

**OFFICE OF THE
INSPECTOR OF PRISONS
ANNUAL REPORT
2012**

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Office of the Inspector of Prisons Annual Report 2012

Presented to the Minister for Justice and Equality pursuant to Part 5 of the Prisons Act 2007.

Judge Michael Reilly
Inspector of Prisons

20th May 2013

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Chapter 1

Introduction

- 1.1 This short Report covers the period 1st January 2012 to 31st December 2012.
- 1.2 The year 2012 has seen many changes in the Irish Prison System. These changes, **when fully implemented**, will have a positive influence on how our prisons are run, will have a positive impact on the lives of our prisoners, will demonstrate that as a society we can be proactive in advocating change and that we can be seen to aspire to international best practice.
- 1.3 My remarks in paragraph 1.2 are not to be taken as an indication that the deficiencies that I have identified over the years have all been addressed.
- 1.4 In Chapter 2, I give details of a Report titled - *An Assessment of the Irish Prison System*. This is an assessment on where the Irish Prison System stands at the moment having regard to its obligations and the advice that I have given on a variety of serious issues of concern raised by me over the years.
- 1.5 In Chapter 3, I give details of the other major issues that I have dealt with in the period the subject of this Report.
- 1.6 In Chapter 4, I set out significant issues of concern that I intend addressing in 2013.
- 1.7 In Chapter 5, I refer to St. Patrick's Institution and my recommendations regarding same.
- 1.8 In Chapter 6, I refer to the additional resources that have been made available to me for my office.

Chapter 2

An Assessment of the Irish Prison System

- 2.1 Since I took up my position as Inspector of Prisons on 1st January 2008, I have identified many areas where Irish Prisons did not meet international best practice, where regimes and services were inadequate and where the rights of prisoners were not adequately vindicated.
- 2.2 In my various reports to date I have identified areas of concern. I suggested reforms and changes to work practices. I gave guidance on how best practice could be implemented. I published Standards against which prisons should be benchmarked. I engaged, particularly during the last twelve months, with the Irish Prison Service and local management of certain prisons in an effort to ensure that our obligations as a Country to our prisoners are understood, that operating procedures are standardised throughout all prisons and that the advice that I have given in my various reports detailing best practice is being acted upon.
- 2.3 I have taken time during the past twelve months to look back and give an assessment on where the Irish Prison System stands at the moment having regard to its obligations and the advice that I have given in this regard.
- 2.4 I have prepared a Report titled – *An Assessment of the Irish Prison System* – dated 20th May 2013 which I have presented to the Minister for Justice and Equality (hereinafter referred to as the “Minister”). This is a comprehensive assessment which details the actions taken by the Irish Prison Service to address the deficiencies that I have found in the Irish Prison System over the years. It covers, *inter alia*,
- Overcrowding
 - Slopping out
 - Use of Safety Observation and Close Supervision Cells
 - Health issues including High Support Units

- Dedicated Committal Areas
- Prisoner Complaints
- Investigation of Deaths in prison custody or on temporary release

2.5 It will be clear to any reader of the Report referred to in paragraph 2.4 that, not alone, has the physical environment been created but procedures have been put in place which, **if fully implemented all of the time**, should ensure that this Country meets its international obligations in those areas covered by such Report.

2.6 The Director General of the Irish Prison Service, his management team, the governors of prisons and those that work in prisons are to be complimented for, in the first instance, identifying those areas where change was most needed and then for bringing forward the necessary changes. **All of this would not have been possible without the support of the Minister and his officials.**

2.7 I have stated in paragraph 2.5 that the new procedures must be ‘implemented all of the time’. I now have the resources to monitor all of the areas where new procedures have been introduced and where new physical environments have been created.

Chapter 3

Major issues dealt with in 2012

- 3.1 In this Chapter I give brief details of the major issues that I have dealt with during 2012.

Limerick Prison

- 3.2 On 25th November 2011, I presented a Report, titled – *Report on an Inspection of Limerick Prison* – to the Minister. In Chapter 6 of my said Report I set out my major concerns relating to different aspects of the Prison. These concerns related to overcrowding, safety observation and close supervision cells, low level abuse by prison officers, intimidation of prisoners, the circumstances of a particular prisoner in a cell on D1 Landing, lack of workshops, lack of recreational facilities, segregation of prisoners, healthcare of prisoners, record keeping, C.C.T.V., integrated sentence management, educational facilities, a dedicated committal area, a high support unit and a drug free unit.
- 3.3 I stated in my Report on Limerick Prison that the Prison could not be said, at the date of my Report, to comply with best international practice and that certain areas of the Prison were not fit for purpose.
- 3.4 During the year 2012, I have visited the Prison on many occasions both during the day and at night. These visits have, in the main, been unannounced.
- 3.5 I have presented two follow up reports on the Prison to the Minister on the 16th January 2012 and the 1st March 2012.
- 3.6 In my Report dated 25th November 2011, I stated that Blocks A and B were not fit for purpose. None of the cells had in-cell sanitation, the cells were dilapidated, windows were broken etc. **B Block has now been decommissioned.**

- 3.7 On all of my recent visits the Prison was clean. Prison management are taking concrete steps to deal with the issue of low level abuse. The educational facilities have improved. A dedicated committal area is in operation.
- 3.8 The main deficiencies in the Prison are overcrowding, lack of recreational facilities, lack of workshops, drugs, healthcare facilities and the low numbers attending education.
- 3.9 In its Strategic Plan the Irish Prison Service is committed to demolishing A and B Blocks in the Prison. A new Block will be built. This will incorporate accommodation cells and all necessary facilities which would be expected of a modern prison adhering to best practice.
- 3.10 I refer to Limerick Prison in my Report, titled - *An Assessment of the Irish Prison System*.
- 3.11 It is my intention to present a further follow up Report to the Minister on the Prison within the next number of months.

St. Patrick's Institution

- 3.12 On 26th June 2012, I presented a Report on St. Patrick's Institution to the Minister. I committed myself to presenting a follow up Report. Since the publication of that Report I have visited the Prison on numerous occasions. In Chapter 5 of this Report I give a comprehensive view of St. Patrick's Institution. **I recommend closure of the Institution in its present form.**
- 3.13 The physical buildings of St. Patricks could, in time, be a worthwhile asset to the Irish Prison Service and form part of the overall Mountjoy Prison Campus.

Investigation into the circumstances surrounding the death of a prisoner

- 3.14 I was requested by the Minister to carry out an investigation into the circumstances surrounding the death, while on remand, of Shane Rogers who died in a cell in Cloverhill Courthouse on 20th December 2011.

3.15 This was a time consuming investigation. I do not intend outlining either the facts or the details of my investigation as these are fully outlined in my Report of my investigation which I presented to the Minister on the 9th January 2013.

3.16 In my Report I made findings and recommendations.

Dóchas Centre

3.17 I have been conducting a thorough investigation of the Dóchas Centre. This investigation has been ongoing for approximately 18 months.

3.18 I do have concerns about this institution.

3.19 I will be presenting my Report to the Minister within months.

Wheatfield Prison

3.20 I have been conducting a thorough investigation of Wheatfield Prison.

3.21 I do have concerns about certain aspects of and practices in the Prison.

3.22 This is an ongoing investigation. I do not envisage being in a position to present a Report to the Minister until the end of 2013 at the earliest.

Castlerea Prison

3.23 In February 2012, I commenced an investigation into Castlerea Prison.

3.24 I have only visited the prison on one occasion since commencing my investigation. However, I have been taking the views of numbers of people who fall within the general groupings referred to in paragraph 3.26 of this Report.

3.25 As of the date of this Report I have grave concerns as to certain practices in this Prison. I will report to the Minister on the completion of my investigation.

General comments on prisons

3.26 In paragraph 3.4 of my St. Patricks Report I set out in detail what I relied upon when making my assessment of a prison. I stated:-

“My investigation ... is not based solely on my numerous visits to the Institution, on my conversations with prisoners, prison officers, representatives of the Prison Officers Association, the service providers to the prison and prison management but also reflects the views of very many former inmates of St. Patricks, of many people who worked over the years in St. Patricks, of many people and organisations who provide services to St. Patricks and a great cross section of people with an interest in and a knowledge of St. Patricks”.

3.27 At this stage, I would like to point out that I have, in various reports where I have given guidance on best practice and in my reports on individual prisons, made quite clear what is to be expected of prisons. *My modus operandi* is clear. This statement is unambiguous and speaks for itself. **Prison Management should read such reports, should take on board the advice given in such reports and thereby ensure that their institutions are not found wanting when I come to carry out my inspections.**

Contact with international bodies and others

3.28 During the year I have maintained contacts with international bodies such as the CPT, members of the Council of Europe, the United Nations, the APT and SPT. I have also forged new contacts. I have met with the Northern Ireland Ombudsman for Prisoners. I maintain contact with many other international and domestic organisations that have an interest in prisoner welfare and the operation of prisons.

3.29 I have built up a range of contacts whose confidential information is invaluable. I would like to point out that I never use information received on a confidential basis or otherwise unless verified by a number of other sources.

- 3.30 International contacts as outlined in paragraph 3.28 are important in that they enable me keep informed of international best practice and changing practices.

Investigation of Deaths in Custody or on Temporary Release

- 3.31 In a Report, titled – *Guidance on Best Practice relating to the Investigation of Deaths in Prison Custody* dated 21st December 2010, I made the case that we, as a Country, fell short of our obligations when a death in prison custody occurred. I stated that in my view we did not meet the criteria for an independent investigation which would satisfy the elements (other than those referred to in paragraph 4.2 of my said Report) of Article 2 of the European Convention on Human Rights as explained in the case of **Jordan -v- United Kingdom** (Judgment of 27th June 2000, at para.105).

- 3.32 On 19th April 2012 the Minister announced the setting up of an independent process for the investigation of all deaths in prison custody in the following terms:-

“The Minister for Justice, Equality and Defence Mr. Alan Shatter T.D. announced that, following consultations with Judge Reilly, Inspector of Prisons, it had been decided that the death of any prisoner in the custody of the Irish Prison Service shall be the subject of an independent investigation by the Inspector of Prisons. This is in addition and without prejudice to existing mechanisms in place for the investigation of deaths including Garda investigations and inquests by Coroners”.

“All deaths of prisoners, including those arising from natural causes or suicide, will be the subject of an independent investigation by the Inspector. This will apply to prisoners who are in the custody of the Irish Prison Service, whether or not the death actually occurs within the prison walls, and to prisoners who have recently been let out on temporary release. In the context of his investigations, the Inspector will consult, as appropriate, with members of the family of the deceased. Under Part 5 of the Prisons Act 2007, the Inspector of

Prisons is independent in the performance of his functions and there is an obligation to publish his reports”.

