



Oifig An Chigire Príosún
Office of the Inspector of Prisons

COVID-19 Thematic Inspection of Castlerea Prison

25 - 26 August 2021

IPS Review: 8 October - 8 December 2021

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EXECUTIVE SUMMARY

The Office of the Inspector of Prisons carried out the eleventh COVID-19 Thematic Inspection in Castlerea Prison on 25 - 26 August 2021. The inspection examined thirteen assessment areas the Five Inspectorate Focus Areas: Respect & Dignity; Safety & Security; Health & Wellbeing; Rehabilitation & Development; and Resettlement. Over the course of inspection, Castlerea Prison Senior Management and members of prison staff were fully co-operative with the Inspection Team.

The Inspection Team noted a number of positive outcomes in the prison, which included:

- Castlerea Prison has been successful in preventing widespread transmission of COVID-19. There were no COVID-19 outbreaks in the prison since the beginning of the pandemic.
- The majority of prisoners in Castlerea Prison were vaccinated for COVID-19. However, there was a lower uptake at 73.2% (first dose) among the prisoner population, compared with other prisons. In response to this, the prison took pro-active measures to ensure prisoners were provided with factual-based information about the COVID-19 vaccine.
- Positive initiatives of rehabilitative benefit were rolled out for prisoners, which included in-cell phone provision and the opening of an outdoor horticulture area. The Inspectorate commends the initiative led by a member of local prison staff to move quarantined prisoners to a landing that had in-cell showers.
- Castlerea Prison was the first closed prison inspected during the course of COVID-19 Thematic Inspections in which prisoners had their meals served in line with the usual times in the community, which is in accordance with the European Prison Rules (Rule 22.4) and the UN Mandela Rules (Rule 22). The Inspectorate welcomes this practice, and recommends it be rolled out across the prison estate.

However, the Inspection Team also noted negative outcomes for prisoners, which included:

- The experience of in-person family visits resulted in a low take-up of visits. Visitation time was 20 minutes; many family members travelled long distances; prisoners had difficulty hearing family members through screens, alongside the requirement to wear masks. Prisoners had to choose a maximum of one child to attend the visit. Prisoners felt frustrated having experienced little change to visits and the daily prison regime following vaccination.
- It was clear that the remote location of Castlerea Prison impacted on the provision of services (e.g., access to a doctor, a local clergy member to perform in-person religious services), as well as the distance for family members to travel for visits.
- The conditions of the holding cells for prisoners waiting to attend remote video hearings was cramped, not clean and void of ventilation. Furthermore, prisoners were subject to the timing of the court and as a result, could be held in the holding cell for a prolonged period of time without regular breaks for fresh air.

All COVID-19 measures implemented since March 2020 should be reviewed to assess that they have a legal basis, are proportionate and necessary. As part of the COVID-19 Thematic Inspections, the Inspectorate examines three over-arching questions:

1. How will prisons in Ireland come out of COVID-19 restrictions?
2. What are the implications of the normalisation of COVID-19 related measures?
3. How will the impact of COVID-19 restrictions on prisoners be redressed?

1 INTRODUCTION

1.1 Inspection Function of the Office of the Inspector of Prisons

The Office of the Inspector of Prisons was established pursuant to Section 30 of the Prisons Act 2007 (“the Act”) in January 2007. The Inspector of Prisons is appointed by the Minister for Justice to perform the functions conferred on her by Part 5 of the Act. Patricia Gilheaney is the current Inspector and was appointed on 7 May 2018 for a five-year term in office subject to the provisions of Section 30 of the Act. The Inspector of Prisons is independent in the performance of her functions.

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

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 it being laid before both Houses of the Oireachtas, and on its publication.

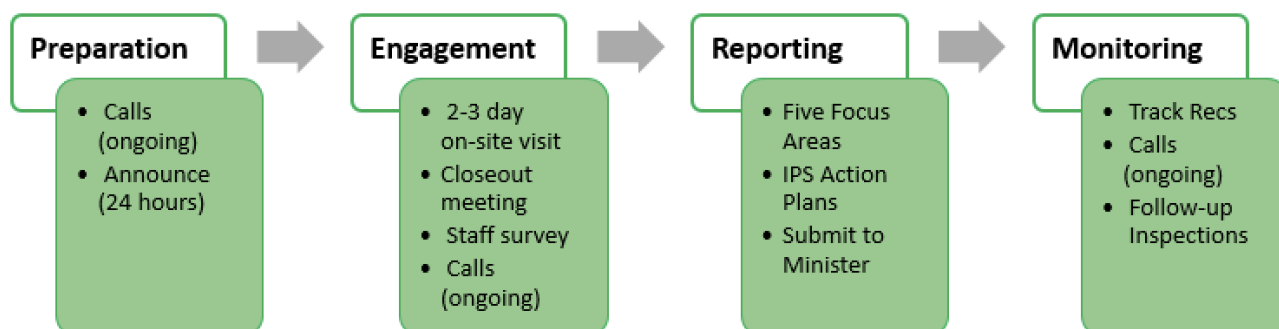
1.2 COVID-19 Thematic Inspections

The Irish Prison Service has adopted a number of practices in response to the need to prevent transmission of COVID-19 in Irish prisons, and to subsequently uphold Ireland’s commitment to the right to life under Article 40 of the Irish Constitution and the protection of life under Article 2 of the European Convention on Human Rights (ECHR). These measures include, amongst others, restrictions on family contact (Section 4.2), quarantine and isolation (Section 4.3), restrictions on access to education and exercise (Sections 5.2 and 5.3) and changes to the prison regime (Section 5.1). In response to these restrictive measures, and the need to assess their impact on people living and working in prison, the Office of the Inspector of Prisons prepared a programme of COVID-19 Thematic Inspections to be carried out in all Irish prisons in 2021. The objective of these visits is to provide a human rights informed assessment of the treatment and care of prisoners across the Irish Prison Service. COVID-19 Thematic Inspections are carried out in line with the process provided in the 2020 Framework for the Inspection of Prisons in Ireland¹ (Figure 1), and are designed to examine the five Focus Areas detailed in the Framework, with a particular focus on the impact of COVID-19 on the prison.

¹ OIP. (2020) A Framework for the Inspection of Prisons in Ireland, available at: <https://www.oip.ie/launch-of-the-framework-for-the-inspection-of-prisons-in-ireland/>

Figure 1: Framework Inspection Process

COVID-19 Thematic Inspections: Process



COVID-19 Thematic Inspection visits are announced short visits of between two and three days in duration, whereby the focus of the visit is on how people in prison experience and are impacted by COVID-19 related restrictions in the prison. The information obtained through inspections visits is complemented by calls to prisons,² continuous communications with the Irish Prison Service, which includes weekly updates on the situation of COVID-19 and the dissemination of an online staff survey in April/May 2021.³

COVID-19 Thematic Inspections are carried out on a systematic and risk-informed basis, in line with the Office of the Inspector of Prisons Infection Control Protocol.⁴ Based on internal information and information received from the Irish Prison Service, the Inspectorate determines if a visit to a prison is: (i) warranted given the risk, and (ii) in line with the principle of “do-no-harm” (ensure that risk is offset by preventive action). COVID-19 Thematic Inspections are announced, with prisons provided with at least 24-hour notice in advance of the inspection.

The Focus Areas of Inspection are: Respect & Dignity, Safety & Security, Health & Wellbeing, Rehabilitation & Development and Resettlement. Within the five Focus Areas, inspections may assess a number of themes, as outlined in Figure 2. Given time constraints, not all inspections will examine all assessment themes.

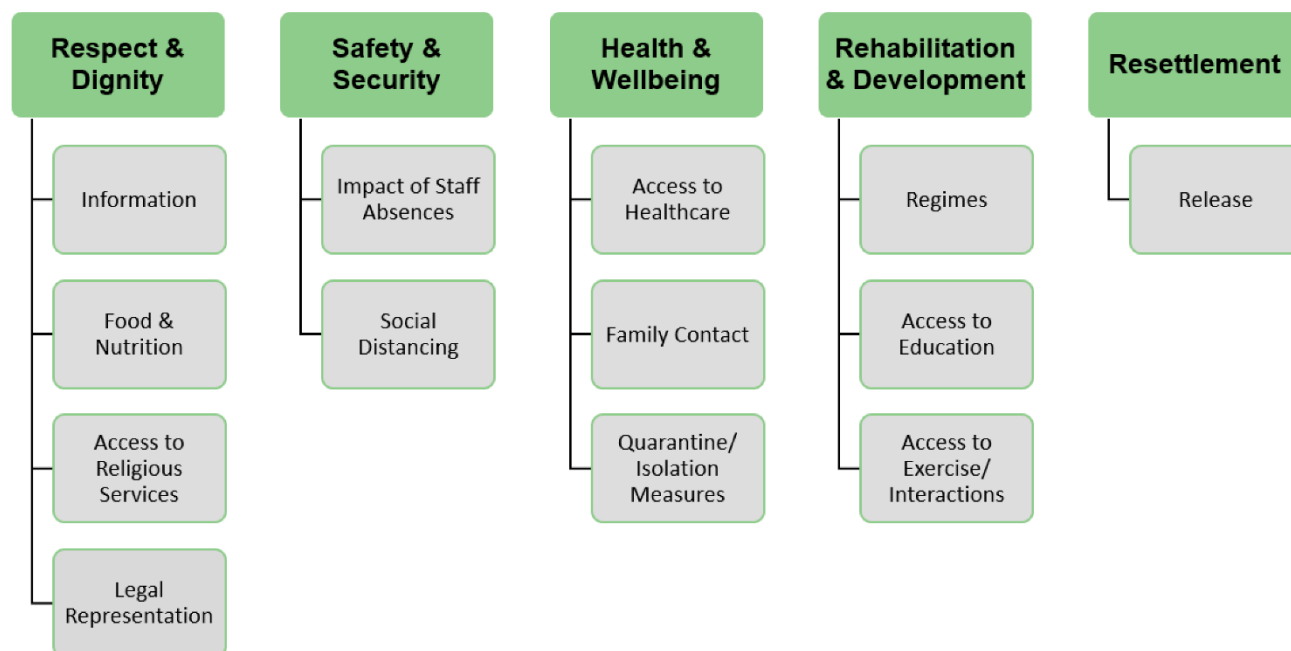
² OIP. (2021) COVID-19 Call Template, available at: <https://www.oip.ie/wp-content/uploads/2021/05/COVID-Call-Template.pdf>

³ OIP. (2021) COVID-19 Staff Survey, available at: <https://www.oip.ie/wp-content/uploads/2021/05/COVID-19-Survey-for-IPS-Staff-2021.pdf>; OIP. Staff Survey Initial Findings (June 2020), available at: <https://www.oip.ie/wp-content/uploads/2021/08/OIP-COVID-19-Staff-Survey-Initial-Findings-Updated.pdf>

⁴ OIP. (2021) COVID-18 Infection Control Protocol, available at: <https://www.oip.ie/wp-content/uploads/2021/05/OIP-Infection-Control-Protocol.pdf>

Figure 2: Inspection Focus Areas – COVID-19 Assessment Themes

Castlerea Prison Assessment Themes



The COVID-19 Thematic Inspection process involves the following:

- Observation of the prison environment;
- Discussions and informal interviews with prisoners and staff; and
- Documentation-review and tracing.

Direct quotations from prisoners and staff are included in this report. These quotations describe the lived experience of prisoners and staff as shared with the Inspection Team.

The on-site inspection visit to the prison is complemented by ongoing telephone communications with the prison. These calls are designed to: (i) identify COVID-19 related practices in the prison across the Focus Areas; (ii) highlight areas of concern that may require further attention as part of an inspection visit; (iii) monitor implementation status of Irish Prison Service Action Plans developed to respond to Inspectorate Recommendations; and (iv) provide prison management with an opportunity to indicate positive advancements and challenges related to COVID-19 related restrictions in the prison. Five calls were made to Castlerea Prison prior to inspection: 25 February 2021, 29 April 2021, 25 May 2021, 10 June 2021 and 6 August 2021. The Inspection Team requested follow-up information via email on 7 September 2021, 13 September 2021 and 21 September 2021. A post-inspection phone call took place with Senior Management on the 8 October 2021, and the Inspectorate was provided with follow-up information via email on the same date.

Over the duration of the inspection process, the Inspection Team endeavours to raise awareness about the ongoing inspection and of the role of the Office of the Inspector of Prisons (OIP) more generally. To this end, the Inspectorate developed prisoner information booklets.⁵ The information booklet is available on the OIP website in Irish, English (NALA Plain English Mark), Cantonese, French, Polish, Romanian, Russian and Spanish, and have been provided to the Irish Prison Service for ongoing dissemination.

⁵ OIP (2021) Information Booklet, available: <https://www.oip.ie/information-booklet/>. The OIP has also prepared an information video for display on the in-cell TV channel in prisons, where this facility is available: <https://prezi.com/v/cggicvfvpz8/>

Across the COVID-19 inspections, the Inspection Team has requested that OIP information booklets be shared with prisoners on the morning of the first day of the on-site inspection. This request was made with respect to Castlerea Prison on the morning of the first day of the inspection. However, the Inspection Team observed that the booklets were not distributed until this observation was communicated to Senior Management that afternoon.

This report on the inspection of Castlerea Prison, the eleventh of twelve COVID-19 Thematic Inspection reports, provides a human rights-based assessment of the Irish Prison Service's response to the COVID-19 pandemic. The report examines the Focus Area themes to assess the following:

- Compliance with national legislation and international human rights standards;
- The physical and non-physical prison Environment; and
- The Outcome, or impact of compliance or non-compliance with legislation and/or standards and the environment within the prison setting.

The Office of the Inspector of Prisons may provide a recommendation to assist the Irish Prison Service in bringing its procedures and practices in line with international human rights standards and best practice. As part of the Inspectorate's inspection and reporting processes, the Inspectorate engages the prison and the Irish Prison Service to review the report and recommendations, and determine recommendation Action Plans. The Irish Prison Service Action Plan in response to the COVID-19 Thematic Inspection in Castlerea Prison is provided in Section 7.

The inspection of Castlerea Prison was carried out over a two-day period. The degree of co-operation received in the prison during the inspection was very good. The Inspection Team had full access to all required information in a timely manner. There were no delays in access to the Prisoner Information Management System (PIMS) database.

The Inspection Team would like to express appreciation to the designated Liaison Officer, Senior Management and prison staff for the support provided to the Inspection Team throughout the duration of the on-site inspection. The Inspection Team would also like to thank the people in custody in Castlerea Prison for their engagement.

The Inspectorate presented preliminary observations to Castlerea Prison Senior Management at a virtual Closeout Meeting on 30 August 2021. The commentary received during this meeting was taken into account in the drafting of this report.

The Inspectorate looks forward to ongoing dialogue and engagement with prisoners, staff and management in Castlerea Prison.

1.3 Composition of the Inspection Team

The on-site Inspection Team for the COVID-19 Thematic Inspection in Castlerea Prison comprised of Chief Inspector Ms Patricia Gilheaney, Senior Inspector Dr Ciara O'Connell, Inspector Ms Eve Farrelly and Inspector Ms Michelle Martyn. The Inspection Team was supported by office-based Administrative Staff.

1.4 Overview of Castlerea Prison

Castlerea Prison is located in county Roscommon and is a closed, medium security prison for adult males. It is the committal prison for remand and sentenced prisoners in Connaught and also for

committals from counties Cavan, Donegal and Longford. The official IPS bed capacity for Castlerea Prison is 340. Table 1 provides the prison population and bed capacity on both days of the inspection, as provided by the Irish Prison Service.

Table 1: Prisoner Population in Castlerea Prison, 25 - 26 August 2021

Number in Custody	No. On Temp Release	No. On Trial/ Remand	Total Prisoners in System	Bed Capacity	% of Bed Capacity
292	17	69	318	340	86%
293	17	68	319	340	86%

At the time of inspection Castlerea Prison was comprised of three distinct areas: A-division and Harristown Unit (B, C and D divisions), which were in the same building (main prison), The Grove (comprised of eight standalone houses on the prison grounds) and Harristown House, which was located external to the prison grounds.

A Division and Harristown Unit

A-division and Harristown Unit were in the main building of the prison, with one kitchen designated for the preparation of meals for prisoners accommodated there. A-division had three landings and accommodated prisoners from the general population. Prisoners in quarantine and isolation were previously accommodated on A2 landing but were moved to B2 landing to facilitate access to in-cell showers; this move was made in response to a proposal led by a senior prison staff member in the prison.

Harristown Unit was comprised of B, C and D divisions, all of which had two landings. B-division accommodated prisoners on protection, prisoners who were industrial cleaners and prisoners in quarantine/isolation. C-division accommodated prisoners in the High Support Unit and prisoners in the Challenging Behaviour Unit. D-division accommodated general population prisoners, which included all kitchen workers.

Table Two provides the capacity and accommodation type for A division and Harristown Unit.

Table 2: A Division and Harristown Unit Accommodation

Division	Total Capacity	Accommodation Type
A Division	179	General Population
B Division	52	B1 - Rule 63
C Division	10	C1 - High Support Unit C2 - Rule 62 and Rule 64 Special Cells
D Division	52	General Population (including kitchen workers)
Assessment Unit	10	Committal Unit/ Covid-19 Quarantine

Table Three provides the cell breakdown of A Division and Harristown Unit (B, C and D) at the time of inspection.

Table 3: Cell Breakdown, A Division and Harristown Unit (Main Prison)

Landing	No of Single Cells	No of Double Cells
A1	5	29
A2	34	12
A3	34	12
Committal Unit	10	0
B1	0	13
B2	0	13
C1	7	0
C2	3	0
D1	0	13
D2	0	13
Total	93	105

The Grove

The Grove was the semi-open area of Castlerea Prison, with a total prisoner capacity of 55 prisoners. At the time of inspection, 26 prisoners resided in The Grove. The Grove consisted of a plot of land on the prison campus that contained eight standalone houses. At the time of inspection, two houses were closed due to renovations, and one house was designated as an “administration” house. The administration house was where the class office was located, and in-reach services were facilitated. The Grove had its own kitchen and dining area. Prisoners were accommodated in The Grove based on good behaviour, engagement with services and sentence management progression. Prisoners had their own set of keys for their house and were required to be in their houses each evening. All prisoners accommodated in the Grove were on an Enhanced regime and engaged in work/training activities. Prisoners could be considered for transfer to an open prison as part of their sentence management.

Harristown House

Harristown House was directly adjacent to Castlerea Prison (external to the prison). It was managed by the Irish Prison Service and was used as a low security accommodation unit for a maximum capacity of 15 prisoners.⁶ Prisoners in Harristown House were nearing completion of their sentence and were on temporary release.

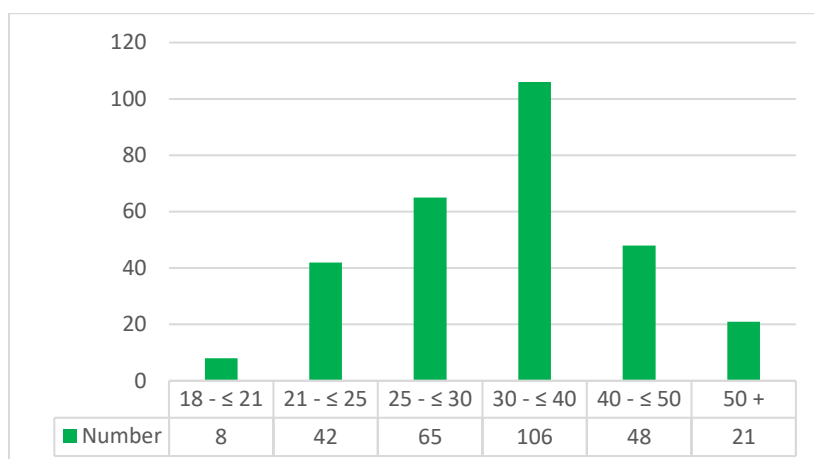
Prisoners were selected to live in Harristown House based on good behaviour and prior to the pandemic, people in Harristown House undertook voluntary work in the community.⁷ The original ethos of the house was based on communal living. At the time of inspection, two prisoners lived in Harristown House. Senior Management informed the Inspection Team that the ideal number of prisoners to be accommodated in Harristown House was four.

Figure 3 provides an age breakdown of the people accommodated in Castlerea Prison, on 23 August 2021.

⁶ Irish Prison Service report (2017) Examination of the Sentence Management of People Serving Life Sentences, https://www.irishprisons.ie/wp-content/uploads/documents_pdf/Life-Sentenced-Prisoner-Report-Final-April-2017.pdf

⁷ J Fogarty (17 July 2020) “Harristown House project at Castlerea Prison a Success”, *Roscommon Herald*, <https://roscommonherald.ie/2020/07/17/harristown-house-project-at-castlerea-prison-a-success/>

Figure 3: Prisoner Age Breakdown, Castlerea Prison, 23 August 2021



There was an over-representation of Travellers and Foreign National Prisoners in Castlerea prison. On 6 August 2021, 19% of prisoners in Castlerea Prison were Foreign Nationals, and 22% of the population were from the Traveller Community.

Based on COVID-19 status update information provided by the Irish Prison Service to the Inspectorate, Table Four provides the number of people in custody placed on COVID-19-related restricted regimes in Castlerea Prison on 26 August 2021, the second day of the inspection.

Table 4: People in Custody, COVID-19 Restricted Regimes

Date	Quarantine	Isolation	Cocooning
26 August 2021	10	6	0

The prison had been successful in preventing the transmission of the virus, and at the time of inspection, there had been no COVID-19 outbreaks in Castlerea Prison since the start of the pandemic. In total, as of 25 August 2021, three prisoners had tested positive for COVID-19, and there were less than ten cases of COVID-19 amongst prison staff between March 2020 and 25 August 2021.

Rule 44 Letters

Rule 44 (1)(H) of the Irish Prison Rules 2007-2020 makes clear that a prisoner is entitled to write to the Inspector of Prisons. During the inspection of Castlerea Prison, the Inspectorate received one Rule 44 letter. Prison Management was informed of this, however the contents and author of the letter remained confidential to the Inspectorate.

1.5 Immediate Action Notifications (IANs)

The COVID-19 Thematic Inspection of Castlerea Prison did not require the Inspectorate to issue an Immediate Action Notification (IAN).

2 RESPECT & DIGNITY

2.1 Information

Central to the Respect & Dignity Focus Area is the provision of information within the prison. As part of the inspection of Castlerea Prison, the Inspection Team assessed how prisoners were provided with information, with a particular focus on what information was provided to prisoners entering quarantine and information provided to prisoners about the vaccination process for COVID-19.

2.1.1 Compliance

The Irish Prison Rules 2007-2020, Rule 13, include the supply upon committal of an explanatory booklet that outlines the entitlements, obligations and privileges for prisoners. Further to this, the Rule provides for, in so far as is practicable, the provision of explanatory booklets to Foreign National prisoners in a language that can be understood by the prisoner, and that in instances where this is not possible, or where a prisoner is not able to read or understand the contents of the booklet, that all reasonable efforts be made to ensure that the prisoner's entitlements, obligations and privileges are explained.

The caveats provided for in the Irish Prison Rules 2007-2020 ("all reasonable efforts" and "in so far as is practicable") allow for a situation in which the national legislation's provisions in relation to information may be curtailed or denied. Further, the Irish Prison Rules place no responsibility on the prison to provide information "as necessary" after the point of committal, thereby leaving open a vacuum of information which may be filled with assumptions and/or incorrect information.

