

**Report on an Inspection of Loughan  
House Open Centre by the Inspector of Prisons  
Judge Michael Reilly  
2008**

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## **Chapter 1**

### **Acknowledgements**

- 1.1 I received a high level of co-operation from all people involved in my inspection of Loughan House. I would like to thank in particular Governor Martin Reilly, Assistant Governor James Reilly, their staff and others who provide services there. I would particularly like to thank the prisoners and their visitors who spoke freely to me and my team. I would like also to thank all those who are not mentioned in this short acknowledgment and who, in one way or another, assisted me in my inspection.
  
- 1.2 I am indebted to my small team not only for their attention to office duties but also for their diligence in carrying out inspections sometimes during unsocial hours. They are:- Mr. James Woods who acts as special advisor, Ms. Linda Larkin who is in charge of administration in my office and Ms. Aoife Watters my researcher who is responsible for assisting me in the drafting of this report. They are a dedicated, interested and cohesive team who worked long hours and for that I thank them.

## **Chapter 2**

### **Introduction**

- 2.1 Loughan House was originally built in 1953 as a noviciate for the White Friar Fathers Missionary Congregation and was used for this purpose until 1972 when the Department of Justice purchased it for use as a detention centre. It is situated on 47 acres of land located on a scenic elevated site overlooking Lough McNeen approximately 2 miles from the village of Blacklion, Co. Cavan.
- 2.2 In 1973 Loughan House was opened as a penal institute for young male offenders between the ages of 16 and 23 years. From 1978 to 1983 it was used as a juvenile detention centre for boys aged from 12 to 16 years. Since 1983 it has served as an open centre for male offenders over the age of 18.
- 2.3 My predecessor, the late Mr. Justice Kinlen, undertook an initial inspection of Loughan House in 2003 and a follow-up inspection in 2006. Since 2006 the old school building has been replaced and a new accommodation wing has opened at Loughan House. The football pitch has received a “facelift” and now has an Astroturf surface. An Addiction Counsellor has been appointed on contract.
- 2.4 The new accommodation wing is on two levels and has been constructed to a high standard with bathroom facilities shared by every two rooms. The rooms are bright and airy.
- 2.5 The population of Loughan House has rapidly increased since the new wing opened in April 2008. The present maximum bed capacity is 130. The average daily population for May 2008 was 126. As Loughan House is neither a remand centre nor a committal prison the entire population comprises prisoners transferred from closed prisons to complete the remainder of their sentences. These sentences can range from; on the one hand, relatively short sentences imposed for minor offences, to, on the other hand, longer sentences

imposed for more serious offences. Before prisoners are transferred to Loughan House they are assessed as low risk category prisoners. The assessment is carried out by Irish Prison Service Headquarters and local management from the relevant closed prison. Factors taken into account are, inter alia, the length of sentence, the nature of the offence, the balance of the sentence remaining and the overall behaviour of the prisoner. Further factors such as the prisoner's engagement with educational facilities, work and training programmes, the probation service, the counselling and psychological services in the closed prisons are also taken into consideration. As prisoners are only in Loughan House to serve the balance of their sentences which can be of short duration this presents a challenge for management and staff in providing sufficient facilities and programmes for prisoners.

2.6 I was informed by a number of sources in Loughan House and accept that a number of prisoners transferred there in the manner referred to at paragraph 2.5 above are 'repeat offenders'. I have requested statistical details on these. These are prisoners who are serving short sentences but who have, in the past, served similar sentences and in some cases several similar sentences in this open centre. This raises the question as to whether Loughan House is being utilised to its optimum potential in the overall management of prisoners. I will deal with this aspect in greater detail in my annual report when considering the whole question of the sentence management of prisoners throughout the entire Irish Prison System.

2.7 I found the prisoners content with no significant complaints. The most common complaint was that there is a lack of activities for prisoners in the evening time and during the weekends. The majority of the prisoners spend all day out of their rooms. The facilities for prisoners are generally good. The school building is brand new and provides opportunities for learning. Later in this report at paragraphs 8.1 and 8.3 I make reference to the educational classes available. Prisoners have adequate access to the library. There is a working farm and the exercise facilities are good. There is an urgent need to develop further activities so that each prisoner in Loughan House is occupied in a purposeful activity for a significant proportion of the day. Many prisoners

spend a very short period of time in Loughan House which makes it difficult for the prisoners to participate in the education and other programmes that would enhance their job prospects upon release and facilitate their re-integration into society.

- 2.8 Primary healthcare and probation services are provided to a high standard by dedicated staff but there is a gap in the provision of such services. I address this problem in more detail in Chapter 5.
- 2.9 Many of the staff have worked at Loughan House for a number of years and so are attuned to the various issues that prisoners may have. The staff- prisoner relationships were good and both staff and prisoners treated each other with respect. I did not receive complaints of or come across any evidence of ill-treatment of prisoners or staff.
- 2.10 Leaving aside the problem of drug abuse which is a matter of serious concern in our prisons and, which I will deal with more fully in another report, I am satisfied that Loughan House is run effectively and provides a safe environment for the prisoners detained there.

## Chapter 3

### **Methodology**

3.1 I am obliged under Section 32 (2) of the Prisons Act 2007 when reporting on a prison to deal with, in particular:-

- (a) **its general management, including the level of its effectiveness and efficiency,**
- (b) **the conditions and general health and welfare of prisoners detained there,**
- (c) **the general conduct and effectiveness of persons working there,**
- (d) **compliance with national and international standards including in particular the prison rules,**
- (e) **programmes and other facilities available and the extent to which prisoners participate in them,**
- (f) **security, and**
- (g) **discipline.**

3.2 It is important to note that this report does not reflect one particular point of time at Loughan House; instead it is reflective of an ongoing inspection and consultative process over a number of months. Therefore, this report offers an accurate representation of the conditions in Loughan House.