- 3.33 I now carry out an investigation of all deaths that occur in prison custody and certain deaths that occur when a prisoner is on Temporary Release. I have investigated all such deaths that occurred since 1st January 2012.
- 3.34 I have set out in detail the type of investigation that I carry out and my *modus operandi* for carrying out such investigations in Chapter 7 of my Report dated 20th May 2013, titled - **An Assessment of the Irish Prison System.**
- 3.35 In the 12 month period - 1st January 2012 to 31st December 2012, 16 deaths fell within the category to be investigated.
- 3.36 The investigation of deaths in custody has proved to be difficult and time consuming.
- 3.37 I intend submitting a Report to the Minister on my investigations of the deaths referred to in paragraph 3.35 in the coming months and thereafter in stand alone Annual Reports.

Other issues

- 3.38 I have also dealt with a variety of other issues. I have had numerous meetings with the Director General and officials of the Irish Prison Service. These meetings were either at the request of the Irish Prison Service or at my request. I give advice on various issues where such was sought on international best practice.
- 3.39 Much of my time in 2012 was devoted to the issues that I deal with in my Report, titled - **An Assessment of the Irish Prison System.**

Chapter 4

Issues of Concern

4.1 In Chapter 2 of this Annual Report I set out briefly the strides that the Irish Prison Service has made in an effort to meet best international practice.

4.2 There are a number of serious issues to be dealt with as follows:-

(a) The culture in certain of our prisons

This manifests itself in numerous ways such as:-

- Low level abuse of prisoners.
- Shouting and using un-parliamentary language at prisoners.
- Not attending to call bells.
- Indifference to reasonable queries or requests raised by prisoners.

(b) Protection Prisoners

The following observations are important:-

- Approximately 25% of all prisoners are on protection.
- The reasons why prisoners are on protection vary. In certain cases prisoners request that they wish to go on protection as they are either under direct threat from others in the prison or perceive that they are under threat. In other instances they are on protection simply because they come from a particular geographic area of the Country or because of their cultural ethnicity. The prevalence of gangs in the prison, which reflects that which is on the outside, is also a problem as vulnerable prisoners can be forced to join a gang or do so of their own volition as they perceive that by doing this they are safer. This can lead to such prisoners ending up on protection.
- When prisoners are on 23 hour lock up they effectively have little or no contact with teachers, addiction services, the gym, religious observation, the library or with the many voluntary external bodies

who do excellent work with those prisoners who have access to them.

- 23 hour lock up seems, perhaps in the past, to have been the preferred option considered by management as the solution to the maintenance of safety in prisons to the exclusion of any other options. This statement may well be equally applicable to the present.

(c) Prisoner discipline

- The code of discipline must be understood by both staff and prisoners.
- Disciplinary sanctions must be proportionate.
- Disciplinary sanctions must accord with best international practice. 56 days ‘loss of privileges’ is commonplace in Irish Prisons. I have encountered instances where **60 days punishment** was imposed. **These punishments are totally out of line with accepted best international practice.**

(d) Officer training

- The challenges faced by officers are ever changing.
- Training must reflect the changing prison environment, the diversity of the prison population and acknowledged best practice.

(e) Activities for Prisoners

- I have set out in detail in my Report, titled – *The Irish Prison Population – an examination of duties and obligations owed to prisoners*, the obligations on prisons to provide relevant structured activity for prisoners.
- In the same Report I detail the amount of time prisoners should enjoy as out of cell time.

(f) Security

- Every person, including prison staff, entering any prison should be subject to the same security procedures.
- The Irish Prison Service must be vigilant to ensure that there is no relaxation in the security procedures for those entering prisons as under present procedures prison officers, *albeit*, from a stand alone section of the service are responsible for searching and the majority of those to be searched will be prison officers.
- Changing technology should be ever monitored to take advantage of new devices which could either readily identify the whereabouts of mobile telephones or other means of communication in prisons or make their use inoperable.
- Prison management must be ever vigilant to ensure that, in so far as is humanly possible, drugs and other contraband do not get into prisons.

(g) Prison transport

- Prisoners when travelling in prison transport are in a vulnerable situation.
- Prison transport is not subject to any independent oversight or inspection. This *lacuna* should be addressed as a matter of urgency.
- The monitoring of prison transport would entail considerable work.

(h) Cells in Courthouses

- The majority of Courthouses have holding cells.
- The Irish Courts Service has responsibility for Courthouses and by extension for the cells in such Courthouses.
- Prisoners in holding cells in Courthouses are, in the main, apprehensive and are always vulnerable.
- The holding cells in Courthouses are not subject to inspection by any independent inspection body. This *lacuna* should be addressed as a matter of urgency.

General Comments

- 4.3 In addition to the concerns referred to in paragraph 4.2 there are and always will be matters to be addressed. I will, in all cases, raise these with local prison management in an effort to resolve same.
- 4.4 I will be available to give advice on best international practice to the Irish Prison Service and the local management of prisons should they require same when dealing with the issues raised in paragraph 4.2.
- 4.5 I do not publish a work programme as I feel that my *modus operandi* whereby I carry out unannounced inspections has proved in the past to merit public approval.
- 4.6 My inspections will be more frequent in the future due to the increased staffing arrangements referred to in Chapter 6.

Chapter 5

St. Patrick's Institution

5.1 On 26th June 2012, I presented a Report on St. Patrick's Institution (hereinafter referred to as the "St. Patrick's Report") to the Minister. This Report was the culmination of a thorough investigation into all aspects of St. Patrick's Institution carried out over a considerable period.

5.2 In Chapter 3 of my St. Patrick's Report I set out in stark detail my major concerns relating to St. Patrick's. These related to the improper use of Safety Observation and Close Supervision Cells, the excessive/improper use of control and restraint techniques, the inadequacy of investigations of prisoner complaints, the manner in which disciplinary sanctions were being imposed, aspects of prisoner healthcare, inadequate education and poor to non-existent record keeping. I was also critical of some prison staff.

5.3 In paragraph 1.3 of my St. Patrick's Report I stated:-

"A combination of, inter alia, weak management, the culture of the prison, the inattention to human rights norms, prisoners on protection and the prevalence of drugs means that St. Patrick's has not lived up to the mission statement of the Irish Prison Service".

5.4 In paragraph 2.6 of my St. Patrick's Report I stated:-

"It is clear from my findings in this Report that the detention of children in St. Patrick's should end as a matter of urgency. It is my view that the timeline for ending the detention of children (May 2014) should be revisited".

5.5 An Action Plan was put in place by the Irish Prison Service. A new Management Team was put in place.

- 5.6 I am satisfied that a number of improvements have been made and that many of my concerns have been addressed. I am also satisfied that numbers of my recommendations have been implemented.
- 5.7 The flow of drugs and other contraband has been and is a major problem in St. Patrick's Institution. This is contributed to by reason of the location of the Prison – being an inner city location which has a high density population. I am aware that positive actions have been taken to help reduce the flow of drugs and contraband into the Prison. The following measures have been taken:-
- There is an increased Garda presence on the public areas between the Prison wall and the canal.
 - When contraband lands on the nets covering the yards the prisoners are now taken in from the yards, the contraband is removed from the nets and the prisoners are allowed return to the yards.
 - Disciplinary sanctions for offences relating to contraband have been standardised. Such sanctions are known to the prisoners.
 - A Chief Officer has been appointed for the Mountjoy Prison Campus who has particular responsibility for all aspects of security.
- 5.8 I understand that discussions took place between the Irish Prison Service and the Irish Youth Justice Service with a view to providing a childcare model of detention in St. Patricks which would be operated by care staff from the Children Detention Schools working alongside prison staff. This would have been a short term measure, up to May 2014, when all 17 year olds would have been transferred to the Irish Youth Justice Service facilities in Oberstown. I understand that the Irish Youth Justice Service were not in a position to facilitate such an arrangement.
- 5.9 Since the publication of my St. Patrick's Report I have visited the Prison on numerous occasions both during the day and at night. **On my latest follow up inspections of the Institution which I undertook over three weeks in**

March of this year I found very disturbing incidents of non-compliance with best practice and breaches of the fundamental rights of prisoners.

5.10 In the Committal Area which I visited one night I found:-

- Prisoner A had been placed in his cell minutes before I arrived. He was still standing in the cell. The cell was filthy. A considerable quantity of old stale food was on the floor and especially behind the door. The toilet was not flushing - it was filthy and full of old excrement and other material. The sink was filthy with no water in the taps. No pillow. No TV and bare wires from the wall. Filthy bed frame. Filthy door and floor. Torn lino. Kit bag did not have information booklet. Not allowed make a telephone call to family. Cell cold. I spoke to the senior officer, asked him to look at the cell and give his opinion as to whether it was appropriate to have a prisoner in it. He was non committal. The prisoner was moved to another cell which was marginally better.
- Prisoner B had been moved that day to St. Patricks – The cell was cold, it was dirty. The prisoner was crying and in bed when I had the door opened. He had been refused permission to telephone his father. He had not received the information booklet. The flushing mechanism for the toilet was not working and the toilet was filled with excrement. This prisoner was afraid.
- Prisoner C had been committed from a Court in Dublin. He explained he had been in a holding cell in the Court complex from approx 12 noon to 6 pm. This prisoner was shaking from the cold. The window was jammed in the open position. He had not been allowed telephone his family. The cell was filthy. The bed and frame were filthy. The flushing mechanism for the toilet was not working and the toilet was filled with excrement. The sink was filthy and the taps were not working. No TV and bare wires from the wall. He had not been given the information booklet. He explained that he was on medication for a

psychiatric illness since his stay in a psychiatric hospital some time before. He explained that if he did not get his medication each day in the evening his head would 'be all over the place'. He had not received his medication. I met with the nurse and relayed my information to him. The prisoner presented as a vulnerable person. He was afraid and crying when I was leaving him.

- The sluice room was filthy with about ½ inch of sludge in the bottom of the sink.
- There were no records for each cell.
- On enquiry as to why prisoners had been refused permission to contact their families I was informed, on the night, that “the Governor’s secretary would have to set this up on the system – otherwise one would not know who the calls would be made to”. I did not and do not accept this explanation.