Section 42 of the Irish Human Rights and Equality Commission Act 2014 (the Public Sector Equality and Human Rights Duty) also requires the Irish Prison Service to eliminate discrimination, promote equality, and protect human rights of both prisoners and staff. This law is important in the context of the Irish Prison Service providing information to certain cohorts, such as Foreign National prisoners and prisoners with disabilities.

The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules) (2015) provide more specificity about the contents of such an explanatory booklet, with Rule 54 providing that every prisoner shall be provided with written information about applicable prison regulations, rights (including methods of seeking information, access to legal advice and procedures for making requests or complaints), obligations related to disciplinary sanctions and all other matters necessary to adapt to life in the prison. The Mandela Rules also require, under Rule 55.3, that prison administrations display summaries of information in common areas of the prison, and that the written information be made available in commonly used languages in accordance with the needs of the prison population; interpreter assistance should be provided if a language is not available (Rule 55.1).

Alongside, the Mandela Rules, the Revised European Prison Rules (2020) state that at admission, and as often as necessary afterwards, all prisoners shall be informed in writing and orally in a language they understand of the prison regulations and their rights and duties in the prison (Rule 30.1). The European Prison Rules also state that prisoners are allowed to keep in their possession written versions of the information they are given (Rule 30.2).

With specific regard to COVID-19, the European Committee for the Prevention of Torture (CPT) Statement of Principles Relating to the Treatment of Persons Deprived of their Liberty in the Context of

the Coronavirus Disease (COVID-19) Pandemic⁸ (Principle 4) requires that any restrictive measures taken to prevent the spread of COVID-19 should have a legal basis and be necessary, proportionate, respectful of human dignity and restricted in time. All persons deprived of liberty should receive comprehensive information, in a language they understand, about any such measures.

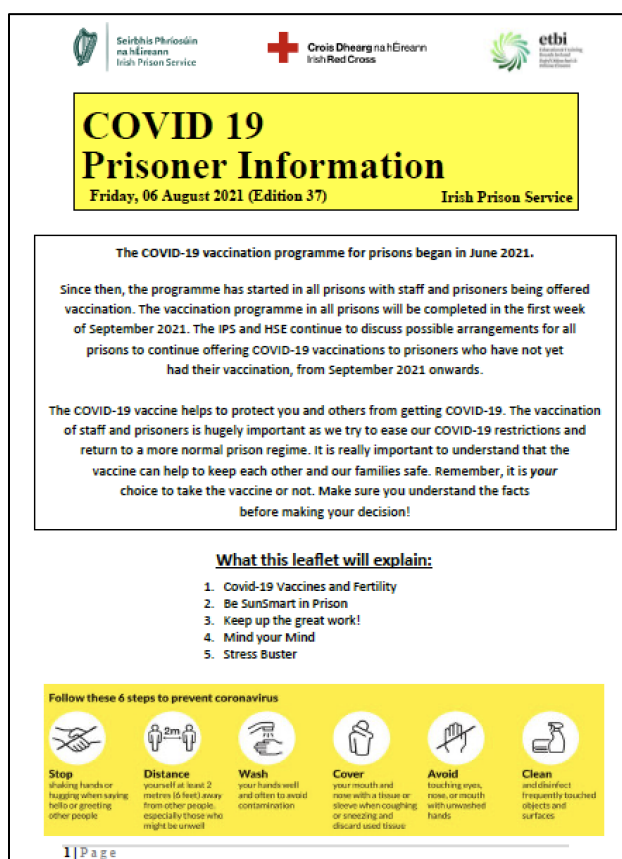
The United Nations Subcommittee for the Prevention of Torture (2021) in its Follow-up advice to State Parties and National Preventive Mechanisms relating to the Coronavirus Disease (COVID-19) Pandemic urged all States to: “inform all persons deprived of liberty and their relatives, regularly and comprehensively, about the vaccination programme, including its benefits and possible side effects, and ensure that vaccination is voluntary and based on informed consent.”⁹

2.1.2 Environment

The Irish Prison Service produced newsletters designed to provide prisoners with updates on COVID-19 information and safety measures. At the time of inspection, these newsletters were being provided to prisoners in Castlerea Prison on at least a monthly basis. The newsletter provided information on COVID-19 vaccinations, and also on practical issues such as the procedure for how families can lodge money into prisoner accounts and how to make video calls.

At the time of inspection the 37th edition of the “COVID-19 Prisoner Information” newsletter, dated 6 August 2021 provided clarification on the facts about the COVID-19 vaccine and fertility.

Figure 4: COVID-19 Prisoner Information Newsletter 37th ed., 6 August 2021



⁸ CPT Statement of Principles relating to the Treatment of Persons Deprived of their Liberty in the Context of the Coronavirus Disease (Covid-19) Pandemic (20 March 2020) CPT/Inf (2020)13, <https://rm.coe.int/16809cfa4b>.

⁹ Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Follow Up Advice of the Sub-Committee to State Parties and National Preventive Mechanisms Relating to the Coronavirus Disease (COVID-19) Pandemic, <https://www.ohchr.org/EN/HRBodies/OPCAT/Pages/AdvicesToNPMS.aspx>

The Inspection Team was provided with English and Polish versions of the “Fact Sheet: All About COVID-19 ‘Variants’ and Vaccines” (dated 30 June 2021), which was distributed to prisoners to inform them about the efficacy and side effects of the vaccine and the EU Digital COVID-19 certificate; however, the “Fact Sheet” did not include information on how a prisoner would access or obtain the EU Digital COVID-19 Certificate. Excerpts of the “Fact Sheet” are provided in Figure 5.

Figure 5: Excerpts - “Fact Sheet: All about COVID-19 ‘Variants’ and Vaccines” (30 June 2021)



Seirbhís Phríosúin na hÉireann
Irish Prison Service

FACT SHEET



All about COVID-19 ‘Variants’ and Vaccines
IPS – Information on Covid-19 vaccines and virus variants. 30th June 2021



COVID-19 vaccines really cut your risk of getting COVID-19. There is strong, reliable medical evidence that the vaccines are **highly effective** and help stop you dying from or getting really sick from COVID-19.

Variants:

What is a COVID-19 variant?

When a virus replicates or makes copies of itself, it sometimes changes a little bit, which is normal for a virus. These changes are called “mutations”. A virus with one or more new mutations is called a “variant” of the original virus.

The more a virus spreads, the more it changes, and this is a ‘variant’. Most changes to the virus have little to no impact on the virus’s ability to cause infections and disease. But depending on the changes, this may change how the virus spreads or change the level of the disease.

Do the vaccines work on the new variants of the Covid-19 virus?

The COVID-19 vaccines that have been approved and are being used in Ireland and worldwide are expected to provide at least some protection against new virus variants. Therefore, even if the virus changes, the vaccines should still work.

We still need to do everything possible to stop the spread of the virus.

We still have to wash our hands, keep our distance and wear our masks when requested to stop the virus from changing or mutating. **There is also no evidence at this time that the vaccinations cause infertility.**

Digital Covid Certificate (DCC)

Your PPSN is also required to make sure that the HSE has as much information as they need, to give you a Digital Certificate, when this is available. From the beginning of July, Ireland plans to operate the EU Digital COVID Certificate (DCC) for travel originating within the EU and EEA. These plans are subject to the public health advice on that date.

What is the EU Digital Covid Certificate (DCC)?

The EU COVID Certificate will help citizens move freely and safely within the EU during the COVID-19 pandemic. In addition, this certificate may also be required to attend events such as matches, concerts, festivals, etc.

It is proof that you have:

- Been vaccinated against COVID-19
- Received a negative test result
- Recovered from COVID-19



What information will be included on the DCC?

The certificate will only contain necessary and key information including:

1. Your name	2. Your date of birth	3. The date of issue
4. Relevant information about your vaccine, test or recovery	5. A unique identifier number (your PPSN, if available, or your Mother’s Maiden Name)	

The DCC will be free and available in both digital and paper formats.




PPSN/Social Welfare Number

The HSE has decided that your PPSN (Social Welfare number) is the number that will be used to uniquely identify you, record when you get the vaccination and ensure you get the second vaccine. This is the same whether you are in prison or outside of prison getting the vaccine.

If you are going to get the vaccine you will be asked to provide your PPSN - if you do not know it, please arrange to get it from a family member.



If you don’t have your PPSN, you can provide your mother’s maiden name. If you do not have a PPSN, this does *not* mean that you will *not* get the vaccine, but special arrangements will have to be made.

The IPS and the HSE have to protect your information and keep it private. It will only be used for the purpose of managing your vaccination. The HSE will only collect the information they need to identify you, book your appointment, vaccinate you safely, record your vaccination and monitor the vaccination programme.

The HSE will not share this information about you with any other government department.

Record card:

A record card will be completed for you when you get your first dose and held for you in the healthcare area. This card will be updated when you get your second dose. It is **really important** that you ask the nurse for this card before you are released/transferred. You will need to present this card to the clinic if you need go for your second vaccine in the community here in Ireland or in your own country.

What to do to prepare for your vaccine:

- Ask the doctor or nurse if you have any questions or concerns about the vaccine.
- Watch the video of Professor Luke O’Neill answering your questions about the vaccine. It is available on the in cell TV system in all prisons. Please ask a staff member about times if you cannot find it. This information represents medical and scientific facts the IPS / authorities have made their decisions on this information.
- Make sure you get information about vaccines from trusted sources. Be aware that your friends or family members may be getting their information from anti-vaccination sites and passing information on to you that is untrue or unproven.

**It is your choice to take the vaccine or not.
But remember, taking the vaccine can help to save lives.**

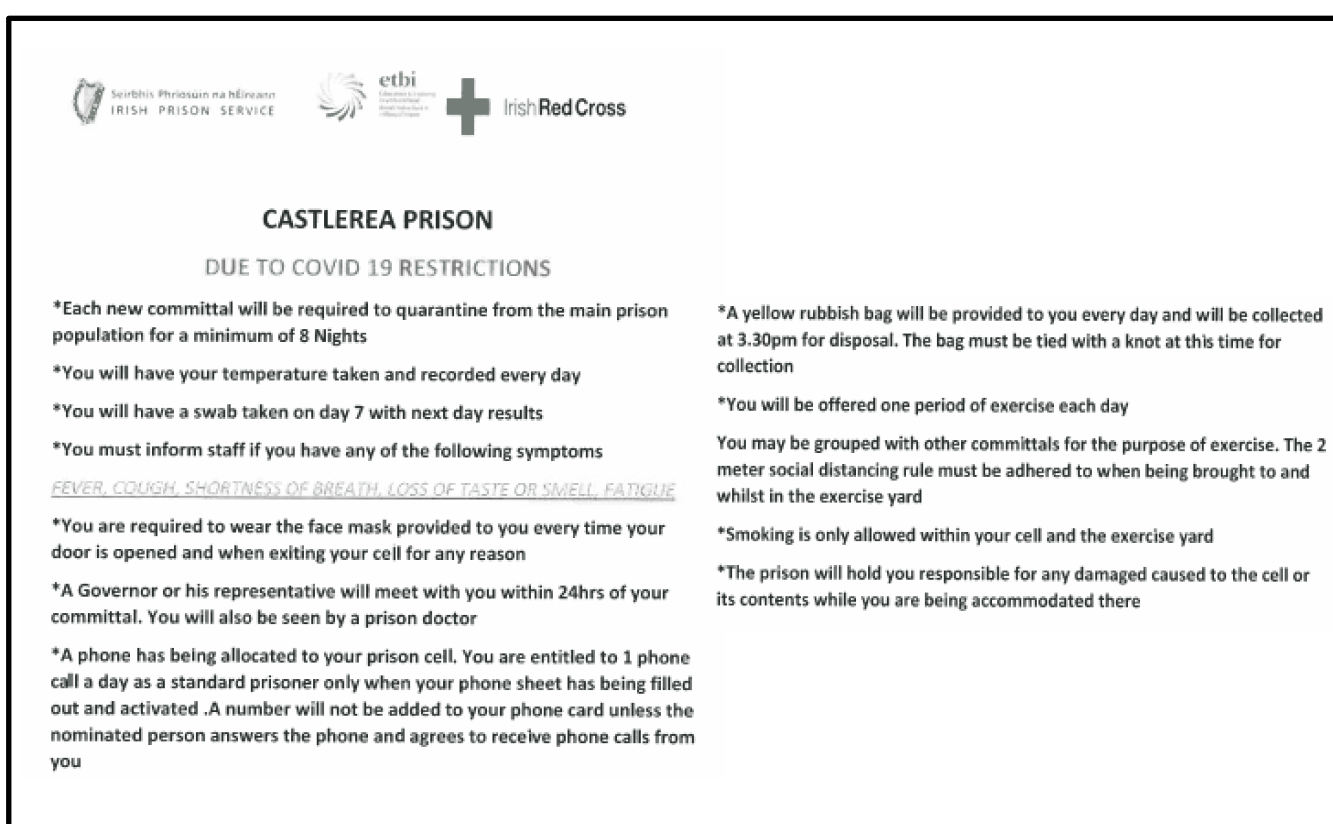
Ref: WHO – The effects of virus variants on COVID-19 vaccines, 14th June 2021

The Inspectorate welcomes the development and distribution of the factsheet, particularly in that it provides information on COVID-19 variants and provides rationale for why prisoners should consider taking the vaccine, such as “It is your choice to take the vaccine or not. But remember, taking the vaccine can help to save lives.” The fact sheet was disseminated to the prisoner population in Castlereagh Prison, following a lower vaccine uptake among the prisoner population than in other prisons.

Given the high uptake of the COVID-19 vaccine by prisoners in Irish Prisons (6,275 doses administered as of 23 November 2021 and greater than 85% of prisoners vaccinated¹⁰), as compared to other jurisdictions,¹¹ the Irish Prison Service is to be commended on the effort made to encourage uptake of the COVID-19 vaccination across the prison estate.

Information about the quarantine process was posted (in English) on the inside of cell doors in quarantine cells (Figure 6).

Figure 6: COVID-19 Prisoner Information Leaflet Posted on Inside Door of Quarantine Cells



2.1.3 Outcomes

On observation during inspection, COVID-19 signage was displayed throughout the prison and contained information on COVID-19 symptoms and basic precautionary measures such as social distancing, the proper wearing of face coverings, hand hygiene, and cough etiquette. Some posters were displayed in languages other than English. The Inspection Team observed COVID-19 notices on the kitchen wall in The Grove in eight different languages.

¹⁰ <https://www.kildarestreet.com/wrans/?id=2021-11-23a.1184&s=prison>

¹¹ Reports indicate that as of August 2021, only 56% of prisoners in England and Wales had received two doses of the COVID-19 vaccine (see, M Thompson, *LBC Vaccine Rates in Prisons Lag Behind Rest of Country Prompting Fear of Covid Outbreaks*, <https://www.lbc.co.uk/news/vaccine-rates-in-prisons-lags-behind-rest-of-country-prompting-fears-of-outbreak/>).

In addition to COVID-19 information, the Inspection Team also observed other information on the walls and notice boards throughout the prison, including information about the Red Cross; how to deal with guilt (available in English, Russian and Latvian); prisoner rights; racism awareness; “New Directions”¹² service; the Visiting Committee and the new Parole Board. The Inspection Team also observed complaint forms and complaint information posters on the walls of the prison.

Given that the uptake for (first dose) vaccinations in Castlerea prison (73.2%) was lower than across all other prisons (with the exception of Cloverhill Remand Prison), the prison made a concerted effort to provide factual information about the vaccine to prisoners prior to administration of the second dose of the vaccine. Senior Management attributed the lower vaccination uptake to misinformation circulating amongst certain groups (e.g., the Traveller Community and Eastern European prisoners) in Castlerea prison.

The majority of prisoners who spoke with the Inspection Team confirmed they had been provided with the “Fact Sheet: All About COVID-19 ‘Variants’ and Vaccines.” One prisoner informed the Inspection Team that information provision in the prison was “good,” and stated that he received information leaflets under the door.

A small number of Foreign National prisoners reported issues regarding communication barriers. For example, the Inspection Team spoke with two Foreign National prisoners from the same country, where one of the prisoners relied on the other for translation. The prisoner who provided translation informed the Inspection Team that whilst there was no official translator available for prisoners “there will always be a guy to translate,” and that he was the only person available to assist the non-English speaking prisoner. The prisoners informed the Inspection Team that they had received COVID-19 vaccination consent forms in their language. A staff member informed the Inspection Team that there were four persons recently committed to prison with limited English.

The Inspectorate welcomes efforts made in Castlerea Prison to provide people in quarantine with written information about the process and what to expect while in quarantine, which was observed as posted on the inside of the quarantine cell doors (Figure 4). The provision of this information has been the subject of recommendation in eight previous COVID-19 Thematic Inspection reports.¹³

Written and oral information be provided to all prisoners, in a form they can understand; which may require the assistance of interpreters, prior to and upon entering quarantine and on an ongoing basis over the course of quarantine. 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.

¹² New Directions is a confidential support service for families affected by imprisonment.

¹³ OIP. COVID-19 Thematic Inspection of Mountjoy Men’s Prison (1-3 March 2021) Recommendation 2, <https://www.oip.ie/wp-content/uploads/2021/08/Mountjoy-Prison-COVID19-Thematic-Inspection-Report-2021.pdf>; OIP. COVID-19 Thematic Inspection of Cloverhill Prison (18-19 March 2021) Recommendation 1, <https://www.oip.ie/wp-content/uploads/2021/08/Cloverhill-Prison-COVID19-Thematic-Inspection-Report-2021.pdf>; OIP. COVID-19 Thematic Inspection of Wheatfield Prison (6-7 April 2021) Recommendation 1, <https://www.oip.ie/wp-content/uploads/2021/08/Wheatfield-Prison-COVID-19-Thematic-Inspection-Report-2021.pdf>; OIP. COVID-19 Thematic Inspection Report of Limerick Prison (6-7 April 2021) Recommendation 1, <https://www.oip.ie/wp-content/uploads/2021/08/Limerick-Prison-COVID-19-Thematic-Inspection-Report-2021.pdf>; OIP. COVID-19 Thematic Inspection Report of Shelton Abbey (22-23 April 2021) Recommendation 1; OIP. COVID-19 Thematic Inspection of Arbour Hill Prison (12-13 May 2021) Recommendation 1; OIP. COVID-19 Thematic Inspection of Cork Prison (31 May - 1 June 2021) Recommendation 1; and OIP. COVID-19 Thematic Inspection of Midlands Prison (16 - 18 June 2021) Recommendation 1.

While information on the quarantine process was readily available in English, the Inspectorate would welcome that this also be provided in other languages, as well as be verbally communicated to people in a language and format they can understand.

The Inspectorate observed prisoners in the Grove with copies of the Inspectorate information booklet. One man also stated that he had seen the Inspector of Prisons information video on the television channel.

2.1.4 Recommendations

Recommendation 1: In line with Section 42 of the Public Sector Duty, the Irish Prison Service must ensure that non-English speaking Foreign National prisoners and people who do not read have equal access to the provision of information, including COVID-19 regime information, in a language and format they can.

Recommendation 2: The Irish Prison Service should provide prisoners with a written copy of the Irish Prison Services new framework on the *Unwinding of Prison Restrictions*.¹⁴ Prisoners should be consulted, and updated on future plans including, family visits, regimes, and sentence progression as COVID-19 restrictions unfold.

OIP Comment: The Inspectorate has recommended in the Limerick Prison, Portlaoise Prison and Shelton Abbey COVID-19 Thematic Inspection reports that prisoners should receive a copy of the Framework for Living with COVID-19; the Irish Prison Service partly accepted this recommendation, and in response indicated the development of the “Unwinding of Prison Restrictions” Framework.

The Inspectorate has recommended in relation to COVID-19 Thematic Inspections of Arbour Hill Prison, Cork Prison and Midlands Prison that all prisoners be provided with the “Unwinding of Prison Restrictions” Framework and that prisoners be consulted as COVID-19 restrictions unfold in relation; this recommendation has been partly accepted on all occasions. The Irish Prison Service has indicated that “extensive communication with prisoners is undertaken at all times to raise awareness of changes to restrictive measures.”

Recommendation 3: The Inspectorate recommends that the Irish Prison Service make all Office of the Inspector of Prisons’ materials and reports readily available and accessible to all prisoners.

2.2 Food & Nutrition

One of the measures implemented by the Irish Prison Service to prevent the transmission of COVID-19 in Irish prisons has been to change how food is delivered in the prison. At the outset of the pandemic, beginning in March 2020, the Irish Prison Service provided food to people in custody who were cocooning by distributing boxed meals to cells. The Inspectorate noted in the July 2020 report, “Ameliorating the Impact of Cocooning on People in Custody - A Briefing,” that it is “important that people (...) are brought meals (and) informed about what is on offer and asked which portions they do and do not want.”¹⁵ Further, the Inspectorate urged the Irish Prison Service to commit to better consultation with people subjected to public health measures or restricted regimes about their food and to consider models used in hospitals for food selection. Given the recommendations made by the

¹⁴ See Irish Prison Service, COVID-19 in Irish Prisons, <https://www.irishprisons.ie/covid-19-irish-prisons-2/>

¹⁵ Office of the Inspector of Prisons and Maynooth University, “Ameliorating the Impact of Cocooning on People in Custody – A Briefing” (July 2020) <https://www.oip.ie/wp-content/uploads/2020/07/Ameliorating-the-impact-of-cocooning-on-people-in-custody-a-briefing.pdf>.

Inspectorate in regards to food provision for individuals cocooning, the Inspection Team considered as part of the COVID-19 Thematic Inspection how food is provided in Castlerea Prison.

2.2.1 Compliance

The Irish Prison Rules 2007-2020 establish a number of standards as regards food and nutrition. The Rules state that prisoners should have a sufficient quantity of food that is properly prepared and well presented (Rule 23.1). The Rules allow, in so far as is practicable, for a prisoner to observe dietary practices of religion and culture (Rule 23.2) and to have any dietary needs met for any medical conditions (Rule 23.3). The Irish Prison Rules also allow for sufficient clean drinking water to be available to each prisoner each day (Rule 23.4). Section 35 (1) (2) (c) of the Prisons Act 2007, legislates for regulation and good governance of the treatment of prisoners, including but not limited to, their diets.

The Irish Prison Rules 2007-2020 are largely in compliance with international standards, but are limited in application by the clawback clause, “in so far as is practicable” in reference to observation of cultural or religious or dietary needs.

According to the Nelson Mandela Rules, prisoners should receive food that is healthy and at usual times (Rule 22). Prisoners should have drinking water whenever they need (Rule 22). Food should also be regularly inspected by a physician or competent public health body (Rule 35). The European Prison Rules state that the food provided should take into account the age, health, physical condition, religion, culture and the nature of prisoners work (Rule 22.1). Food should be served hygienically (Rule 22.3) with reasonable intervals between meal times (22.4).

In May 2021, the CPT published a “Minimum Decency Threshold” for prisons. As a minimum, the CPT stated that prisoners should have ready access to clean water and adequate food both in quantity and of nutritional value.¹⁶ Failure to meet this minimum decency threshold can lead to situations in which prisoners are exposed to inhuman or degrading treatment.

2.2.2 Environment

The Kitchen

The Inspection Team visited the prison kitchen on the first day of inspection (25 August 2021). The Team observed COVID-19 signage on the walls, but did not observe any social distancing markings on the floors. The Inspection Team also observed information on food storage, allergens and food poisoning on the kitchen notice board.