3.3 Initially my team and I carried out an unannounced inspection of the entire Loughan House estate on 22/23 April 2008. This entailed carrying out an in-depth analysis of all areas of the centre. I talked to prisoners and members of staff. Following this inspection I met with the Governor and identified to him areas of concern. Subsequently a list detailing the areas of concern was

forwarded by my office to the Governor requesting a response to the issues raised. A questionnaire followed requesting additional information which I felt was required in order to properly assess the centre. Letters were sent to the Irish Prison Service Headquarters outlining those concerns which were of relevance to them and requesting a date by which the issues would be dealt with.

- 3.4 An announced follow-up inspection took place on the 18<sup>th</sup> and 19<sup>th</sup> June 2008. During this inspection I spoke to prisoners, visitors, the visiting committee, the senior managers, the Prison Officers Association, members of staff, the chaplain, teachers, the doctor, the dentist, the Probation Officer and the Addiction Counsellor.
- 3.5 The issues of concern highlighted during the initial inspection were re-examined to assess the progress made in the intervening period.
- 3.6 During this inspection I identified further matters which I raised with the Governor at the conclusion of the inspection and subsequently by letter.
- 3.7 I undertook a further unannounced inspection on the 7<sup>th</sup> August 2008. The purpose of this inspection was to satisfy myself that all works undertaken to be done had been done and that Loughan House was being run having regard to my observations. I further satisfied myself that no other issues were apparent that caused me problems.
- 3.8 A further inspection was undertaken on 26<sup>th</sup> August 2008. The purpose was to confirm that Loughan House was still being run having regard to my observations. The inspection also afforded the opportunity to check certain minor technical issues.
- 3.9 At all times having identified issues of concern I endeavoured to seek a resolution. I have dealt with all matters of major concern in this report. Appendix 1 to this report gives some examples of the matters of more minor concern, of course important in their own right, which I encountered. The

majority of my concerns have been addressed. In this regard I received total cooperation from the Governor and Management in Loughan House.

Throughout this report I have included recommendations where appropriate. I have identified certain issues which I am informed will be attended to.

Appendix 2 details these issues giving the time scale (where possible) for completion and the appropriate body responsible for compliance.

- 3.10 I have explained to the Governor of Loughan House that I intend making unannounced visits to Loughan House on a regular basis throughout my tenure as Inspector of Prisons even if these do not form part of a full inspection. I will be referring to such visits in my annual reports.
- 3.11 The remainder of this report is a detailed analysis of my inspection of Loughan House. For ease of reference, it is divided into seven sections (Chapters 4 to 10) which mirror my obligations under Section 32(2) of the Prisons Act 2007.

## **Chapter 4**

### **The General Management of Loughan House**

#### ***Effectiveness***

- 4.1 The management and staff were willing to address the issues that I raised with them arising from the initial and follow-up inspections. Many of the issues were local in nature and so could be attended to directly by the Governor and management in Loughan House. All such issues with the exception of those outlined in Appendix 2 were attended to before the submission of this report. The management are to be commended for their co-operation with my Office and also for their efforts in improving the conditions for both the prisoners and staff in Loughan house.
- 4.2 All Staff Operational Procedures were recently reviewed. The efficiency of each staff member with regard to their specific role in the centre is reviewed on an ongoing basis. In addition if any new responsibilities/ tasks arise they are assigned to the relevant staff members. This will improve the interaction between the various departments in the centre.
- 4.3 Attendance records were not maintained in the school. This caused me concern as the management should be able to account for the movement of prisoners at all times. This issue was subsequently attended to by the Governor. The Head teacher and the officer in charge of the school are now responsible for taking the attendance of prisoners in the school building.
- 4.4 There are currently three members of staff receiving training in senior management courses.

#### ***Efficiency***

- 4.5 The implementation of the targets contained in Loughan's 2008 Business Plan is proceeding on an ongoing basis. More work/ training opportunities are urgently required for prisoners in Loughan House, as there are currently a

large number of prisoners who do not appear to be involved in any kind of structured programmes. It appears from the Business Plan (Target 1.6.3) that the provision of these opportunities is dependent on the availability of resources. This is not acceptable as international best practice does not permit a lack of resources to be used as a justification for the violation of prisoners' needs<sup>1</sup>.

- 4.6 Five fire evacuation exercises were carried out in 2007. The entire Loughan House estate was evacuated during each exercise. A total of 6 fire drills were proposed for 2008, in line with Target 9.2 of the 2008 Business Plan. As of the 19<sup>th</sup> June 2008 3 fire drills have been carried out.
- 4.7 The computers in the general office operate extremely slowly. Any information that has to be retrieved from the system takes an extremely long time. This is currently being looked at by the IT section of the Irish Prison Service.
- 4.8 Prisoners' files and personal belongings are kept in an orderly manner in the General Office. Information relating to prisoners on temporary release or who have medical/ court appointments are recorded in a diary and can be accessed without difficulty. I found the recording and filing of prisoners' misconduct reports (P19 reports) to be most unsatisfactory. The adjudication sections of the reports were not consistent; more detail is required when recording this section. This is a serious issue that I will be dealing with comprehensively in later reports.

**Recommendations:**

- **More work / training programmes are required to cater for the greater volume of prisoners. (para.4.5)**
- **The computer system for the entire Centre needs to be upgraded to ensure efficiency in all parts of the Centre. (para.4.7)**

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<sup>1</sup> See Rule 4, Recommendation R (2006) 2 on the European Prison Rules

- **More detail is required when recording the adjudication sections in the P19's (misconduct reports) and such reports are to be filed suitably. (para.4.8)**

## **Chapter 5**

### **The Conditions and General Health and Welfare of Prisoners in Loughan House**

#### *Conditions*

- 5.1 The present maximum bed capacity of Loughan House is 130. The new building accommodates 60 prisoners in single rooms with the remainder in the main block which consists of single, double and rooms to accommodate four prisoners. The main building has further capacity as all rooms on the north top floor are vacant pending refurbishment.
- 5.2 Single rooms were designed for single occupancy. It would be a retrograde step if prisoners were doubled up in the present single rooms in Loughan House.
- 5.3 Single rooms are allocated to prisoners based on a prisoner's suitability, his behaviour, any special circumstances e.g. studying and his length of sentence.
- 5.4 Most of the Centre had been freshly painted prior to my initial inspection and while I had some concerns about cleanliness (see later in this report) it was generally well-kept. On my initial inspection on 22<sup>nd</sup> April 2008 I found certain areas of the prison to be dirty, in need of painting or other work. Samples of these are outlined in appendix 1.
- 5.5 The prisoners' recreation hall was dreary, dirty and not in use when initially inspected on 22<sup>nd</sup> April 2008. There is a stage at one end of the room but it was partitioned off. The hall has been cleaned. It is presently been used to hold Alcoholics Anonymous meetings. I was informed that it is intended to use same for such activities as bingo and related activities.
- 5.6 Prison work is undertaken by the prisoners themselves. Some prisoners are chosen to work in the kitchen; some on the farm, some complete small paint

jobs around the building, some work in the motor gasket workshop and others keep the general estate clean and tidy. Larger painting jobs are undertaken by outside contractors but only after approval from the Irish Prison Service.