5.11 On one of my day visits I found:-

- A prisoner in the Committal Area who earlier that morning had been removed from his cell, brought to Reception where he was strip searched. There were no records of his removal or his search.
- Filthy cells some with broken toilets. Dirty sluice room and showers.
- Two prisoners in a cell – one on the floor. Both on protection – both afraid to leave their cell as one alleged he had been badly beaten by another prisoner the other alleged he had been stabbed three times in the past.
- A 19 year old on protection. Locked down for 23 hours a day. Stated that his last visit was in either the previous October or November. Trying to do his Leaving Certificate but could only do it in one subject. It was obvious that his mental health was deteriorating.

- Another protection prisoner who had been studying five subjects for his Leaving Certificate in Limerick Prison prior to his transfer to St. Patricks where he was at that time only able to study one subject – Art.

5.12 On another of my day visits I found:-

- Temperatures for Special Cells in the Unit for certain dates recorded in journals as maximum 19.7°C.
- Limited use of the gym in the Unit.
- Doubling up of prisoners on D3 Landing – 9 cells were doubled with the extra prisoner on the floor on a mattress.
- Allegations that call bells were not being answered.
- Bed clothes on many beds on D3 Landing were dirty. Prisoners made complaints to me they did not have a change of bed clothes for a number of weeks. The state of the bed linen supported this complaint.
- Not sufficient telephones.
- Prisoners not getting adequate showers.
- Prisoners sleeping in their clothes to try to keep warm.

5.13 At a meeting with the senior management of St. Patricks on 19th March 2013, I outlined my concerns. The events as outlined by me at the meeting were accepted as true by those attending the meeting.

5.14 There have been a number of incidents/assaults/disturbances in the prison over the past number of months.

5.15 **I am satisfied that, despite the undoubted efforts of management the culture referred to by me in my St. Patrick's Report has not changed.**

5.16 I would like to stress that I am satisfied that the vast majority of prison officers working in St. Patricks show respect to and understanding of the prisoners in their care. They act in a professional manner when, at times, circumstances can be very challenging.

5.17 **I am satisfied that the Irish Prison Service can no longer guarantee the safe and secure custody of young offenders detained in St. Patrick's Institution.**

5.18 I now make the following recommendations:-

- **St. Patrick's Institution should be closed forthwith.**
- **Prisoners should be dispersed to other institutions where they could be guaranteed safe and secure custody.**
- **Existing staff in St. Patrick's Institution should be dispersed to other institutions.**
- **The name St. Patricks should be consigned to history.**

5.19 If my recommendations referred to in paragraph 5.18 are to be acted on both long term and short term measures will have to be introduced. The short term measures will, primarily, affect the 17 year olds. I accept that in the short term compromises will have to be made. However, such short term arrangements should not compromise the safe and secure custody that this Country owes to this cohort of prisoners. Therefore, in an effort to be helpful I wish to make the following general points:-

17 Year Olds

- (a) The timeline of May 2014 should be revisited for the transfer of 17 year old remand and committal prisoners to Oberstown Centre with a view to bringing this date forward.
- (b) Pending the transfer of 17 year olds referred to at (a) above such prisoners should be accommodated in a dedicated unit with its own separate accommodation, exercise facilities and educational facilities. It goes without saying that all other relevant supports should be in place in such a unit.

(c) If a unit such as referred to at (b) above is not readily available a short term solution (to last not later than May 2014) may be to accommodate this cohort of prisoners in part of one of the existing prisons or even in the present St. Patricks provided it could be demonstrated that such a facility was totally separated from and had no contact with any other cohort of prisoners. **My suggestions at (d) hereunder would also have to be met in full.**

(d) If a short term solution such as suggested at (c) above were to be contemplated the following **must** apply:-

- Healthcare workers either provided by the Irish Youth Justice Service or recruited from elsewhere would work in tandem with custodial prison staff.
- Prison officers working in the unit would have to be specially selected and be provided with training which would equip them with the skills necessary to provide safe and secure custody for the cohort of prisoners in such a unit.

18 to 20 Year Olds

- (a) The main focus must be on providing rehabilitation through education, work and training.
- (b) Following assessment prisoners from this cohort should be accommodated on a separate wing(s) of a general prison(s) where they would be accommodated and could recreate separately from the greater prison population. They could participate in education and work training with the general prison population.
- (c) A separate small unit should be established to accommodate those prisoners who would be assessed as vulnerable and unable to mix with the remainder of the 18 to 20 year olds.
- (d) Prisoners placed in a unit such as suggested at (c) above should not be disadvantaged in such areas as education, healthcare, recreation etc. They must enjoy all the facilities and supports that any person imprisoned is entitled to.

- (e) It may be that a number of this cohort of prisoners might be dispersed to other prisons where they would associate in all aspects with older prisoners.

General comment

5.20 Despite my comments in paragraph 5.19 it is, of course, a matter for the Irish Prison Service to bring forward both short term and long term solutions if my recommendations as outlined in paragraph 5.18 are accepted.

5.21 I am aware that primary legislation will be required if my recommendations contained in paragraph 5.18 are accepted. Secondary legislation may also be required. **I would urge the Minister to bring forward such primary and secondary legislation as a matter of urgency.**

Chapter 6

Office Resources

- 6.1 This Chapter reflects not only what my resources were in 2012 but what they had been prior to that and what they are as of the date of this Annual Report.
- 6.2 In my first year as Inspector of Prisons I had the following staff:-
- A retired prison governor who acted as my advisor.
 - A higher executive officer.
 - A researcher.
 - A duty officer.
- 6.3 In year 2 my staff consisted of:-
- A higher executive officer.
 - A researcher.
 - A duty officer.
- 6.4 My researcher was on contract for 3 years which terminated in March 2011. As of the moment I do not have sufficient work to justify the engagement of a researcher. In the event that I do require a researcher I will seek the appropriate sanction from the Minister for the employment of such a person.
- 6.5 I explained to the Minister in 2010 that I required additional office staff. In June 2010 a clerical officer was appointed. In January 2013 a further higher executive officer was appointed.
- 6.6 In 2012, I was tasked with the investigation of deaths of prisoners while in custody or on temporary release. This entailed considerable additional work for my office. I asked for and was granted permission to engage investigators on a *per diem* basis to assist with such investigations.

- 6.7 My work is rapidly expanding. I found that I was unable with my present complement of staff to fulfil my expanded mandate. I explained my position to the Minister who gave me permission to engage a panel of experts to assist me in my work. I advertised in the press for such persons. Out of approximately 50 applicants an interview board interviewed 23. The calibre of all applicants was exceptionally high. As a result of the interview process 12 of the applicants were invited to join the panel. All have accepted. Panel members will work on a part time basis and will be paid a *per diem* rate.
- 6.8 Panel members bring to their role expertise in fields relevant to my work such as – academic, human rights, health, education, investigation, prisons, general management and prisoner rights.
- 6.9 I am satisfied that with the assistance of this panel of experts I will be in a position to fulfil my mandate in all respects.
- 6.10 All panel members will have the same right of access to prisons and to prison records as I enjoy.
- 6.11 However, I still require one additional staff in my office. I understand that such a person will be appointed in the immediate future.
- 6.12 If my work load increases further the question of additional resources will have to be revisited. I am confident that, in such an event, a reasonable request would be sympathetically considered.
- 6.13 I would like to thank the Minister for showing confidence in me by authorising the appointment of additional staff and in particular the appointment of the panel of experts as referred to in paragraph 6.7.
- 6.14 At this point I would like to thank my small team who have worked long hours – at times unsocial hours. They are a hard working cohesive team. They have assisted me in every aspect of my work. They are – Ms. Linda Larkin (office manager) who has been with me since I took up my appointment in 2008, Ms.

Aoife Watters (researcher) 2008 - 2011, Mr. Jim Woods (retired prison governor) 2008, Mr. Paul Dunne (duty officer) 2008-2010, Ms. Michelle Slattery 2010 - present, Mr. John Byrne (duty officer) 2010 - present and Ms. Emer O'Neill 2013.

**OIFIG AN
CHIGIRE PRÍOSÚN
TUARASCÁIL BHLIANTÚIL
2012**

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Oifig an Chigire Príosún Tuarascáil Bhliantúil 2012

Arna cur i láthair an Aire Dlí agus Cirt agus Comhionannais de bhun
Chuid 5 d'Acht na bPríosún 2007.

An Breitheamh Michael Reilly
An Cigire Príosún

20 Bealtaine 2013

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Caibidil 1

Réamhrá

- 1.9 Clúdaítear an tréimhse idir an 1 Eanáir 2012 agus an 31 Nollaig 2012 sa Tuarascáil achomair seo.
- 1.10 Bhí cuid mhór athruithe i gCóras Phríosúin na hÉireann sa bhliain 2012. Nuair a **chuirfear chun feidhme go hiomlán** iad, beidh tionchar dearfach ag na hathruithe sin ar an dóigh a reáchtálfar ár bpríosúin, beidh tionchar dearfach acu ar shaol ár bpríosúnach agus léireoidh siad gur féidir linn a bheith réamhghníomhach mar shochaí maidir le hathrú a thathant agus go bhféachaimid leis an dea-chleachtas idirnáisiúnta a chomhlíonadh.
- 1.11 Níor cheart glacadh lena bhfuil ráite agam i mír 1.2 gur réitíodh gach ceann de na heasnaimh a d'aithin mé thar na blianta.
- 1.12 I gCaibidil 2, tugaim mionsonraí faoi Thuarascáil dar teideal – ***Measúnú ar Chóras Phríosúin na hÉireann***. Is ionann an tuarascáil seo agus measúnú ar staid Chóras Phríosúin na hÉireann faoi láthair maidir lena chuid oibleagáidí agus leis an gcomhairle a thug mé faoi raon ábhair thromchúiseacha inní ar tharraing mé aird orthu thar na blianta.
- 1.13 I gCaibidil 3, tugaim mionsonraí faoi na mór-shaincheisteanna eile ar dhéileáil mé leo sa tréimhse atá á plé sa Tuarascáil seo.
- 1.14 I gCaibidil 4, leagaim amach saincheisteanna suntasacha inní a bhfuil sé beartaithe agam dul i ngleic leo i 2013.
- 1.15 I gCaibidil 5, tagraím d'Fhoras Naomh Pádraig agus do mo chuid moltaí ina leith.
- 1.16 I gCaibidil 6, tagraím do na hacmhainní breise a cuireadh ar fáil dom le haghaidh m'oifige.

