing with this problem and the consequent overcrowding.

We would encourage the Minister and the IPS to explore alternative suitable options in this regard.

During the year we observed up to 6 people being held, pending deportation, in small offices. Also we observed committed people in the similar conditions. We find this practice unacceptable and appeal that it is discontinued.

NEW MEDICAL SURGERY

2007 saw the opening of a new surgery which significantly reduced the number of related complaints we received. A number of complaints were received of disrespectful treatment by a small number of staff and this was advised to management. A welcome development is the designation of the separate medical wing as a drug treatment unit.

We have received complaints on the issue of a medical orderly or nurse sitting in on a consultation with the doctor. We request consideration be given to this. Maybe an alarm pull cord or panic button could be utilized in the consultation room.

LIBRARY

Mountjoy has an excellent library which as well as books provides a range of services to prisoners including, computer self learning, music listening, television documentaries, foreign language books, newspapers (including foreign), audio books and literacy training tools.

3 new cabinets were installed in the Base, C wing and the medical unit during the year to allow further access to materials. The library offers a book request service and a

survey was carried out during the year to ascertain areas of interest – fantasy is the most popular fiction category with true crime heading the list of non fiction.

2007 witnessed a revitalisation of the library with a marked increase in use by prisoners with 7,855 visits by offenders compared to 2,366 in 2006. Its services remain curtailed by the diversion of officers to other duties in the prison with 300 library session cancelled. However we recognise that 2007 did see an improvement in this which we believe is reflected by the phenomenal increase in usage and we strongly encourage that this positive trend is maintained.

KITCHEN FOOD

We had less than ten complaints in 2007 about food and this is an indication how efficient the regimes are in the kitchens of both prisons. They are a credit to all who work in them. We would suggest setting up a register of special diets, which can be referred to at any time by anyone, in order to maintain regular stocks, particularly when stores staff may be on holiday. New menus are introduced regularly and provide sufficient calorific intake as part of a balanced diet.

REHABILITATION

We regard the ongoing rehabilitation of persons detained as too little at this time. We would like to see the placement of more prisoners on work parties or similar training schemes. We believe it is essential to have effective, proactive training to the fullest extent possible, so as to afford people the opportunity to change the course of their lives.

We strongly believe in the concept of external work parties. The work parties afford offenders the opportunity to be gainfully employed, learn new skills and hopefully gain accreditation for these new skills. There is obviously an opportunity to broaden the scope of work and skills. A decided advantage of this is that you don't have to provide workshops or materials and you are giving genuine opportunities for rehabilitation. Our visits to work parties and our discussions with everybody concerned, is universally positive and we believe the scheme definitely worth expanding. FAS involvement should be encouraged to provide certified and structured systems. The hour lost each day by new rosters should also be examined. New up to date equipment is also required in the workshops.

We welcome the ongoing commitment to the work parties by the Minister and the Irish Prison Service (IPS) and our recent discussions with the Governors in Mountjoy have confirmed this commitment. In 2008, we will strongly promote the expansion of the work party scheme.

We believe that a primary cause of recidivism to be the lack of opportunity for betterment on release. The IPS 2006 annual report brings this to light with the statistic that only 26% of the male population is involved for more than 10 hours a week compared to 46% in the Dochus Centre. Too many are allowed to languish in prison,

idly passing time until their eventual release. We believe three factors combine to affect participation –

- A) Drugs use;
- B) Lack of availability of more programmes/classes;
- C) An aversion amongst prisoners to attendance.

The drug use permeates throughout the prison and we separately address this below. Regarding the other factors we recommend:

- A remission benefit should be considered for those prisoners who have meaningful integration in the prison system by attending classes, work, lectures, plays or dozens of other activities.
- Further resources be provided to ensure sufficient availability of training.

There is obviously a strong and pressing need to tackle the serious inequality in society that breeds the continuous supply of offenders. The public attitude must change and we, as a society, are obliged to give to offenders who desire a second chance in life the support and encouragement to do so. It is our experience that many offered that chance, succeed.

We note and commend the much improved liaison between all the groups involved in prisoner welfare, and management's dedication to continuously improve all aspects of life at prisons. Sadly lack of adequate resources (staff being foremost) is a constant refrain and we again appeal to the Minister to provide same.