A 28-day rotational menu was used in the kitchen. This operated across the prison estate. Castlerea Prison also provided vegetarian and Halal menus. The Inspection Team observed a list of meals prepared for prisoners with special dietary requirements, including meals for people who were lactose free, coeliac; onion and pork free; diabetic; vegetarian and fish free. At the time of Inspection, there were no with Halal dietary requirements in Castlerea Prison. Table 5 provides the menus available to prisoners on the first day of inspection.

¹⁶ See European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2021) 30th General Report of the CPT, “Minimum Decency Threshold” (see from p.35 onwards) https://rm.coe.int/1680_a25e6b

Table 5: Castlereia Prison Available Menus, 25 August 2021

Meal	Standard Menu	Vegetarian Menu	Halal Menu
Lunch	Scrambled egg Black & white pudding Beans	Scrambled egg Beans	Scrambled egg Beans
Dinner	Sweet and Sour chicken with rice	Vegetable Sweet and Sour with rice	Sweet and Sour Halal Chicken with rice
Dessert	Apple	Apple	Apple

There were 22 prisoners assigned to work in the kitchen, and an additional seven prisoners working in the prison staff mess hall. Nine prisoners were working in the kitchen at the time of the inspection visit (midday, 25 August 2021). At the time of inspection, prisoners worked in the kitchen seven days a week and were accommodated together on the D division.

Castlereia Prison operated its meal times generally in line with the usual times in the community. Breakfast was served in the morning; the light lunch meal was served at midday and the main dinner was served in the late afternoon/early evening. Dinner plates were collected at 17:15 in the evening by a designated prisoner on the landing. The daily mealtime schedule for prisoners is provided in Table 6.

Table 6: Prisoner Meal Times in Castlereia Prison

Time	Meal
Breakfast	08:10 - 08:30
Tea (light meal)	11:50 - 12:20
Dinner	16:30 - 17:30

Food for prisoners in quarantine/isolation was prepared in Kraft boxes in the kitchen and delivered to B2 landing using trolleys. The Inspection Team was informed by kitchen staff that meals were provided to prisoners in quarantine/isolation before general meals were served.

Tuck Shop

At the time of inspection the Tuck Shop operated using a “Bag and Tag” system; prisoners used an order form to select the items they wished to purchase and the items were delivered to the cell doors. There were two staff and two prisoners assigned to work in the Tuck Shop. Orders were filled one to two days after the Tuck Shop order form was submitted.

2.2.3 Outcomes

Kitchen and Food

As noted above, meal times in Castlereia Prison were in line with the usual times in the general community. Prisoners reported that the meal schedule in Castlereia Prison was preferable to the meal scheduling in other prisons where the larger dinner meal was served at midday. One prisoner stated, “food this way is better; how is a fully grown man to last?”, and another prisoner said, “(It is) 100% better to get your big meal at night.”

The issue of meals being served outside of usual times and up to 16 hours apart has been highlighted in previous COVID-19 Thematic Inspection reports.¹⁷ The Inspectorate has recommended:

In line with the Nelson Mandela Rules (Rule 22.1), 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 usual times reflected in the community: breakfast (morning), lunch (midday) and dinner (evening).

In response to this recommendation being made with respect to Cork Prison, the IPS Action Plan stated:

In 2019, the Irish Prison Service introduced a pilot alteration to the schedule of meal times in Castlerea and Mountjoy Prison (Progression Unit). 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. The Irish Prison Service has been engaging with the staff representative association with regard to implementing this change across the prison system. 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.¹⁸

The Inspectorate encourages an early resolution to industrial relations issues underpinning a delay in the roll-out of a meal schedule across the prison estate that is in line with international human rights standards (Rule 22.1 of the Nelson Mandela Rules and Rule 22.4 of the European Prison Rules).

The Inspectorate welcomes how Castlerea Prison has continued the practice of structuring meal times in line with those in the general community. The Inspectorate was reassured to learn from prisoners that serving of meal times in line with those in the general community has had a positive impact on people in prison in that it has helped to reduce hunger levels, especially for prisoners who cannot afford to supplement their diet with items from the prison Tuck Shop.

The Inspection Team noted that the kitchen of the staff mess was in need of repair. Senior Management informed the Inspection team that plans were in place to address the matter.

On 8 October 2021, Senior Management informed the Inspectorate that Castlerea Prison was in the early stages of its new Capital Development Plan; this included a proposal for a new staff canteen.

Tuck Shop

At the time of inspection, the Inspection Team observed that Tuck Shop order forms did not have a pricelist attached to the items; the result being that prisoners ordered items without knowing the costs of the item, or if item prices had changed. The Inspectorate has identified the lack of transparency with Tuck Shop pricing as an issue in previous COVID-19 Thematic inspection Reports.¹⁹ The Irish Prison Service indicated in its review of the Cork Prison COVID-19 Thematic Inspection Report (dated 2 September 2021), that “a communication will issue shortly from the Finance Directorate reminding all prison management teams to ensure that tuck shop prices (are) clearly visible in all Prison Tuck Shops.” The Inspectorate welcomes this.

The Inspection Team noted that items available to prisoners in the Tuck Shop in Castlerea Prison did not cater to specific dietary requirements, particularly for prisoners with diabetes, as many items had a

¹⁷ For example, OIP. Mountjoy Men’s Prison COVID-19 Thematic Inspection Report (n 13) p. 16; OIP. Limerick Prison COVID-19 Thematic Inspection Report (n 13) p. 13; and COVID-19 Thematic Inspection of Arbour Hill Prison (n 13) p. 13.

¹⁸ OIP. Cork Prison, COVID-19 Thematic Inspection Report (n 13) p. 62.

¹⁹ OIP. Shelton Abbey COVID-19 Thematic Inspection Report (n 13) pp. 16-17; and OIP. Cork Prison COVID-19 Thematic Inspection Report (n 13) pp. 17-18.

high sugar content. This issue was raised at the Closeout Meeting on 30 August 2021, whereby Senior Management informed the Inspectorate that any specific Tuck Shop requests would be facilitated locally. The Inspectorate welcomed this and requested that this message be communicated to prisoners.

The Inspection Team noted that the prisoners who worked in the kitchen worked seven days a week and were accommodated together on the D1 and D2 landings. The Inspection Team discussed with prison staff in the kitchen the potential impact on the kitchen if an outbreak of COVID-19 occurred amongst its workers. Prison staff informed the Inspection Team that in the event of a COVID-19 outbreak amongst the kitchen workers, the preparation and cooking of food would be covered by kitchen staff in the Grove. The Inspectorate is concerned about the potential challenge such a situation might present for the prison if the kitchen in the Grove, which is reduced in size and staffing levels, was to be required to prepare and deliver food to the entire prison estate. Senior Management informed the Inspection Team that due to the prison's long distance away from other prisons, it would have little support if an outbreak occurred in the kitchen. The Inspectorate encourages Castlerea Prison Senior Management to consider measures that would enable kitchen workers to work in pods, and therefore minimise the risk of the entirety of kitchen staff being exposed to COVID-19. Such a measure would also allow for more prisoners to take up employment as kitchen workers. Given that kitchen workers worked seven days a week at the time of inspection, an increase in the number of kitchen workers would also assist in allowing prisoners at least one day off per week, in line with Rule 102.2 of the Mandela Rules, which state, "The hours so fixed shall leave one rest day a week and sufficient time for education and other activities required as part of the treatment and rehabilitation of prisoners." For example, at the time of inspection, the Inspection Team was informed that kitchen workers had one hour's access to the gym during their lunch break.

2.3 Access to Religious Services

The Chaplaincy Service provided in Irish prisons is instrumental to ensuring pastoral care, dissemination of information and maintenance of familial contact. As such the Chaplaincy is uniquely positioned to support prisoners as they experience COVID-19 related restrictions.

2.3.1 Compliance

The Irish Prison Rules 2007-2020 provide that each prisoner shall, in so far as is practicable and subject to the maintenance of good order and safe and secure custody, be permitted to practice and comply with the rules, observances and norms of behaviour of the religious denomination of which he or she is a follower or member (Rule 34(1)) and shall not be refused access to a chaplain of any religious denomination (including a chaplain of a religious denomination of which the prisoner is not a member) (Rule 34(6)).

The Irish Prison Rules (Rule 114 a-d) define the role of the Chaplaincy service:

A Chaplain shall,

- a) visit prisoners who are recorded as belonging to his or her religious denomination and who are willing to be visited or who request a visit,
- b) minister to prisoners of his or her religious denomination,
- c) conduct religious services for prisoners of his or her religious denomination at such times as may be arranged.
- d) Subject to Rule 117 (Time and place of Chaplain visits), visit any prisoner who is under restraint or confined to a cell unless the prisoner is unwilling to receive such a visit.

This provision demonstrates the need for a Chaplaincy Service that is multi-denominational in order to ensure that persons from any religious denomination are able to avail of the Chaplaincy Service.

The European Prison Rules, Rule 29.2, expand on the provisions provided in the Irish Prison Rules to place a duty on the Irish Prison Service to organise the prison regime insofar as is practicable to allow prisoners to practice their religion and follow their beliefs. This includes enabling private visits from religious representatives.

2.3.2 Environment

At the time of inspection, Castlerea Prison had two part-time Chaplains, one of whom had taken up the post in the weeks prior to the on-site inspection. Each Chaplain worked two days a week with a total cover of four days per week. An additional full-time Chaplain was on leave. The level of Chaplaincy service cover in Castlerea Prison had fluctuated in the months leading up to the on-site inspection. In a call made to the prison on 25 February 2021, Senior Management reported that Castlerea Prison had one Working Time Equivalent (WTE) Chaplaincy post in-situ at that time. The Inspection Team was informed that that level of cover to extend to all parts of the prison was not feasible.

The Chaplaincy Service in the prison was not provided over the 2020 Christmas period.

At the time of inspection, in-person religious services had not resumed in Castlerea Prison. The Chaplaincy Service stated that only one religious service had taken place since March 2020. This issue was brought up at the Closeout Meeting on 30 August 2021; Senior Management informed the Inspectorate that there was an issue regarding access to a member of the clergy in the local community to perform in-person religious services and that local management were working to progress this.

Qurans and prayer mats were available in the Chaplaincy office. The Chaplaincy Service had access to prisoners on the landings throughout COVID-19 pandemic restrictions.

2.3.3 Outcomes

The Chaplaincy Service informed the Inspection Team that family bereavements were particularly difficult for prisoners throughout the pandemic. Whilst efforts were made to facilitate virtual viewings of the funeral of a close family member, this was described as 'limited', as was the capacity to provide one-to-one bereavement support. Some of the main issues raised by prisoners to the Chaplaincy Service were restrictions on family visits; basic needs such as access to pillows, warm clothes, and footwear, and the affordability of tobacco.

At times when the Chaplaincy Service operated a "through the door" service, meaningful communication was done with through closed cell doors in order to prevent transmission of COVID-19, Chaplains reported difficulties in being able to hear and communicate while wearing PPE.

One staff member raised that in the absence of full Chaplaincy provision in Castlerea Prison at times during the pandemic, often other staff members "carried the can" to help support bereaved prisoners. The Inspection Team learned about a staff member who had framed a picture of a loved one for a bereaved prisoner. The Inspection Team also heard of concerns that more could be done to ensure that staff were culturally competent in responding to reactions of grief, particularly for Travellers in prison.

The Chaplaincy Service informed the Inspection Team that one of the supports being provided by the Chaplains was to ensure new committals to the prison were assisted in setting up their phone card, which was a requirement in order to access phone calls. The Chaplaincy service reported that people accommodated on the B2 quarantine/isolation landing were prioritised in its daily activities.

2.3.4 Recommendation

Recommendation 4: In line with Rule 66 of the UN Mandela Rules and in line with public health guidelines, akin to the community, in-person religious services should resume in Castlerea Prison. The Irish Prison Service and Castlerea Prison should address the issue of access to a local clergy member to perform weekly in-person religious services.

2.4 Access to Court and Legal Representation

2.4.1 Compliance

Access to Court

The right to a fair trial is protected under Article 6 of the European Convention on Human Rights and Article 14(3) of the International Covenant on Civil and Political Rights (ICCPR), was ratified by Ireland in 1989. Article 14(3) states:

In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:

- (a.) To be informed promptly and in detail in a language which he understands of the nature and cause of charge against him;
- (b.) To have adequate time and facilities for the preparation of his defence and to communicate with the counsel of his choosing;
- (c.) To be tried without undue delay;
- (d.) To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;
- (e.) To examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
- (f.) To have the free assistance of an interpreter if he cannot understand or speak the language used in court;
- (g.) Not to be compelled to testify against himself or to confess guilt.

The Human Rights Committee in its General Comment No. 32 states that the fundamental principles of a fair trial should be respected during times of an emergency.²⁰

The International Commission of Jurists (2020) recommended the following on the use of videoconferencing, Courts and COVID-19:

The right of any person to be physically present for his or her trial on criminal charges [and on his initial appearance before the judicial authority following his arrest or detention on criminal charges] should be fully respected, including in situations of crisis or emergency such as the COVID-19 pandemic. In particular, national laws and rules should not permit, and in practice courts and other authorities should not proceed, with criminal trials in which an accused is denied

²⁰ UN Human Rights Committee (2007) General Comment 32, see para. 6, <https://undocs.org/CCPR/C/GC/32>

the right to be physically present for the trial and is instead forced to participate by means of a video link or similar technology without his freely given and fully informed consent.²¹

The *Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020*, states that relevant hearings can be conducted remotely by the Court of its own motion, or on application to the court once it is satisfied that:²²

- (a.) The application being heard without the relevant person being in the court would not thereby be prejudicial to the relevant person;
- (b.) The interests of justice does not require the presence of the relevant person at the hearing;
- (c.) The facilities provided by a live video link between the court and the place where the relevant person is located are such as to enable such interpretation or translation as may be necessary during the hearing;
- (d.) The relevant person and his or her legal representative are able to communicate in confidence during the hearing;
- (e.) The application being heard without the relevant person being present in court is otherwise appropriate having regard to-(i.) the nature of the application (ii.) the complexity of the hearing, (iii.) the age of the relevant person, and (iv.) his or her mental capacity; and
- (f.) No other circumstances exist that warrant the relevant person's presence in court for the hearing.

Legal Representation

The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) outline a number of standards regarding access to legal representation. On admission, prisoners should receive written information on their rights to access legal advice including information on legal aid schemes (Rule 54). Prisoners should have adequate opportunity to communicate and consult with a legal adviser (Rule 61.1). Should they need interpretation during this process, the prison should allow them access to an independent competent interpreter (Rule 61.2). A prisoner should be able to access legal aid (Rule 61.3), which also applies to remand prisoners who should not be charged for this (119.2). Furthermore, remand prisoners should be provided with writing material for any defence preparation (Rule 120). The European Prison Rules support the Nelson Mandela Rules by stating that consultations between prisoners and their legal representatives should be confidential (Rule 23.4) Prisoners should have access and keep in their possession documents relating to their legal proceedings (Rule 23.6).

The Irish Prison Rules 2007-2020 largely align with international standards around legal representation. Prisoners are entitled to have privacy during visits with a legal advisor (Rule 38.1). Visits with a legal adviser can take place at any reasonable time (Rule 38.2) and when needed an interpreter can be present (Rule 38.3). Prisoners are also entitled to send and receive letters from their legal adviser (Rule 44.1.a). A prisoner can send a letter to their legal adviser without it being opened before it is sent (Rule 44.3). Any letter sent to a prisoner by their legal adviser can only be opened in the presence of the prisoner. This is strictly to examine that it is such a letter (Rule 44.4). Prisoners are entitled to make a telephone call to their legal adviser (Rule 46.5). Legal documents cannot be retained by a prison officer or a member of An Garda Síochána during a search (Rule 7.2). Prisoners are also entitled to privacy when communicating with their legal advisor using video link (Rule 42).

²¹ International Commission of Jurists (2020) Videoconferencing, Courts and COVID-19 Recommendations based on International Standards, https://www.unodc.org/res/ji/import/guide/icj_videoconferencing/icj_videoconferencing.pdf

²² See Section 23(4) of the *Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020*.
<http://www.irishstatutebook.ie/eli/2020/act/13/enacted/en/print#sec22>

Under Article 6 of the European Convention on Human Rights, an individual has a right to a fair trial. In this respect, adequate access to legal representation is essential to allow an individual remanded into custody to effectively participate in court proceedings.

2.4.2 Environment

Access to Court

In 2020, 13,326 remote court appearances were facilitated from prison locations.²³ Since the onset of the COVID-19 pandemic in March 2020, the use of remote courts hearings expanded from 30 to 58 courts in Ireland, with more than double the number of cases heard via video link compared to 2019.²⁴ Senior Management reported that Castlerea Prison facilitated a total of 536 court hours (477 court hours + 59 assist PSEC hours) between 9 August 2021 and 20 August 2021; 67 prison officers were assigned to courts on a 08:00-17:00 basis during this time period.

The Irish Prison Service *Escort and PPE Guidance* document outlines the procedures for attending in-person court appearances for people on COVID-19 restricted regimes and for prisoners on Rule 63 protection:

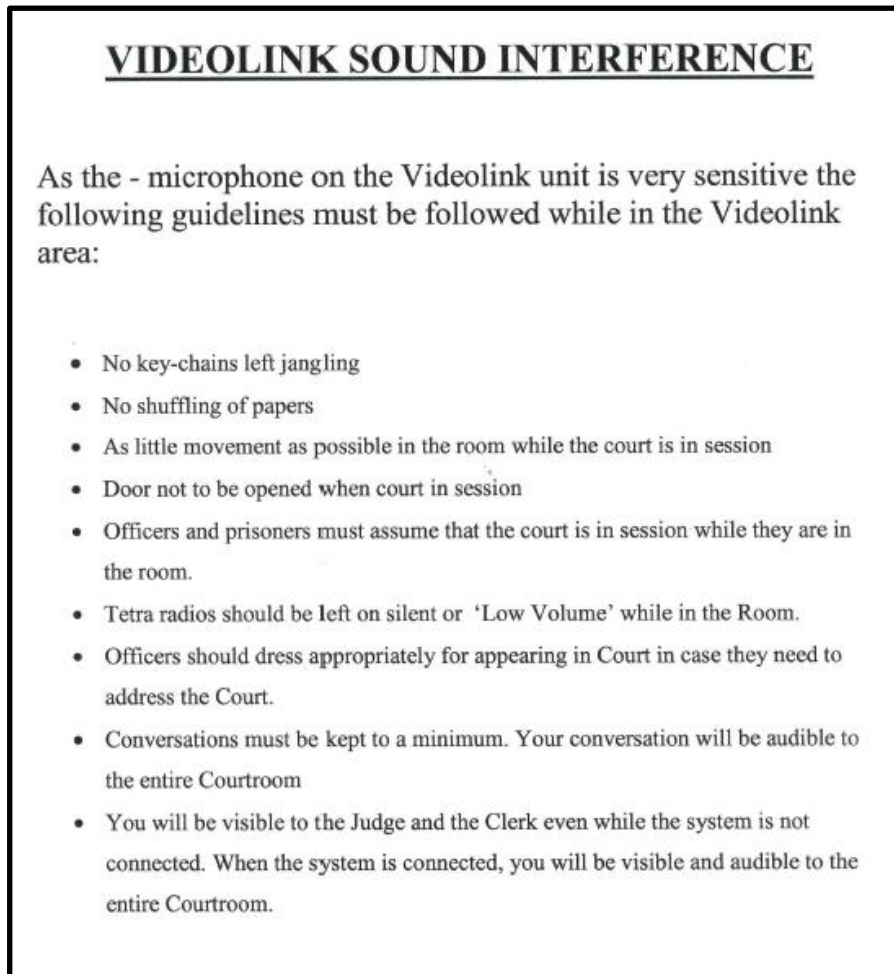
- Prisoners in isolation/precautionary isolation should be sick noted for court appearance and video link should be explored. If this type of prisoner is required for court, then full PPE must be worn with single escort use. Video link is the preferable option for prisoners in quarantine. If the court did not record the appearance as “video link,” the following procedure was in place by the Irish Prison Service: Prisons or PSEC should contact the court to have the appearance moved to video link. Where the court does not have a video link option, the prison/PSEC should have the case moved to the court that has video link. However it is outlined in the Guidance document that the Irish Prison Service cannot refuse to present the physical attendance of a prisoner to court.
- Quarantined prisoners could travel with other quarantined prisoners of the same group or else alone. The prisoner would return to cell to continue quarantine if social distance could be maintained and there is no breach of PPE on escort. If a breach occurred, the prisoner would be required to reset and begin Day 1 of quarantine upon return.
- Under the guidance, all court appearances for prisoners under protection (Rule 63) and the general prison population should take place via video link where possible.

Remote court facilities in Castlerea Prison were located in the visitor’s centre and were comprised of three video rooms with each containing two chairs, a table, phone and video screen. The prisoner sat on one chair directly facing the video screen camera and a member of prison staff sat on another chair which was placed alongside the desk facing the prisoner. The prison officer was required to sit with the prisoner to record the court result. The video booths ran along a narrow corridor, and chairs for prison officers were placed along the corridor. A poster was displayed on the corridor wall, which outlined the requirements for reducing sound interference when remote court hearings were in session (Figure 7).

²³ Courts Service, *Courts Service Annual Report 2020*, https://www.courts.ie/acc/alfresco/b47652ff-7a00-4d1f-b36d-73857505f860/Courts_Service_Annual_Report_2020.pdf/pdf#view=fitH

²⁴ EuroPris, Videolink-Maximising Resources for Service Delivery, M O’ Mahoney, Europris, 11 November 2020, cited in Penal Reform International (2021) *Global Prison Trends 2021*, <https://cdn.penalreform.org/wp-content/uploads/2021/05/Global-prison-trends-2021.pdf>

Figure 7: Poster on Videolink Corridor – “Videolink Sound Interference”



Affixed to the table in the videolink room was a leaflet entitled, “Prisoners’ Videolink System for Courts – Important Information.” Information provided in the leaflet is outlined in Table 7.

Table 7: Videolink Courts Leaflet Information

How the System Works	Videolink Technology	Legal Issues
<p>Videolink technology between prisons and courts has been in use in other jurisdictions for many years. It allows defendants who are in custody to appear in court without the hassle of leaving prison and staying in a court holding cell for the day.</p>	<p>The technology is quite simple and is similar to a video call on a webcam. It is really a phone call with pictures. The high quality of the picture is because of the high capacity of the phone lines used. The quality is similar to television.</p>	<p>The Prisons Act, 2007, Section 33 allows for certain cases and proceedings to be conducted via videolink. It allows for the videolink Room to be legally part of the courtroom you are linked to, as long as the link is open. You must behave as if you are actually in the courtroom. Your case will be given equal importance as a case in the court.</p>
Solicitor Consultation		Items to Remember
<ul style="list-style-type: none"> • The prison has supplied a separate area for private consultation with your solicitor during your case, if necessary. • If you need to consult with your solicitor during the case, you must raise your hand in front of the screen so it is clearly visible. Your solicitor will see this and interrupt the proceedings for you. • You will then go to the videolink consultation room. • Your solicitor will go into a soundproof booth in the courtroom and call you on the videolink unit or telephone. • Your consultation will take place in complete confidence. We have supplied separate areas with separate links in both the prison and the court for this purpose. 		<ul style="list-style-type: none"> • Videolink is the exact same as a court appearance except it happens over a TV. • The courtroom in the prison should be treated exactly the same as if you are in front of the Judge. • Under the law you are in a court and you should behave exactly as you would in front of the Judge in the court. • <u>The microphone in the videolink unit is very sensitive, so don't whisper or mutter things under your breath or they will be heard in the court.</u> • The Court Clerk is in control of the cameras in the court. The Clerk will focus the camera on whoever is speaking. • The picture you will see is of the Court. The small picture of you is what they can see in Court. • You should sit so that you can see your own head and shoulders in the small screen.
What Will be Said at the Start of the Court	Procedures for the Defendant	
<p><u>Clerk:</u> <i>"Would you please tell the court your name?"</i></p> <p><u>Defendant:</u> State your name.</p> <p><u>Clerk:</u> <i>"I confirm that the court can see and hear you. Will you please confirm that you can see and hear the court?"</i></p> <p><u>Defendant:</u> I can see and hear the court.</p> <p><u>Clerk:</u> <i>"Your solicitor is present in court. If you wish to speak to him or her during the proceedings, please raise your hand."</i></p>	<ul style="list-style-type: none"> • Sit in the seat facing the camera. Stay in the seat the whole time. Your head and shoulders should be seen on camera. • Do not touch the screen or anything else in the courtroom unless told to do so • Follow the instructions of the Judge, Court Clerk or Officer • Look at the camera in the screen and answer any questions you are asked • If you want to speak to your solicitor, raise your hand so it can be seen on the screen. The solicitor will go to the booth in the court and you will go next door. After, you will return to the videolink courtroom and your case will continue as normal. 	