Caibidil 2

Measúnú ar Chóras Phríosúin na hÉireann

- 2.1 Ó ghlac mé le mo phost mar Chigire Príosún ar an 1 Eanáir 2008, d'aithin mé cuid mhór réimsí nár chomhlíon Príosúin na hÉireann an dea-chleachtas idirnáisiúnta iontu, ina raibh réimeanna agus seirbhísí neamhleor agus nach bhfreastalaítear ar chearta na bpríosúnach ar bhealach leordhóthanach iontu.
- 2.2 D'aithin mé réimsí inní i mo thuarascálacha éagsúla go dtí seo. Mhol mé athchóirithe agus athruithe ar chleachtais oibre. Thug mé treoir maidir leis an dóigh a bhféadfaí an dea-chleachtas a chur chun feidhme. D'fhoilsigh mé Caighdeán ar cheart príosúin a thagarmharcáil ina n-aghaidh. Chuaigh mé i dteagmháil, go háirithe le linn an dá mhí dhéag seo a chuaigh thart, le Seirbhís Phríosúin na hÉireann agus le bainistíocht áitiúil na bpríosún áirithe d'fhonn a chinntiú go dtuigtear na hoibleagáidí atá againn mar Thír i leith ár bpríosúnach, go gcaighdeánaítear nósanna imeachta oibriúcháin ar fud na bpríosún uile agus go bhfuil gníomh á ghlacadh de bhun na comhairle a thug mé i mo thuarascálacha éagsúla inar déileáladh leis an dea-chleachtas.
- 2.3 Chaith mé roinnt ama le linn an dá mhí dhéag seo a chuaigh thart chun féachaint siar agus measúnú a thabhairt ar staid reatha Chóras Príosúin na hÉireann maidir lena chuid oibleagáidí agus leis an gcomhairle a thug mé ina leith sin.
- 2.4 D'ullmhaigh mé Tuarascáil dar teideal – ***Measúnú ar Chóras Phríosúin na hÉireann*** – dar dáta an 20 Bealtaine 2013, agus chuir mé faoi bhráid an Aire Dlí agus Cirt agus Comhionannais (dá ngairtear “an tAire” anseo feasta) í. Is measúnú cuimsitheach í seo agus tugtar mionsonraí inti faoi na gníomhartha a ghlac Seirbhís Phríosúin na hÉireann chun dul i ngleic leis na heasnaimh a d'aimsigh mé i gCóras Phríosúin na hÉireann thar na blianta. Clúdaítear inti, i measc nithe eile,

- Plódú

- Na fualáin a fholmhú
- Úsáid Cillíní Breathnóireachta Sábháilteachta agus Cillíní Dlúthmhaoirseachta
- Saincheisteanna sláinte, lena n-áirítear Aonaid Ardtacaíochta
- Limistéir Thiomnaithe Chimithe
- Gearáin ó Phríosúnaigh
- Imscrúdú ar Bhásanna Príosúnach agus iad faoi choimeád príosúin nó ar scaoileadh sealadach

- 2.5 Beidh sé soiléir d'aon léitheoir na Tuarascála dá dtagraítear i mír 2.4 nach é amháin gur cruthaíodh an timpeallacht fhisiciúil, ach gur cuireadh nósanna imeachta i bhfeidhm freisin ar cheart dóibh a chinntiú, **dá gcuirfí chun feidhme go hiomlán iad i ngach cás**, go gcomhlíonfadh an Tír seo a cuid oibleagáidí náisiúnta sna réimsí sin a chlúdaítear i dTuarascáil den sórt sin.
- 2.6 Ní mór Ard-Stiúrthóir Sheirbhís Phríosúin na hÉireann, a fhoireann bhainistíochta, gobharnóirí na bpríosún agus iad siúd a oibríonn i bpríosúin a mholadh, ar an gcéad ásc, ar aithint a dhéanamh ar na réimsí sin ina raibh an gá is mó le hathrú agus ansin ar na hathruithe riachtanacha a thabhairt ar aghaidh. **Ní bheifí é sin a dhéanamh gan tacaíocht an Aire agus a chuid feidhmeannach.**
- 2.7 Luaigh mé i mír 2.5 nach mór na nósanna imeachta nua 'a chur chun feidhme i ngach cás'. Tá na hacmhainní agam anois chun monatóireacht a dhéanamh ar gach ceann de na réimsí inar tugadh nósanna imeachta nua isteach agus inar cruthaíodh timpeallachtaí fisiciúla nua.

Caibidil 3

Mór-Shaincheisteanna ar déileáladh leo i 2012

- 3.32 Sa Chaibidil seo, tugaim mionsonraí achomaire ar na príomh-shaincheisteanna ar dhéileáil mé leo le linn 2012.

Príosún Luimnigh

- 3.33 Ar an 25 Samhain 2011, chuir mé Tuarascáil dar teideal – *Tuarascáil ar Chigireacht Phríosún Luimnigh* – faoi bhráid an Aire. I gCaibidil 6 den Tuarascáil sin, leagaim amach aon mhórábhair inní a bhaineann le gnéithe éagsúla den Phríosún. Bhain na hábhair inní sin leis na nithe seo a leanas: plódú, cillíní breathnóireachta sábháilteachta agus cillíní dlúthmhaoirseachta, mí-úsáid leibhéil ísil ag oifigigh phríosúin, imeagla príosúnach, na cúinsí a bhí taobh thiar de phríosúnach amháin a bheith lonnaithe ar Cheann Staighre D1, an easpa ceardlann, an easpa saoráidí áineasa, deighilt príosúnach, cúram sláinte príosúnach, taifeadchoimeád, C.C.T.V., bainistíocht pianbhreitheanna chomhtháite, saoráidí oideachais, limistéar tiomnaithe cimithe, aonad ardtacaíochta agus aonad saor ó dhruaí.
- 3.34 Luaigh mé i mo Thuarascáil ar Phríosún Luimnigh nach bhféadfaí a rá, tráth mo thuarascála, go gcomhlíonann an Príosún an dea-chleachtas idirnáisiúnta agus luaigh mé nach raibh limistéir áirithe sa Phríosún oiriúnach don fheidhm.
- 3.35 Le linn na bliana 2012, thug mé cuairt ar an bPríosún ar a lán ócáidí le linn an lae agus san oíche araon. Bhí na cuairteanna sin neamhfhógartha den chuid is mó.
- 3.36 Chuir mé dhá thuarascáil leantacha ar an bPríosún faoi bhráid an Aire ar an 16 Eanáir 2012 agus ar an 1 Márta 2012.
- 3.37 I mo Thuarascáil dar dáta an 25 Samhain 2011, luaigh mé nach raibh Bloc A ná Bloc B oiriúnach don fheidhm. Ní raibh sláintíocht laistigh den chillín i

gceann ar bith de na cillíní sin, bhí na cillíní in anchaoi, bhí fuinneoga briste, etc. **Tá Bloc B díchoimisiúnaithe anois.**

- 3.38 Bhí an Príosún glan le linn gach ceann de mo chuairteanna le déanaí. Tá bearta nithiúla á ndéanamh ag bainistíocht an phríosúin chun déileáil leis an tsaincheist a bhaineann le mí-úsáid leibhéil ísil. Tá feabhas tagtha ar na saoráidí oideachais. Tá limistéar tiomnaithe cimithe i bhfeidhm.
- 3.39 Is iad na príomheasnamh sa Phríosún ná plódú, an easpa saoráidí áineasa, an easpa ceardlann, drugaí, saoráidí cúram sláinte agus an líon íseal daoine a bhíonn ag freastal ar an oideachas.
- 3.40 Ina Plean Straitéiseach, tá Seirbhís Phríosúin na hÉireann tiomanta do scartáil a dhéanamh ar Bhloc A agus ar Bhloc B sa Phríosún. Tógfar Bloc nua. Is é a bheidh ann ná cillíní cóiríochta agus gach saoráid is gá a mbeifí ag súil leo i bPríosún nua-aimseartha a chloíonn leis an dea-chleachtas.
- 3.41 Tagraím do Phríosún Luimnigh i mo Thuarascáil dar teideal – *Measúnú ar Chóras Phríosúin na hÉireann.*
- 3.42 Tá sé beartaithe agam Tuarascáil leantach eile ar an bPríosún a chur faoi bhráid an Aire laistigh de na chéad chúpla mí eile.

Foras Naomh Pádraig

- 3.43 Ar an 26 Meitheamh 2012, chuir mé Tuarascáil ar Fhoras Naomh Pádraig faoi bhráid an Aire. Thiomnaigh mé mé féin do Thuarascáil leantach a chur isteach. Ó fhoilsiú na Tuarascála sin, thug mé cuairt ar an bPríosún ar roinnt ócáidí éagsúla. I gCaibidil 5 den Tuarascáil seo, tugaim léargas cuimsitheach ar Fhoras Naomh Pádraig. **Molaim go ndúnfar an Foras ina staid reatha.**
- 3.44 Le himeacht ama, d'fhéadfadh foirgnimh fhisiciúla Fhoras Naomh Pádraig a bheith ina sócmhainn fhiúntach do Sheirbhís Phríosúin na hÉireann agus a bheith mar chuid de Champas foriomlán Phríosún Mhuinseo.

Imscrúdú ar na cúinsí a bhí taobh thiar de bhás príosúnaigh

- 3.45 D'iarr an tAire orm imscrúdú a dhéanamh ar na cúinsí a bhí taobh thiar de bhás Shane Rogers, a fuair bás agus é ar coimeád i gcillín i dTeach Cúirte Chnoc na Seamar ar an 20 Nollaig 2011.
- 3.46 Thóg an t-imscrúdú sin méid suntasach ama. Níl sé ar intinn agam fíricí ná sonraí m'imscrúdaithe a leagan amach, mar go bhfuil siad leagtha amach go hiomlán i mo Thuarascáil ar an imscrúdú a chuir mé faoi bhráid an Aire ar an 9 Eanáir 2013.
- 3.47 Chuir mé torthaí agus moltaí ar fáil i mo Thuarascáil.

Ionad Dóchas

- 3.48 Tá imscrúdú críochnúil á dhéanamh agam ar Ionad Dóchas. Tá an t-imscrúdú seo ar siúl le thart ar 18 mí anois.
- 3.49 Tá inní orm faoin institiúid seo.
- 3.50 Cuirfidh mé mo Thuarascáil faoi bhráid an Aire laistigh den roinnt míonna atá le teacht.

Príosún Chruithneachtáin

- 3.51 Tá imscrúdú críochnúil á dhéanamh agam ar Phríosún Chruithneachtáin.
- 3.52 Tá inní orm faoi ghnéithe agus faoi chleachtais áirithe sa Phríosún.
- 3.53 Tá an t-imscrúdú seo ar siúl faoi láthair. Ní shamhláim go mbeidh mé in ann Tuarascáil a chur faoi bhráid an Aire go dtí deireadh na bliana 2013 ar a luaithe.