We are greatly encouraged by the recent appointment of an industrial manager. The officer concerned benefits from over 20 years experience in the IPS. He has an enthusiastic staff of 35 officers involved in training programmes and prison work for prisoners in the male prisons. We understand this scheme is strongly supported by the IPS and by the management at Mountjoy, we welcome this and trust it will continue.

We must strive to show, that caring and rehabilitation will work and has worked in many, many cases. We must endeavour to encourage all persons in custody to participate in some form of meaningful activity.

We are requesting the reintroduction of stage plays, as it afforded people the opportunity to become part of the entire production for a few months. It was also an opportunity for these on the outside to see a different side to those on the inside.

MEDIA REPORTING

It is most abhorrent to read and listen to the all too many 'informed media reports', which in many instances are blown out of all proportion; in some cases blatantly untrue and fed to the media for specific purposes. These too often have resulted in injury and possibly death. In far too many cases the desired result is achieved by the 'well informed sources'. It is about time reporters checked with responsible sources and were held accountable for their stories.

We note that the Irish Prison Chaplain's report 2006/07 (published Nov 2007) confirms this with reference to "distasteful and irresponsible media coverage of

prisoner related issues”. We would encourage the IPS media service to become active in this regard.

SPECIAL OBSERVATION CELLS AKA “PADDED CELLS”

In 2005 it was announced that padded cells were closing. We believe they were upgraded, but not closed, and are unfit for lock up of people for 2 hours let alone 3 days or longer in some cases. It must be planned to provide much brighter, more airy facilities for those unfortunate enough to require close detention and observation for their own and others safety. We welcome the discontinuance of these cells as a form of punishment, and also the improvements in them. However just changing the name ‘padded cell’ to ‘special observation cell’ does little to satisfy us. In reality there is little or no difference.

MENTAL ILLNESS

Prison is not the place for people who are mentally ill and who are detained or committed to prison. We believe the problem to be twofold. Firstly the Central Mental Hospital (CMH) not having sufficient bed spaces to take them (IPS confirms this fact in its 2006 Report). Secondly that prisoners who, whilst mentally ill, are not sufficiently so to warrant a place in the CMH. We strongly suggest that consideration be given to the provision of a suitable facility for such offenders. If the CMH can’t take them, then the authorities have an obligation to find a proper solution. Sadly, it is our experience that it is these same unfortunate people that request to be locked in the ‘Special observation cells” (on occasions for sometimes lengthy periods for time).

We also note the comments in the Irish Prison Chaplain’s Report. This report reiterates grave concerns regarding the incarceration of the mentally ill. The longevity of this issue is evidenced by fact that the 1985 Whitaker Report still awaits implementation. The Chaplain’s report echoes the Whitaker findings and we add our voices to this unheard chorus.

We would appeal to the Minister to use the opportunity the new Thornton Hall facility affords to put in place a solution for this unacceptable problem.

INCREASED PRISON SECURITY

We warmly welcome the new enhanced training and development for all ranks and grades together with the joint Garda and prison service operations to target supplies of contraband. The increased surveillance around the prison complex and surrounding areas, the advisory groups of gang liaison, security audit, protection of prisoners, CCTV, control and restraint and the use of breathing apparatus are noted and welcome. We also welcome the use of sniffer dogs which have been very successful. We eagerly await the overdue introduction of phone blocking and planned searches for all persons entering prisons and the use of metal detectors (we refer to our comments on this issue in our 2006 report).

DRUGS

Drug use is still a major problem in both prisons, despite the most welcome introduction of the above measures. We believe that there are still several channels of the supply of drugs into the prison. Last year we highlighted the pressure being brought on non drug users to bring in drugs, this sadly still pertains.

The committee recognises the human benefits of unscreened visits. We equally recognise that these visits are a conduit for drugs entering the Prison. Whilst this is not a clear cut issue, the committee believe anyone found positive in a drug test should be put on screened visits until they are drug free. Those abiding by the rules should enjoy the right to unscreened visits.

Mountjoy also remains the countries largest Methadone clinic – a sad reflection of our society in 2007.

