

**Irish Prison Service Action Plan for the implementation of the recommendations contained in the
Inspector of Prison's Report on St. Patrick's Institution - June, 2012.**

Position at 5 October, 2012

SYSTEMIC ISSUES				
Issue	Action	Person responsible	Inspector's date for completion	Status
A minority of officers in St Patrick's involved in bullying and intimidating prisoners and other staff, provoking retaliation from prisoners and engaging in other forms of unprofessional and inappropriate behavior.	Comprehensive and targeted plan to be devised to bring about a shift in culture and attitudes. The plan is to be devised in conjunction with the newly appointed Governor, senior management in the Irish Prison Service, the IPS Training & Development Centre, the IYJS and the Dept of Children and Youth Affairs and the Staff Association.	Newly appointed Governor of St Patrick's supported by Senior Management.		Ongoing

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LOCAL MANAGEMENT				
Issue	Action	Person responsible	Inspector's date for completion	Status
<u>CLEANLINESS</u>				
Cells dirty and in need of painting. Inadequate furniture.	Rolling cleaning and painting programme has been put in place	Newly appointed Governor of St Patrick's	1 st November	Completed – ongoing enhanced cleaning programme in place.
	Notice boards being introduced for posters			Completed
	Where there are 2 occupants in a cell, second chair will be provided			Completed.
Areas of the prison dirty, unhygienic and equipment broken.	Improvements have been made to cleaning regime and Governor oversight of regime has now been introduced Broken drinking fountain now repaired and all fountains will be checked on a daily basis by Class Officers.	Newly appointed Governor of St Patrick's	1 st November	Completed Repairs completed – ongoing checks
Broken windows and cells cold	Perspex over-window being introduced - B1, B3 and D3 completed.	Newly appointed Governor of St Patrick's	1 st November	Completed.

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Showers in reception area dirty and require painting	Area has been cleaned and painted – will be maintained under improved cleaning regime	Newly appointed Governor of St Patrick's	1 st November	Completed
<u>REGIMES</u>				
Lack of structured activities for prisoners in yards.	Plan being drafted to enhance structured activities	Newly appointed Governor of St Patrick's	1 st November	Completed - gym officers are now organising football, table tennis and volley ball competitions in yards at weekends.
Protection prisoners not getting minimum exercise entitlement - limited yard access.	All protection prisoners to be afforded at least 1 hour exercise – where possible outdoors. Efforts will be made to increase yard access – possibility of splitting current yard being examined	Newly appointed Governor of St Patrick's	1 st November	Completed - all protection prisoners get at least 1 hour exercise per day Monday to Friday. Discussions ongoing in relation to splitting yard.
Workshop supplies not being delivered on time.	New supplier currently being sought	Newly appointed Governor of St Patrick's	1 st November	Completed