Príosún an Chaisleáin Riabhaigh

- 3.54 I mí Feabhra 2012, chuir mé tús le himscrúdú ar Phríosún an Chaisleáin Riabhaigh.

- 3.55 Níor thug mé cuairt ar an bpríosún ach ar ócáid amháin ó cuireadh tús le m'imscrúdú. Mar sin féin, táim ag éisteacht le tuairimí roinnt daoine a thagann faoi na grúpálacha ginearálta dá dtagraítear i mír 3.26 den Tuarascáil seo.
- 3.56 Tráth dháta na Tuarascála seo, tá inní mhór orm faoi chleachtais áirithe sa Phríosún seo. Tabharfaidh mé tuairisc don Aire nuair a bheidh m'imscrúdú críochnaithe.

Tuairimí ginearálta ar phríosúin

- 3.57 I mír 3.4 de mo Thuarascáil ar Fhoras Naomh Pádraig, leag mé amach go mion an méid ar bhraith mé air agus mo mheasúnú ar an bpríosún á dhéanamh agam. Luaigh mé:-

“Níl m'imscrúdú ... bunaithe go hiomlán ar mo chuairteanna éagsúla ar an bhForas ná ar na comhráite a bhí agam le príosúnaigh, le hoifigigh phríosúin, le hionadaithe Chumann na nOifigeach Príosúin, leis na soláthraithe seirbhíse don phríosún ná le bainistíocht an phríosúin, ach léiríonn sé freisin na tuairimí atá ag mórán iarphríosúnaigh Fhoras Naomh Pádraig, ag mórán daoine a d'oibrigh i bhForas Naomh Pádraig thar na blianta, ag mórán daoine agus eagraíochtaí a sholáthraíonn seirbhísí d'Fhoras Naomh Pádraig agus ag trasghearradh suntasach daoine a bhfuil spéis acu i bhForas Naomh Pádraig agus a bhfuil eolas acu air”.

- 3.58 Ag an gcéim seo, ba mhaith liom a chur in iúl gur thug mé míniú soiléir, i dtuarascálacha éagsúla inar thug mé treoir maidir leis an dea-chleachtas agus i mo thuarascálacha ar phríosúin aonair, ar a bhfuiltear ag súil leis i bpríosúin. Is soiléir atá mo mhodh oibre. Tá an ráiteas sin glan soiléir agus ní gá é a mhíniú. **Ba cheart do Bhainistíocht na bPríosún tuarascálacha den sórt sin a léamh, ba cheart dóibh glacadh leis an gcomhairle a thugtar i dtuarascálacha den sórt sin agus, sa tslí sin, ba cheart dóibh a chinntiú nach mbeidh siad easnamhach nuair a thagaim chun m'imscrúduithe a dhéanamh.**

Teagmháil le comhlachtaí idirnáisiúnta agus le daoine eile

- 3.59 Le linn na bliana, choimeád mé teagmhálaithe le comhlachtaí idirnáisiúnta amhail an Coimisiún um Chéastóireacht a Chosc (CPT), comhaltaí de Chomhairle na hEorpa, na Náisiúin Aontaithe, an Cumann um Chéastóireacht a Chosc (APT) agus an Fochoiste um Chéastóireacht a Chosc (SPT). Rinne mé teagmhálaithe nua freisin. Bhuail mé le hOmbudsman Thuaisceart Éireann do Phríosúnaigh freisin. Coimeádaim teagmháil le cuid mhór eagraíochtaí idirnáisiúnta agus náisiúnta eile a bhfuil spéis acu i leas príosúnach agus in oibríochtaí príosún.
- 3.60 D'fhorbair mé raon teagmhálaithe agus is luachmhar atá a gcuid faisnéis rúnda. Ba mhaith liom a chur in iúl nach n-úsáidim faisnéis a fuarthas ar bhonn rúnda nó ar shlí eile mura bhforaíonn roinnt foinsí eile an fhaisnéis sin.
- 3.61 Tá teagmhálaithe idirnáisiúnta, faoi mar atá leagtha amach i mír 3.28 tábhachtach sa mhéid is go gcuireann siad ar mo chumas a bheith ar an eolas faoin dea-chleachtas idirnáisiúnta agus faoi chleachtais atá ag athrú.

Imscrúdú ar Bhásanna Príosúnach agus iad faoi Choimeád nó ar Scaoileadh Sealadach

- 3.62 I dTuarascáil dar teideal – *Treoir maidir leis an Dea-Chleachtas a bhaineann le Básanna Príosúnach agus iad faoi Choimeád Príosúin* dar dáta *an 21 Nollaig 2010*, d'áitigh mé nár éirigh linn, mar Thír, ár n-oibleagáidí a chomhlíonadh nuair a fuair duine bás agus é faoi choimeád príosúin. Luaigh mé go raibh mé den tuairim nár chomhlíonamar na critéir le haghaidh imscrúdú neamhspleách a shásódh na gnéithe d'Airteagal 2 den Choinbhinsiún Eorpach um Chearta an Duine (seachas na gnéithe siúd dá dtagraítear i mír 4.2 den Tuarascáil sin), faoi mar a míníodh iad i gcás **Jordan-v- An Ríocht Aontaithe** (Breithiúnas an 27 Meitheamh 2000, mír 105).
- 3.32 Ar an 19 Aibreán 2012, d'fhógair an tAire go mbunófaí próiseas neamhspleách chun imscrúdú a dhéanamh ar gach bás príosúnaigh agus é faoi choimeád príosúin sna téarmaí seo a leanas:-

“D’fhógair an tAire Dlí agus Cirt, Comhionannais agus Cosanta, an tUasal Alan Shatter T.D., gur cinneadh, tar éis comhairliúchán leis an mBreitheamh Reilly, An Cigire Príosún, go mbeadh bás aon phríosúnaigh agus é faoi choimeád Sheirbhís Phríosúin na hÉireann faoi réir imscrúdú neamhspleách ag an gCigire Príosún. Dhéanfaí é sin sa bhreis ar na meicníochtaí reatha atá i bhfeidhm, agus gan dochar dóibh, chun imscrúdú a dhéanamh ar bhásanna, lena n-áirítear imscrúduithe an Gharda Síochána agus ionchoisní ag Cróinéirí”.

“Beidh gach bás príosúnaigh, lena n-áirítear iad siúd a thagann ó chúiseanna nádúrtha nó ó fhéinmharú, faoi réir imscrúdú neamhspleách ag an gCigire. Beidh feidhm aige seo maidir le príosúnaigh atá faoi choimeád Sheirbhís Phríosúin na hÉireann, is cuma cé acu a tharlaíonn nó nach dtarlaíonn an bás laistigh de bhallaí an phríosúin, agus le príosúnaigh a ligeadh amach le déanaí ar scaoileadh sealadach. I gcomhthéacs a chuid imscrúduithe, rachaidh an Cigire i dteagmháil, de réir mar is cuí, le baill teaghlaigh an duine éagtha. Faoi Chuid 5 d’Acht na bPríosún, 2007, tá an Cigire Príosún neamhspleách agus a chuid feidhmeanna á gcomhlíonadh aige agus tá dualgas air a chuid tuarascálacha a fhoilsiú”.

- 3.33 Déanaim imscrúdú anois ar gach bás a tharlaíonn faoi choimeád príosúin agus ar bhásanna áirithe a tharlaíonn nuair atá príosúnach ar Scaoileadh Sealadach. Rinne mé imscrúdú ar gach bás den sórt sin a tharla ón 1 Eanáir 2012 ar aghaidh.
- 3.34 Leag mé amach go mion an cineál imscrúdaithe a dhéanaim agus mo mhodh oibre maidir le himscrúduithe den sórt sin a dhéanamh i gCaibidil 7 de mo Thuarascáil dar dáta an 20 Bealtaine 2013 agus dar teideal – **Measúnú ar Chóras Phríosúin na hÉireann.**

- 3.35 Sa tréimhse 12 mhí idir an 1 Eanáir 2012 agus an 31 Nollaig 2012, tháinig 16 bhás faoin gcatagóir atá le himscrúdú.
- 3.36 Tharla sé go bhfuil sé deacair agus am-íditheach imscrúdú a dhéanamh ar bhásanna príosúnaigh agus iad faoi choimeád.
- 3.37 Tá sé beartaithe agam Tuarascáil ar mo chuid imscrúduithe ar na básanna dá dtagraítear i mír 3.35 a chur faoi bhráid an Aire sna míonna atá le teacht agus i dTuarascálacha Bliantúla neamhspleácha ina dhiaidh sin.

Saincheisteanna eile

- 3.38 Dhéileáil mé le raon saincheisteanna éagsúla eile. Bhí roinnt cruinnithe agam leis an Ard-Stiúrthóir agus le feidhmeannaigh Sheirbhís Phríosún na hÉireann. Tionóladh na cruinnithe sin ar iarratas Sheirbhís Phríosúin na hÉireann nó ar m'iarratas féin. Tugaim comhairle ar shaincheisteanna éagsúla i gcásanna inar lorgaíodh comhairle maidir leis an dea-chleachtas idirnáisiúnta.
- 3.39 Caitheadh cuid mhór de mo chuid ama i 2012 ar shaincheisteanna a ndéileáilim leo i mo Thuarascáil dar teideal – **Measúnú ar Chóras Phríosúin na hÉireann.**

Caibidil 4

Ábhair Inní

4.1 I gCaibidil 2 den Tuarascáil Bhliantúil seo, leag mé amach go hachomair na hiarrachtaí a rinne Seirbhís Phríosúin na hÉireann chun an dea-chleachtas idirnáisiúnta a chomhlíonadh.

4.2 Is mar seo a leanas atá roinnt saincheisteanna tromchúiseacha nach mór déileáil leo:-

(i) An cultúr i roinnt áirithe dár bpríosúin

Tá sé sin le feiceáil i roinnt bealaí éagsúla, mar shampla:-

- Mí-úsáid leibhéil ísil a dhéanamh ar phríosúnaigh.
- Scairteadh ar phríosúnaigh agus drochtheanga a úsáid nuair atáthar ag labhairt leo.
- Gan a bheith ag freastal ar ghlaochloig.
- Neamhshuim i bhfiosruithe agus in iarratais réasúnacha a chuireann príosúnaigh in iúl.