- 5.7 The kitchen was clean on all my inspections. The same applied to the communal dining facilities. There is a 28 day menu in operation in the centre. Arrangements are made to accommodate prisoners with specific dietary requirements or of religious beliefs that require the special purchase and preparation of food. The capacity of the present kitchen is not adequate to cater for the needs of the increased population of Loughan House. Equipment needs replacing and in some cases upgrading.
- 5.8 At the time of my initial inspection the choice of food stuffs stocked in the tuck shop was limited. The prisoners complained that the shop's opening hours were restricted. Both of these matters were brought to the attention of the Governor. The shop now stocks a wider range of food stuffs. The opening hours have been extended to three days per week.
- 5.9 The visiting area has been recently renovated. It is a spacious room where prisoners can chat to their friends and relatives with ease. Outside the visiting area there are wooden tables and benches and a small play area for children. There is no waiting room for visitors. I do not consider this a necessity. Visits in Loughan House are not restricted to a specified period of time as in other prisons.

**Recommendations:**

- **The Recreation room should as a matter of priority be renovated and used by prisoners for a variety of activities. (para.5.5)**
- **The kitchen and dining facilities must, as a matter of urgency, be upgraded to deal with the increased population of the Centre. (para.5.7)**

### ***General Health***

- 5.10 Two part-time doctors attend the Centre on alternate days between 8am and 10am every week-day. One doctor is on call during the weekend. The nurse and medical orderly work alternate days from 8am to 8pm. No member of the medical staff works through the night. This results in a prison officer with first aid training having to attend to any prisoner needing minor medical attention between these hours. The distribution of medication is handled by the nurses and the orderlies. I believe this arrangement functions satisfactorily but I intend to have further discussions with the doctors about this.
- 5.11 The doctor's surgery is small. It is situated on the top (second) floor of the main building and it is only accessible by stairs. In an ideal world the surgery should be located on the ground floor. By and large most of the prisoners can easily attend the surgery. There will always be cases where, because of physical disability, a prisoner may have difficulty climbing the stairs. During my inspection there was a prisoner on crutches who required regular medical attention. There is no doctor's waiting room for prisoners. The prisoners have to stand on a narrow corridor outside the surgery, at the top of a staircase, with people passing thus denying them privacy. The review of the adequacies of medical equipment which is the responsibility of the Director of Medical Services must obviously be an ongoing process.
- 5.12 The computer system in the surgery is slow. The doctor explained reservations that he had regarding the overall suitability of the centre's medical computer system. It is essential that whatever system is in operation it has the confidence not only of the Irish Prison Service but also of those who rely on it such as doctors, dentists, nurses, medical orderlies and other authorised users. As prisoners interchange between prisons it is essential that their medical information is available electronically wherever they happen to be. I have concerns as to the effectiveness of the medical computer system in the prisons in general. I have taken the matter up with the Director General of the Irish Prisons Service and will address this particular problem in my Annual Reports.

- 5.13 I found that medical files in hard copy at times did not follow the prisoner either coming to or leaving Loughan House. I also found that in some cases a prisoner had two or more files in the system. This should not happen if the matters raised in paragraph 5.12 are attended to.
- 5.14 A number of prisoners who are on regular medication are given their own specific medication weekly in special “blister packs”. This encourages prisoners to take responsibility for their own health in the hope that they will continue to take responsibility for their own lives upon their release. Needless to say only certain medication can be given out in this form and the Doctor will only give it to such prisoners as he considers suitable. Random spot checks are undertaken by the nurse/ medical orderly to ensure that the prisoners do not abuse the system. To date, this initiative is functioning effectively.
- 5.15 A psychiatrist is available upon referral from the Doctor or where a court orders a prisoner to attend a psychiatrist. Prisoners are generally seen by the psychiatrist within one to two weeks of their referral. In an emergency the psychiatrist is available outside normal hours.
- 5.16 The dentist attends the centre every second Thursday. With the increase in prisoner numbers consideration should be given, following an appropriate evaluation, to having the dentist attend every week.
- 5.17 The dental facilities in Loughan House are good but the dental equipment should be updated. During my second inspection on the 18<sup>th</sup> June 2008 the motor on one of the machines broke down. There was no replacement part available. Because of this the dentist could not continue with his work. The dentist explained that in his private surgery he would have a replacement part for the machine. The dentist makes use of his own private laptop to keep dental records. He explained that the centre’s computer was obsolete. This is unsatisfactory as all dental records should be stored on the prison medical computer. This raises a similar problem as that encountered with the doctor and referred to at paragraph 5.12 above.

- 5.18 The type of dental treatment received by prisoners is not determined by the length of sentence that the prisoner is serving. Nearly all dental treatment is performed in Loughan House but occasionally a prisoner may be required to visit the dentist's own private surgery e.g. where an x-ray is needed. In an emergency a prisoner will be taken to the dentist's private practice in Sligo.
- 5.19 There is no psychologist attached to Loughan House. There would be a wide recognition internationally that the availability of a psychologist in a prison setting is important. There are psychologists available in the Irish Prison Service. I intend to have further discussions with management on this issue.
- 5.20 A prisoner died in Loughan House on 8<sup>th</sup> August 2008. The death of any person suffering deprivation of his liberty is obviously a matter of serious concern, and while my initial inquiries reveal no basis for concern that it was the result of anything untoward, I will thoroughly examine all of the surrounding circumstances. As of the date of the submission of this report neither the results of the post mortem nor the prison report are to hand. Obviously these would be necessary prerequisites of any further examination. I will deal with this when I am in possession of the necessary information.