Certain district courts did not have the facility for remote court hearings, which resulted in a high number of staff escorts in Castlereagh prison to bring prisoners to in-person court. Prior to the on-site inspection,

On 6 August 2021, Senior Management informed the Inspectorate that approximately 14-15 staff members were redeployed from the prison to the Prison Service Escort Corps (PSEC). It was reported that the prison staffing was down 22 officers the week before this, which resulted in the closure of prisoner workshops. Redeployment of officers from posts in the prison to prisoner escorts could subsequently lead to the closure of workshops. In the event that the videolink technology failed to function, the prison was required to produce the person to court, which results in last-minute redeployment of prison officers to prisoner escorts.

On the first day of inspection (25 August 2021), remote court hearings did not take place due to a technological fault that resulted in both video links and in-cell phones being non-operational in Castlerea Prison. This was a technical fault and was a wider departmental issue that the prison could not address in isolation.

On the second day of inspection (26 August 2021), the Inspection Team observed seven staff members posted in the visitor's centre to facilitate remote court hearings. There were seven court sessions booked for that day; two in a district court and five for the High Court. The staffing assigned to remote courts on the day had been increased by an additional two officers.

Legal Representation

Professional consultations were facilitated in the visitor's centre. There were a total of three professional rooms allocated for legal consultations. Prisoners in quarantine cells had access to an in-cell phone that could be used to make contact with legal representation. Solicitors could attend the prison to engage with clients, with a requirement in place to wear PPE.

Legal Correspondence

All prisoner correspondence was processed through the Censor's Office in the prison. Rule 44 letters were also processed through the Censor's Office; the Inspection Team was informed by prisoners and staff that circumstances had arisen where a Rule 44 letter was opened while not in the presence of the prisoner, as required by the Irish Prison Rules 2007-2020 (Rule 44.4).

2.4.3 Outcomes

Access to Court

The Inspection Team spoke with prisoners about their experiences of remote court hearings. Prisoners expressed mixed opinions about a preference for remote or in-person court hearings. The Inspection Team spoke with one prisoner who had experienced both physical attendance in court and remote court hearings and stated that because court "is not often, then it's nice to get out." Another prisoner reported that the time taken to drive to the courthouse was long, but that it was shorter than the time it took to return to the prison: "long way one way, longer way home."

Some prisoners reported that remote hearings saved time because there was no need to travel, while others reported that they felt disconnected from the court process.

"I'm not part of this; it's like watching TV."

"It's just like a cold situation; there's not enough compassion."

"You don't even know what they are saying."

"If it was in the court I would have talked a lot better."

"The Judge should be able to see your face; to see your remorse."

"Judge won't listen to you."

The experience of remote court hearings has been addressed in previous COVID-19 Thematic Inspection reports. The Inspectorate notes that while video-link court access has assisted in ensuring timely access to the courts for many prisoners, video-link engagement with courts warrants continuous examination and review. Remote court hearings may result in greater access to justice issues for prisoners.²⁵ Research on video-link access to courts has shown that these experiences diminish prisoners' opportunities for engagement with and expressive participation in legal procedure.²⁶ These findings are important in the context of a person's right to a fair trial.

Prior to the court hearings, prisoners were accommodated in a holding cell which was a short walking distance from the videolink room. The court session list provided to the prison indicated that all district court sessions for the morning were to begin at 10:30, although in practice the sessions did not start at 10:30, or at the same time. Prior to commencing the court sessions, prison officers ran checks on the videolink screens to ensure connectivity. Following this, there was a period of waiting (approximately 9:00 to 11:00 for officers, and 10:00 to 11:00 for prisoners) before the first court session commenced.

On the second morning of inspection, the Inspection Team observed a remote court hearing; the permission of the prisoner was obtained prior to the court session and the Inspection Team watched the proceedings from outside of the videolink room through the closed glass door. The court rang into the video booth, which was answered by a prison officer. The name of the prisoner was called and an officer escorted the prisoner from the holding cell to the videolink room. The prisoner sat in front of the screen at 11:05, with a prison officer seated to the side of the screen facing the prisoner. The District Court Judge sat at 11:07, and the session lasted approximately five minutes. During the proceedings, the Inspection Team observed the video feed switching quickly between different angles of the courtroom. For the majority of the session, the side profile of the Judge's face was visible to the prisoner. At no time was the camera positioned in such a way to allow direct eye contact between the prisoner and members of the court. During the court hearing, there were sounds of keys jangling in the corridor outside the videolink room; which was identified as a noise interference in the poster displayed on the videolink corridor wall (see Figure 7). Following the court session, the prisoner reported: "Someone talked to me but I don't know who," and explained he was more confused after the session than he was before he attended the proceeding.

The two-minute waiting period prior to commencement of the session was the only period in which the prisoner had time to consult the "Prisoners' Videolink System for Courts – Important Information" leaflet which was posted on the table (Table 7). The leaflet had not been distributed to the prisoners in the holding cell prior to commencement of the session. There was no time made available prior to the start of court for the prisoner to ask questions about the content within the leaflet.

Given that court scheduling was not organised in such a way that prison officers were told in advance of which videolink feed would be used for a session, situations had arisen in the past where a court would ring in to a videolink session and disrupt an ongoing remote court hearing.

Videolink Court Holding Cells

On inspection of the court video link facilities, the Inspection Team observed two holding cells (Cell 1 and Cell 2) which were designated for holding prisoners during the period of time between arriving at the visitor's centre and when they were called to their remote court hearing. Holding cells measured 98 inches by 112 inches, inclusive of partly partitioned sink and toilet. Staff reported that prior to COVID-

²⁵ Written Evidence submitted by the Equality and Human Rights Commission, <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/public-accounts-committee/transforming-courts-and-tribunals-progress-review/written/106341.html>

²⁶ C. McKay, "Videolinks from Prison: Court 'Appearance' within Carceral Space" (2018) 14(2) *Law, Culture and the Humanities*.

19 the cell could accommodate five occupants, but that this had been reduced to three occupants, from the same landing during COVID-19. Prison staff informed the Inspection Team that prisoners could spend anywhere between ten minutes and several hours in the holding cell while they waited for their remote court appearance. Staff reported that all courts issued instruction for prisoners to be ready to attend videolink court at 10:30, but that they could be waiting until 14:30 for their session to begin; staff reported there have been cases where prisoners waited until 16:00, a period of six hours in the holding cell. There was also occasion when prisoners would be served their lunch in the holding cell. There was no maximum time limit for being held in the holding cell, and no opportunity for prisoners to avail of fresh air.

The conditions of the holding cells were of concern to the Inspection Team. The holding cells were dirty and cramped, with the toilet and sink visible to all occupants of the cell. The ceilings were high and there was no window or ventilation. The Inspection Team observed faeces in the toilet in holding cell 1, and the sink tap was twisted in such a way that when turned on, the water ran onto the floor instead of into the sink. There was no toilet paper, soap or hand sanitiser in the holding cell. Staff informed the Inspection Team that the cells were cleaned each day; holding cell 1 was not clean at 9:30 in the morning that day.

At the time of inspection, there were four occupants in holding cell 2, all of whom were accommodated on A1 landing. Three of the occupants sat tightly together along wood benches affixed to the walls, and a fourth occupant leaned against the toilet partition because there was not sufficient room for him to sit on the bench. There was a strong odour of cigarette smoke in holding cell 2. The lack of privacy for using the toilet facility was of concern to the Inspectorate. On observation, a prison officer permitted a prisoner to use the toilet facility in an empty cell rather than use the toilet in front of other prisoners.

The “Prisoners’ Videolink System for Courts – Important Information” leaflet (Table 7) was not posted in the holding cells.

The Inspectorate is of the view that the holding cell facilities were not an appropriate facility to accommodate persons in custody as they await engagement with a court. In line with Rule 13 of the UN Mandela Rules: “All accommodation provided for the use of prisoners...shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.” Rule 17 of the UN Mandela Rules is also applicable here which states: “All parts of a prison regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times.” Similarly Rule 19 of the Revised European Prison Rules states: “All parts of every prison shall be properly maintained and kept clean at all times.”

The issues of ventilation and conditions of the holding cells, length of time spent in the holding cells and suitability of the holding cells as a location in which to prepare for court, were raised by the Inspectorate at the Closeout Meeting on 30 August 2021. Castlerea Prison Senior Management took note of the conditions of holding cells.

Access to Legal Representation

The Inspection Team observed one prisoner in a consultation room in which he was able to engage with his solicitor via phone prior to commencement of court. He was escorted from the holding cell by a prison officer, brought over and locked into the consultation room; prison officers could see the prisoner as they were posted directly outside the door. However, the conversation between the prisoner and his solicitor could not be overheard mainly due to the noise on the corridor. The Inspection Team was informed by prison staff that solicitors had not been attending the prison in-person since the emergence of the pandemic in March 2020.

Legal Correspondence

On the first day of inspection, the Inspection Team was informed by Senior Management that situations had arisen whereby legal correspondence sent to the prison under Rule 44 had been suspected of interference and had subsequently been opened by prison staff while not in the presence of the prisoner to whom the letter was addressed. Senior Management reported that in response to this issue, a letter had been posted to solicitors to inform them of the procedure for submitting Rule 44 letters.

Following the on-site component of the inspection, the Inspectorate requested a copy of the correspondence issued by Castlerea Prison to solicitors on guidance for submission of Rule 44 letters. In response, Senior Management indicated the correspondence was not able to be located, but that a letter had been drafted, dated 14 September 2021, that was to be issued that week to solicitors. The letter included the following text:

“It has come to our attention in recent times that some written communications which fall under the remit of Rule 44 letters are inadvertently opened as we are not readily aware by their presentation that they are in fact letters which fall under the application of the Rule.”

The letter reiterated the need for clear identification of a Rule 44 letter to prevent “mishaps of this nature” taking place in the future.

The issue of Rule 44 legal correspondence being opened outside the presence of a prisoner was raised by a small number of prisoners over the course of the on-site inspection.

Rule 44 letters were processed through the Censor’s Office. The Inspection Team visited the Censor’s Office to observe the process for organising, reviewing and distributing postal communications. Castlerea Prison operates a Standard Operating Procedure for the “Communications Room” dated 24 February 2021, which applies to facilitation of all methods of family contact, including the Censor’s Office. The Communications Office SOP indicates that the Communications posts would also provide night guard relief and meal break cover, and as such the post could be assigned to any prison officer regardless of whether they were specifically trained in the different communications areas. In practice, this meant that prison officers assigned to the Censor’s Office were not consistently assigned to the post. On observation of the Censor’s Office, there was a clear process for distributing post to the different areas of the prison; the officer working in the Censor’s Office would place each piece of correspondence in clearly marked bins designated for different areas of the prison. However, there was no such organised process for incoming post. The Inspection Team observed 26 pieces of uncensored incoming and outgoing post in a box the size of a large shoebox, with no clear identifiers for type of correspondence (incoming/outgoing/Rule 44), and no indication of when the post had been received/sent. One of the pieces of outgoing uncensored post was dated 9 August 2021. The staff member working in the Censor’s Office at the time of inspection indicated that Rule 44 letters were not opened.

Given the unorganised system for processing uncensored incoming/outgoing mail, and the ever-changing nature of the Censor’s Office post, the process for censoring mail could allow opportunity for error.

The Inspectorate discussed the issue of Rule 44 legal letters allegedly being opened in the absence of the prisoner at the Closeout Meeting on 30 August 2021. Senior Management informed the Inspectorate that the processing procedure for postal communications would be addressed.

The opening of Rule 44 letters, outside the presence of a prisoner, is of great concern to the Inspectorate. Suspicion of tampering should not authorise personnel to open a Rule 44 letter, without the prisoner being present. This practice is in contravention of the Irish Prison Rules (Rule 44.4).

2.4.4 Recommendations

Recommendation 5: 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 prisoners on the impact of remote court hearings on participation and the right to a fair trial.

Recommendation 6: In line with Rule 44.4 of the Irish Prison Rules, any correspondence sent to a prisoner by their legal adviser should only be opened in the presence of the prisoner. The Inspectorate recommends that Castlerea Prison put in place a system that ensures the opening of Rule 44 letters only occurs in accordance with Rule 44 of the Irish Prison Rules.

Recommendation 7: In line with Rule 13 and Rule 17 of the UN Mandela Rules and Rule 19 of the Revised European Prison Rules, Castlerea Prison should ensure that any accommodation provided for the use of prisoners, including holding cells, is kept clean at all times and meets all requirements of health, with due regard being paid to climatic conditions, “particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.”

3 SAFETY & SECURITY

3.1 Impact of Staff Absences

At the time of inspection, Castlerea Prison had not experienced an outbreak of COVID-19 since the beginning of the pandemic. Staff shortages occurred on a number of occasions since March 2020, but these were not COVID-19 related and mainly related to staff shortages.

3.1.1 Compliance

The Revised European Prison Rules 2020, Rule 83(a), requires that prison authorities ensure prisons are adequately staffed at all times in order to maintain a safe and secure environment and to meet requirements of national and international law. Rules 83(b) states that the prison authorities should introduce a system of organisation and management that is “capable of withstanding operational emergencies and returning to ordinary standards at the earliest opportunity.” Rule 83 (c) states that prison authorities should facilitate, “proper co-ordination of all departments, both inside and outside the prison, that provide services for prisoners, in particular with respect to the care and reintegration of prisoners.”

With specific reference to the situation of COVID-19, the March 2020 CPT Principles provide that staff availability be reinforced and that staff should receive professional support (Principle 3).

The UN Common Position on Incarceration (2021) outlines that staff are the most valuable resource in the prison system:

An enhanced investment in the most important resource of the prison system, namely, its personnel, is crucial in this regard. Supporting an ethos and self-perception among prison officers, including senior management that they are not merely guards or wardens, but rather agents for change, can help to harmonize the legitimate security requirements with those of rehabilitation and reform.²⁷

The SPT Follow-up Advice of the Subcommittee to State Parties and National Preventive Mechanisms relating to the Coronavirus Disease (COVID-19) Pandemic (2021) states that all prison personnel should be a priority in National Vaccination Programmes. Furthermore, the SPT advises Member States to:

Continue the systematic screening for COVID-19 symptoms of all persons entering any detention facility, including new inmates, personnel and visitors, as long as the pandemic continues.²⁸

3.1.2 Environment

Staff absences directly impact on implementation of the Regime Management Plan (RMP) in the prison. The RMP, which is unique to each prison and agreed upon by the Irish Prison Service and the Prison Officer’s Association, sets out posts of priority to be covered in a prison to ensure the security of the prison, safety of the staff and the safe custody of prisoners. The RMP outlines the priority of posts and services, and determines how and when prison officers need to be redeployed to provide prisoner escorts and cover other posts.

²⁷ United Nations (2021) *United Nations System Common Position on Incarceration*, p. 14 https://www.unodc.org/res/justice-and-prison-reform/nelsonmandelarules-GoF/UN_System_Common_Position_on_Incarceration.pdf.

²⁸ SPT Follow-up Advice (June 2021) (n 9) Section 15(c).

At the time of inspection, Castlerea Prison was in the process of rolling out a new RMP, which worked off a traffic light system. High staffing numbers allowed the prison to operate under the “green” regime, where prisoners were unlocked for the maximum period of time each day and structured activities took place. Priority posts for Castlerea Prison under the “green” regime included: work and training, prisoner communications (e.g., censors, prisoner phones, booked visits) and exercise yards (when staffing levels were above a certain number). The RMP prioritised structured activities over non-structured activities in the prison. Reduced staffing numbers resulted in implementation of the “amber” regime, where a rotational and phased unlock of prisoners took place to ensure access to exercise and recreation. Priority posts under the amber regime included: essential services for infection control, healthcare, Tuck Shop, gym, visits, school, and statutory out-of-cell time. Very reduced staffing numbers would result in implementation of the “red” regime, which did not allow for unlock of prisoners aside from healthcare, meals, and essential services. Priorities under the red regime included: security, supervision, very limited unlock (e.g. prisoners to kitchen, emergency healthcare, phones/showers on a staggered basis) staggered unlock and delivery of food to the prisoners. On the first day of inspection, the prison was operating based on the “green” regime.

3.1.3 Outcomes

In a pre-on-site inspection call made to the prison on 10 June 2021, Senior Management informed the Inspection Team that due to the lack of videolink courts in certain rural district courts, Castlerea Prison had a higher number of prison staff that served as prisoner escorts to court (Section 2.4). This reduced the numbers of staff available in the prison.

Senior Management reported the impact of prisoner escorts on staff absences in the prison. On 8 October 2021, it was reported that Castlerea Prison was impacted by twelve prison officers being absent as a result of prisoner escorts to courts on a daily basis.

3.2 Social Distancing

In April 2020, the Irish Prison Service Staff Newsletter, “COVID-19: What It Means for Prison Staff” focused on the need for staff to enforce social distancing. The Newsletter suggested the following “practical ways of social distancing”:

- Avoid the canteen if you cannot sit 2 meters apart from others
- Avoid crowded rooms / busy areas particularly at popular times e.g. locker rooms
- In an office environment, re-arrange the furniture so you don’t directly face others
- Drive your own car to work
- Smoke on your own or stop smoking
- Politely ask others not to invade your space

Despite the Irish Prison Service’s efforts to implement social distancing in prisons, prisons are a difficult environment in which to physically maintain distance. Prisons are often overcrowded, poorly ventilated, and with limited space and resources, prisoners must share phones, showers and common areas.²⁹ Similarly, prison staff may share small offices and locker rooms, and eat in common areas. While social distancing is recognised as the most effective way to prevent transmission of COVID-19, it is not

²⁹ S. A., Kinner, et al, “Prisons and Custodial Settings are Part of a Comprehensive Response to COVID-19” (2020) 5 *Lancet Public Health*, e188-189.

practicable at all times in the prison context; additional measures such as proper use of PPE and improved sanitation and hygiene practices are needed.

3.2.1 Compliance

Given that it is not always possible to social distance in prison settings, the World Health Organization recommends the continuous use of a medical mask for prison staff when making contact with detainees at distances of less than one metre, during security and health checks, and during transfer of COVID-19 cases to other prisons or hospitals. WHO guidance on management of masks³⁰ includes the following:

- Perform hand hygiene before putting on the mask.
- Inspect the mask for tears or holes, and do not use a damaged mask.
- Place the mask carefully, ensuring it covers the mouth and nose, adjust to the nose bridge, and tie it securely to minimize any gaps between the face and the mask. If using ear loops, ensure these do not cross over as this widens the gap between the face and the mask.
- Avoid touching the mask while wearing it. If the mask is accidentally touched, perform hand hygiene.
- Remove the mask using the appropriate technique – untie it from behind, avoiding touching the front of the mask.
- Replace the mask as soon as it becomes damp with a new clean, dry mask.
- Either discard the mask or place it in a clean plastic re-sealable bag where it is kept until it can be washed and cleaned. Do not store the mask around the arm or wrist or pull it down to rest around the chin or neck.
- Perform hand hygiene immediately after discarding a mask.
- Do not reuse single-use mask.
- Discard single-use masks after each use and properly dispose of them immediately upon removal.
- Do not remove the mask to speak.
- Do not share your mask with others

In terms of hand hygiene and the need to prevent the spread of COVID-19, the Health Service Executive in conjunction with the WHO and the Center for Disease Control and Prevention³¹ recommends the following etiquette to be observed:

1. Wet your hands with warm water and apply soap.
2. Rub your hands together palm to palm until the soap forms a lather.
3. Rub the back of one hand with your palm and fingers spread so you wash between fingers. Repeat with the other hand.
4. Interlock the top of your hands and rub your fingertips - this cleans your fingertips and knuckles.
5. Then finally grasp your thumb tightly and twist to make sure your thumbs are cleaned. Repeat with the other hand.
6. This should take at least 20 seconds.
7. Rinse your hands under running water.
8. Dry your hands with a clean towel or paper towel.

³⁰ World Health Organization, “Preparedness, Prevention and Control of COVID-19 in Prisons and Other Places of Detention Interim Guidance” (8 February 2021) 25-27.

³¹ Center for Disease Control and Prevention, “Show Me the Science - How to Wash Your Hands” (9 December 2020) and can be accessed here (<https://www.cdc.gov/handwashing/show-me-the-science-handwashing.html>)

The United Nations (2020) highlighted the difficulties in achieving physical distancing in prisons and recommended that options for release and alternatives to detention should be available to mitigate risk of COVID-19 for the elderly, particularly those with underlying health conditions.³²

Furthermore, the SPT (2021) urges States to consider the needs of particular groups:

Strengthen the efforts to consider the particular needs of women, juveniles, persons with disabilities, and LGBTIQ+ persons deprived of liberty, and since the pandemic exacerbates their vulnerability, assess the possibility of alternatives to detention.³³

Given the challenges that arise in confined settings, and the need to ensure safety and social distancing throughout the prison estate, a continued reduction in general prison population numbers is fundamental. As highlighted by the United Nations in its (2021) Common Position on Incarceration:

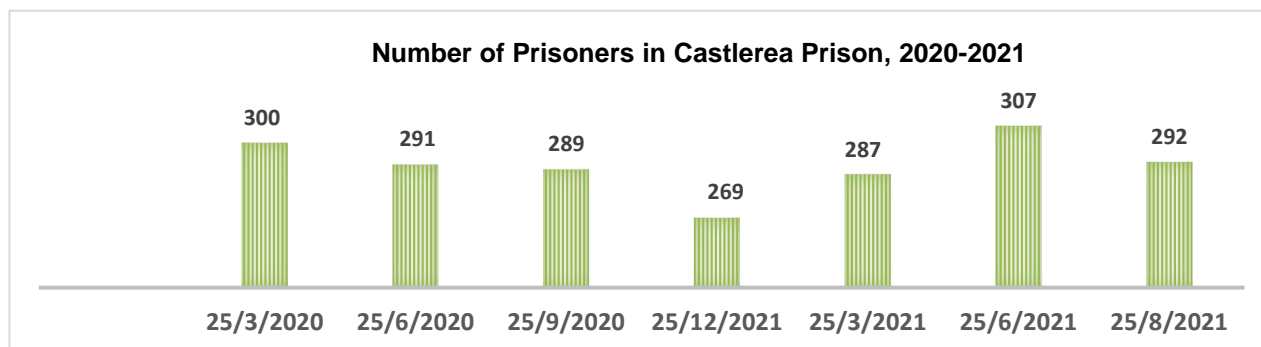
The post COVID-19 recovery will provide an important opportunity for criminal justice systems to address their chronic shortcomings and engage in holistic prison reform. Building on the emergency initiatives adopted by Member States, which have authorized the release of at least 700,000 prisoners globally, a concerted effort is needed to fully implement these results in a sustainable manner and to urgently rethink the overuse of incarceration.³⁴

SPT Follow-up Advice of the Subcommittee to State parties and National Preventive Mechanisms relating to the Coronavirus Disease (COVID-19) pandemic (2021) advised States to: “Continue efforts to reduce the prison population by pursuing policies such as early release, parole and non-custodial measures.”