(j) Príosúnaigh faoi Chosaint

Tá tábhacht a bhaineann leis na breithnithe seo a leanas:-

- Tá thart ar 25% den líon iomlán príosúnach faoi chosaint.
- Tá cúiseanna éagsúla lena bhfuil príosúnaigh faoi chosaint. I gcásanna áirithe, cuireann príosúnaigh in iúl gur mian leo dul faoi chosaint toisc go bhfuil siad faoi bhagairt dhíreach ó dhaoine eile sa phríosún nó toisc go mbraitheann siad go bhfuil siad faoi bhagairt. I gcásanna eile, tá siad faoi chosaint toisc go dtagann siad ó limistéar geografach ar leith den Tír nó mar gheall ar a n-eitneachas cultúrtha. Tá an leitheadúlacht dronganna sa phríosún, a léiríonn an méid atá ann ar an taobh amuigh, ina fadhb freisin mar gur féidir iallach a chur ar phríosúnaigh leochaileacha dul isteach i ndrong nó mar gur féidir leo é sin a dhéanamh dá ndeoin féin toisc go mbraitheann siad go mbeidh siad níos sábháilte dá bharr.

D'fhéadfadh go mbeadh príosúnaigh den sórt sin faoi chosaint mar thoradh air sin.

- Nuair a bhíonn príosúnaigh faoi phríosúnacht 23 uair, ní bhíonn ach easpa teagmhála acu leis na nithe seo a leanas, nó ní bhíonn aon teagmháil acu leo: múinteoirí, seirbhísí andúile, an spórtlann, cleachtadh creidimh, an leabharlann nó leis an iliomad seirbhísí deonacha seachtracha a dhéanann obair den scoth leis na príosúnaigh sin a bhfuil rochtain acu orthu.
- San am seo a chuaigh thart, d'fhéadfadh gurbh fhearr leis an mbainistíocht príosúnacht 23 uair a úsáid in ionad roghanna eile chun sábháilteacht a choimeád ar bun i bpríosúin. D'fhéadfadh go mbeadh an ráiteas sin chomh hinfheidhme céanna sa lá atá inniu ann.

(k) Araíonacht príosúnach

- Ní mór don fhoireann agus do na príosúnaigh araon an cód iompraíochta a thuiscint.
- Ní mór do smachtbhannaí araíonachta a bheith comhréireach.
- Ní mór do smachtbhannaí araíonachta a bheith ag teacht leis an dea-chleachtas idirnáisiúnta. Tá 'caillteanas pribhléidí' ar feadh 56 lá coitianta i bPríosúin na hÉireann. Tháinig mé ar chásanna inar forchuireadh **pionós 60 lá**. **Níl na pionóis sin ag teacht ar chor ar bith leis an dea-chleachtas idirnáisiúnta a nglactar leis.**

(l) Oiliúint oifigeach

- Tá na dúshláin roimh oifigigh ag athrú de shíor.
- Ní mór don oiliúint timpeallacht an phríosúin atá ag athrú agus ilchineálacht phobal an phríosúin a léiriú agus aitheantas a thabhairt don dea-chleachtas.

(m) Gníomhaíochtaí do Phríosúnaigh

- I mo Thuarascáil dar teideal – *Pobal Phríosúin na hÉireann – scrúdú ar na dualgais agus ar na hoibleagáidí atá dlite do*

phríosúnaigh, leag mé amach go mion na hoibleagáidí atá ar phríosúin chun gníomhaíocht iomchuí struchtúrtha a sholáthar do phríosúnaigh.

- Sa Tuarascáil chéanna, leagaim amach an méid ama ba cheart a bheith ag príosúnaigh lasmuigh dá gceillíní.

(n) Slándáil

- Ba cheart do gach duine, foireann an phríosúin san áireamh, a théann isteach sa phríosún a bheith faoi réir na nósanna imeachta céanna slándála.
- Ní mór do Sheirbhís Phríosúin na hÉireann a bheith faireach chun a chinntiú nach mbeidh aon mhaolú ar na nósanna imeachta slándála dóibh siúd a théann isteach sna príosúin, mar, faoi na nósanna imeachta reatha, go bhfuil oifigigh phríosúin, *seachas* iad siúd ó rannóg neamhspleách sa tseirbhís, freagrach as cuardach a dhéanamh agus go mbeidh formhór na ndaoine a ndéanfar cuardach orthu ina n-oifigigh phríosúin.
- Ba cheart monatóireacht leanúnach a dhéanamh ar an teicneolaíocht atá ag athrú chun tairbhe a bhaint as gléasanna nua a d'fhéadfadh suíomh fón soghluaiste nó modhanna eile cumarsáide i bpríosúin a aithint go réidh nó a d'fhéadfadh úsáid na modhanna cumarsáide sin a dhéanamh díomhaoin.
- Ní mór do bhainistíocht an phríosúin a bheith faireach i gcónaí chun a chinntiú, a mhéid agus is féidir, nach dtagann drugaí ná contrabhanna eile isteach i bpríosúin.

(o) Iompar príosúin

- Bíonn príosúnaigh i staid leochaileacha agus iad ag taisteal in iompar príosúin.
- Níl iompar príosúin faoi réir aon mhaoirseachta ná aon chigireachta neamhspleáiche. Ba cheart dul i ngleic leis an mbearna seo mar ábhar práinne.

- Bheadh méid suntasach oibre i gceist le monatóireacht a dhéanamh ar iompar príosúin.

(p) Cillíní i dTithe Cúirte

- Tá cillíní coinneála i bhformhór na dTithe Cúirte.
- Tá freagracht ar Sheirbhís Chúirteanna na hÉireann as tithe cúirte agus, dá bhrí sin, as cillíní i dTithe Cúirte den sórt sin.
- Tá príosúnaigh i gcillíní coinneála i dTithe Cúirte faitíosach den chuid is mó agus tá siad i gcónaí leochaileach.
- Níl na cillíní coinneála i dTithe Cúirte faoi réir cigireachta ag aon chomhlacht neamhspleách cigireachta ar bith. Ba cheart dul i ngleic leis an mbearna seo mar ábhar práinne.

Tuairimí Ginearálta

- 4.3 Mar aon leis na hábhair inní dá dtagraítear i mír 4.2, tá ábhair nach mór dul i ngleic leo agus beidh sé sin amhlaidh go deo. I ngach cás, cuirfidh mé na hábhair inní sin in iúl do bhainistíocht áitiúil an phríosúin d'fhonn iad a réiteach.
- 4.4 Beidh mé ar fáil chun comhairle maidir leis an dea-chleachtas idirnáisiúnta a chur ar Sheirbhís Phríosúin na hÉireann agus ar bhainistíocht áitiúil na bpríosún má tá gá acu leo agus iad ag déileáil leis na saincheistanna a ardaíodh i mír 4.2.
- 4.5 Ní fhoilsím clár oibre mar go mbraithim go raibh mo mhodh oibre, trína ndéanaim cigireachtaí neamhfhógartha, chomh rathúil sin san am atá caite go dtuilleann sé formheas poiblí.
- 4.6 Déanfar mo chuid cigireachtaí ar bhonn níos minice amach anseo mar gheall ar na socrúithe méadaithe foirne dá dtagraítear i gCaibidil 6.

Caibidil 5

Foras Naomh Pádraig

- 5.1 An 26 Meitheamh 2012, chuir mé Tuarascáil ar Fhoras Naomh Pádraig (dá ngairtear “Tuarascáil Fhoras Naomh Pádraig” anseo feasta) faoi bhráid an Aire. Buaic imscrúdaithe chríochnúil ar gach gné d’Fhoras Naomh Pádraig a rinneadh thar thréimhse shuntasach ba ea an Tuarascáil seo.
- 5.2 I gCaibidil 3 de mo Thuarascáil ar Fhoras Naomh Pádraig, leag mé amach ar bhealach mionsonraithe na mórábhair inmí atá orm a bhaineann le Foras Naomh Pádraig. Bhain na hábhair inmí sin le húsáid mhíchuí na gCillíní Breathnóireachta Sábháilteachta agus na gCillíní Dlúthmhaoirseachta, an úsáid iomarcach/mhíchuí teicnící rialaithe agus srianta, neamhleorgacht na n-imscrúduithe ar ghearáin ó phríosúnaigh, an modh ina raibh smachtbhannaí araíonachta á ngearradh, gnéithe de chúram sláinte na bpríosúnach, oideachas neamhleor agus coimeád taifead a bhí ar chaighdeán íseal nó in easnamh. Cháin mé roinnt de bhaill foirne an phríosúin freisin.
- 5.3 Shonraigh mé i mír 1.3 de mo Thuarascáil ar Fhoras Naomh Pádraig:-
- “Mar gheall ar chomhcheangal idir, i measc nithe eile, bainistíocht lag, cultúr an phríosúin, an neamhaird ar noirm chearta an duine, príosúnaigh faoi chosaint agus an leitheadúlacht drugaí, níor chomhlíon Foras Naomh Pádraig ráiteas misin Sheirbhís Phríosúin na hÉireann”.*
- 5.4 Shonraigh mé i mír 2.6 de mo Thuarascáil ar Fhoras Naomh Pádraig:-
- “Tá sé soiléir ó mo thorthaí sa Tuarascáil seo gur cheart deireadh a chur leis an gcoinneáil leanaí i bhForas Naomh Pádraig mar bheart práinne. Is é mo thuairim gur cheart athbhreithniú a dhéanamh ar an amlíne maidir le deireadh a chur leis an gcoinneáil leanaí (Bealtaine 2014)”.*

- 5.5 Chuir Seirbhís Phríosúin na hÉireann Plean Gníomhaíochta i bhfeidhm. Cuireadh Foireann Bhainistíochta nua i bhfeidhm.
- 5.6 Táim sásta go ndearnadh roinnt feabhsúchán agus gur tugadh aghaidh ar chuid mhór de mo hábhair inní. Táim sásta freisin go ndearnadh roinnt de mo mholtaí a chur chun feidhme.
- 5.7 Bhí agus tá an sreabhadh drugaí agus contrabhanna eile ina fhadhb ollmhór i bhForas Naomh Pádraig. Cuireann láthair an Phríosúin leis seo toisc gur láthair ionchathair í ag a bhfuil daonra ard-dlúis. Táim eolach go ndearnadh bearta dearfacha chun cabhrú leis an sreabhadh drugaí agus contrabhanna sa Phríosún a laghdú. Rinneadh na bearta seo a leanas:-
- Tá líon méadaithe Gardaí i láthair sna limistéir phoiblí idir balla an Phríosúin agus an chanáil.
 - Nuair a thiteann contrabhanna ar na líontáin a chlúdaíonn na clóis anois, glactar na príosúnaigh isteach ó na clóis, baintear an contrabhanna ó na líontáin agus tugtar cead do na príosúnaigh filleadh ar na clóis.
 - Rinneadh smachtbhannaí araíonachta maidir le cionta a bhaineann le contrabhanna a chaighdeánú. Tá eolas ag na príosúnaigh ar na smachtbhannaí sin.
 - Ceapadh Príomhoifigeach do Champas Phríosún Mhuinseo ar a bhfuil freagracht ar leith as gach gné de shlándáil.
- 5.8 Tuigim gur cuireadh plé ar siúl idir Seirbhís Phríosúin na hÉireann agus Seirbhís Ceartas Óige na hÉireann d'fhonn múnla coinneála cúram leanaí a chur ar fáil i bhForas Naomh Pádraig a n-oibreodh foireann cúraim ó na Scoileanna Coinneála do Leanaí ag obair i dteannta fhoireann an phríosúin é. Beart gearrthéarmach ba ea anseo, suas go dtí mí na Bealtaine, 2014, nuair a d'aistreadh gach duine atá 17 mbliana d'aois chuig saoráidí Sheirbhís Ceartas

Óige na hÉireann i mBaile an Oibricigh. Tuigim nach raibh Seirbhís Ceartas Óige na hÉireann in ann socrúchán den chineál sin a éascú.