**Recommendations:**

- **Due to the increasing population the requirement for a nurse or medical orderly on duty 24 hours a day should be kept under constant review. (para.5.10)**
- **To cater for prisoners with mobility problems appropriate arrangements should be made to have such persons treated by the doctor on the ground floor pending the relocation of the doctor's surgery to the ground floor. (para.5.11)**
- **A waiting room should be provided for prisoners attending the doctor. (para.5.11)**
- **An appropriate computer system for the storage of medical and dental records should be available. In reading this recommendation please note**

**my comments at paragraph 5.12 in the main body of the report.**

**(para.5.12)**

- **Following an appropriate evaluation the attendance of the dentist once a week should be considered. (para.5.16)**
- **The services of a psychologist should be available as required. (para.5.19)**

### *Welfare*

- 5.21 There is a Catholic Church in the main building of Loughan House which is open all day for prisoners' use. The chaplain is the local parish priest who celebrates Mass every Sunday and on religious days. He also offers support to prisoners and visits Loughan House most evenings but is available at any time upon request. The prison chaplain has a good relationship with the prisoners, sometimes going to Loughan House to watch football matches on television with them. On occasions prisoners of the Church of Ireland Faith have received temporary release to go to Church of Ireland Services. I have been informed that arrangements can be put in place to accommodate prisoners of other denominations but unfortunately there seems to be an information deficit in this regard.
- 5.22 A Probation Officer attends Loughan House four days a week. He focuses on addressing the individual prisoner's offending behaviour and also organises drug and alcohol rehabilitation programmes for prisoners. Loughan House does not provide multi-disciplinary programmes for prisoners. The Probation Officer stressed the importance of prisoners being motivated when participating in the programmes he offers, instead of just being attracted by the personal benefits of participation i.e. consideration for temporary release. I will address this issue in greater detail in my Annual Reports when discussing the question of sentence management throughout the prison system.
- 5.23 An important part of the Probation Officer's role is that he arranges meetings with outside employers and tries to secure jobs for prisoners upon their release. However, no prisoner secured a job as a result of such meetings in the six month period up to 27<sup>th</sup> May 2008. The Probation Officer reported that

employers appear reluctant to employ individuals who have served a prison sentence even though they may possess the relevant skills/ experience.

- 5.24 The Probation Officer also arranges meetings with the local housing authorities and a probation hostel in Sligo. As a direct result five individuals were accommodated in the probation hostel in the six month period up to 27<sup>th</sup> May 2008. The Probation Officer reported that he faces difficulties when trying to secure accommodation for prisoners as the options available are very limited.
- 5.25 The computer in the Probation Officer's office is, like most others in Loughan House, very slow. Although the prison population is rising there has been no increase in the probation staff.
- 5.26 The appointment of the Addiction Counsellor to Loughan House is an indispensable addition to the services provided for prisoners. The provision of addiction counselling services in Loughan House is on a two year contract from 1<sup>st</sup> January 2007 with an option to extend this service for a further year following an evaluation of the services provided. In 2007, out of 553 prisoners that passed through Loughan House the Addiction Counsellor had consultations with between 230 and 265 of those prisoners. The majority of prisoners' problems encountered related to alcohol and drug abuse. On my inspection on the 19<sup>th</sup> June 2008 the Counsellor did not have the appropriate facilities with which to successfully carry out his role. He had no direct access to a telephone, a fax machine, a computer (including the internet) or other facilities normally associated with a properly equipped office. He informed me that he spent approximately 20% of his time having to source these facilities wherever he can in other offices in Loughan House. This is unacceptable. I am pleased to say that following my discussions on the matter with the Governor the Counsellor has had a room assigned to him and I am informed that the facilities set out above are being installed.
- 5.27 As to the issue of drugs which I said earlier will be dealt with in a future report I will observe at this stage that there are no drug treatment programmes in

place in Loughan House as it is a pre-condition of transfer to Loughan House that a prisoner is neither a drug user or on a drug treatment programme. I have to say that I have substantial concerns that the arrangements applying in this regard fall well short of what is reasonably to be expected. When reading this paragraph please note my comments at paragraph 9.2 hereunder. Drug counsellors attend the centre for 40 hours a week to provide counselling for prisoners. Alcoholics Anonymous meetings are held in Loughan House once a week.

**Recommendations:**

- **Management must ensure that prisoners of all denominations are made aware that arrangements can be made to accommodate the religious observance of prisoners of all beliefs. In this connection due regard must be had to the security of Loughan House. (para.5.21)**
- **The Probation Officer should work full time in Loughan House. (para.5.25)**
- **The Addiction Counsellor should be provided with all necessary back up facilities. (para.5.26)**
- **The position of Addiction Counsellor should be a full time position to provide certainty into the future. (para.5.26)**

## Chapter 6

### **The general conduct and effectiveness of persons who work in Loughan House**

#### *General Conduct*

- 6.1 As Loughan House is an open centre staff- prisoner interaction is more evident than in a closed prison. Staff members wear civilian clothing. This appears to contribute to a more relaxed environment. Prisoners had no complaints regarding staff. They considered that the attitude of staff towards prisoners was respectful. It was apparent that a good atmosphere prevailed among all staff working in Loughan House. No member of staff has appeared before the Governor on an oral disciplinary hearing or otherwise in the past year.