3.2.2 Environment

Since the start of the pandemic, the population of prisoners in Castlerea Prison has fluctuated, with a total reduction of 2.7% (based on snapshot figures) between 25 March 2020 and 25 August 2021 (Figure 8).³⁵

Figure 8: Prisoner Numbers in Castlerea Prison, 2020-2021



Reduction in prison numbers reduce the number of people cell-sharing, which in turn minimises the risk of COVID-19 transmission, and enable prisoners to practice social distancing. The Inspectorate is of the view that a decrease in the prison population in Ireland is of great utility to the management and prevention of COVID-19 transmission prevention in prisons. Although minimal (2.7%), the Inspectorate

³² United Nations (2020) Policy Brief: The Impact of COVID-19 on Older Persons, p. 7 <https://www.un.org/development/desa/ageing/wp-content/uploads/sites/24/2020/05/COVID-Older-persons.pdf>

³³ SPT Follow-up Advice (June 2021) (n 9).

³⁴ UN Common Position on Incarceration (2021) (n 27).

³⁵ IPS Statistics, 2020 Prison Population: <https://www.irishprisons.ie/information-centre/statistics-information/2015-daily-prisoner-population/>; and IPS Prison Statistics, 2021 Prison Population: <https://www.irishprisons.ie/information-centre/statistics-information/2015-daily-prisoner-population/2021-prison-population/>

welcomes the overall reduction of the numbers of people in Castlerea Prison, and would like to see this continue.

Signage on social distancing and hygiene etiquette was visible throughout the prison and provided in different languages. The Inspection Team observed floor markings throughout the prison. There were hand sanitisers on the walls and masks and gloves readily available. The Inspection Team also observed maximum occupancy numbers on the doors of the class offices. However, there were no cleaning products readily available in videolink rooms, and hand sanitiser was not available in the video link rooms.

The Inspection Team observed on D2 landing, which is a landing that accommodates prisoners on an Enhanced regime,³⁶ including kitchen workers, that water in the sinks in the cells was restricted, with three bursts of water allowed every 15 minutes; this included water for the sink, toilet and shower. In cells with double occupancy, two prisoners shared this amount of water to take a shower, use the toilet and wash their hands.

3.2.3 Outcomes

Given the need to ensure proper hand washing techniques, as noted above, and the increased priority placed on sanitation during the pandemic, the restriction of water on D2 landing was a concern for the Inspectorate. Previously, with regard to the COVID-19 Thematic Inspection of Wheatfield Prison, the Inspectorate reported on a similar issue, to which the Irish Prison Service replied that “There are safety mechanisms in place in certain areas to prevent the risk of deliberate cell flooding.” Prisoners accommodated on D2 landing were on an “Enhanced” regime level, which means, according to the *Incentivised Regimes* policy, that they were to be afforded greater incentives including: levels of gratuity higher than standard, higher levels of access to private cash and Tuck Shop expenditure, priority access to better quality accommodation, enhanced daily regime, enhanced facilities, and increased contact with the outside world. Prisoners accommodated on D2 landing had exhibited good behaviour to achieve an Enhanced regime, thus the Inspectorate further queries the rationale for reduction of water supply.

To prevent contact across the prison landings, Castlerea Prison instituted a policy to reduce mixing of prisoners. Prior to the pandemic prisoners could mix across landings in the yard. However, in response to COVID-19, prisoners were mostly segregated by landing. As the prison unwinds from COVID-19 restrictions, the Inspectorate expected to see a return to mixing of prisoners from the general population. However, in Castlerea Prison, and also in other prisons, prisoners and staff reported to the Inspectorate that the reduction in mixing reduced levels of bullying and violence across the prison. While having the positive impact of reducing violence in the prison, the policy of not-mixing across the landings had the impact of decreasing the amount of time prisoners were permitted to exercise, be in the fresh air and engage in activities; this is because the unlock time remained the same but was sectioned off into smaller periods of times for the different landing groups. The COVID-19 policy of restricting the mixing of prisoners elucidates the greater issue of safety concerns in the prison.

The Inspectorate is of the view that Castlerea Prison should identify sustainable and systemic measures to address violence and bullying in the prison rather than employ operational mechanisms to avoid rather than address these issues. One such measure would be to reduce prison population numbers, as this is essential to provide for the safety of prisoners by enabling them to maintain a distance in various common areas, while also allowing the maximum number of prisoners to continue to engage in rehabilitative activities (e.g., school, work, and training). Achieving this goal requires a multi-agency

³⁶ See, Irish Prison Service (2012) *Incentivised Regimes*, <http://www.irishprisons.ie/images/pdf/incentivisedregimespolicy.pdf>

approach with the Irish Prison Service collaboratively working on an ongoing basis with stakeholders such as the Courts Service and the Probation Service.

3.2.4 Recommendations

Recommendation 8: The Inspectorate recommends that the Irish Prison Service engages with the Department 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.

OIP Comment: The Inspectorate has recommended in the Mountjoy Men's Prison, Cloverhill Prison, Wheatfield Prison, Portlaoise Prison, Shelton Abbey, Arbour Hill Prison, Cork Prison and Midlands Prison COVID-19 Thematic Inspection reports that the Irish Prison Service engage with the Department of Justice to maximise all opportunities to reduce the prison population. This recommendation was accepted on all occasions, with the Irish Prison Service indicating partial acceptance in relation to the Cloverhill Prison report, citing the fact it is a remand prison with little control or input into prisoner numbers.

Recommendation 9: In line with guidance issued by the WHO (2021) *Preparedness, prevention and control of COVID-19 in prisons and other places of detention*, all prisoners should have availability of sufficient quantities of safe water and handwashing supplies, both of which should be ensured throughout the COVID-19 response and in its aftermath.

4 HEALTH & WELLBEING

4.1 Access to Healthcare

Access to healthcare in Castlerea Prison over the course of the pandemic has largely mirrored the situation in the general community, with medical appointments and procedures being delayed or cancelled. In assessing access to healthcare, the Inspection Team examined the impact of COVID-19 on services provided to prisoners.

4.1.1 Compliance

Underpinning healthcare provision in the prison setting is the Principle of Equivalence. The CPT Standard on Health Care Services in Prisons mandates that “a prison health care service should be able to provide medical treatment and nursing care, as well as appropriate diets, physiotherapy, rehabilitation or any other necessary special facility, in conditions comparable to those enjoyed by patients in the outside community.”³⁷ The Principle of Equivalence operationalises the principle of non-discrimination, as enshrined in the Mandela Rules, Rule 2:

In order for the principle of non-discrimination to be put into practice, prison administrations should take account of the individual needs of people in prison, in particular the most vulnerable. Measures to protect and promote the rights of people in prison with special needs are required and should not be regarded as discriminatory.

The risk of torture or ill-treatment increases for older persons in places of detention due to their deteriorating health and mobility, high prevalence of psychosocial disabilities and cognitive impairment including dementia-related conditions, as well as any individual risk factors. The European Court of Human Rights has considered the potential human rights impact of prolonged detention of older persons in prison. The Court has noted that age, in conjunction with other factors, such as health, may be taken into account when a sentence is determined or while a sentence is being served. The Court has determined breaches of Article 3 of the European Convention on Human Rights (No one shall be subjected to torture or to inhuman or degrading treatment or punishment) in instances where elderly prisoners with health issues were held in conditions of detention that were inconsistent with the specific healthcare needs of the prisoner.³⁸

Ireland is obliged under Article 12 of the International Covenant on Social, Economic and Cultural Rights (ICESCR) to recognise the right of everyone to the highest standard of physical and mental health:

The States Parties...recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

As highlighted by the CPT (2020) in its Statement of Principles relating to the Treatment of Persons Deprived of their Liberty (Principle 6) in the Context of the Coronavirus Disease (COVID-19) Pandemic: “detained persons should receive additional psychological supports from staff at this time.”

One of the basic principles (Principle 4) of the Revised European Prison Rules (2020) states: “Prison conditions that infringe prisoners’ human rights are not justified by lack of resources.”

³⁷ CPT Standard on Health Care Services in Prisons (1993) CPT/Inf(93)12 part (see paragraph 38)

<https://www.refworld.org/pdfid/4d7882092.pdf>

³⁸ *Farbtuhs v. Latvia* (2004) European Court of Human Rights, 4672/02 (§§ 56-61) and *Contrada v. Italy* (no 2) (2014) European Court of Human Rights, 7509/08 (§§ 83-85).

According to the Council of Europe, healthcare in prisons should be preventive (e.g., prevention of the spread of transmissible diseases and the promotion of mental health support).³⁹

The guidance from the UN Subcommittee on Prevention of Torture's Follow-up Advice (June 2021, states: "Include in the national vaccination programme, with priority, all persons deprived of liberty, all personnel, including medical, security, social, administrative and other personnel, of places of deprivation of liberty and staff of the national preventive mechanism." Further, the SPT *Protocol for National Preventive Mechanisms undertaking On-site Visits during the Coronavirus Disease (COVID-19) Pandemic*, reiterates a key message:

The provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and they should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status.⁴⁰

A key observation made by the UNODC in relation to post COVID-19 recovery was the need for States to address challenges associated with imprisonment including that coordination between justice and health sectors should be key to "build back better."⁴¹

4.1.2 Environment

General Healthcare

At the time of inspection, one Chief Nurse Officer (CNO) and 11 nurses were allocated to Castlereas Prison. Each day, four nurses were rostered to the day shift, and one nurse was assigned to the night shift. An additional nurse worked 08:00-17:00, five days a week. Two nurses were out on long-term sick leave (since 2020). The Inspection Team was informed that four other nurses were on varying levels of sick leave. This meant that nursing staff in Castlereas Prison was down by 50%. There was one nursing post allocated to addiction; however there was no protected time for this post.

There was no allocated full-time doctor in Castlereas Prison. A locum doctor attended the prison two days per week on Tuesdays and Thursdays from 09:00-12:00 and 14:00-17:00. The work of the GP focused on committals, triage and review of long-term prescriptions.

The Inspection Team was informed that a tele-medicine room had been set up in Castlereas Prison, however it was reported that resources to use the room were not available.

At the time of inspection, the prison was facilitating external hospital visits.

There was one on-site clinic per fortnight with the dentist, which could facilitate an average of eight prisoners.

There was no on-site optician in Castlereas Prison. In the six months prior to the on-site inspection, an optician had provided a mobile bus clinic to prisoners in Castlereas Prison. The service was sanctioned at a local level pending submission for tender, and was described as occurring on an "as required" basis.

Castlereas Prison had one consultant psychiatrist who worked four days a week in the prison. There was also a Forensic Mental Health Nurse and a Social Worker who worked five days a week in the prison.

³⁹ Council of Europe (2019) *Organisation and Management of Healthcare in Prison*, <https://rm.coe.int/guidelines-organisation-and-management-of-health-care-in-prisons/168093ae69>

⁴⁰ United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Rule 24.

⁴¹ UN Common Position on Incarceration (2021) (n 27) p.7

Multi-Agency Meetings (MAMS) occurred every week and were an opportunity for services in the prison, including psychiatry, to jointly discuss prisoner cases.

The Inspection Team visited the High Support Unit in Castlerea Prison. The High Support Unit accommodated prisoners who had acute mental illnesses. The Inspection Team spoke with a small number of prisoners in the High Support Unit. While prisoners reported access to information and food as “good,” there appeared to be little access to any meaningful activity. For example, one prisoner stated that he “listens to music all day” and was not permitted to mix with other prisoners on the landing. The Inspection Team spoke with prison staff who held the view that many of the prisoners were very unwell and that they should “be in a hospital and not a prison.” At the time of inspection, it was reported by a member of the Healthcare Staff that one individual had been removed from the waiting list of the Central Mental Hospital and another individual was placed on the waiting list. It was reported that persons on the waiting list never end up getting to the CMH.

COVID-19 Healthcare

At the time of the Inspection, Castlerea Prison operated under the 31st version of the “IPS Risk Assessment for People Presenting to and in Prisons - Clinical Criteria for Prisoner(s) to be Tested” (3 August 2021). The algorithm outlines the criteria for both unvaccinated prisoners and vaccinated prisoners.

Unvaccinated prisoners

1. A prisoner with acute respiratory infection - sudden onset of at least one of the following: cough, fever, Shortness of breath (SOB). Consider other aetiology that may explain the clinical presentation. If general population swabbing regime for prisoner to be applied; OR
2. Special consideration should be made for atypical presentations, particularly in our high risk prison population. Vigilance is required for the following: Loss of sense of smell or taste, Fever, Cough, SOB, lethargy, confusion, loss of appetite, headache, sore throat unexplained change in baseline condition. If general population swabbing regime to be applied; OR
3. A prisoner who has been identified as a close contact of a confirmed case must be tested on Day 0 (Day the index case gets a positive result) AND Day 7 (8 days after last exposure to the index case) - (if day 0 and day 7 are within 24 hours only 1 test is required on Day 7)
All close contacts must remain in isolation for 14 days inclusive even if they return 2 negative results; OR
4. All new committals (N/C) must be tested on Day 7 (8th day in custody); OR
5. If symptomatic N/C test on day of symptoms onset and Day 7 (*if within 24 hours of each other test on Day 7*); OR
6. All new committals returning from outside the island of Ireland - Swab Day 1 and Day 10 (remain in isolation 14 days).

Vaccinated prisoners

1. A prisoner with acute respiratory infection - sudden onset of at least one of the following: cough, fever, Shortness of breath (SOB). Consider other aetiology that may explain the clinical presentation. If general population swabbing regime for prisoner to be applied; OR
2. Special consideration should be made for atypical presentations, particularly in our high risk prison population. Vigilance is required for the following: Loss of sense of smell or taste, Fever,

Cough, SOB, lethargy, confusion, loss of appetite, headache, sore throat unexplained change in baseline condition. If general population swabbing regime to be applied; OR

3. A prisoner who has been identified as a close contact of a probable case must be placed in isolation precautionary until results of INDEX CASE returns
 - a. If index case returns a NEGATIVE result and is asymptomatic- all CC can revert to original category
 - b. If index case returns a POSITIVE result- guidance to be sought from NICT regarding management
4. All new committals (N/C) must be tested on Day 5 (6th day in custody); OR
5. If symptomatic N/C test on day of symptoms onset. If negative and remain asymptomatic for GP review and re assess as per algorithm; OR
6. All new committals returning from travel from EU and NON EU countries- Test on day 5. To be housed as quarantine committals until clarification sought from GOV.ie/ NICT regarding foreign travel advice.

If a prisoner received a positive COVID-19 result, they were required to isolate in their cell for a minimum of ten days. According to the risk assessment algorithm, in the last five days the individual should be free from any symptoms of COVID-19. If a prisoner (non-committal) received a negative result, isolation was stopped once a prisoner had been asymptomatic for 48 hours.

4.1.3 Outcomes

General Healthcare

Healthcare Management reported that GP services in Castlerea Prison were “non-existent” aside from the locum doctor that attended the prison two days (Tuesdays and Thursdays) each week. This resulted in situations where committal prisoners not were not seen by a doctor within 24 hours of admission to the prison. One example provided to the Inspection Team was the case of a man who had been committed on a Friday and was not seen until Tuesday; 96 hours (Day 4) after his committal. This is in contravention of Rule 11 of the Irish Prison Rules 2007-2020, which states that a prisoner shall be examined separately by a doctor on the day of admission to prison.

This issue of GP cover and non-compliance with Rule 11 of the Prison Rules was raised at the Closeout Meeting on 30 August 2021. Senior Management informed the Inspectorate that the prison had challenges in securing a doctor and a recruitment competition for a permanent GP had to be re-run as the doctor appointed could not take up the position. A National Panel was in place. Senior Management were engaging with numerous doctors at a local level to secure their attendance in the prison.

In the absence of GP availability situations arose whereby the healthcare team had to ring the community pharmacy for a copy of current pharmacy prescriptions. The healthcare team would then contact any doctor in the community on call for an emergency prescription for a prisoner, if required, over the weekend.

The healthcare team spoke about the value of weekly meetings with other service providers, led by Integrated Sentence Management team, to ensure continuity of care. These meetings made the healthcare team aware of prisoners nearing their release date, so their healthcare needs could be addressed. For example, the healthcare team would ensure that a prisoner would be provided with a sufficient level of their medication to carry them over until they had access to a community GP.

Both staff and prisoners reported that inadequate healthcare staffing levels had a negative impact on healthcare provision in the prison:

“I can’t see an end in sight.”

“Everybody is deflated.”

“We’re not managing.”

“No stability in GP or Nurses and I can’t see an end to it.”

“Never got to see a GP.”

The Inspection Team noted there were 48 patients on the waiting list to see the dentist, and that two patients had been on the waiting list to see a dentist since early 2020. A small number of prisoners reported difficulties in accessing dental care in Castlerea Prison. One prisoner stated that he had pulled his own tooth out, and showed the tooth to a member of the Inspection Team. Another prisoner informed the Inspection Team of difficulties in seeing the dentist to repair a tooth; he reported that the tooth had repeatedly broken and no long-term solution had been provided. Another prisoner informed the Inspection Team that he had been waiting to get his teeth cleaned for four or five months. The issue of access to dental care was raised at the Closeout Meeting on 30 August 2021.

COVID-19 Healthcare

Upon arrival to prison, newly committed prisoners were screened in the prison van by a nurse in full PPE. The temperature of the individual was checked with a thermometer. The Inspection Team was informed that the nurse processing the committal would explain quarantine procedures to each new committal and provide each prisoner with a fresh surgical mask. The nurse checked on newly committed prisoners on a daily basis.

Healthcare staff highlighted that COVID-19 restricted regimes had negatively impacted on the ability to develop positive relationships with newly committed prisoners because of limited opportunities to engage with prisoners while they were segregated from the general population.

Since March 2020 up until inspection, there had been a total of three COVID-19 positive prisoner cases. At the time of inspection there were no COVID-19 positive prisoners in Castlerea Prison. On 10 June 2021, the Irish Prison Service commenced the roll-out of the vaccination programme for all prisoners and prison staff under the age of 40. Table 8 provides information received on the uptake of the COVID-19 vaccination programme for prisoners in Castlerea Prison.

Table 8: Roll-out of Vaccination of Prisoners in Castlerea Prison

Dates	Numbers (%) Vaccinated	Numbers (%) Declined
23 June 2021 (1 st dose)	226 (73%)	83 (26%)
21 July 2021 (2 nd dose)	218 (80%)	54 (19%)

The uptake of the COVID-19 vaccine in Castlerea Prison was considerably lower than in other prisons. In response to this, Senior Management reported that prison staff undertook an information dissemination campaign (information leaflets and videos) following administration of the first dose of the vaccine. The information was designed to address concerns prisoners had about side effects of the vaccine.

In order to ensure completion of the vaccination programme for prisoners due for release, information was provided to the HSE which would enable administration of the second dose; prisoners provided

consent to share their information. The Irish Prison Service provided the HSE with a list of impending releases on the day of vaccination; this enabled follow-up upon release.

The Inspectorate has recommended in previous COVID-19 Thematic Inspection reports that the Irish Prison Service continue ongoing efforts to advocate for the prioritisation of COVID-19 vaccinations for people living and working in prisons. The Inspectorate welcomes the rollout of the vaccination programme, and commends the Irish Prison Service in its efforts to ensure people in prison receive the COVID-19 vaccination in accordance with the Principle of Equivalence and HSE eligibility guidelines.

At the time of inspection, prisoners had not been provided with their COVID-19 vaccination certificate. In a follow-up communication (14 September 2021), Senior Management provided the Inspectorate with information on the process for obtaining the COVID-19 vaccination certificate. A dedicated HSE email address had been established for IPS vaccine queries. The Inspection Team was informed that all vaccine certificates would be requested through this dedicated email address and were then forwarded back to Castlerea Prison electronically and then issued to the prisoner in the prison. Senior Management envisaged that in the coming weeks all vaccinated prisoners would be provided with their COVID-19 vaccination certificates, but that this information had not yet been communicated to prisoners in Castlerea Prison. Senior Management stated that it would be co-ordinated through a leaflet drop and a notice on the prisoner internal TV system.

4.1.5 Recommendations

Recommendation 10: The Irish Prison Service and Castlerea Prison must ensure full compliance with Rule 11 of the Irish Prison Rules, in which all prisoners are to be seen by a doctor on the day of admission to prison.

Recommendation 11: The healthcare team composition should be provided with adequate resources to ensure preventive and continuous healthcare is provided to prisoners in the care of Castlerea Prison.

4.2 Family Contact

Contact with family members and friends is essential to the health and wellbeing of people in prison. As part of the inspection of Castlerea Prison, the Inspection Team assessed the impact of restrictions on family contact. The Inspectorate in particular sought to understand the experience of the return of in-person visits.

4.2.1 Compliance

In response to the need to prevent transmission of COVID-19 in prisons the Irish Prison Rules 2007-2017 were amended in 2020 to include Rule 36A. Rule 36A places a restriction on implementation of Rules 35 and 36 as a means to prevent the transmission of infectious disease in prisons. Rule 35 includes provisions for ordinary visits whereby convicted adult prisoners are entitled to receive not less than one visit from relatives or friends each week of not less than 30 minutes duration. For unconvicted prisoners, the visit entitlement under Rule 35 is 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. Rule 36 provides for the regulation of visits, including provisions on the designation and searching of visitors, visits from legal representatives and visits for foreign nationals. The 2020 Amendment to the Rules, under 36A, permit the Director General (36A(1)) or the Governor, subject to any direction made by the Minister or Director General (36A(2)) to suspend the entitlement to visits or restrict or modify the entitlement to visits under Rule 35, as regards frequency,

duration and arrangements, particularly in relation to the number and age of visitors permitted to make visits, for a specified period or periods. The lack of a sunset clause for the newly added Rule 36A is of concern to the Inspectorate.

Given the restrictions imposed by Rule 36A of the 2020 Amendment to the Prison Rules, there exists an obligation for the Irish Government and the Irish Prison Service to ensure that COVID-19 related restrictions have a legal basis, are necessary, proportionate, respectful and restricted in time (CPT Principle 4).

Rule 43 of the Irish Prison Rules 2007-2020 entitles a prisoner to send letters to his or her family or friends, and to receive as many letters as are sent to him or her by his or her family or friends. Rule 46.4 of the Irish Prison Rules states that unconvicted prisoners are entitled to no less than five telephone calls per week to a friend or family member.

Article 8.1 of the European Convention on Human Rights provides that “Everyone has the right to respect for his private and family life, his home and his correspondence.”

Children who have a parent in prison are also independent rights holders. Under Article 9.3 of the UN Convention on the Rights of the Child, it states:

States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child’s best interests.

Rule 58.1 of the Nelson Mandela Rules states that prisoners shall be allowed, under necessary supervision, to communicate with their family and friends at regular intervals by corresponding in writing and using, where available, telecommunication, electronic, digital and other means.

