

**Report on an Inspection
of Mountjoy Prison by the
Inspector of Prisons**

Judge Michael Reilly

August 2009

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

Judge Michael Reilly
Inspector of Prisons

13 August 2009

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I received a high level of co-operation from all people involved in my inspection of Mountjoy Prison. I would like in particular to thank Governor Lonergan and his management staff for their constant willingness to assist me in all aspects of my inspection. Chief Officer Gavigan was ever present to answer the many and varied questions concerning the running of the prison. He assisted in making available to me and my team all documents and records that were requested. I would like to thank the many staff who accompanied me and my team around the prison often at unsocial hours and during break times. I would like to thank all the staff that we encountered in the prison for their courtesy to me and my team.

I would like in particular to thank all the persons that we spoke to including prison staff, prisoners those that provide services to prisoners, and visitors to the prison for their forthright and candid views. I would also like to thank those who are not mentioned in this short acknowledgment and who in one way or another assisted me in my inspection.

At all times during visits to prisons or otherwise I have and will continue to listen to concerns or opinions not alone from prisoners but from others who have such concerns or opinions provided they are relevant to my mandate as set out in the Prisons Act 2007.

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 Ms. Linda Larkin (office manager), Ms. Aoife Watters, (researcher) and Mr. Paul Dunne. They are a dedicated, interested and cohesive team who worked long hours and for that I thank them.

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Inspector of Prisons

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Chapter 1

Introduction

- 1.1 The purpose of this report is to give a factual overview of Mountjoy Prison covering 8 months from my initial unannounced visit on 25th and 26th of November 2008 to my last visit on the 2nd July 2009. During that time I visited the prison on 11 occasions. These visits were both announced and unannounced and took place during the day and at night.

- 1.2 In normal course, I would be happy that whatever deficiencies I had encountered during an inspection would either have been dealt with prior to the presentation of my report to the Minister for Justice, Equality and Law Reform (the Minister) or, if still outstanding, could be dealt with in a short period of time thereafter. In those situations, it would not be necessary to carry out a follow up inspection to confirm that my recommendations had been complied with. I could have dealt with these in Annual Reports. This is not the position as far as Mountjoy Prison is concerned. There are numerous matters that require attention. Certain new procedures must be put in place. Regime changes must occur. These are all necessary to satisfy me that prisoners' rights are being vindicated, that safe and secure custody can be afforded and that the prison is a safe place for staff to work in.

- 1.3 This report does not follow the format of previous reports on other prisons. It gives a brief history of the prison, sets out the design capacity of the prison and the problems associated with overcrowding, gives details of the programmes and facilities available to prisoners, in broad terms outlines the deficiencies in the prison and the regime changes that must occur in the prison. I mention briefly security aspects of the prison. The report also deals with my serious concerns regarding the investigation of prisoners' complaints. Finally, this report contains recommendations, the majority of which, should be implemented within the coming months.

- 1.4 I am aware that the intention had been that Mountjoy Prison would be replaced by a purpose built prison at Thornton Hall. This is still the intention but because of budgetary considerations the timeframe for the construction of this new prison is uncertain. It is understandable that, as the intention had been to build another prison which had been expected to open in 2011, little was done to maintain Mountjoy Prison in the interim. If it is to continue to be used as a prison immediate work must be carried out and regime changes must occur.
- 1.5 I acknowledge that enormous strides have been made by the Irish Prison Service, local management and service providers which enhance the standard of care for prisoners in the prison. Important examples of these relate to the provision of health care, the high standards in the workshops and the desire by prison staff, despite the working conditions, to encourage prisoners to participate in worthwhile activities.
- 1.6 In order to be helpful, I set out in general terms the work that must be carried out, the procedures that must be put in place and the regime changes that must occur. In this connection, I wish to acknowledge the co-operation that I received from the Irish Prison Service and local management when I made suggestions regarding regime changes. These of course must still be implemented.
- 1.7 Some work will require time for completion, some work is in the nature of housekeeping, and other work, procedures and regime changes requires the active support of the Irish Prison Service but all must be commenced without delay.
- 1.8 Having set out in this report the actions that must be taken, I intend revisiting Mountjoy Prison for the purpose of confirming that the works and changes that I have outlined have either been completed or are ongoing. These visits will be ongoing and will be mostly unannounced. I will submit a further report to the Minister on Mountjoy Prison within 12 months. This further report, will, not alone, deal with issues raised in this report and all matters that

I am obliged to take account of as set out in Section 32 of the Prisons Act 2007 but will also take account of the Standards for the Inspection of Prisons that I published in July 2009.