#### *Effectiveness*

- 6.2 There was 48 full-time prison staff employed in the centre at the time of my inspection on the 22<sup>nd</sup> April 2008. The centre was operating with four persons less than the approved number of posts. In the twelve months prior to 27<sup>th</sup> May 2008 the centre acquired 11 new staff, 7 staff members retired and two members of staff transferred to another prison. As of the 27<sup>th</sup> May 2008 one member of staff was requesting a transfer to another prison.
- 6.3 The co-ordination of information and services throughout the centre appeared rather fragmented e.g. the failure of the Gym Officer to bring the problem of a leaking pipe in the gym to the attention of the Chief Trades Officer and, likewise, the failure of the Assistant Chief Officer and the Landing Officer to notify the Chief Trades Officer of the malfunctioning of the push-button alarms in the isolation rooms. This is a very serious problem that I refer to later at paragraph 9.7. Another example was the lack of appreciation by the school staff of the general working of the centre and vice versa. This caused me concern as it is vitally important that all staff members are aware of any issues that affect the operation of the centre, regardless of their particular

function within the centre, so that safe and secure custody is provided for the prisoners.

- 6.4 Staff members were well-informed of issues of particular relevance to prisoners. One member of staff participated in a suicide awareness/prevention course in the past year. Two members of staff trained in interviewing techniques. Five members of staff participated in hygiene courses. Two members of staff trained in PE.
- 6.5 In 2007 staff members received a total of 1,367 hours training in various disciplines including, inter alia, First Aid, C & R Refresher Basic, FAS Safe Pass, Fire Evacuation, EMS.

**Recommendations:**

- **Information and services throughout the Centre should be properly coordinated. (para.6.3)**
- **Training for staff at all levels should be ongoing. (para.6.5)**

## **Chapter 7**

### **Compliance with National and International Standards and in particular the Prison Rules**

- 7.1 For the most part Loughan House appeared to be in compliance with national and international standards relating to the treatment of prisoners and conditions in prisons.
- 7.2 On my first inspection on 22<sup>nd</sup> April 2008 I found that prisoners at reception did not receive any information about their entitlements and obligations as per the Prison Rules 2007. I brought this to the attention of the Governor. Booklets are now given to each prisoner upon admission containing such information. A copy of the Prison Rules 2007 is available for prisoners to view in the library in Loughan House.
- 7.3 A formal prisoners' complaint book must be maintained in each prison. On my inspection on 22<sup>nd</sup> April 2008 no such complaints book existed. I brought this to the attention of the Governor. A formal complaints book has been issued by the Irish Prison Service Headquarters and all complaints, findings and the basis for such findings are recorded by the Chief Officer. Each complaint is ultimately signed off on by the Governor. As this is a new procedure for Loughan House I intend revisiting this issue to ensure that these records are properly maintained.

## Chapter 8

### **Programmes and other facilities available for prisoners and the extent to which prisoners participate in them**

#### *Programmes*

- 8.1 There were nine full time teachers in the school at the date of my initial inspection on 22<sup>nd</sup> April 2008. A range of subjects are on offer including English, Maths, Computer Studies, Music, Home Economics, Health Education, Art, P.E/ Hill Walking, Woodwork and AutoCAD.
  
- 8.2 A huge emphasis is placed on providing extra assistance for those who have literacy and basic numeracy problems. The teachers informed me that of the students who attended the school between December 2007 and May 2008, 90 could neither read nor write but of these 42 students could write their names but no more than that. Unfortunately as mentioned at paragraph 4.3 there was no record of the total numbers who attended school. This raises the obvious question of what had been done with these prisoners in the closed prisons that they came from to address their literacy problems. I am aware that this is a problem and I will address same at a later time in the context of the prison population as a whole. Nearly every teacher that I spoke to during my initial inspection told me that they contributed to the teaching of basic literacy skills, regardless of the subject they taught as illiteracy impacts on all areas of education and life generally. This is commendable.
  
- 8.3 In addition to the educational subjects listed above prisoners in Loughan House can participate in courses that are accredited by external bodies such as FETAC and Open University. Thirty folders were submitted to FETAC in the past year in Maths, Computers, Home Economics and Personal Effectiveness. In 2007 one prisoner sat his Open University exams, 127 prisoners received awards arising from training courses in Safe pass, Forklift Handling, Manual Handling and Abrasive Wheels. FAS provide the training for these courses.

- 8.4 A current challenge for the school is the increase in non-nationals attending classes who cannot speak English. Between December 2007 and May 2008, approximately 30 foreign prisoners who could neither read nor write in English attended the school. These 30 prisoners were in addition to the 90 prisoners referred to at paragraph 8.2 who could neither read nor write. ESOL (English to Speakers of Other Languages) is now being taught by the education department.
- 8.5 The school closes for the month of August. “Sports month” then begins. Local football teams come and play against teams from Loughan House. Extra P.E classes are held three evenings a week in July and August. The Back to Education Initiative (BTEI) provides the finance for the extra PE hours.
- 8.6 I was informed by management that at any one time members of the travelling community account for approximately 40% of the population of Loughan House. A conference was organised two years ago, by the teachers in the Centre, to educate staff working in Loughan House on issues germane to the cultural and social needs of the travelling community. The success of this initiative is evident.

### ***Facilities***

- 8.7 The new school building opened in September 2007. The school has a capacity for 70 students. It is a modern, spacious building with plenty of natural light. Each classroom is well-equipped and furnished. The woodwork room, which can cater for six students at a time, is very impressive. There are two workshops specifically built to provide training in industrial cleaning and building skills. This is a first-rate facility and therefore it is regrettable that at the time of my inspections in April, June and August 2008 it was not in use due to a failure to fill the Assistant Industrial Supervisor posts. When these facilities open each workshop will be able to cater for 12 men. The workshops will lead to accreditation and will greatly increase the men’s potential to

secure employment on their release and hopefully enable them to integrate into their communities.