5.9 Ó foilsíodh mo Thuarascáil ar Fhoras Naomh Pádraig, thug mé cuairt ar an bPríosún go minic i rith an lae agus san oíche araon. **Ar na cigireachtaí leantacha is déanaí ar an bhForas a rinne mé thar thrí seachtaine i mí an Mhárta i mbliana, d'aimsigh mé an-teagmhais díshocraíochta nár comhlíonadh an dea-chleachtas agus ar sáraíodh cearta bunúsacha na bpríosúnach iontu.**

5.10 D'aimsigh mé na nithe seo a leanas sa Limistéar Cimithe ar thug mé cuairt air oíche amháin:-

- Níor cuireadh Príosúnach A ina chillín ach nóiméid sular tháinig mé. Bhí sé ina sheasamh sa chillín go fóill. Bhí an cillín an-salach. Bhí méid mór seanbhia stálaithe ar an urlár agus taobh thiar den doras go háirithe. Ní raibh an leithreas ag sruthlú - bhí sé lán le seanfhearadh agus ábhar eile. Bhí an doirteal an-salach agus ní raibh uisce ar bith sna sconnaí. Ní raibh piliúr ann. Ní raibh aon teilifís ann agus bhí sreanga nochta ar crochadh as an mballa. Fráma leapa an-salach. Doras agus urlár an-salach. Líonóil scriosta. Ní raibh leabhrán faisnéise ag an mála trealaimh. Níor tugadh cead dó glao teileafóin a chur ar a mhuintir. Bhí an cillín fuar. Labhair mé leis an oifigeach sinsearach, d'iarr mé air féachaint ar an gcillín agus a thuairim a thabhairt faoi cé acu an raibh sé iomchuí príosúnach a chur ann nó nach raibh. Bhí a fhreagra neamhcheangailteach. Bogadh an príosúnach go cillín eile a bhí pas beag níos fearr.
- Bogadh Príosúnach B an lá sin go Foras Naomh Pádraig - bhí an cillín fuar agus salach. Bhí an príosúnach ag caoineadh agus sa leaba nuair a osclaíodh an doras dom. Diúltaíodh cead dó glao teileafóin a chur ar a athair. Ní bhfuair sé an leabhrán faisnéise. Ní raibh an mheicníocht sruthlaithe don leithreas ag obair agus bhí an leithreas lán le fearadh. Bhí eagla ar an bpríosúnach seo.

- Cimíodh Príosúnach C ó Chúirt i mBaile Átha Cliath. Mhínigh sé go raibh sé i gcillín coinneála i gcoimpléacs na Cúirte ó thart ar 12pm meán lae go 6pm. Bhí an príosúnach seo ar crith mar gheall ar an bhfuacht. Bhí an fhuinneog stoptha sa suíomh oscailte. Níor tugadh cead dó glao teileafóin a chur ar a mhuintir. Bhí an cillín an-salach. Bhí an leaba agus an fráma an-salach. Ní raibh an mheicníocht sruthlaithe don leithreas ag obair agus bhí an leithreas lán le fearadh. Bhí an doirteal an-salach agus ní raibh na sconnaí ag obair. Ní raibh aon teilifís ann agus bhí sreanga nochta ar crochadh as an mballa. Níor tugadh an leabhrán faisnéise dó. Mhínigh sé go raibh cógas á thógáil aige mar gheall ar thinneas síciatrach ó d’fhan sé in ospidéal síciatrach tamall roimhe sin. Mhínigh sé go mbeadh a mheabhair ‘ar fud na háite’ sa tráthnóna mura bhfaigheadh sé a chógas gach lá. Ní bhfuair sé a chógas. Bhuail mé leis an altra agus chuir mé m’fhaisnéis in iúl dó. Léirigh an príosúnach gur duine leochaileach é. Bhí eagla air agus bhí sé ag caoineadh agus mé ag imeacht.
- Bhí an seomra sruthlaithe an-salach agus bhí tuairim is ½ orlach de shloda ag bun an doirtil.
- Ní raibh aon taifid ar fáil do gach cillín.
- Ar fhiosrú a dhéanamh faoin bhfáth ar diúltaíodh cead do phríosúnaigh teagmháil a dhéanamh lena muintir, cuireadh in iúl dom an oíche sin “go mbeadh ar rúnaí an Ghobharnóra é seo a bhunú ar an gcóras - ní bheadh eolas ag aon duine ar an té go díreach ar a gcuirfí na glaonna ar shlí eile”. Níor ghlac mé leis an míniúchán seo agus ní ghlacaim fós leis.

5.11 D’aimsigh mé na nithe seo a leanas ar cheann amháin de mo chuartheanna lae:-

- Príosúnach sa Limistéar Cimithe a baineadh dá chillín ní ba luaithe an mhaidin sin agus a tugadh chuig an bhForhalla mar a ndearnadh nochtchuardach air. Ní raibh aon taifid faoina bhaint ná faoina chuardach.
- Cillíní an-salach, a raibh leithris bhriste i gcuid acu. Seomra sruthlaithe agus seomra cithfholctha salach.
- Beirt phríosúnach i gcillín amháin - duine amháin ar an urlár. Bhí an bheirt acu faoi chosaint - bhí eagla ar an mbeirt acu roimh a gcillín a fhágáil mar gur líomhain duine amháin acu gur bhuail príosúnach eile go dona é agus líomhain an duine eile gur sádh é trí huair roimhe sin.
- Duine 19 mbliana d'aois faoi chosaint. Faoi ghlas 23 uair sa lá. Luaigh sé go raibh a chuairt dheireanach aige i mí Dheireadh Fómhair nó i mí na Samhna roimhe sin. Bhí sé ag iarraidh an Ardteistiméireacht a dhéanamh ach níor fhéad sé í a dhéanamh ach in ábhar amháin. Bhí sé soiléir go raibh a mheabhairshláinte ag meathlú.
- Príosúnach eile faoi chosaint a bhí staidéar á dhéanamh aige ar chúig ábhar don Ardteistiméireacht i bPríosún Luimnigh sular aistríodh go Foras Naomh Pádraig é, ní raibh sé ábalta ag an am sin ach staidéar a dhéanamh ar ábhar amháin - Ealaín a bhí ann.

5.12 D'aimsigh mé na nithe seo a leanas ar cheann eile de mo chuirteanna lae:-

- Taifeadadh teochtaí do Chillíní Speisialta san Aonad le haghaidh dátaí áirithe in irisleabhair mar uasteocht 19.7°C.
- Úsáid theoranta na spórtlainne san Aonad.
- Dúbailt na bpríosúnach ar Cheann Staighre D3 - rinneadh 9 gcillín a dhúbailt ina raibh an príosúnach breise ar thocht ar an urlár.
- Líomhaintí nár freagraíodh na glaochloig.
- Bhí éadaí leapa ar roinnt mhaith leapacha ar Cheann Staighre D3 salach. Rinne príosúnaigh gearáin liom nár athraíodh a n-éadaí leapa le roinnt seachtainí. Thacaigh riocht na n-éadaí leapa leis an ngearán seo.
- Ní raibh teileafóin leorga ann.

- Ní raibh ceathanna iomchuí á bhfáil ag príosúnaigh.
 - Bhí príosúnaigh ina gcodladh agus éadaí orthu chun féachaint le coinneáil te.
- 5.13 Thug mé breac-chuntas ar m'ábhair imní ag cruinniú le lucht ardbhainistíochta Fhoras Naomh Pádraig an 19 Márta 2013. Ghlac na daoine sin a d'fhreastail ar an gcruinniú leis na teagmhais ar thug mé breac-chuntas orthu ag an gcruinniú.
- 5.14 Bhí roinnt teagmhas/ionsaithe/clampar sa phríosún le roinnt míonna anuas.
- 5.15 **In ainneoin na n-iarrachtaí do-amhrasta a rinne an lucht bainistíochta, táim den tuairim nach bhfuil athrú tagtha ar an gcultúr a ndearna mé tagairt dó i mo Thuarascáil ar Fhoras Naomh Pádraig.**
- 5.16 Ba mhaith liom a chur in iúl go bhfuil mé sásta go dtaispeánann formhór mór na n-oifigeach príosúin atá ag obair i bhForas Naomh Pádraig meas do, agus tuiscint ar, na príosúnaigh faoina gcúram. Gníomhaíonn siad ar bhealach gairmiúil cé gur féidir le cúinsí a bheith an-dúshlánach ó am go chéile.
- 5.17 **Táim den tuairim nach féidir le Seirbhís Phríosúin na hÉireann coimeád sábháilte agus daingean na gciontóirí óga atá á gcoimeád i bhForas Naomh Pádraig a ghealladh a thuilleadh.**
- 5.18 Déanaim na moltaí seo a leanas anois:-
- **Ba cheart Foras Naomh Pádraig a dhúnadh gan mhoill.**
 - **Ba cheart príosúnaigh a scaipeadh chuig forais eile mar a bhféadfaí coimeád sábháilte agus daingean a ghealladh dóibh.**
 - **Ba cheart foireann atá ann cheana i bhForas Naomh Pádraig a scaipeadh chuig forais eile.**
 - **Ba cheart deireadh a chur le hainm Fhoras Naomh Pádraig a úsáid.**