The European Prison Rules 2020, Rule 24.1, provide that prisoners shall be allowed to communicate as often as possible by letter, telephone or other forms of communication with their families, other persons and representatives of outside organisations and to receive visits from these persons. Rule 24.5 states that prison authorities shall assist prisoners in maintaining adequate contact with the outside world and provide them with the appropriate welfare support to do so.

In May 2021, the CPT published its “Minimum Decency Threshold.” This threshold provides for “regular possibilities to remain in contact with the outside world” for prisoners. The CPT welcomed the increasing availability of in-cell telephones and secure prison mobile phones, as well as internet-based solutions to enable prisoners to maintain family contact.

In June 2021, the SPT advised member states to: “Improve the environment in areas of quarantine inside places of deprivation of liberty so that they do not correspond to places of solitary confinement, and compensate for the social isolation by using any means to improve social and family contact.”

4.2.2 Environment

The Irish Prison Service provided information on the restoration of prison visits on 30 June 2021. In-person screened visits were to resume seven days after the second dose of the COVID-19 vaccine was administered to prisoners. Prisoners in Castlerea Prison received their first dose of the vaccine on 23 June 2021 and their second dose on 21 July 2021. The provisional date for the resumption of physical visits in Castlerea Prison was set for 28 July 2021. However, this date was revised to 14 September 2021 following infection control advice regarding the Delta variant.

Guidelines for the re-introduction of prison visits included:

- One physical visit per fortnight for a 15-minute duration
- A maximum of two visitors: one adult and one child
- One video call per fortnight of 20-minutes duration (the physical visit will not take place on the same week)
- Or two video calls per fortnight of 20-minutes duration

The Irish Prison Service permitted an extended prison day to facilitate visits from 9.30; concluding no later than 19.00; seven days a week. The scheduling of visitation times were to be determined by each prison taking into account local infrastructure and individual task lists.

The Irish Prison Service allocated a 45-minute period for each visit session in order to facilitate (i) movement of prisoner, (ii) visit and (iii) cleaning after each visit. Visitors would be subjected to screening in line with COVID-19 guidelines.

Castlerea Prison had a total of 116 video calls booked between 9 August 2021 and 20 August 2021. Video calls were 20 minutes in length at the time of inspection. On the first day of inspection, video calls did not take place due to a technological fault outside the control of the prison. There were four video call rooms located in Harristown Unit; three located in A Division, and one located in The Grove.

Over the same time period, 9 August 2021 and 20 August 2021, there were 21 in-person visits booked. In-person visits took place in the visitor's centre and were screened. All visitors and prisoners who were clean shaven were required to wear a surgical mask during an in-person visit. Any person not clean shaven had to wear a FFP2 mask. This mask had to be covered with a surgical mask and the person was required to don a face visor which was to be worn at all times throughout the visit.

The Inspection Team visited the in-person screened visitation area on the second day of inspection. The room had a large extraction vent that ran along the ceiling of the room and made a constant invasive humming noise.

At the time of inspection Castlerea Prison had combined the management of prisoner communication into a Communications Room (see Section 2.4.3). The function of the Communications Room was to manage prisoners' phone calls, book visits and process incoming and outgoing correspondence for prisoners. The Regime Management Plan allocated four members of staff to be assigned to the Communications Room. The Standard Operating Procedure for the Communications Rooms outlined both daily and weekly functions which included:

- Supplying daily visits and court lists,
- Processing phone, visitor list and ID card applications supplied by the committal unit,
- Prioritising emails for professional visits,
- Carrying out Governors Parade instructions,
- Processing email requests for both physical visits and video calls, and
- Processing incoming mail and arrangement for delivery of mail to the various landings.

Packages were quarantined for five days before processing and both letters and photographs were being photocopied in black and white for security reasons. The original materials were kept in the prisoners' lockers for return upon release. A number of prisoners informed the Team of receiving photocopied Father's Day cards.

4.2.3 Outcomes

Visits

A large number of prisoners and staff reported hearing difficulties during in-person visits. The Inspection Team worked with a prison officer to assess how the screens impacted on the ability to hear during a visit. While wearing FFP2 masks, one of the members of the Inspection Team sat on one side of the screen and a prison officer sat on the other side of the screen. A member of the Inspection Team sat two booths down and spoke at a normal level in order to mimic the experience of participating in an in-person visit while other people were also engaged in visits. The prison officer and member of the Inspection Team found it very difficult to hear each other across the screen, despite having moved very close to the screen and using raised voices. The voices sounded muffled and distant, as if the person was in a tunnel a great distance away. The challenge in hearing across the screen was further exacerbated by the constant overhead noise made by the vent.

While the return to in-person visits is welcome, the experience of an in-person visit as it was being facilitated in Castlerea Prison (and in other prisons) (screens, PPE, vent noise, background noise from other visits, only one child permitted, short visit time) was reported by both prisoners and staff as cause for prisoners to avoid in-person visits. Many prisoners queried the rationale for the continued restrictions on visits. Prisoners indicated they preferred the video calls to in-person visits because of the conditions in which the visits were being held:

“Screens that you can’t hear, and masks.”

“Visits; you couldn’t hear- screens and masks.”

“Visits are the worst.”

“They’d sooner take the video call.”

“Same set up so (I) won’t put parents through that.”

“You can’t hear a thing.”

“I won’t bring my daughter to these screened visits.”

A large number of prisoners reported they would not book an in-person visit as they were not prepared to choose one of their children over another; as one prisoner stated, “you can’t choose one (child).” The length of time allotted for visits was another cause for disengagement. Prisoners who had family that lived far away from the prison reported that it would be unfair to ask their family members to travel a long distance for a short visit, as one prisoner said, “two and a half hours travel for 20 minutes!” Another prisoner informed the Inspection Team that he had not booked an in-person visit because his partner had to travel from Dublin and he would then lose his 20-minute video call that week.

One prisoner informed the Inspection Team that in addition to the noise caused by the extraction vent and the noise barrier caused by the masks and screens, prisoners and families also experienced a continuous countdown during the visit whereby a prison officer would call out the amount of time left in the visit.

A number of prisoners spoke about the expectation they had that taking the COVID-19 vaccine would result in the resumption of full in-person visits:

“I was told if you were vaccinated and family was; they’d get to be in prison.”

“Since the vaccines, nothing has changed.”

“Why were we pushed to get the vaccine if it’s not gonna change?”

“Still closed – even when we are double jabbed.”

“20,000 in Croke Park but no family visits.”

“You’re allowed fill stadiums, but we can’t have a visit?”

“What’s the point in vaccines- but no contact with your family?”

“What’s the difference between ye being here?”

The impact of the lack of in-person visits was clear, as articulated by one staff member: “Touch poverty [for the men] in prison for the last 18 months.”

Video Calls

Video calls were generally experienced as a positive for the men in Castlerea Prison. However, a number of prisoners reported that at times the video calls dropped. The Inspection Team observed the video call location in A division - which was comprised of three video phones set up in three former special observation cells in the former Special Care Unit. Each room had a videolink phone on a table and a chair. One cell had offensive imagery on the wall; the Inspection Team requested that it be removed and this was facilitated.

The Inspection Team were of the view that the use of the cells in the old Special Care Unit to speak with families was not the most appropriate location for this activity. This issue was raised at the Closeout Meeting on 30 August 2021. Senior Management agreed that the special observation cells were not ideal as a videocall facility, and that they were established as a temporary measure to set up remote calls expeditiously. The Inspectorate was informed that a proposal had been made to develop soundproof pods for videocalls; these would replace the use of the special observation cells. The Inspectorate welcomes this initiative and would encourage that any design of the proposed pods include feedback from prisoners as they are best positioned to share experiences of how videocalls might be improved.

Phone Calls

At the time of inspection the majority of cells in Castlerea Prison had in-cell phones. This was described to the Inspection Team as a “God-send” by Senior Management. One prisoner informed the Inspection Team that in-cell phones resulted in less violence in the prison: “people not fighting each other in yard.” Another prisoner informed the Inspection Team that he would “rather speak to his family then go out there,” and another stated “in-cell phones are really good.”

Post

Prisoners reported delays in receiving mail. One prisoner stated, “I got letters two to three weeks ago dated 14 June 2021 and 30 July 2021.” The Inspection Team visited the Communications Room on the second day of inspection and observed that both incoming and outgoing unprocessed mail was combined in one pile and appeared disorganised (Section 2.4.4). As noted above, there was no clear process for separating incoming/outgoing correspondence, and mail was not organised according to the date it was sent/received. While the distribution process was clearly organised, the unorganised way in which mail was censored and processed could cause delays in the sending and receipt of post.

4.2.4 Recommendations

Recommendation 12: The Irish Prison Service should review the quarantine procedure for incoming packages to ensure it is continuously reviewed on a regular basis, consistent across the prison estate and warranted given public health guidelines; accurate records of incoming packages should also be made and kept.

Recommendation 13: The Irish Prison Service should develop a clear policy on the photocopying of post. This policy should apply key principles (e.g., proportionality, necessity, review and the recording of reasons for its justification) and balance the rights of prisoners against security concerns.

Recommendation 14: In line with Article 8 of the ECHR, Article 9(3) of the UNCRC and in accordance with the CPT principles of necessity and proportionality, the Irish Prison Service should ensure the full return of visits in accordance with Rule 35 of the Prison Rules, 2007 as a matter of priority following the mass vaccination of prisoners, in accordance with public health guidelines in congregated settings.

Request for Information 1: The Inspector of Prisons requests to be provided with information on the direction given to Castlerea Prison by the Irish Prison Service to implement S.I. 250 - Prison (Amendment) Rules 2020 - Rule 36A of the Irish Prison Rules.

4.1 Quarantine/Isolation Measures

People placed in quarantine and isolation include: new committals to the prison; prisoners who tested positive for the COVID-19 virus; those showing symptoms of the COVID-19 virus, while awaiting test results; and those who are identified as close contacts of a person with COVID-19, while awaiting test results; and those who present with a travel history.

4.3.1 Compliance

The CPT Statement of Principles relating to the Treatment of Persons Deprived of their Liberty in the Context of the Coronavirus Disease (COVID-19) pandemic, state:

While it is legitimate and reasonable to suspend non-essential activities, the fundamental rights of detained persons during the pandemic must be fully respected. This includes in particular the right to maintain adequate personal hygiene (including access to hot water and soap) and the right of daily access to the open air (of at least one hour).

In cases of isolation or placement in quarantine of a detained person who is infected or is suspected of being infected by the SARS-CoV-2 virus, the person concerned should be provided with meaningful human contact every day.⁴²

Recent CPT guidance (2021) defines a “Minimum Decency Threshold” for prisons which includes that all prisoners should be provided with the means to keep themselves clean including access to a shower (if possible on a daily basis but at a minimum twice a week).⁴³

In circumstances where prisoners are confined for more than 22 hours a day without meaningful human contact, this is solitary confinement; as defined by the 2020 European Prison Rules (Rule 60.6.a) and Mandela Rules (Rule 44).

Furthermore, SPT advice published in June 2021 recommends to State Parties: “Improve the environment in areas of quarantine inside places of deprivation of liberty so that they do not correspond to places of solitary confinement, and compensate for the social isolation by using any means to improve social and family contact.” It goes on to state: “Ensure that persons deprived of their liberty whose mental health is affected by COVID-19 measures, including those persons in quarantine, in

⁴² CPT Statement of Principles (2020) (n 8) Principles 6 & 8.

⁴³ CPT Minimum Decency Threshold (n 16).

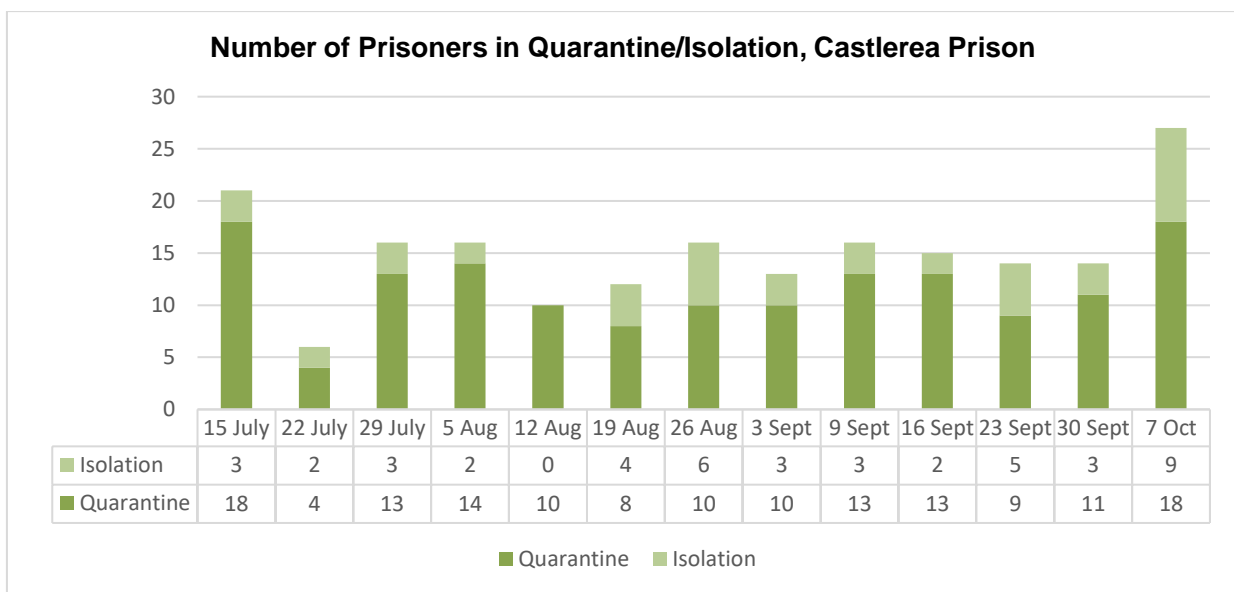
medical isolation units, in psychiatric hospitals or in places of detention, receive adequate counselling and psychosocial support.”⁴⁴

4.3.2 Environment

On the first day of inspection (25 August 2021) Senior Management reported nine people were in quarantine and six people were in isolation. There were ten people in quarantine and six people in isolation on 26 August 2021.

Figure 9 provides the numbers of people in quarantine/isolation in Castlerea Prison in the six IPS updates provided before and after the on-site inspection; there was an average of 15 prisoners on COVID-19 restricted regimes across the dates noted in Figure 9.

Figure 9: Number of Prisoners in Quarantine/Isolation, Prior to and After On-Site Inspection (2021)



At the time of inspection, all new committals to Castlerea Prison were screened by healthcare staff at the main gate using the relevant IPS Risk Assessment Algorithm for COVID-19 (Section 4.1). Based on this assessment, prisoners were then processed through reception and brought to an isolation or quarantine cell. A full nursing committal assessment was carried out in reception for quarantine prisoners and in isolation cells for prisoners either suspected or confirmed as having COVID-19. Prisoners were offered a COVID-19 test on the sixth day in custody. If the test returned as negative and the prisoner remained asymptomatic 48 hours later; the prisoner was then removed from quarantine. If a prisoner refused to be tested they remained in quarantine for 14 days. It was reported that some prisoners elected to stay on protection and refused to be swabbed.

At the time of inspection, the quarantine and isolation landing was located on B2 landing. B2 landing had capacity for 26 prisoners; all cells were equipped with showers. The Inspection Team was informed that Castlerea Prison had an average of 15/16 prisoners on COVID-19 restricted regimes at any given time. Quarantine was initially located in the committal unit, and was then re-located to A2 landing. However, prison staff identified a strategy to locate prisoners on COVID-19 restricted regimes in the B2 landing because this would enable access to showers; the Inspectorate welcomes this proactive measure.

⁴⁴ SPT Follow-Up Advice (June 2021) (n 9).

COVID-19 Information posters, inclusive of information about the quarantine/isolation process, were displayed on the inside of the cells doors allocated for COVID-19 restricted regimes. The Inspection Team engaged with a Foreign National prisoner who did not speak English; this prisoner could not avail of the information in the manner and form it was provided (See Recommendation 1).

Prisoners in quarantine were permitted to attend in-person court hearings and videolink court hearings; prisoners in quarantine were accommodated in the outdoor visitation area while awaiting remote court hearings. Prisoners in isolation did not attend court sessions.

4.3.3 Outcomes

The Inspection Team visited the quarantine and isolation landing at the end of the second day of inspection. While noting that the Inspection was carried out on a hot summer day, the temperature on the landing was very warm and, given the minimal amount of ventilation provided through the windows, the temperature of the cells was quite hot. Two prisoners accommodated in one cell reported that the sink in their cell did not have running water. This, along with the issue of cell temperature and ventilation was raised at the Closeout Meeting on 30 August 2021. In follow-up information provided to the Inspection Team on 14 September 2021, Senior Management reported that the issue of running water in the sink had been examined and that the issue was not a fault in the sink but was instead that the prisoners did not know how to use the sink correctly. The Inspection Team was informed that the prisoners had been shown how the sink worked since the matter was reported.

The issue of cell temperature and poor ventilation has been raised as a concern by the Inspectorate in previous COVID-19 Thematic Inspection Reports.⁴⁵

The Inspection Team noted upon entering the quarantine landing a loud banging noise and a sense of unrest. The Inspection Team spoke with prisoners on COVID-19 restricted regimes who reported challenges such as: difficulty in accessing adequate supply of clothing; discomfort due to the warm temperature in the cell; in-cell phones not functioning properly; and inadequate provision of shower products. A prisoner stated, "I don't feel like a human," and another prisoner stated, "very bad, treated like animals."

One prisoner informed the Inspection Team that he was unsure if his family knew where he was and when he tried to speak with a member of staff, "he just pulled up the flap, no help at all."

Prisoners reported up to two hours of fresh air was permitted each day while in quarantine; prisoners in isolation were not permitted any out-of-cell time. Prisoners subjected to isolation, as a COVID-19 preventive measure, were held in de facto solitary confinement as they were confined for 22 hours or more each day and had significantly less than two hours of meaningful human contact each day. The recent guidance from the UN Subcommittee on Prevention of Torture's Follow-up Advice (June 2021) requires that states "compensate for the social isolation by using any means to improve social and family contact." The Office of the Inspector of Prisons shares the well-documented position that solitary confinement cause's psychological harm to people in prison, regardless of the reason for its imposition. Therefore, solitary confinement should not be used as a means to prevent transmission of COVID-19 in prisons; safer alternatives exist, such as community-based alternatives to custody and expansion and further application of early release criteria.⁴⁶

In previous COVID-19 Thematic Inspection Reports the Inspectorate has recommended that the Irish Prison Service implement all possible measures for improving social and family contact as a means to

⁴⁵ OIP. COVID-19 Thematic Inspection Report Cloverhill Prison (n 13); and OIP. COVID-19 Thematic Inspection Report Midlands (n 13).

⁴⁶ CPT Statement of Principles (n 8), Principle 5.

compensate for COVID-19 related isolation, and has also recommended that all prisoners in quarantine and isolation be provided with at least one hour of fresh air each day. Given the unwinding of restrictions in prisons since the vaccination of prisoners, the Inspectorate is of the view that the focus of the Irish Prison Service should be to determine pathways to ease mandatory quarantine periods for prisoners, and to ensure measures are taken to mitigate the detrimental effects that COVID-19 regimes (quarantine/isolation) have had on the prisoner population.

4.3.4 Recommendations

Recommendation 15: Considering the unwinding of COVID-19 restrictions in the community, the Principle of Equivalence, and other relevant factors, such as the high vaccination uptake in prisons, the Inspectorate urges the Irish Prison Service to seek further guidance from the Health Service Executive to ease mandatory quarantine periods for prisoners, and consider alternative protective measures, such as use of FFP2 masks and restriction on movements while awaiting a test result.

Recommendation 16: 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 in coping with the impact of COVID-19 and subsequently imposed restrictive measures.⁴⁷

OIP Comment: The Inspectorate has recommended in the Mountjoy Prison, Cloverhill Prison, Wheatfield Prison, Limerick Prison and Shelton Abbey, Arbour Hill Prison, Cork Prison and Midlands Prison COVID-19 Thematic Inspection reports that measures be taken to mitigate the effects of isolation on prisoners. This recommendation has been accepted by the Irish Prison Service on all occasions, with the Irish Prison Service indicating a roll-out of a COVID outbreak specific mental health protocol by mid-May 2021. The Inspectorate welcomes this initiative and will monitor its progress on an ongoing basis. The mental health protocol was provided to the Inspectorate in late-September 2021.

⁴⁷ SPT. Advice of the Subcommittee to States Parties and National Preventive Mechanisms relating to the Coronavirus Disease (COVID-19) Pandemic (April 2020) <https://undocs.org/CAT/OP/10>, 10(g).

5 REHABILITATION & DEVELOPMENT

5.1 Regimes

In June 2021, the Irish Prison Service was in the process of developing a framework to follow on from the Irish Prison Service Framework for Restrictive Measures, entitled the *Unwinding of Prison Restrictions*. The Framework was expected to be published by the end of June 2021.⁴⁸ As of early October 2021, the Framework had not been published.

5.1.1 Compliance

In response to restrictive regimes imposed by prison services to prevent transmission of COVID-19, the CPT Statement of Principles Relating to the Treatment of Persons Deprived of their Liberty in the Context of the Coronavirus Disease (COVID-19) Pandemic indicated:

While it is legitimate and reasonable to suspend nonessential activities, the fundamental rights of detained persons during the pandemic must be fully respected.⁴⁹

Further to this, in its Follow-up Statement⁵⁰ the CPT noted:

Importantly, temporary restrictions imposed to contain the spread of the virus must be lifted as soon as they are no longer required. This relates, in particular, to limitations on arrangements for detained persons to contact the outside world and reductions in the range of activities available to them.

Ireland ratified and is obliged under Article 10 (3) of the International Covenant on Civil and Political Rights (ICCPR) to provide rehabilitation for prisoners:

The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation.

It is essential that the purpose of imprisonment (rehabilitation) is balanced proportionately with the risk of COVID-19 transmission. As outlined under the UN Mandela Rules (Rule 4.1):

The purposes of a sentence of imprisonment or similar measures deprivative of a person's liberty are primarily to protect society against crime and to reduce recidivism. Those purposes can be achieved only if the period of imprisonment is used to ensure, so far as possible, the reintegration of such persons into society upon release so that they can lead a law-abiding and self-supporting life.

The CPT "Minimum Decency Threshold" (2021) stated: "A satisfactory programme of purposeful activities (work, education, sport, training, etc.) is of crucial importance for the well-being of prisoners."⁵¹

Furthermore, the UN Common Position on Incarceration (2021) recognises the importance of advancing rehabilitation and social re-integration:

⁴⁸ Houses of the Oireachtas, Prison Service, Tuesday 15 June 2021, <https://www.oireachtas.ie/en/debates/question/2021-06-15/1097/>

⁴⁹ CPT Statement of Principles (n 8) Principle 7.

⁵⁰ CPT Follow-up Statement regarding the Situation of Persons Deprived of their Liberty in the Context of the Ongoing COVID-19 Pandemic CPT/Inf (2020) 21 (9 July 2020).

⁵¹ CPT Minimum Decency Threshold (n 16).