- 8.8 The increase in the population has impacted greatly on the provision of educational facilities. Whilst the new school building is excellent and the teachers are motivated I was informed by the Head Teacher that the teachers cannot cope with the demands placed on them by the rapidly increasing population. An application for extra teachers to accommodate the growing population was made in May 2008 to the Department of Education. There has been no response to this application as of the 26<sup>th</sup> August 2008. There are no extra available classrooms in the school building. It is disappointing that the potential of the facility has been diminished by the underestimation of the population of the centre. The use, efficacy and demand for educational facilities are something that I will be further discussing with the Director of Prison Education.
- 8.9 The head teacher had no access to email, fax, a direct telephone line or a computer with appropriate access to the internet. This is an issue for the IT section of the Irish Prison Service.
- 8.10 The school building contains a tea-room for prisoners' use during breaks. This room was fitted out but was not in use during my initial inspection on 22<sup>nd</sup> April 2008. Prisoners had to return to the main building at the end of classes which was unsatisfactory as they sometimes did not return to the school for the commencement of further classes. I was informed that this was because no officer was available to supervise the prisoners while the teachers took their tea-break. The Governor has installed CCTV and the matter has been temporarily resolved with the Officer in charge of the school now supervising prisoners in the tea-room. Once the Industrial Cleaning Supervisor post is filled the supervision of prisoners in the tea room will become his/ her responsibility.
- 8.11 There is a motor gasket workshop in Loughan House. There were two prisoners working on the day of my initial inspection on 22<sup>nd</sup> April 2008. I

was informed that the workshop has a capacity for up to ten prisoners. There was no supervisor present. The officer allocated to this approved post is involved in prison union business outside Loughan House which takes up most of his time. While it is to be expected and is understandable that some members of staff in any large organisation will have an involvement in union related matters this cannot be at the expense of providing essential services to prisoners. Therefore, no new prisoners can be identified as suitable candidates to work there. Even if prisoners were identified as suitable there is no-one to supervise them. At present, if the workshop is to operate effectively it entails re-deploying an officer to cover this post. This is unsatisfactory as it results in the level of supervision in another area of the centre being depleted.

- 8.12 In this workshop, the men receive nominal payment for their work based on the volume of the end product. It is very tedious work and one prisoner we spoke to works there from 9am to 6pm everyday. Such work should be rotated between prisoners, who are identified as suitable candidates by staff. Prisoners should not be allowed spend all their time working in the motor gasket workshop. Instead a prisoner's time should be divided between a range of programmes and activities, particularly those which possess a vocational value, and where possible an educational element.
- 8.13 As I have said earlier at paragraph 2.1 Loughan House is located on about 47 acres of land which is only partially functioning as a farm. While I need to examine the matter further I believe that the opportunities presented by this resource require further consideration.
- 8.14 A laundry facility is located in Loughan House. However, the bulk of the laundry is sent out to a commercial laundry every week. If the laundry was redesigned and reequipped it could operate at full capacity to cater for the majority of the prison's laundry needs. I will be further looking into this matter.
- 8.15 The laundry and reception occupy a common area. One officer is detailed to and responsible for this common area. This area was generally untidy and

needed painting and cleaning. The toilet / shower area in the reception area was not in use. I suggested that they should either be recommissioned or taken out of use and the area used for some other purpose. As a result of my suggestion a consultant has surveyed the area and has proposed that the toilets and showers should be demolished and new showers built in the current laundry area. The laundry and reception could then be accommodated in the one area. There is already an officer detailed to the laundry and reception area. The proposed laundry would have the potential to provide work for a number of prisoners leading to accreditation. The Governor is awaiting a decision from the Irish Prisons Service as to whether the consultants' proposals will be implemented. It is the Governor's intention that if the consultants' proposals were implemented the laundry would operate at full capacity and provide for all the laundry requirements of Loughan House. The skills the prisoners would acquire would assist them in securing jobs when they are released.

### **Recommendations:**

- **Extra teachers must be appointed to cater for the increase in the prison population. (para.8.8)**
- **The industrial supervisor posts must be filled as a matter of urgency. (para.8.7)**
- **Additional educational and vocational classes must be provided to cater for the increase in the prison population. (paras.8.7 & 8.8)**
- **The head teacher must have available to her, a Fax machine, a direct telephone line, email facilities and a computer with appropriate access to the internet. (para.8.9)**
- **The motor gasket workshop should work to capacity and if this entails redeploying the supervising officer then this should be done immediately. (para.8.11)**
- **Work in the motor gasket workshop should be rotated among the prison population as appropriate. (para.8.12)**
- **On receiving finance from the Irish Prison Service the laundry and reception area should be refurbished. The laundry should be able to provide for the majority, if not all, of the prison's laundry requirements.**

**A number of prisoners, who are identified as suitable, should be provided with work/ training opportunities in the laundry. (paras.8.14 & 8.15)**

*Extent of Prisoner Participation*

- 8.16 On the day of my initial inspection on 22<sup>nd</sup> April 2008 86 prisoners were time-tabled by the teachers to attend morning classes in the school. On inspection there were 35 prisoners in the classrooms. This is undesirable as one of the purposes of prison is rehabilitation. International best practice asserts that education can assist in rehabilitation efforts<sup>2</sup>.
- 8.17 Loughan House has the potential to provide worthwhile work and training in and around it's estate for the following numbers:- 8 prisoners in the kitchen, up to 10 on the farm and grounds, 18 cleaning the centre, up to 10 working in the motor gasket workshop, 4 painting the centre, 1 working in the stores. When the new workshops (paragraph 8.7) become operational they will accommodate a further 12 prisoners in each. 12 prisoners can be accommodated in the gym. None of the work detailed in this paragraph could be described as full time. Therefore prisoners engaging in work could also attend the school as classes can be structured to accommodate their work.
- 8.18 I am aware that a number of prisoners are deemed unsuitable for work, others may be on day temporary release, others may be availing of visits while one or two may be attending Court. These prisoners represent a small percentage of the total population. On my visits I found that apart from those working in the kitchen the uptake for the work specified at paragraph 8.17 by prisoners amounted to less than 40%. During my inspection I came across a number of prisoners who were idle with some lying on their beds at times when they were scheduled to be at school or working.
- 8.19 I should point out, in this context, that there is no compulsion on prisoners in Loughan House or elsewhere in the prison system to attend classes or to

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<sup>2</sup> Rules 65 & 66(1), United Nations Standard Minimum Rules for the Treatment of prisoners, Rules 102(1) & 103(4), Recommendation R (2006) 2 on the European Prison Rules, & Rule 27(2), Prison Rules 2007

participate in work training but it is preferable that people who are detained should participate in purposeful and constructive activities.