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Lack of education for prisoners on protection.	Introduction of enhanced education service for protection prisoners	Newly appointed Governor of St Patrick's	1 st November	Complete – prisoners are being brought over to B school on a time tabled basis.
Programmes, such as knowledge of healthcare and primary healthcare, currently in Wheatfield should be introduced in St Pats.	Possibility of introducing Red Cross programme or other suitable programmes being considered. Induction programme with focus on health education to be introduced.	Newly appointed Governor of St Patrick's	1 st November	Options currently being explored Programmes to come on stream shortly - Dedicated Committal Area has opened.
Lack of access to addiction services for prisoners on protection	Arrangements currently being put in place to enhance service to 5 days per week.	Newly appointed Governor of St Patrick's	1 st November	Completed
Prisoner mail not dealt with in timely manner	Post being received is dealt with on the same day. Post going out is dealt with inside 24 hours.	Newly appointed Governor of St Patrick's	1 st November	Completed – will be kept under review.
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			completion	
Colour coded clothing can have a negative effect	New arrangements currently being put in place to reduce negative impact – one colour for under 18s and different for over 18s	Newly appointed Governor of St Patrick's	1 st November	Ongoing.
Quality of the clothing provided is substandard, often ill fitting, dirty and in need of repair	Improved clothing currently being sought	Newly appointed Governor of St Patrick's		
Prisoners spending "recreation" time in the Library	Possibility of enhancing availability of outdoor exercise through splitting current yard being examined.	Newly appointed Governor of St Patrick's Director of Estates	1 st November	Solution is currently under discussion. To be concluded by end October 2012.
Religious needs of protection prisoners/some gang members not being attended to.	Arrangements being made to broadcast mass in cells	Newly appointed Governor of St Patrick's	1 st November	Action to be completed shortly - a decision has been made to fit cameras into the prison church with the aim of broadcasting mass to cells. A new TV system is also being installed.
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			completion	
Prisoners not always escorted on time for schools, visits etc.	Arrangements for Governors Parades being changed to ensure attendance does not delay attendance at structured activity.	Newly appointed Governor of St Patrick's	1 st November	Completed
Incentivised Regimes	Committee set up to devise implementation plan and timetable.	Newly appointed Governor of St Patrick's	1 st November	Ongoing – it is envisaged that the full rollout will be completed by the end of October 2012.
Dedicated Committal Area	Dedicated committal area to be introduced on B2 landing.	Newly appointed Governor of St Patrick's Director of Operations	1 st November	Completed
Dedicated High Support Unit/Low Support Unit.	Vulnerable Person Unit area to be introduced on C-Base and low support area to be introduced also (14 cells in total) - CNO and CNM currently devising plan with SOP Area will operate similar to that on D2 Cloverhill. Proposal includes multi D every Thursday Prisoners requiring placement in a high support unit will be transferred to Unit in Mountjoy	Newly appointed Governor of St Patrick's	1 st November	Ongoing – the local arrangements are in place. The Irish Prison Service is currently in discussion with the staff association in relation to the introduction of this new unit.
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<u>OPERATIONAL/SECURITY</u>				
No records keep of time spent in reception area	Record book now in place	Newly appointed Governor of St Patrick's	1 st November	Completed – will be kept under review.
Contraband entering the prison, over the wall, by visitors, by prisoners, by persons working in the prison	Security arrangements in place to tackle this issue – any areas of weakness will be identified and addressed with OSG	Newly appointed Governor of St Patrick's Director of Operations	1 st November	Ongoing
Nettings over the yards has failed	Proposal for the enhancement to netting, division of the yards and the provision of a raised observation post are currently being considered.	Director of Estates	1 st November	Ongoing -proposals to be finalised by mid October.
Garda patrols during exercise times	Arrangements have been made with Gardaí to increase their presence in the vicinity and this has proved very effective. This will be kept under constant review.	Newly appointed Governor of St Patrick's		Ongoing
Officers ignoring call bells after lock down	Extra CCTV being installed. Random review of night CCTV footage being undertaken	Newly appointed Governor of St Patrick's	1 st November	Completed – random checks are underway using CCTV reviews.
Inappropriate comments in Class Journals	Governor is checking journals daily	Newly appointed Governor of St Patrick's	1 st November	Completed
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			completion	
<u>C&R/SAFETY AND CLOSE SUPERVISION CELLS</u>				
Inadequate records re Removals/Relocation Journal and Removal/Relocation Forms – discrepancies between both	New procedures have been introduced	Newly appointed Governor of St Patrick's	1 st November	Completed
Prisoners being placed in Safety Observation cells for management purposes	New IPS arrangements introduced on 5 June 2012	Newly appointed Governor of St Patrick's	1 st November	Completed
Prisoner clothing being removed when placed in Safety Observation cell/Close Supervision Cell	New IPS arrangements introduced on 5 June 2012	Newly appointed Governor of St Patrick's	1 st November	Completed
C&R being used when prisoner indicates they are willing to walk to final relocation	Training to be provided to supervising officers and all staff re C&R relocations to ensure this does not happen	Newly appointed Governor of St Patrick's	1 st November	Training to supervising officers completed. 60% of other staff also complete. Remainder to be provided with refresher training by end November 2012
When C&R used, a member of medical team should be present or informed of same as soon as possible thereafter.	An arrangement in place to ensure this is complied with.	Newly appointed Governor of St Patrick's	1 st November	Completed.

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<u>PRISONER COMPLAINTS</u>				
Inadequate investigations into prisoner complaints	Investigations will be checked weekly by the governing Governor to ensure current policy is being implemented and adhered to	Newly appointed Governor of St Patrick's Director of Operations	1 st November	Completed – will be kept under review.
When complaints are logged, threats made or inducements are offered to have complaints withdrawn	Enhanced oversight of complaints procedure by Governor will address this issue.	Newly appointed Governor of St Patrick's	1 st November	Completed – will be kept under review.
<u>DISCIPLINARY SANCTIONS</u>				
P19 procedure being abused	Staff training to be conducted.	Newly appointed Governor of St Patrick's		Ongoing: training has commenced but has not been completed.
Sanctions imposed for breaches of discipline (loss of remission/visits/privileges)	New guidelines for the imposition of disciplinary sanctions to be introduced by the Irish Prison Service by end August, 2012	Newly appointed Governor of St Patrick's		Ongoing -new disciplinary sanctions policy to be introduced in October.
<u>PROTECTION PRISONERS</u>				
Over use of 23 hour lock up by management	Continuously being reviewed and fully documented	Newly appointed Governor of St Patrick's	1 st November	Ongoing