In line with the Nelson Mandela Rules, the United Nations System will promote a rehabilitative approach to prison management that fosters the willingness and ability of prisoners to lead law-abiding and self-supporting lives upon release, and that is embedded in a decent, safe and healthy prison environment and the positive engagement of officers with prisoners.⁵²

5.1.2 Environment

Castlerea Prison was undergoing a significant regime change at the time of inspection. The Regime Management Plan revision was set across three phases. The first phase (29 March 2021) set out changes to be implemented that included: a new location for the Tuck Shop, the establishment of the Communications Room, and the commencement of prisoner engagement in the horticulture area. The first phase had largely been implemented at the time of inspection. The second phase (28 June 2021) of the new regime would implement work and training activities, such as waste management, stores, and staff mess. The third and final phase (30 August 2021) of the new regime, once implemented aimed to increase prisoner engagement with work and activities, and would result in the closure of the exercise yards Monday to Friday 08:00-17:00. At the time of inspection, Senior Management informed the Inspection Team that of the population of 292 prisoners, work in the prison would need to be sought for 150 prisoners. Senior Management informed the Inspectorate that Castlerea Prison was in the early stages of a Capital Development plan to support work and training and prisoner services.

At the time of inspection, periods of unlock continued to be staggered across Castlerea Prison landings to accommodate social distancing.

Incentivised Regimes

The *Incentivised Regimes* Programme was introduced by the Irish Prison Service in 2012 and is designed to reinforce good behaviour and encourage engagement in structured activities. There are three levels of incentivised regimes: basic, standard and enhanced with different privileges associated with different regime levels. The number of prisoners on the various Incentivised Regimes for Castlerea Prison was examined one and two years apart to determine if there was a significant change in regime allocation since the onset of the pandemic.

Table 9 outlines the numbers on each regime in 24 August 2019, 24 August 2020 and 24 August 2021.

Table 9: Incentivised Regime Levels (Castlerea Prison three years apart)

Date	Total Population	Enhanced	Standard	Basic
24 August 2019	307	45%	45%	10%
24 August 2020	305	43%	52%	5%
24 August 2021	291	50%	48%	2%

5.1.3 Outcomes

At the time of inspection, Castlerea Prison was in phase two of a regime change; the full implementation was due to be in effect by September 2021 when the school re-opened after the summer break. The regime change would see Castlerea Prison become a “working prison” with all prisoners provided with either work training or school opportunities during the day. The regime would timetable prisoners to attend either school or work training in the morning with recreation timetabled in the afternoon. The Inspection Team spoke with a large number of prisoners who were concerned with the implications for

⁵² UN Common Position on Incarceration (2021) (n 27).

prisoners who did not engage with work or school. Prisoners reported being told by prison staff that if they did not engage in work or school activities they would be subjected to 23-hour lock-up in their cells:

“Rumours that if you’re not working you’ll be locked up 23 hours.”

“Heard about a 23 hour lock up if you’re not working.”

“All be kept behind door until 5:15 in evening from 1 September unless you’re working, if you don’t work what will happen?”

The Inspection Team sought clarity from Senior Management with respect to the impact of the regime change in September 2021. The Team was informed that if a prisoner refused to attend school or work training there would not be an alternative option available to facilitate out-of-cell time, as the prison did not have the facility for a prisoner to stay on the landings or in the yard during those times. While the effort to engage prisoners in work training and education activities is welcome, this initiative should not penalise prisoners who do not engage in work or school. The Inspectorate is of the view that prisoners should not experience extended periods of time in their cells, especially in circumstances where this can potentially lead to solitary confinement.

5.1.4 Recommendation

Recommendation 17: Castlereagh Prison should consider maximising the capacity of activities and services in the prison so that all prisoners have an opportunity to engage, in accordance with social distancing guidelines. In doing so, particular attention should be made to ensuring prisoners are not adversely impacted should they decide not to engage in activities.

5.2 Access to Education

During the course of inspection, the Inspection Team examined how access to education was facilitated in the prison, and also learned of initiatives and ideas that have great capacity to improve access to education.

5.2.1 Compliance

The Irish Prison Rules 2007-2020, Rules 27.2, 27.3 and 110 encompass the prison obligation to provide education programmes for prisoners. Education is recognised as an “authorised structured activity” with the objective of reducing the likelihood of reoffending (Rule 27.2). Rule 27.3 mandates that “In so far as is practicable, each convicted prisoner should be engaged in authorised structured activity for a period of not less than five hours on each of five days in each week.” Rule 110 provides that education programmes should meet the needs of prisoners, be designed to encourage participation, and that special attention should be given to prisoners with literacy and numeracy needs.

The Mandela Rules (Rule 104) state that education of young and illiterate prisoners should be compulsory and that, “so far as practicable” the education of prisoners shall be integrated with the educational system of the country so that after their release prisoners may continue their education without difficulty. In addition, the European Prison Rules (Rule 28.1) state that every prison shall seek to provide all prisoners with access to educational programmes that are “as comprehensive as possible and which meet their individual needs while taking into account their aspirations.” Much like the Irish Prison Rules (Rule 110), the European Prison Rules state that persons with literacy and numeracy needs should be prioritised (Rule 28.2). These Rules also echo the Mandela Rules by stating that

education and vocational programmes should be integrated with the country's general system so that prisons can continue their education and training after release without difficulty (Rule 28.7).

In regards to library access, the Irish Prison Rules require the establishment of a library in each prison (Rule 110.6), to which prisons should be entitled to avail of at least once a week (Rule 110.7). The Mandela Rules (Rule 64) state "Every prison shall have a library for the use of all categories of prisoners, adequately stocked with both recreational and instructional books, and prisoners shall be encouraged to make full use of it." Rule 28 of the European Prison Rules aligns with these provisions by recommending 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." The European Prison Rules also include a provision that, wherever possible, the prison library should be organised in co-operation with community library services (Rule 28.6).

5.2.2 Environment

The school in Castlerea Prison had closed at the beginning of the pandemic (March 2020) and re-opened in September 2020. It then closed from January 2021 to March 2021 as a result of the pandemic. At the time of inspection, the school in Castlerea Prison was closed for summer holidays. The school was due to resume in the last week ending August 2021 with one metre social distancing measures in place. This increased the number of students permitted in some classrooms. Castlerea Prison library opening times aligned with the school as the library was located in the school facility. This meant that the library was closed throughout the summer.

Teaching staff reported that in the early stages of the pandemic prisoners were provided with printed materials, and videos were developed for circulation on the in-cell TV channel. Approximately 24/25 teaching staff prepared videos on a weekly basis and covered subjects such as art, cooking and computer classes. The videos varied in length, but were approximately 5-9 minutes in length.

When the school reopened in September 2020, teaching staff attended the school and prisoners from across various landings attended the school at different times. A member of the Education Staff stated, "Segregation of landings made it [school] run better."

Three prisoners were enrolled in Open University, and were provided with laptops to enable them to complete their coursework.

A new initiative to encourage development of literacy skills, called "Storybook," was being implemented by the school for the forthcoming academic year. Prisoners who were fathers would prepare a story, illustrate it and then the completed book would be sent to their children.

In total, there were 24 teachers (this included part-time teachers) allocated to the school. However a member of teaching staff reported that this would be reduced to 19 staff by the end of the new academic year. This was as a result of COVID-19 related sick leave, parental leave and absences.

There were reportedly no Junior Certificate or Leaving Certificate programmes available in Castlerea Prison in the last three to four years. Various Qualities and Qualifications Ireland (QQI) modules were provided in Castlerea Prison with Level 4 and Level 5 certificates.

The School provided theoretical modules in equine care with the intention to provide prisoners with the knowledge required to engage with the horse care programme in partnership with the Horse Welfare Trust (Section 5.3). Ten prisoners had completed these theoretical modules by the end of June 2021.

Table 10 provides the school timetable for 2020/2021.

Table 10: School Timetable 2020-2021

Time	Monday	Tuesday	Wednesday	Thursday	Friday
09:15 - 12:15 Am 1 + AM 2	Computers 3 Short Order Cooking Interviews Art HRF 3 Humanities Music L2 Painting 4 / 5 HRF 4 ESOL Drama Woodwork 4 / 5	Short Order Cooking Inter/ Manage time Crime awareness Art Red Cross Computers 3 / 4 / 5 Music instruments Pre-release 3 Adult Guidance Maths 3 / 4 / 5 ESOL Level 1 Fetac Woodwork L2 Research and study L5	Toe by Toe Tech Graph Puppetry Textiles Interviews Customer Service Soft Skill Art 3 / 4 / 5 Computers English Per Effect 4 / 5	L3 Cooking Theory Work Experience 3/4/5 Interviews ITABE Art Rec HRF Computers Painting Soft Skill Art 3 / 4 / 5 Maths 3 / 4 / 5 Business Level 1 / 2	Toe by Toe Cooking S/C L5 Combined Materials Computers Music L2 Art Interviews ESOL Drama Computers Woodwork L2English
14:15 - 16:15	Cooking Parenting L3 Irish L3 Humanities Music instruments Art Per effectiveness ESOL Computers Communication Drama	Soft Skills Cooking Recovery College Irish Computers 3 / 4 / 5 Art 3 / 4 / 5 Pre-release 3 Art 3 / 4 / 5 Red Cross English 3 / 4 / 5 Woodwork theory	Computers 3 Cook ITABE Woodwork S/C ITABE Art Textiles Red cross Soft Skill Maths Red Cross ESOL English L3 Per Effect	Cook L3 Wood theory ITABE HRF 3 Computers Work Exp Textiles English 3 / 4 / 5 Computers	Computers Coaching Lifers Cooking inter/ Manage time Combined Materials Art Smoking Cessation Art L 3 / 4 ESOL Drama House Budgeting
17:30 - 19:30	Interview Art Psychology				

The Woodwork Shop in Castlerea Prison opened Monday to Friday 08:00 to 17:00. It opened in conjunction with unlock times in the prison which were set at two hours in the morning (10:00 to 12:00) and one and a half hours in the afternoon (14:30 to 16:00). Prior to COVID-19, the capacity of the Woodwork Shop was eight prisoners per session. At the time of inspection, there was a maximum occupancy of six prisoners and one staff member. A business plan was submitted by the Work Training Officer to Senior Management to extend Woodwork Shop opening times to include evenings and weekends; this would increase weekly access to a total of 24 prisoners.

5.2.3 Outcomes

The closure of the school and the library during the summer months was reported by prisoners and staff as having a negative impact:

“(Schools closed) is an absolute disaster.”

”“Prisoners are longing to learn.”

“Without school, it’s very boring.”

“School is closed - library is closed; that’s a big area that we could improve on.”

It was also reported that students missed opportunities to engage in practical subjects, such as Home Economics.

Given that prisoners engaged in work received a work payment, it was reported that prisoners were more likely to seek out engagement with work than they were to attend school.

Prisoners attending Open University courses were provided with an IPS-issued laptop to assist in learning and completion of assignment requirements. Students completed assignments on the laptop, placed them on a USB and then shared the USB with the teacher as there was no internet access allowed in the cell. One prisoner informed the Inspection Team that he had received great support from the prison staff and management in furthering his education.

At the time of inspection, the Red Cross and Traveller Mediation Service provided mediation training and mediation certification to prisoners. In collaboration with Maynooth University and the Edward Kennedy Institute for Conflict Intervention, the Traveller Mediation Service and staff from the Education and Training Board (ETB) worked with students to qualify them for mediator MII accreditation. Since its inception, it was reported that 150 to 160 prisoners had completed the course. It was reported that 18 prisoners and two teachers had commenced the programme in September 2019 - December 2019. Nine prisoners sat exams and eight of nine students passed the exam in the first round of exams. The Inspection Team was informed that there were currently three to four professional mediators in Castlerea Prison.

5.2.4 Recommendation

Recommendation 18: 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 prisoner use. These digital tablets could be pre-loaded with education materials.

OIP Comment: The Inspectorate has recommended in the Mountjoy Prison, Cloverhill Prison, Wheatfield Prison, Limerick Prison, Portlaoise Prison and Shelton Abbey Prison, Arbour Hill Prison, Cork Prison and Midlands Prison COVID-19 Thematic Inspection reports that digital tablets be made available for prisoner use. The IPS has indicated their response to this recommendation is under review and that the Service is “developing an in-cell learning strategy to enhance learning from prison cells.” In response to the Midlands Prison COVID-19 Thematic Inspection Report recommendation, the Irish Prison Service noted in the Action Plan that the “Director of Care and Rehabilitation continues to engage with the staff representative association on the introduction of blended learning and progress is anticipated in the immediate future.” The Inspectorate welcomes this, and will continue to monitor and assess this initiative.

5.3 Access to Exercise/Interactions

Restrictions on exercise and meaningful human interaction were implemented by the Irish Prison Service to prevent transmission of COVID-19 in Irish prisons. While recognising the utility of these restrictions, the Inspection Team focused on the impact of these measures on the people in Castlerea Prison.

5.3.1 Compliance

Rule 32(1) of the Irish Prison Rules mandate that all prisoners not employed in outdoor work or activities are entitled to not less than one hour of exercise in the open air each day, weather permitting. In addition

to this, the Rule states that “in so far as is practicable,” all prisoners must be permitted access to the use of indoor space and equipment for physical recreation, exercise or training.” However, the 2020 Amendment to the Irish Prison Rules 2007-2017, Rule 32A provides an amendment to Rule 32, whereby it permits the Director General (32A(1)) or the Governor, subject to any direction made by the Minister or the Director General (32A(2)) “to suspend the entitlement to physical recreation, exercise or training under Rule 32, or to restrict or modify the entitlement to physical recreation, exercise or training under Rule 32, as regards frequency, duration and arrangements, for a specified period or periods.” The lack of a sunset clause for the newly added Rule 32A is of concern to the Inspectorate.

Although the Irish Prison Rules now allow for a restriction on exercise and physical recreation, international standards require that these restrictions be necessary, proportionate, respectful of human dignity and restricted in time. Further, international prison oversight bodies, such as the CPT, have determined that outdoor exercise facilities “should be reasonably spacious and whenever possible offer shelter from inclement weather.”⁵³

With regard to meaningful human interactions, the Irish Prison Rules, Rule 27, provides that “subject to any restrictions imposed under and in accordance with Part 3 of the Prisons Act 2007 and Part 4 of these Rules”, each prisoner shall be allowed to spend at least two hours out of his or her cell with an opportunity during that time for meaningful human contact. “Meaningful human contact” is defined in Rule 27.4 as “an interaction between a prisoner and another person of sufficient proximity so as to allow both to communicate by way of conversation.”

In terms of meaningful activity, the Mandela Rules state that prisons shall have a library that is adequately stocked (Rule 64) and that prisoners should have access to exercise (Rule 23) and be able to practice their religion (Rule 65). Rule 88 of the Mandela Rules also states that:

The treatment of prisoners should emphasize not their exclusion from the community but their continuing part in it. Community agencies should therefore be enlisted wherever possible to assist the prison staff in the task of social rehabilitation of prisoners.

Despite restrictive measures imposed to prevent COVID-19 transmission, the standard on access to meaningful human contact remains, with the CPT stating in its March 2020 Statement of Principles: “on cases of isolation or placement in quarantine of a detained person who is infected or is suspected of being infected by the SARS-CoV-2 virus, the person concerned should be provided with meaningful human contact every day” (CPT Principle 8). For prisoners separated from the general population of the prison, on any grounds, a denial of two hours of meaningful human contact each day is solitary confinement.

While the Irish Prison Rules 2007-2020 provide a definition of “meaningful human contact”, the University of Essex and Penal Reform International’s *Initial Guidance on the Interpretation and Implementation of the UN Nelson Mandela Rules*⁵⁴ provides further substance to this principle as it is:

- provided by prison or external staff, individual prisoners, family, friends or others – or by a combination of these;
- human contact that is face to face and direct (without physical barriers) and more than fleeting or incidental, enabling empathetic interpersonal communication;
- contact that must not be limited to those interactions determined by prison routines, the course of (criminal) investigations or medical necessity; and

⁵³ CPT Standards (n 37) 16.

⁵⁴ Essex Paper 3 Initial Guidance on the Interpretation and Implementation of the UN Nelson Mandela Rules (2017) <https://rm.coe.int/16806f6f50>.

- direct rather than mediated and continuous rather than abrupt contact, that is an empathetic, sustained and social interaction.

The Guidance also states that it does not constitute “meaningful human contact” if prison staff deliver a food tray, mail or medication to the cell door, and it also does not include situations where prisoners are able to shout at each other through cell walls or vents.

While acknowledging that the University of Essex and Penal Reform International Guidance on meaningful human contact requires face-to-face interaction, the recent guidance from the UN Subcommittee on SPT within the context of COVID-19 require that states “compensate for the social isolation by using any means to improve social and family contact.”

5.3.2 Environment

Castlerea Prison had two gyms; one located in the main prison (A Division and Harristown Unit) and one located in The Grove. The Standard Operating Procedure for the main gym set out the cleaning schedule for the day. Prisoners were rostered on a list from each landing and were unlocked at the scheduled time. The gym was cleaned after each session and deep cleaned at the end of the day by assigned cleaners.

At the time of Inspection, recreation halls in Castlerea Prison were closed as staff were reassigned to facilitate prisoner video calls.

Table 11 outlines the status of the list of activities (both suspended and resumed) in Castlerea Prison at the time of Inspection:

Table 11: Activities Suspended during the Pandemic

Activities Suspended	
Gym	returned in line with public health guidelines
Astro Turf Pitch	since returned in line with public health guidelines
Religious Services	returned under discussion at the time of inspection
In Reach	psychology group work resumed at the time of inspection
Red Cross Group Meetings	resumed
Lifers Review Meetings	resumed
Workshops	All closed initially, except for essential services (kitchen, laundry, industrial cleaning and waste management). All other workshops reopened in May following risk assessments and in adherence to public health guidelines
Men’s Shed	since returned in line with public health guidelines
Recreation Halls	closed at the time of inspection
School	since returned in line with public health guidelines

The Psychology Service in Castlerea Prison received 52 service referrals since March 2020; 15 of these were for triage assessment and 37 for intervention. At the time of inspection there were 78 people on the waiting list for psychological services. The Psychology Team in Castlerea Prison comprised of one Full-Time Psychologist and one Assistant Psychologist.

The Merchants Quay Ireland (MQI) Annual Report 2020 outlined that addiction counselling service in the prison had provided 825 counselling sessions (an average of 69 sessions a month) and 187 brief interventions (an average of 15 a month in 2020). At the time of inspection, MQI staff reported that the waiting list for engagement with MQI services stood between 70 and 90 for addiction counselling.

Castlerea Prison had recently opened (May 2021) a horticulture area; 10 to 12 enhanced prisoners from the main part of the prison were able to work in the horticulture area. At the time of inspection there were eight men working this area.

There was also a newly established Equine Unit on the grounds of the prison. The Unit had ten stables and five horses in two outdoor areas. A prison officer noted that the Equine Centre had capacity for five prisoners to work there at one time. The Equine Unit was a partnership project with the Horse and Welfare Trust. At the time of inspection there was a sufficient level of prisoners trained to start work at the Equine Unit, however this had not progressed due to an unfilled staffing post. While the prison had recruited for this position, the Work Training Officer declined the post and the prison was in the process of recruiting the post locally.

5.3.3 Outcomes

The gym in the main block was visited by the Inspection Team on the first day of inspection. The exercise machines were observed to be in good condition with a wide variety of exercise equipment available. The Inspection Team noted a side room off the gym that held all the required cleaning products for the gym. Upon observation of the gym in The Grove, the equipment was in need of repair. This feedback was provided to Senior Management at the Closeout Meeting on 30 August 2021.

On both days of inspection, the Inspection Team observed prisoners in the yards either walking around, playing football or sitting down. The yards were observed as grey and bleak in appearance. The Astro Turf pitch had reopened but was not in use when the Inspection Team visited it. Prisoners spent much of their day in the yard or in their cells as there was no school and limited opportunities to engage in work and activities.

The establishment of the Equine Unit in Castlerea Prison is much welcomed by the Inspectorate. Given the demographics of the prisoner population in Castlerea Prison, the Equine Unit offers great potential for prisoners to engage, and become certified in a skill that has potential for future employment. However, due to a longstanding vacant staff post, prisoners were unable to work in the Equine Unit at the time of inspection (only one prisoner was permitted to work in the Equine Unit alongside a staff member from the Horse Welfare Trust). Senior Management informed the Inspectorate that the most significant challenge for opening and facilitating access to the Equine Unit was securing staff to manage the Centre.

In a follow-up phone call with Senior Management on 8 October 2021, it was confirmed that a local Work Training Officer was assigned to the position at the Equine Unit. Six prisoners were working in the Equine Unit. These prisoners had completed theory modules in the school. Each prisoner looked after one horse, and worked in the stables from 9.20-12.20 and 14:00-16:00. One prisoner looked after the stables over the weekend. This training programme was accredited; modules included Horse Behaviour and Safe Handling, Horse Health, Grooming, Track and Rugs, Care of the Stabled Horse and Grass, Feeding Horses, Hoof Care, Illness and Disease and First Aid. Physical work in the stables would run over a period of initially eight weeks.

In relation to access to drug counselling services, prisoners reported extensive waiting periods. One prisoner reported waiting for an assessment with a drug counsellor since late 2020. A large number of prisoners spoke about the waiting list to see an addiction counsellor:

“Haven’t seen drug counsellor or psychology – six months on a waiting list.”

“Need to see a drug counsellor but can’t get one.”

“Four months waiting to see an addiction counsellor.”

A small number of prisoners reported difficulties in accessing psychology.

Prisoners spoke positively about working in the horticulture area; one prisoner stated, “it’s like not being in prison for the day when we’re out here.”

On a walk around the in-reach services area, the Inspection Team noticed a risk around the storage of personal prisoner data that was brought to the attention of management. This issue was immediately addressed by Senior Management.

Senior Management reported that the Samaritans had qualified three listeners and one facilitator in May 2021, and had continued the Alternatives to Violence Project (AVP) through email.

The Inspection Team did not observe any prisoners in the fabric shop during inspection. This was raised at the Closeout Meeting on 30 August 2021 where Senior Management informed the Inspectorate that the Fabric Shop was scheduled to be open however due to annual leave it was closed during the inspection.

5.3.4 Recommendation

Recommendation 19: The Inspectorate recommends that efforts be made to include green spaces in and around the main prison yards.

Request for Information 2: The Inspector of Prisons requests to be provided with information on the direction given to Castlerea Prison by the Irish Prison Service to implement S.I. 250 - Prison (Amendment) Rules 2020 - Rule 32A of the Irish Prison Rules.

6 RESETTLEMENT

6.1 Release

As part of the COVID-19 Thematic Inspection of Castlerea Prison, the Inspection Team examined the impact of COVID-19 restrictive measures on programmes designed to prepare people for release from prison.

6.1.1 Compliance

The Irish Prison Service has committed itself to the management of custodial sentences in a way that “encourages and supports prisoners to live law abiding and purposeful lives as valued members of society.” To enable and operationalise this, the Irish Prison Service (IPS) 2019-2022 Strategic Plan determines to “further develop the integration of prisoner care and support services to deliver more effective rehabilitation to prisoners.”⁵⁵ Alongside this, the IPS and the Probation Service have developed a multi-agency strategy to manage and rehabilitate “offenders” from pre- to post-imprisonment. This strategy involves Integrated Sentence Management (ISM); Community Return; Probation Service case management and post-release supervision; and engagement with the Irish Association for the Social Integration of Offenders (IASIO) Resettlement Service.

The stated aim of this multi-pronged strategic approach is to ensure “that all releases from Irish prisons and places of detention are planned releases to ensure the informed and effective transition of the offender from prison to the community, in compliance with statutory, legal and sentencing provisions.”⁵⁶

The Irish Prison Rules include provisions which place responsibility on the Governor to “assist and encourage prisoners in (...) preparing for reintegration into society after release” (Rule 75(1)(ii)(d), and on the Prison Officer “to contribute to the rehabilitation and reintegration into the community (...) of prisoners” (Rule 85(3)(c)(iv). An Inter-Agency Group was established to implement key recommendations made by the Penal Policy Review Group to support the rehabilitation of offenders and crime prevention.⁵⁷ However, the Group’s last published report was in 2019. Despite this absence in the national legislation, international human rights law and standards place great emphasis on preparation for release.