**Recommendation:**

- **Loughan House has the potential for a significant proportion of its prisoners to be occupied. All prisoners should be encouraged by both management and staff to engage in purposeful and constructive activities. (paras. 8.17, 8.18 & 8.19)**

## **Chapter 9**

### **Security**

- 9.1 Upon admission to Loughan House all prisoners are taken to the reception area where the prisoner's details are recorded and their individual needs are assessed which includes during 'business hours' their medical needs. On my initial inspection on 22<sup>nd</sup> April 2008 I found that prisoner's scars / tattoos etc. were not recorded in a register in the reception area as should happen according to best practice<sup>3</sup>. I was informed that these were not recorded because prisoners entering Loughan House came from other prisons where such particulars were taken on their initial committal. I considered it desirable both for the protection of the prisoners and the management of Loughan House that the recording of such marks or scars as not recorded on initial committal, should be introduced. I brought this to the attention of the Governor who gave an instruction to the officer in reception that such recordings must take place. This instruction is now being carried out.
- 9.2 Following admission almost all prisoners are analysed for illicit drug use. In 2007 out of 553 prisoners transferred to Loughan House 529 were selected for screening. Those not selected were elderly or prisoners with other medical complaints. 12.48% of those selected refused or failed to be screened. A refusal or failure is deemed by management for the purpose of statistics as a positive finding. Of those screened 31.76% tested positive for illicit drugs. Taking those who tested positive and those who either refused or failed the percentage testing positive in 2007 was 44.24%. The most common drug was cannabis. Given that this is supposed to be a coterie of prisoners who are drug free this is obviously a matter of serious concern and suggests that the overall level of drug abuse in our prisons is very high indeed. As I have said in my Interim Report I will be returning to this issue. This prompts the observation that drugs must be available in the closed prisons that these prisoners have come from. I am aware of this situation and will address same later in my

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<sup>3</sup> Rule 4, Prison Rules 2007

annual reports in the context of the prison population as a whole. Random tests are also requested of prisoners. When an individual takes drugs traces remain in their system for up to one month. If any trace of drugs is present in a prisoner's system they are put on a disciplinary report (P.19s) and invariably afforded one month within which to clean-up. If after this month they still test positive they are transferred to a closed prison. I refer again at paragraph 10.1 to prisoners placed on disciplinary reports.

- 9.3 Much of the Loughan House estate is covered by CCTV cameras. I have been informed that the erection of these cameras, and in particular those in the visiting area, has contributed to the virtual elimination of contraband entering the Centre. Since the CCTV cameras were erected in the visiting area I have been informed by management that there has been one identified incident of a visitor passing contraband to a prisoner.
- 9.4 Between 3<sup>rd</sup> January 2008 and 21<sup>st</sup> May 2008 28 mobile telephones were confiscated. In 18 of these cases prosecutions followed. Management believe that in the majority of these cases the mobile telephones were smuggled by prisoners returning from temporary release.
- 9.5 Prisoners are periodically searched in their rooms and random searches are also conducted. Searches are conducted if management receive information that may warrant a search.
- 9.6 During the period from March 2008 to May 2008 fifteen prisoners were placed in the isolation rooms mainly for security reasons but also on medical grounds, with the longest stay lasting overnight.
- 9.7 The two isolation rooms in the main building caused me great concern. On my first inspection on 22<sup>nd</sup> April 2008 I found that they were dirty, smelly, needed refurbishment and a proper ventilation system. I am satisfied from subsequent tests that I carried out that the push button alarms were not working between my first inspection on the 22<sup>nd</sup> April 2008 and my inspection on the 18th June 2008. In that period a number of prisoners had been placed

in these isolation rooms. Prisoners detained in an isolation room must always be able to contact a member of staff without delay and this could not be done during this period except by shouting or banging on the door. I am now satisfied that they have been thoroughly cleaned and painted. The outstanding work required is the installation of a proper ventilation system, the maintenance of the push-button alarms and the installation of warning lights on the corridor. In no circumstances should a person be held in an isolation room without a means, other than banging the door, of communicating his needs to those currently in charge of his incarceration. I have been informed that an application for relevant sanction has been made to the Irish Prison Service Headquarters to enable this work to be carried out. My concerns have been accepted and two rooms in the new accommodation unit have been identified by management as suitable for use as isolation rooms.

- 9.8 I have earlier in this report at paragraph 5.1 referred to the fact that some rooms on the second floor of the main building (North side) are not in use pending refurbishment. Prisoners do occupy some rooms on the second floor (South side). On my inspection of the 18<sup>th</sup> and 19<sup>th</sup> June 2008 I found that during the hours of 8pm to 8 am the rostering of an officer for duty on the second floor was a matter for the Assistant Chief Officer on duty. There was no set rule. Sometimes one officer was rostered to take responsibility for floors one and two. This is unsatisfactory.
- 9.9 In the twelve month period from 1<sup>st</sup> August 2007 to 31<sup>st</sup> July 2008 602 prisoners were transferred to Loughan House. Of this number 43 absented themselves without permission. 12 have neither been apprehended nor have returned voluntarily and therefore remain legally at large. These prisoners were all serving the balance of sentences (See paragraph 2.5). These figures must be understood in the context of the relevance and importance of Loughan House in the Irish Prison System. It is, as I have referred to in paragraphs 2.2 and 2.5, an open centre which has advantages and a pivotal role in the overall management of prisoners. I will address this role in my Annual Reports when dealing with the question of prisoner management.

**Recommendations:**

- **The isolation rooms in the main building must be refurbished as a matter of urgency. (para.9.7)**
- **Until refurbished these isolation rooms should not be used for any purpose. (para.9.7)**
- **An officer must be detailed for duty on all floors when occupied by prisoners. (para.9.8)**

## **Chapter 10**

### **Discipline**

- 10.1 Between 1<sup>st</sup> March 2008 and 31<sup>st</sup> May 2008 52 prisoners were placed on disciplinary reports (P19 reports). 19 reports dealt with illicit drug use (See paragraph 9.2), and 15 dealt with possession of mobile telephones. The remaining 18 reports dealt with more minor breaches of prison rules. 22 prisoners forfeited remission as a result and a number of prisoners were transferred back to closed prisons. None of the disciplinary reports disclosed an assault on a member of staff or on a fellow prisoner.
- 10.2 When a prisoner absconds and is subsequently returned to Loughan House by the Garda Síochána or otherwise he is dealt with on a P19 report and is invariably transferred to a closed prison.