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Issue	Action	Person responsible	Inspector's date for completion	Status
Access to services for those on 23 hour lock up	Governor currently reviewing services in order to provide enhancements	Newly appointed Governor of St Patrick's	1 st November	Ongoing
<u>IOP STANDARDS</u>				
Standards 197, 200, 201, 204, 205, 211, 215, 216, 217, 218, 219, 220 and 226 of the Standards for the Inspection of Prisons in Ireland, Juveniles Supplement being ignored or not followed to the letter	see Appendix A	Newly appointed Governor of St Patrick's	1 st November	see Appendix A

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ESTATES DIRECTORATE				
Issue	Action	Person responsible	Inspector's date for completion	Status
Netting over the yards	Director of Estates to examine the issue.	Director of Estates	1 st November	Ongoing
CCTV blackspots to be identified and remedied	The Irish Prison Service have installed CCTV on general landing areas in St. Patrick's over recent months and is currently considering a further roll out of CCTV.	Newly appointed Governor of St Patrick's Director of Estates	1 st November	Completed - new cameras installed.

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CARE & REHABILITATION DIRECTORATE				
Issue	Action	Person responsible	Inspector's date for completion	Status
No accreditation for laundry work	Accredited laundry training for prisoners to be introduced	Newly appointed Governor of St Patrick's	1 st November	Registration of prisoner with SQA and the Guild of Launderers has commenced
Educational needs of prisoners	Audit of education undertaken. Governor to visit school on a daily basis	Director of Care and Rehabilitation Newly appointed Governor of St Patrick's	1 st November	Audit complete. Recommendations are being actively followed up with the Department of Education and VEC's. Commenced 27/06/12
Psychology Service overstretched	Feasibility of psychologist training placement currently being examined	Director of Care and Rehabilitation		Ongoing - Now 1.4 whole time equivalent psychologists in St Pats (an increased from 1.2).
Decline in the number of Chaplains	New chaplain campus working arrangements to be implemented	Newly appointed Governor of St Patrick's Director of Care and Rehabilitation Head Chaplain	1 st November	Ongoing

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Issue	Action	Person responsible	Inspector's date for completion	Status
Protocols between IPS, HSE and the Courts Service to be put in place for children who have previous engagement with HSE or other agencies	Where a care order or other order from the Court is attached to a sentence, the Prison/Prison Service should be made aware of the content of the order. Discussion with Courts Service and HSE required	Director of Corporate Affairs	1 st November	To be completed by end October.
Delays in bringing inmates to Hospital	Protocol to be agreed and introduced as a matter of urgency between operational and clinical staff	Director of Care and Rehabilitation Newly appointed Governor of St Patrick's	1 st November	Completed – new protocol in place.

OPERATIONS

Issue	Action	Person responsible	Inspector's date for completion	Status
Future use of B Division	In the short term all 17 year olds to be detained on B3 landing. B2 landing will be used for dedicated committal area and Vulnerable Persons Unit	Newly appointed Governor of St Patrick's Director of Operations Director of Estates	1 st November	Ongoing

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HUMAN RESOURCES				
Issue	Action	Person responsible	Inspector's date for completion	Status
No proper management structure	Deficits in the management structure at St Patrick's are currently being assessed and solutions (staff movements and assignments) are being developed. New Governor assigned on 05/05/12	Director of Human Resources	Mid August 2012	Completed
Only management/staff who express a wish to work in St. Patrick's should be assigned there		Director of Human Resources	1 st November	Completed
Inadequate training/lack of ongoing training for staff working with juveniles	<p>The IPSTDC has developed a three hour awareness programme on "Young People in Prison" that is now delivered to all recruit prison officers during their initial nine weeks training.</p> <p>The IPSTDC are currently developing a programme for all of the staff (prison officers, teachers, healthcare etc) working in St Patrick's Institution which will be introduced in late 2012</p>	Governor, Training and Development	1 st November	A comprehensive programme is currently being developed.