5.19 Más rud é go bhforfheidhmeofar mo mholtaí dá dtagraítear i mír 5.18, caithefear bearta fadtéarmacha agus gearrthéarmacha araon a thabhairt isteach. Den chuid is mó, rachaidh na bearta gearrthéarmacha i bhfeidhm ar na príosúnaigh atá 17 mbliana d'aois. Glacaim leis nach mór comhréitigh a dhéanamh sa ghearrthréimhse. Mar sin féin, níor cheart do na bearta gearrthéarmacha sin an coimeád sábháilte agus daingean a dhlíonn an Tír seo dá cohórt príosúnach a chur i gcontúirt. Dá bhrí sin, ar mhaithe le bheith cabhrach, is mian liom na pointí ginearálta seo a leanas a dhéanamh:-

Príosúnaigh 17 mbliana d'aois

- (e) Ba cheart athbhreithniú a dhéanamh ar an amlíne um mí na Bealtaine 2014 le haghaidh príosúnaigh athchuir agus chimithe 17 mbliana d'aois a aistriú go hIonad Bhaile an Oibricigh d'fhonn an dáta seo a thabhairt ar aghaidh.
- (f) Ar feitheamh an aistrithe príosúnach 17 mbliana d'aois dá dtagraítear in (a) thuas, ba cheart cóiríocht a chur ar fáil do na príosúnaigh sin in aonad tiomanta a bhfuil a chóiríocht agus a shaoráidí aclaíochta agus oideachais ar leith féin aige. Ní call a rá gur cheart gach taca ábhartha eile a bheith i bhfeidhm san aonad sin.
- (g) Mura bhfuil aonad den chineál dá dtagraítear in (b) thuas ar fáil go réidh, d'fhéadfadh sé a bheith ina réiteach gearrthéarmach (a bheadh i bhfeidhm tráth nach déanaí ná mí na Bealtaine 2014) ná cóiríocht a chur ar fáil don chohórt seo príosúnach i gceann amháin de na príosúin atá ann cheana nó fiú i bhForas Naomh Pádraig ar choinníoll go bhféadfaí a thaispeáint go mbeadh an tsaoráid sin deighilte go hiomlán ó gach cohórt eile príosúnach agus nach mbeadh aon teagmháil aici le haon chohórt eile príosúnach.
Níor mhór mo mholtaí in (d) thíos a chomhlíonadh ina n-iomláine.
- (h) Dá ndéanfaí machnamh ar réiteach gearrthéarmach ar nós an réitigh atá molta in (c) thuas, **níor mhór** feidhm a bheith ag na nithe seo a leanas:

- Dhéanfadh oibrithe cúram sláinte a chuirfeadh Seirbhís Ceartas Óige na hÉireann ar fáil nó a d'earcófaí ó áit eile oibriú le taobh fhoireann coimeádta an phríosúin.
- Chaithfí oifigigh phríosúin ag obair san aonad a roghnú go speisialta agus chaithfí an oiliúint a chur ar fáil dóibh a thabharfadh na scileanna riachtanacha dóibh le coimeád sábháilte agus daingean a chur ar fáil don chohórt príosúnach san aonad sin.

Príosúnaigh idir 18 mbliana d'aois agus 20 bliain d'aois

- (a) Ní mór an príomhfhócas a bheith ar athshlánú a chur ar fáil trí oideachas, obair agus oiliúint.
- (b) Tar éis measúnú a dhéanamh, ba cheart cóiríocht a chur ar fáil do phríosúnaigh ón gchórt seo ar sciathán/sciatháin ar leith de phríosún ginearálta/phríosúin ghinearálta mar a gcuirfí cóiríocht ar fáil dóibh agus mar a bhféadfadh siad áineas a bheith acu ó mhórphobal an phríosúin. D'fhéadfadh siad páirt a ghlacadh in oideachas agus in oiliúint oibre leis an bpobal príosúin i gcoitinne.
- (c) Ba cheart aonad beag ar leith a bhunú chun cóiríocht a chur ar fáil do na príosúnaigh sin a mheasfaí a bheith leochaileach agus neamhábaltacht le chéile leis an gcuid eile de na príosúnaigh idir 18 mbliana d'aois agus 20 bliain d'aois.
- (d) Níor cheart do phríosúnaigh a chuirfí in aonad den chineál a mholtar in (c) thuas a bheith faoi bhuntáistí i réimsí ar nós oideachais, cúram sláinte, agus áineasa etc. Is gá go mbainfeadh siad leas as gach ceann de na saoráidí agus de na tacaí a bhfuil gach duine i bpríosún ina dteideal.
- (e) D'fhéadfadh sé go bhféadfaí roinnt den chohórt seo príosúnach a scaipeadh go príosúin eile mar a ndéanadh siad caidreamh i ngach gné le príosúnaigh bhreacaosta.

Tuairim Ghinearálta

5.20 In ainneoin mo nótaí tráchta i mír 5.19, beidh sé faoi Sheirbhís Phríosúin na hÉireann, ar ndóigh, réitigh ghearrthéarmacha agus fhadtéarmacha araon a

thabhairt ar aghaidh má ghlactar le mo mholtaí mar atá leagtha amach i mír 5.18.

- 5.21 Táim eolach freisin go mbeidh reachtaíocht phríomhúil ag teastáil má ghlactar le mo mholtaí atá i mír 5.18. D'fhéadfadh go mbeadh reachtaíocht thánaisteach ag teastáil freisin. **Spreagfainn an tAire an reachtaíocht phríomhúil agus an reachtaíocht thánaisteach sin a thabhairt ar aghaidh mar bheart práinne.**

Caibidil 6

Acmhainní na hOifige

- 6.1 Léirítear sa Chaibidil seo na hacmhainní a bhí agam i 2012, chomh maith leis na hacmhainní a bhí agam roimhe sin agus na hacmhainní atá agam amhail dáta na Tuarascála Bliantúla seo.
- 6.2 I mo chéad bhliain mar Chigire Príosún, bhí an fhoireann seo a leanas agam:-
- Gobharnóir príosúin ar scor a ghníomhaigh mar chomhairleoir dom.
 - Ardoifigeach feidhmiúcháin.
 - Taighdeoir.
 - Oifigeach dualgais.
- 6.3. I mbliain 2, ba éard a bhí i m'fhoireann:-
- Ardoifigeach feidhmiúcháin.
 - Taighdeoir.
 - Oifigeach dualgais.
- 6.4 Bhí mo thaighdeoir ar chonradh ar feadh 3 bliana ar cuireadh deireadh leis i mí an Mhárta 2011. Faoi láthair, níl go leor oibre agam leis an bhfostú taighdeora a dhlisteanú. Sa chás go dteastaíonn taighdeoir uaim, iarrfaidh mé ceadú iomchuí ón Aire le haghaidh an duine sin a fhostú.
- 6.5 Mhínigh mé don Aire i 2010 go raibh foireann oifige bhreise ag teastáil uaim. Ceapadh oifigeach cléireachais i mí an Mheithimh 2010. Ceapadh ardoifigeach feidhmiúcháin sa bhreis i mí Eanáir 2013.
- 6.6. I 2012, cuireadh cúram orm imscrúdú a dhéanamh ar bhásanna príosúnach agus iad faoi choimeád nó ar scaoileadh sealadach. Bhí méid mór d'obair bhreise do m'Oifig i gceist anseo. D'iarr mé cead chun imscrúdaitheoirí a

fhostú ar bhonn *per diem* chun cabhrú leis na himscrúduithe sin, agus deonaíodh an cead sin.

- 6.7 Tá mo chuid oibre ag méadú go mear. D'aimsigh mé nach raibh mé ábalta m'údarás méadaithe a chomhlíonadh leis an líon reatha foirne atá agam. Mhínigh mé mo staid don Aire a thug cead dom painéal saineolaithe a fhostú chun cabhrú liom i mo chuid oibre. D'fhógair mé sna nuachtáin do na daoine sin. As tuairim is 50 iarratasóir, chuir bord agallaimh 23 duine faoi agallamh. Fíor-ard a bhí cumas na n-iarratasóirí go léir. Mar thoradh ar an bpróiseas agallaimh, tugadh cuireadh do 12 duine de na hiarratasóirí a bheith mar bhaill den phainéal. Ghlac gach duine leis. Oibreoidh baill den phainéal ar bhonn páirtaimseartha agus íocfar ráta *per diem* leo.
- 6.8 Tugann baill den phainéal saineolas dá ról i réimsí amhail - saineolas acadúil, cearta an duine, sláinte, oideachas, imscrúdú, príósúin, bainisteoireacht ghinearálta agus cearta na bpríosúnach.
- 6.9 Táim den tuairim go mbeidh mé in ann m'údarás a chomhlíonadh ar gach bealach le cúnaimh an phainéil saineolaithe seo.
- 6.10 Beidh an ceart rochtana céanna ag gach ball den phainéal ar thaifid phríósúin is atá agam féin.
- 6.11 Mar sin féin, tá ball foirne amháin sa bhreis ag teastáil uaim i m'Oifig. Tuigim go gceapfar an duine sin go luath amach anseo.
- 6.12 Sa chás go méadaíonn m'ualach oibre tuilleadh, beidh gá le hathbhreithniú a dhéanamh ar an tsaincheist maidir le hacmhainní breise. Táim muiníneach go mbreithneofar iarratas réasúnta go tuisceanach sa chás sin.
- 6.13 Ba mhaith liom buíochas a ghabháil leis an Aire as muinín ionam a thaispeáint tríd an gceapadh foirne breise, agus an ceapadh painéil saineolaithe dá dtagraítear i mír 6.7 go háirithe, a údarú.

6.14 Ag an bpointe seo, ba mhaith liom buíochas a ghabháil le m'fhoireann a d'oibrigh uaireanta fada, agus uaireanta míshóisialta corruair. Is foireann dhícheallach chomhtháite iad. Chabhraíodar liom i ngach gné de mo chuid oibre. Is iad na daoine sin - Linda Larkin Uasal (bainisteoir oifige) atá liom ó ghlac mé mo cheapadh i 2008 i leith, Aoife Watters Uasal (taighdeoir), 2008 - 2011, an tUasal Jim Woods (gobharnóir príosúin ar scor), 2008, an tUasal Paul Dunne (oifigeach dualgais), 2008-2010, Michelle Slattery Uasal, 2010 - an lá inniu, an tUasal John Byrne (oifigeach dualgais), 2010 - an lá inniu, agus Emer O'Neill Uasal, 2013.