## **Chapter 11**

### **Summary of recommendations**

#### **Chapter 4 The general management of Loughan House**

- 1. More work/training programmes are required to cater for the greater volume of prisoners. (p. 11)**
- 2. The computer system for the entire Centre needs to be upgraded to ensure efficiency in all parts of the Centre. (p.11)**
- 3. More detail is required when recording the adjudication sections in the P19's (misconduct reports) and such reports are to be filed suitably. (p.12)**

#### **Chapter 5 The conditions and general health and welfare of prisoners in Loughan House**

- 4. The Recreation room should as a matter of priority be renovated and used by prisoners for a variety of activities. (p.14)**
- 5. The kitchen and dining facilities must, as a matter of urgency, be upgraded to deal with the increased population of the Centre. (p.14)**
- 6. Due to the increasing population the requirement for a nurse or medical orderly on duty 24 hours a day should be kept under constant review. (p.17)**
- 7. To cater for prisoners with mobility problems appropriate arrangements should be made to have such persons treated by the doctor on the ground floor pending the relocation of the doctor's surgery to the ground floor. (p.17)**
- 8. A waiting room should be provided for prisoners attending the doctor. (p.17)**
- 9. A relevant computer system for the storage of medical and dental records should be available. In reading this recommendation please note my comments in the main body of the report. (p.17)**

10. **Following an appropriate evaluation the attendance of the dentist once a week should be considered. (p.18)**
11. **The services of a psychologist should be available as required. (p.18)**
12. **Management must ensure that prisoners of all denominations are made aware that arrangements can be made to accommodate the religious observance of prisoners of all beliefs. In this connection due regard must be had to the security of Loughan House. (p.20)**
13. **The Probation Officer should work full time in Loughan House. (p.20)**
14. **The Addiction Counsellor should be provided with all necessary back up facilities. (p.20)**
15. **The position of Addiction Counsellor should be full time to provide certainty into the future. (p.20)**

**Chapter 6 The general conduct and effectiveness of persons who work in Loughan House**

16. **Information and services throughout the Centre should be properly co-ordinated. (p.22)**
17. **Training for staff at all levels should be ongoing. (p.22)**

**Chapter 8 Programmes and other facilities available for prisoners and the extent to which prisoners participate in them**

18. **Extra teachers must be appointed to cater for the increase in the prison population. (p.28)**
19. **The industrial cleaning supervisor post should be filled as a matter of urgency. (p.28)**
20. **Additional educational and vocational classes must be provided to cater for the increase in the prison population. (p.28)**
21. **The head teacher must have available to her, a Fax machine, a direct phone line email facilities and a computer with appropriate access to the internet. (p.28)**

22. **The motor gasket workshop should work to capacity and if this entails redeploying the supervising officer then this should be done. (p.28)**
23. **Work in the motor gasket workshop should be rotated among the prison population as appropriate. (p.28)**
24. **On receiving finance from the Irish Prison Service the laundry and reception area should be refurbished. The laundry should be able to provide for the majority, if not all, of the prison's laundry requirements. A number of prisoners, who are identified as suitable, should be provided with work/ training opportunities in the laundry. (p.28)**
25. **Loughan House has potential for all prisoners to be occupied. All prisoners should be encouraged by both management and staff to engage in purposeful and constructive activities. (p.30)**

## **Chapter 9 Security**

25. **The isolation rooms in the main building should be refurbished as a matter of urgency. (p.34)**
26. **Until refurbished these isolation rooms should not be used for any purpose. (p.34)**
27. **An officer must be detailed for duty on all floors when occupied by prisoners. (p.34)**

## **Appendix 1**

### **A sample of more minor issues of concern identified during inspections**

1. A number of areas such as some showers, toilets, recreation areas and certain public areas required painting, cleaning and in some cases minor repairs. These were individually identified. These have all been attended to.
2. Essentials such as shower curtains and mats were missing. These have been replaced.
3. Certain equipment e.g. a hand dryer was not working. These have been repaired / replaced.
4. Rubbish was found in various locations during my initial inspection on 22<sup>nd</sup> April 2008. This was removed and Loughan House has been rubbish free on all subsequent inspections.
5. The computer room in the main building (as distinct from the computer room in the school) was not available for the use of prisoners after school. This has been reopened and is available for prisoners.
6. The visiting area was dirty and the toilet area needed painting. This has been attended to and the necessary painting has been completed.
7. A number of 'snagging' issues were identified in the new accommodation building. These were individually identified. These matters have all been attended to satisfactorily.

## **Appendix 2**

### **Outstanding works to be attended to, with where possible, completion dates**

1. On the date of my initial inspection the 22<sup>nd</sup> April 2008, a gas supply to the science room was not connected. This is a matter for local management. I was informed that a contract had been awarded and that the supply would be connected by the end of August 2008. As of the 26<sup>th</sup> August 2008 this had not been attended to.
2. The painting of stairwells at both ends of the main building will be undertaken by local management. This is due to commence shortly and is due for completion early in 2009.
3. The outstanding work for the isolation rooms in the main building (paragraph 9.7) is dependent on funding from the Irish Prison Service. This is essential work. I have been given to understand that due to financial considerations it will not be attended to this year and will have to compete with other works for funding in 2009.
4. The updating of the kitchen equipment, the kitchen and the dining area (paragraph 5.7) is dependent on funding from the Irish Prison Service. No commitment has been given by the Irish Prison Service as to when this essential work will be carried out.
5. The upgrading of the laundry / reception area (paragraph 8.15) is dependent on the consultant's report being accepted and finance being available from the Irish Prison Service. No commitment has been received.
6. As detailed in various parts of this report the I.T services in Loughan House require updating. At present this is being addressed. This is a matter for the Irish Prison Service. While a date for completion of this work cannot be given I will refer to this in my Annual Report.