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TRANSFORMATION				
Issue	Action	Person responsible	Inspector's date for completion	Status
Prisoners not always escorted on time for visits, school, etc.	A Transformation Review commenced on 5 June. The Transformation will support staffing and escorts for visits, school, etc. It is expected that the report will be agreed by end October.	Transformation Team Director	1 st November	Ongoing

CORPORATE AFFAIRS/DIRECTOR GENERAL				
Issue	Action	Person responsible	Inspector's date for completion	Status
Ending the detention of 17 year olds in St. Patrick's.	Strategy to be devised in consultation with the Dept of Children and Youth Affairs.	Director General	1 st November	On Going
Courts and sentencing judges to be made aware where no order is mad, e.g., supervision order on release – there is no role for the Probation Service	To be raised with the Probation Service.	Director of Corporate Affairs	1 st November	Completed

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Appendix A

197 Juveniles shall be detained separately to adults.

Irish Prison Service: The Irish Youth Justice Service will take responsibility for the detention of all boys under 18 years of age in the longer term. In the interim, all 17 years olds are accommodated on the B wing of St Patricks Institution. Responsibility for the detention of 16 year old boys has transferred to the children detention school in Oberstown, under the remit of the Irish Youth Justice Service.

ICCPR 10(3), CRC 37(c), BR 26.3, RPJDL 29, EPR 11.1, ERJO 59.1, IPR 69(1)

200 Juveniles shall be permitted to wear appropriate personal clothing.

Irish Prison Service: Boys wear official issue prisons clothing, as this reduces the risk of theft or bullying. It also reduces the financial pressure on families to provide clothing. However, examination is being given to providing an improved standard of clothing.

CRC 37(c), RPJDL 36, ERJO 66.1, IPR 21(1)

201 Juveniles shall be entitled to shower every day in a manner that respects their privacy.

Irish Prison Service: Prisoners in the Unit have access to showers on a daily basis, as do prisoners in the B wing. In addition any prisoners availing of the gym have daily access to a shower. However, some prisoners (mainly those on protection for security and operational reasons) have access to a shower twice a week.

CRC 37(c), RPJDL 34, ERJO 65.2 & 65.3

204 Physical restraint and use of force shall be the minimum necessary and for the shortest period of time required when dealing with juveniles.

SMR 34& 54(1), CCLEO 3, BPUF 5(a) & (b), RPJDL 64, EPR 64.2 & 68.3, ERJO 90.2& 91.2, IPR 65(2)(b) & 93(1)

and

205 Such actions as referred to at Standards 203 and 204 shall never humiliate or degrade the juvenile.

Irish Prison Service: Refresher training will be provided to all relevant staff by end September 2012 on the appropriate use of Control and Restraint techniques. In addition, the existing Control and Restraint policy is currently being reviewed; when complete the updated policy will include specific procedures for dealing with Boys. It is intended that this new policy will be in place before the end of 2012

ICCPR 7, CRC 37(a), UDHR 5, BOP 6, RPJDL 64, ECHR 3, ERJO 7

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- 211 Particular attention shall be paid to the mental health of each juvenile throughout his time in custody.**

Irish Prison Service: Boys in St Patrick's have access to a wide range of mental health services. All committals are seen by surgery staff in the first instance and part of their initial assessment includes a mental health component. All committals are referred to the GP within 24 hours. A scheduled request is made to the next available mental health clinic if there are any indications that mental health review/ treatment is necessary and the Community Psychiatric Nurse reviews all committals on a weekly basis. Any prisoner who requires screening is scheduled by the Community Psychiatric Nurse to be seen that day to be interviewed and assessed in person. From that scheduled clinical assessment the Community Psychiatric Nurse onward refers to the Psychiatric Registrar and/ or Consultant Registrar for mental health treatment and/or follow up care.

One psychologist is employed fulltime in St Patrick's and is available to the entire population. To supplement this service, an additional psychologist provides sessions specifically to the 17 year olds 2 days a week. Referrals are made from a variety of sources within the institution. Dealing with mental health issues forms a significant part of the work of the psychologist.

Five psychiatry sessions are provided per week, three general, one addiction and one forensic. In addition a vulnerable Persons Unit is to be established in the C-Base. A draft Standard Operating Procedure and criteria for this Unit are due to be completed by 12nd July 2012

CRC 24(1), SMR 22(1) & 62, RPJDL 51 & 53, PPPMI 1 & 20, R (98) 7: 10, 11 & 52, R (2004) 10: 35(1) & (2), EPR 40.4, ERJO 52.1 & 73.d, IPR 33(1) & 99(5), HCS 3

- 215 A reasonable period of time shall be afforded to juveniles, on a daily basis, to participate in recreational/sport/physical pursuits.**

CRC 31, SMR 21, RPJDL 32 & 47, R (89) 12: 11, EPR 27, ERJO 80.2 & 81, IPR 32

and

- 216 Juveniles on protection should have guaranteed access to human contact and to reading material. They should be afforded a reasonable opportunity to participate in a constructive activity. Weather permitting, protection prisoners shall be afforded a minimum one hour's daily exercise outdoors.**

Irish Prison Service: The Governor is currently looking at ways of providing greater access to exercise yards and providing organised physical activities for all prisoners including protection prisoners.