The Mandela Rules (Rule 87) state:

Before the completion of the sentence, it is desirable that the necessary steps be taken to ensure for the prisoner a gradual return to life in society. This aim may be achieved, depending on the case, by a pre-release regime organized in the same prison or in another appropriate institution, or by release on trial under some kind of supervision which must not be entrusted to the police but should be combined with effective social aid.

Further to this, the 2020 European Prison Rules 33, 103 and 107 recommend, amongst numerous other related provisions, the following:

⁵⁵ IPS, “Irish Prison Service Strategic Plan 2019-2022” https://www.irishprisons.ie/wp-content/uploads/documents_pdf/Irish-Prison-Services-Strategy-2019-2022.pdf.

⁵⁶ IPS, “Resettlement and Reintegration” <https://www.irishprisons.ie/prisoner-services/reintegration/>.

⁵⁷ Annual Report of the Interagency Group for a Fairer and Safer Ireland, http://www.justice.ie/en/JELR/Annual_Report_of_the_Interagency_Group_for_a_Fairer_and_Safer_Ireland_2018.pdf/Files/Annual_Report_of_the_Interagency_Group_for_a_Fairer_and_Safer_Ireland_2018.pdf and; http://www.justice.ie/en/JELR/Annual_Report_of_the_Interagency_Group_for_a_Fairer_and_Safer_Ireland_2019.pdf/Files/Annual_Report_of_the_Interagency_Group_for_a_Fairer_and_Safer_Ireland_2019.pdf

- All prisoners shall have the benefit of arrangements designed to assist them in returning to free society after release (Rule 33.3);
- As soon as possible after such admission, reports shall be drawn up for sentenced prisoners about their personal situations, the proposed sentence plans for each of them and the strategy for preparation for their release (Rule 103.2);
- Sentenced prisoners shall be encouraged to participate in drawing up their individual sentence plans (Rule 103.3);
- Such plans shall as far as is practicable include: (a) work; (b) education; (c) other activities; and (d) preparation for release (Rule 103.4);
- Sentenced prisoners shall be assisted in good time prior to release by procedures and special programmes enabling them to make the transition from life in prison to a law-abiding life in the community (Rule 107.1);
- Prison authorities shall work closely with services and agencies that supervise and assist released prisoners to enable all sentenced prisoners to re-establish themselves in the community, in particular with regard to family life and employment (Rule 107.4); and
- Representatives of such social services or agencies shall be afforded all necessary access to the prison and to prisoners to allow them to assist with preparations for release and the planning of after-care programmes (Rule 107.5).

6.1.2 Environment

The ISM (Integrated Sentence Management) programme is a system developed to ensure co-ordination of interactions with prisoners based on agreed sentence plans. The system is designed to allow prisoners to take greater responsibility for their development while in prison. If a prisoner has received a sentence of one year or more they are eligible to be assessed by an ISM officer. The intention of the ISM system is that a plan for the prisoner is created and regularly reviewed. The ISM officer should meet with a prisoner approximately one year prior to release to establish a plan for re-integration.

At the time of inspection Castlerea Prison had two ISM officers who worked back-to-back on the roster; this resulted in no ISM coverage in cases of annual leave or sick leave. The ISM function worked through a new centralised system integrated within the Prisoner Information Management System (PIMS), which was described as a “game changer” by staff as it allowed for a more streamlined reporting system. ISM officers had conducted a total of 223 interviews in the six weeks prior to the on-site inspection in order to update prisoners’ information onto the centralised system. The interview template included a set of questions that covered the following areas:

- Probation service details including a note on any Post Release Supervision (PRS);
- Information on healthcare needs including addiction support;
- Sentence details including length of sentence and most serious offence;
- Education details;
- Work Training Service referral request;
- Resettlement accommodation including information on accommodation arrangements prior to coming to prison and if assistance is needed to make an application for social housing supports on release;
- Financial assistance including any assistance required for social protection benefits on release;
- Community supports including contact assistance to any community based organisation, and
- Any other additional needs

Castlerea Prison released a total of 426 prisoners between 24 August 2020 and 24 August 2021. Of the 426 prisoners released, 55 prisoners were released to the Community Support Scheme (CSS) and six prisoners were released to the Community Release Scheme (CRS).

The Irish Prison Service and the Irish Red Cross produced an information leaflet “COVID-19 (Coronavirus) Preparing for Release Information - Edition 5” 20 July 2021 (Figure 10).

Figure 10: Leaflet Excerpts - COVID-19 (Coronavirus) Preparing for Release Information - Edition 5, 20 July 2021

COVID-19 (Coronavirus) Preparing For Release Information – Edition 5
Irish Prison Service 20 July 2021

Important Information on services available and what to expect if you are due to leave Prison during COVID-19

As you are aware, Ireland and the rest of the world are in the middle of a global health emergency with the COVID-19 virus. Life as we knew it has changed dramatically and this booklet will tell you about these changes and how best to go about accessing services that are important to you!

If you have any questions, please ask! We are happy to help you prepare for leaving Prison during this health emergency!
Don't forget to take this booklet with you when you leave!

EU Digital Covid Certificate
A new EU Digital Covid Certificate is being sent out by post or email, starting from 12th July. It can be used to allow access to restaurants or cinemas. This certificate will be used as:
(1) Proof of Vaccination, OR (2) Proof of Negative Covid test result; OR
(3) Proof of Recovery from Covid in the past 6 months.
The Digital Certificate Helpline number is: 1800 851 504

COVID-19 Vaccine After Prison
It has been decided to go from prison to prison and vaccinate everyone in all age groups. If you receive your first vaccination in prison, you can get the second vaccine by registering when advised by the government. Listen to the radio and check media so you know when to ring up or log on to register for your second vaccine. Your second dose may be a different vaccine than what you received in prison. It makes no difference if you get a different vaccine for your second dose. Currently, some countries are giving a different vaccine for the second dose.

A record card will be completed for you when you get your first dose, and this will be held for you in the healthcare area in the prison. Upon release, take your card with you and present it to the HSE official when getting your second dose.

The quickest way to register for your vaccine through the HSE web-link:
<https://vaccine.hse.ie/>

You can currently register for your COVID-19 vaccine if you are aged 30 years or older. To register online, you will need:

- A mobile phone number
- An email address
- Your PPS number
- Your Eircode

If you do not have these things, call the COVID-19 helpline to register by phone instead.
Freephone: 1800 700 700 | Phone: 01 240 8787
Open 8am-8pm Monday-Sunday. The best time to call is between 1pm-6pm to get through to an operator quicker.

Pharmacy Vaccines are now available at your local pharmacy if you are aged 50 and over or are ages 18-34. Many pharmacies are now offering people in these age groups the Janssen single-dose COVID-19 vaccine. To get your vaccine at a pharmacy, book your appointment with one of the pharmacies on the list of participating pharmacies.

The leaflet included information on what to expect when a prisoner leaves prison and also provided information on the COVID-19 restriction rules in the community as they were on 16 July 2021. The information leaflet provided a Digital Certificate Helpline Number and stated that a new EU Digital Certificate was due to be sent out by post or email from 12 July 2021. Further, the leaflet provided information on the Delta Variant and prevention of COVID-19. It also outlined contact details for various support agencies in the community which included the Travellers in Prison Initiative, Pathways, Threshold, Merchants Quay Ireland, Bedford Row, and other addiction support services.

6.1.3 Outcomes

The new initiative to centralise all ISM information on the PIMS system received positive feedback from staff in Castlerea Prison. The Inspection Team was informed that the new process allowed for a reduction of paper waste and an elimination of duplication with referrals. Staff also reported that the digital centralised system left “no hiding place” for either staff or prisoners as all referrals and information were readily accessible.

The Inspection Team was informed that a pilot programme had recently concluded whereby ISM officers were authorised use of laptops that enabled them to engage with prisoners on landings and to access information when away from the ISM office. Staff reported that this pilot had been a success. Prison officers saw great value in the role of the ISM, with one staff member stating,

“I see a lot of the same faces; then I see their sons. That’s what we want to stop, that cycle. We want to make a change and difference in prisoner’s lives.”

The ISM office played an integral role in linking together services in the prison, and served as the key referral pathway for prisoners.

Prisoners reported different experiences in relation to engagement with the ISM programme. A small number of prisoners stated that they had only had contact with the ISM service in recent weeks. One prisoner reported that the ISM programme had assisted him in renewing an employment certificate prior to his release so that he would be better prepared to seek employment in the community. A small number of prisoners reported they had little engagement with release services.

The Inspection Team received feedback from a small number of prisoners who reported a lack of clarity regarding their individual Parole Board case, citing delays in completion of Parole Board reports and a lack of opportunity to fulfil Parole Board requirements. This was discussed at the Closeout Meeting with Castlerea Senior Management on 30 August 2021.

A large number of prisoners reported to the Inspection Team that their release dates had recently been extended without explanation. For example, one prisoner stated his release date had been moved from January 2022 to June 2022 and another prisoner reported that two months had been added to his sentence. This information had come to the attention of the prisoners when they sought information on their prisoner accounts, at that point they saw a change had been made to their release date. A prison officer confirmed that extensions had seemingly been made to release dates for a number of prisoners. The Inspection Team raised this issue with Senior Management, who reported that the IPS had commissioned a review of all sentence calculations across the prison estate in the spring of 2021, which resulted in all sentences being audited. A component of that review included the calculation of credit days applied to prisoner sentences. This part of the review was conducted in Castlerea Prison in August 2021; 52 individual prisoner sentences had been examined and resulted in a change to release dates for 30 prisoners, only one of which was a reduction in time spent in prison. Castlerea Prison Senior Management informed the Inspection Team that they had informed all prisoners whose release dates were effected up until the end of the year, and that the remaining release date changes were being re-checked to ensure accuracy.

6.1.4 Recommendation

Recommendation 20: The Inspectorate recommends that the Irish Prison Service put appropriate arrangements in place to ensure that prisoners are able to engage with services required in order to fulfil Parole Board requirements.

OIP Comment: The Inspectorate recommended in the COVID-19 Thematic Inspection report with respect to Shelton Abbey and Midlands Prison that the Irish Prison Service ensure prisoners are able to engage with services required in order to fulfil Parole Board requirements. The Irish Prison Service indicated “This recommendation is under review pending the commencement of the statutory Parole Board” with relation to Shelton Abbey. With respect to Midlands Prison, the Irish Prison Service accepted the recommendation and stated, “appropriate arrangements are in place to facilitate engagement with services as required by the Parole Board. These services must be provided in line with current public health guidelines.”

7 RECOMMENDATIONS & IPS ACTION PLAN

No.	Recommendation	IPS Response	Action Required	Action Owner	Timeline
CRCT1	In line with Section 42 of the Public Sector Duty, the Irish Prison Service must ensure that non-English speaking Foreign National prisoners and people who do not read have equal access to the provision of information, including COVID-19 regime information, in a language and format they can.	<p>Accepted: 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.</p> <p>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.</p> <p>The information, which has been designed by prisoners for prisoners, is provided in a clear, easy to read plain English format.</p> <p>This information booklet has been translated into several languages.</p> <p>In addition prisoners are provided with verbal information by prison management on the quarantine process including the timelines and testing process.</p>	<p>The Irish Prison Service will continue to provide translations of information provided.</p> <p>Castlerea Prison provides a verbal briefing to new committals and prisoners going on temporary release.</p>	<p>Care and Rehabilitation</p> <p>Prison Management</p>	In place and will be reviewed and augmented on an ongoing basis
CRCT2	The Irish Prison Service should provide prisoners with a written copy of the Irish Prison Services new framework on the Unwinding of Prison Restrictions. Prisoners should be consulted, and updated on future plans including, family visits, regimes, and sentence progression as COVID-19 restrictions unfold.	<p>Part Accepted: 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.</p> <p>Extensive communication with prisoners is undertaken at all times to raise awareness of changes to restrictive measures.</p> <p>Castlerea Prison management continue to brief prisoners on changes via Governor’s Parade and class officers are available to communicate with prisoner at all times.</p> <p>The Red Cross Prisoner Volunteers 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>Newsletter Edition 39 completed with comprehensive information on latest easing of restrictions.</p> <p>Specific Prisoner Information Leaflet on the Physical visits issued to all prisoners</p>	Communications Group	Completed

CRCT3	The Inspectorate recommends that the Irish Prison Service make all Office of the Inspector of Prisons' materials and reports readily available and accessible to all prisoners.	Accepted: The Irish Prison Service Communications team will work to identify opportunities to make Office of the Inspector of Prisons' materials and reports readily available and accessible to all prisoners.	Communications team to engage with colleagues at OIP	Communications/ Press Office	End Q4 2021
CRCT4	In line with Rule 66 of the UN Mandela Rules and in line with public health guidelines, akin to the community, in-person religious services should resume in Castlerea Prison. The Irish Prison Service and Castlerea Prison should address the issue of access to a local clergy member to perform weekly in-person religious services.	Accepted: Religious services resumed in Castlerea Prison on Saturday October 9 th and will continue on a weekly basis. All prison churches have been restored to full capacity in line with the most recent Government announcement on the easing of restrictions			Completed
CRCT5	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 prisoners on the impact of remote court hearings on participation and the right to a fair trial.	Part Accepted: The <i>Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020</i> 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 Irish Prison Service 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. 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.	Operations	Reviewed on an ongoing basis
CRCT6	In line with Rule 44.4 of the Irish Prison Rules, any correspondence sent to a prisoner by their legal adviser should only be opened in the presence of the prisoner. The Inspectorate recommends that Castlerea Prison put in place a system that ensures the opening of Rule 44 letters only occurs in accordance with Rule 44 of the Irish Prison Rules.	Accepted: A small number of Rule 44 letters were opened in error due to insufficient demarcation by the sender. The Irish Prison Service has notified the Law Society of this issue and they have agreed to reissue guidance on this to their members.			Completed

CRCT7	In line with Rule 13 and Rule 17 of the UN Mandela Rules and Rule 19 of the Revised European Prison Rules, Castlerea Prison should ensure that any accommodation provided for the use of prisoners, including holding cells, is kept clean at all times and meets all requirements of health, with due regard being paid to climatic conditions, “particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.”	<p>Accepted: Cleaners attend holding cells at Castlerea Prison every morning in advance of the cells being occupied.</p> <p>The Irish Prison Service is in the process of introducing new Video link booths which will be located closer to prisoner accommodation and will reduce the need for prisoners to be accommodated in holding cells prior to video link appearances.</p> <p>Castlerea Prison will be in the first phase of video booth installation.</p>	Installation of video link booths in Castlerea Prison	Operations / ICT	Q1 2022
CRCT8	The Inspectorate recommends that the Irish Prison Service engages with the Department 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>Accepted: Castlerea Prison has a bed capacity of 340. The daily average number in custody in 2020 was 297 or an average occupancy level of 87%. The average number in custody in Castlerea in 2021 (to 11/10/2021) is 289 or 85%.</p> <p>In March 2020 the Irish Prison Service took decisive action to reduce the prison population to ensure effective infection control measures.</p> <p>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>The IPS will continue to review the Prison Population Management Plan and will seek to 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>	Ongoing
CRCT9	In line with guidance issued by the WHO (2021) <i>Preparedness, prevention and control of COVID-19 in prisons and other places of detention</i> , all prisoners should have availability of sufficient quantities of safe water and handwashing supplies, both of which should be ensured throughout the COVID-19 response and in its aftermath.	<p>Accepted: Prisoners in general population in Castlerea Prison have daily access to a shower. A system to regulate the volume of water used per cell was installed in the Harristown Unit in Castlerea Prison in 2009.</p> <p>For safety reasons and to prevent the deliberate flooding of cells, a safety mechanism is in place that prevents the continuous flow of water from the sink in certain cells.</p> <p>The components to regulate water in the cells in this Unit are being replaced on expiry and the replacement components, while continuing to regulate the volume of water, will allow for a higher volume of water to be available.</p>	Installation of new water flow components on a fix and replace basis to all cells.	Castlerea Trades Officer/ BSD	Ongoing

CRCT10	The Irish Prison Service and Castlerea Prison must ensure full compliance with Rule 11 of the Irish Prison Rules, in which all prisoners are to be seen by a doctor on the day of admission to prison.	<p>Accepted: The Irish Prison Service has completed a recruitment campaign for prison with a number of new prison doctors joining the Service in 2021.</p> <p>Difficulties have arisen in securing a doctor for appointment to Castlerea Prison however, this remains a priority.</p> <p>The Service intends to run a competition for Castlerea Prison doctor to fill the vacancy that currently exists. It is anticipated that the competition will run in Q1 2022.</p> <p>In the interim, when a doctor is not available, new committals are given a preliminary medical examination by nursing staff in accordance with Rule 11 (2) of the Prison Rules 2007.</p>	Castlerea Prison Doctor recruitment competition	Care & Rehabilitation/ HR Directorate	Q1 2022
CRCT11	The healthcare team composition should be provided with adequate resources to ensure preventive and continuous healthcare is provided to prisoners in the care of Castlerea Prison.	<p>Accepted: See response to CRCT 10.</p>			
CRCT12	The Irish Prison Service should review the quarantine procedure for incoming packages to ensure it is continuously reviewed on a regular basis, consistent across the prison estate and warranted given public health guidelines; accurate records of incoming packages should also be made and kept.	<p>Accepted: The period of quarantine for incoming packages has been standardised across the prison estate to 72 hours with effect from 11 October 2021</p>		Irish Prison Service National Infection Control Team / Covid Liaison Group	Completed
CRCT13	The Irish Prison Service should develop a clear policy on the photocopying of post. This policy should apply key principles (e.g., proportionality, necessity, review and the recording of reasons for its justification) and balance the rights of prisoners against security concerns.	<p>Accepted: The operation of the Communications Office, which manages incoming and outgoing post, can be impacted by resourcing issues including the need to resource Court escorts.</p> <p>Every effort is made by management to ensure the Communications Office is resourced on a daily basis and to ensure that delays to the issuing of mail are minimised. For security reasons incoming post is photocopied to prevent access to illicit substances via impregnated paper.</p>		Operations Directorate	Q1 2022

		<p>A new screening device has been provided to Castlerea prison which will allow for the swabbing of all incoming post. This will reduce the requirement for the photocopying of incoming mail.</p> <p>The Operations Directorate are developing a national policy around scanning and photocopying of post.</p>			
CRCT14	<p>In line with Article 8 of the ECHR, Article 9(3) of the UNCRC and in accordance with the CPT principles of necessity and proportionality, the Irish Prison Service should ensure the full return of visits in accordance with Rule 35 of the Prison Rules, 2007 as a matter of priority following the mass vaccination of prisoners, in accordance with public health guidelines in congregated settings.</p>	<p>Part accepted:</p> <p>The Irish Prison Service has announced the further easing of restrictions on physical prison visits with effect from 1 November 2021 with physical visits returning to 30 minutes in all locations from that date.</p> <p>All prisoners will be entitled to receive 1 physical visit per fortnight.</p> <p>Up to 3 visitors will be permitted, of which 1 may be a child (U18 years of age).</p> <p>Prisoners will continue to be entitled to receive a video visit per fortnight.</p>	<p>Revised visiting arrangements introduced with effect from 1 November 2021.</p>		<p>Completed</p>
CRCT15	<p>Considering the unwinding of COVID-19 restrictions in the community, the Principle of Equivalence, and other relevant factors, such as the high vaccination uptake in prisons, the Inspectorate urges the Irish Prison Service to seek further guidance from the Health Service Executive to ease mandatory quarantine periods for prisoners, and consider alternative protective measures, such as use of FFP2 masks and restriction on movements while awaiting a test result.</p>	<p>Not accepted:</p> <p>The use of quarantine is an essential infection control measure which prevents the outbreak of Covid-19 in the general population.</p> <p>Since the beginning of this pandemic 100 prisoners in quarantine have tested positive for Covid-19.</p> <p>All prisoners are tested on day 7 and if they return a negative test and remaining symptom free they are cleared to join the general population.</p>		<p>Irish Prison Service National Infection Control Team</p>	<p>Not accepted</p>
CRCT16	<p>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 in coping with the impact of COVID-19 and subsequently imposed restrictive measures.</p>	<p>Accepted:</p> <p>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 tablets to proactively engage people on significantly restrictive measures, where required.</p>		<p>Care and Rehabilitation; Psychology Services</p>	<p>Completed</p>

CRCT17	Castlerea Prison should consider maximising the capacity of activities and services in the prison so that all prisoners have an opportunity to engage, in accordance with social distancing guidelines. In doing so, particular attention should be made to ensuring prisoners are not adversely impacted should they decide not to engage in activities.	Accepted: Infection control restrictions have been lifted in all prisons (except Cloverhill Prison) to restore prisoner services to full capacity. Prison gyms, yards and indoor recreation have been restored	Restrictions lifted with effect from 1 November 2021		Completed
CRCT18	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 prisoner use. These digital tablets could be pre-loaded with education materials.	Recommendation is under review: The Irish Prison Service is developing an in-cell learning strategy to enhance learning from prison cells. Laptops are provided to prisoners engaging on Open University course. 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. A review of the TV channel is to be carried out in 2022. CDETb have 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.	A large volume of in-cell audio-visual and printed material has now been produced by the ETBs. Director of Care and Rehabilitation continues to engage with the staff representative association on the introduction of blended learning and progress is anticipated in the immediate future.	Care and Rehabilitation	Q4 2021 Q4 2021
CRCT19	The Inspectorate recommends that efforts be made to include green spaces in and around the main prison yards.	Part accepted: Consideration will be given to enhancing the aesthetics of the prison yards. Security considerations will be taken into account when considering any enhancement to the prison yards.		Prison Management; Finance & Estates Directorate	End 2021
CRCT20	The Inspectorate recommends that the Irish Prison Service put appropriate arrangements in place to ensure that prisoners are able to engage with services required in order to fulfil Parole Board requirements.	Accepted: The Irish Prison Service has announced a significant easing of Covid-19 restrictions with effect from 1 November 2021 resulting in greater access to prisoner services including return to group and one to one methods of prisoner service delivery.		Operations	Completed

		<p>Education and Work and Training activities have been returned to full capacity (subject to available resources).</p> <p>Temporary Release programmes and escorted visits for resocialisation purposes have recommenced.</p>			
CRREQ 1	<p>The Inspector of Prisons requests to be provided with information on the direction given to Castlerea Prison by the Irish Prison Service to implement S.I. 250 - Prison (Amendment) Rules 2020 - Rule 36A of the Irish Prison Rules.</p>	<p>Restrictions on visit entitlements were introduced by the Irish Prison Service emergency Response Planning Team for infection control reasons and communicated to prison management via the Prison Liaisons Group.</p> <p>An amendment was made to the Prison Rules in April to give legal effect to these restrictions. All prisons have acted in accordance with the revised rules.</p>			
CRREQ 2	<p>The Inspector of Prisons requests to be provided with information on the direction given to Castlerea Prison by the Irish Prison Service to implement S.I. 250 - Prison (Amendment) Rules 2020 - Rule 32A of the Irish Prison Rules.</p>	<p>Restrictions on out of cell time and recreation entitlements were introduced by the Irish Prison Service Emergency Response Planning Team for infection control reasons and communicated to prison management via the Prison Liaisons Group.</p>			