THORNTON HALL

We welcome the Thornton Hall project and the opportunities for a real improvement, particularly in the areas of rehabilitation, and separation of different levels of prisoner, especially drug free offenders. It might be an idea to name new facilities as “Detention and Training Centres”, rather than prisons or jails.

The committee are not against the principle of building more places of detention, so long as they are built with the object of rehabilitation, with top class facilities, full compliment of staff and no financial constraints. We look forward to the prison service having the opportunity to carry out their legal obligations in a place suitable for modern day custodial care.

AFTER CARE

PACE, is a non government agency funded by the Probation Service. It provides education and training for adult male prisoners with a view to placing ex-prisoners in employment or further training.

This excellent scheme includes programmes for woodwork, metalwork, literacy, numeracy, art, communications, life skills and computers. The acquisition of a second property for this very worthwhile programme is commended.

PACE provides residential facilities for 22 male ex-prisoners at Priorswood House, Dublin 17 and has plans to open additional facilities in Dublin City in the coming months.

Business in the Community Ireland is a linkage programme with the objective to create mutually beneficial links between employers and ex-offenders with a view to work experience and on the job training. Recent months have seen a new pilot scheme commence within the Mountjoy complex and we welcome this initiative.

Recently our chairperson visited Castlerea prison and had discussions with two people and a member of staff, involved in a service called 'Your Equal Project Mentoring Service' run by your equal Ltd which is EU funded. Their aim is to maximize employment opportunities for prisoners and ex prisoners. It is a huge, worthwhile project, worthy of support. Details can be found on www.youreequal.com.

We believe the Minister or the IPS should facilitate co-operation and collaboration between the above bodies on an ongoing basis.

DÓCHAS CENTRE

The Dóchas Centre has capacity for up to 90 female inmates. Whilst not the same level of overcrowding exists as in the male prison the risk is real that services may suffer if numbers are not controlled. The level of service is higher than in the male prison with 77% of offender participating in some form of Education (source IPS Annual Report 2006).

As previously highlighted we are concerned by the housing of non Irish nationals awaiting deportation in the Dochas Centre. This results in short term overcrowding and the reduction of services which can be provided. We urge that the Minister and the IPS find alternative solutions for this.

We would also highlight the condition of the house kitchens which require upgrading.

We believe that the facilities in the Dochas centre are of a high standard, especially in comparison to the male prison. Indeed the VC hopes that the women will make better use of all the available services in the future.

MISCELLANEOUS

Integrated sentence management, new rules and all the benefits of changes in regimes will be on the agenda of the committee for 2008 and we look forward to discussing these and many more issues.

Previously we asked for the management and staff to be given the benefit of an expert on the issue of gang culture in our prisons, helping to minimize or remove the threat to the welfare and stability within prisons.

Specific training should be provided for visiting committees to assist them in the performance of their duties. This issue has been raised with the I.P.S. by the chairpersons group.

We have noted the introduction of new prison rules effective from 1st October 2007 introduced under the Prisons Act of 2007 and we hope in next years report to be able to enlighten the Minister as to their impact in Mountjoy.

On committal to prison, we would suggest a video presentation as part of an offenders' induction. Due to the increasing level of non Irish nationals we would also

suggest that the prisoners hand book be available in foreign languages reflective of the changing demographic of our nation.

CONCLUSION

We thank the governors and staff of Mountjoy and Dochas for the cooperation we enjoyed throughout the year and we wish to acknowledge their dedication, competence and enthusiasm for such challenging roles.

We extend our sympathies to the families, relatives and friends of all those who died in 2007, connected to the prisons. Particularly those offenders who died in custody. May they rest in peace.

The committee wishes to welcome the new Minister for Justice, Equality and Law Reform appointed during the year and to commend his predecessor.

We thank all those who served on the visiting committees in the last number of years, and we wish them all the very best regards for the future.

We also wish to record a special thanks to our secretary who served the committee during the year.

We are resolved to perform our functions in full and look forward to working in close co-operation and harmony with the new Minister and the Irish Prison Service. We would also wish to extend an invitation to the Minister to meet with the committee at his convenience during 2008.

Go mbeirimid beo ar am seo aris.