CRC 3(1) & 27(1), SMR 21(1), RPJDL 41 & 47, R (89) 12: 10, EPR 27.1& 28.5, ERJO 80.1 & 81

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Contact with family and community

- 217** Juveniles must be encouraged and should be facilitated in maintaining contact with their families and community, providing it is in the juveniles' best interests.

ICCPR 23(1), CRC 3(1), 8 & 37(c), UDHR 16(3), SMR 37, 79 & 80, BOP 19, RPJDL 59 & 60, EPR 24.1 & 24.5, CoI 41.1, IPR 35, 43, 46 & 75(3)(ii)

and

- 218** Except in exceptional circumstances, and having due regard to the best interests of the juvenile, contact between a juvenile and his family shall never be withdrawn as a disciplinary measure.

Irish Prison Service: Boys are facilitated and encouraged to maintain contact with family and community, where appropriate, through a number of avenues, including visits, special family visits, letters and phone calls. In addition, an option of video link visits for families unable to attend the prison is currently being explored. Contact with family cannot be removed as a disciplinary measure.

CRC 3(1) & 37(c), SMR 27, 79 & 80, RPJDL 67, EPR 24.2 & 60.4, ERJO 8, 49.1 & 95.6

Complaints and Disciplinary procedures

- 219** Juveniles must be permitted, and facilitated if required, to make a complaint to an independent authority.

Irish Prison Service: Prisoners can make a complaint to a number of independent bodies including, inter alia, the Inspector of Prisoner, the prison Visiting Committee, the Irish Human Rights Commission, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). In addition, from July 1st, the Ombudsman for Children's remit was extended to take complaints from children detained in St Patricks.

The Minister announced on 8 August 2012 that new robust procedures are to be introduced to investigate complaints by prisoners. The Inspector of Prisons has submitted a report to the Minister for a new complaints model and the Minister has asked that this model be introduced during the timeframe of the Irish Prison Service Three Year Strategic Plan.

The first priority will be to address those complaints which have given rise to most concern. These are what the Inspector refers to as category "A" complaints alleging serious ill treatment, use of excessive force, racial discrimination, intimidation or

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threats. Amendments to the Prison Rules will be introduced as soon as possible to provide that such complaints will be examined by investigators from outside the Prison Service to ensure an effective and impartial investigation. The Inspector of Prisons will have oversight of the process from the very beginning. Some amendments to section 31 of the Prisons Act 2007 are required to facilitate a formal role in the appeals process for the Inspector of Prisons and to enhance his investigatory powers in dealing with non prison personnel and obtaining access to medical records.

In the interim, draft Prison Rules have been drawn up and are being forwarded to the Office of the Attorney General for their advice. The Prison Rules will allow partial implementation and will represent a major step forward but will only represent an interim solution while waiting for primary legislation to be enacted.

CRC 37(d), SMR 36(3), BOP 33(1), RPJDL 76, EPR 70.1, ERJO 123

220 Mediation should be prioritised over the use of formal disciplinary measures for juveniles.

Irish Prison Service: A new training package for officers dealing with Boys will be introduced this year, which will place a greater emphasis on resolving issues through discussion and mediation rather than formal disciplinary measures.

CRC 37(c) & 40(1), RPJDL 66, EPR 70.2, ERJO 12 & 94.1

226 Staff shall be specifically selected and recruited to work with juveniles.

Irish Prison Service: The Irish Prison Service will seek to assure that only staff expressing an interest in working in St Patrick's are assigned there.

The only exception to this is on those occasions where there has been a shortfall of staff. In these instances the shortfall has been addressed through the assignment of Recruit Prison Officers.

SMR 47(2), RPJDL 82, EPR 76, ERJO 128.1 & 128.3

227 Staff shall be specifically trained to work with juveniles in custody.

Irish Prison Service: The Irish Prison Service Training and Development Centre has developed a three hour awareness programme on "Young People in Prison" that is now delivered to all recruit prison officers during their initial nine weeks training.

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The IPSTDC are currently developing a programme for all of the staff (prison officers, teachers, healthcare, etc.) working in St Patrick's Institution which will be introduced in 2012

RPJDL 85, EPR 81.1 & 81.3, ERJO 129.1