- 1.9 I am conscious that Mountjoy Prison is a very old institution and that this brings its own problems. I am conscious that the services that should be provided as a minimum can only be provided to a finite number of prisoners and I am also conscious of the constraints on the public finances. In this regard I must point out that none of these can be taken as an excuse for denying prisoners their basic human rights. Neither can the prospect of building a new prison be an excuse for not attending to all matters of concern as set out in this report.
- 1.10 From my observations and from my conversations with a wide cross section of people – prisoners, staff and service providers I am satisfied that, despite the efforts of management and staff Mountjoy Prison cannot, at present, provide safe and secure custody for its prisoners. It is questionable as to whether the prison provides a safe environment for staff to work in.
- 1.11 This report, while highlighting many negatives in Mountjoy Prison should not be taken as a total condemnation of the prison. There are many positives in the prison and if my recommendations as outlined in Chapter 8 are acted on Mountjoy Prison can continue, in the short term, to play an important role in the Irish Prison System where safe and secure custody can be provided in an environment which respects human rights and human dignity, that is safe for staff to work in and where prisoners live in a structured environment.

Chapter 2

History and design capacity

Overcrowding issues

- 2.1 Mountjoy Prison is a purpose built prison which opened in 1850. When originally built it had 500 cells in its main block constructed for individual occupancy. It has 4 wings, each with three landings all linked to a central circle.
- 2.2 Since 1850 many parts of the prison have been altered or demolished.
- 2.3 A medical unit was constructed comprising 3 floors with accommodation for 60 prisoners in 48 single cells and 3 x 4 man cells. All cells have 'in cell' sanitation. This unit has all necessary medical facilities, kitchen facilities and class rooms. It is bright and for the most part clean. It is not overcrowded.
- 2.4 A building known as the Separation Unit was constructed with 35 cells, a kitchen and other facilities. This unit was refurbished in 1997 and has 'in cell' sanitation in all cells. In addition it has showers and toilets on each of its 3 landings. This unit was taken out of use in September 2001. The main shower block for the prison and a small laundry both of which are in use form a separate part of this building. This shower block and laundry were clean and working on each of my visits.
- 2.5 At present there are 371 cells in the main block which are the original cells as designed and built in 1850 for single occupancy. The majority of these cells measure 3.91m x 2.06m with a minority measuring 3.43m x 2.06m. There are 5 x 4 man cells which were created by knocking 3 cells into one to create each 4 man cell. None of these 376 cells have 'in cell' sanitation.

- 2.6 The B Base comprises 6 single and 8 x 4 man cells. These have 'in cell' sanitation. There is a shower room in the B Base. There are 5 special cells in this area. There is a small exercise yard off the B Base.
- 2.7 The design capacity of the accommodation cells in the prison is therefore 489. This does not take into consideration the 'assessment', 'time out' or 'cladded' cells which should never be used as accommodation cells.
- 2.8 Since my appointment as Inspector of Prisons, Mountjoy Prison has consistently operated far beyond its design bed capacity. The following table illustrates the original design capacity versus the stated bed capacity of the accommodation cells as advised by the Irish Prison Service for most of the period of my inspection.

Original Design Capacity v Present Bed Capacity of Accommodation Cells							
Original Design Capacity				Present Bed Capacity			
Landing	Single	Other	Design Capacity	Single	Double	Other	Current Bed Capacity
A1	23	1x4	27	12	11	1x4	38
A2	42		42	36	6		48
A3	42		42	36	6		48
B1	25		25	22	3		28
B2	29	1x4	33	25	4	1x4	37
B3	31		31	26	5		36
C1	10	3x4	22	1	9	3x4	31
C2	22		22	9	13		35
C3	31		31	23	8		39
D1	26		26	14	12		38
D2	45		45	42	3		48
D3	45		45	41	4		49
B Base	6	8x4	38	6		8x4	38
Medical Unit	48	3x4	60	48		3x4	60
	425	64	489	341	84	16	573

- 2.9 In counting the bed capacity one counts the number of beds or bunks available for the accommodation of prisoners. The bed capacity changes on a regular

basis depending on whether further bunks are added to the system. As of the date of this report the bed capacity has been significantly increased. The only thing that does not change is the number of cells or the size of these cells.

- 2.10 For most of the period of my present inspection the stated bed capacity of the prison has been 573. To achieve a bed capacity of 573, 84 single cells were doubled with bunks added. When the population of the prison exceeds 573 the overflow numbers are accommodated on mattresses on the floor in cells already occupied, in cells not meant for that purpose, in holding cells in the reception area or in the shower room in the B Base. Overflow numbers are never accommodated in the Medical Unit.
- 2.11 The reception area has one large, one medium and three small holding rooms. The smaller rooms have no sanitary facilities. The large room has a number of benches. It is in the form of a waiting room. On each visit it was dirty. It has an adjoining toilet which on all visits was dirty. It is not possible to observe all areas of this room from the observation hatch. I was informed by prison staff that there is no drinking water for either staff or prisoners in the reception area.
- 2.12 The shower area in the B Base is tiled. The area is secured by a barred gate which can be locked.
- 2.13 I saw prisoners accommodated in both the reception area and the shower room in the B Base at night.
- 2.14 On the nights of 24th February 2009 and 21st May 2009 the stated bed capacity of the prison was 573. On these dates the population of the prison was respectively 660 and 680. This meant that respectively 87 and 107 prisoners were accommodated as described at paragraph 2.10.
- 2.15 On 24th February 2009, 15 prisoners were accommodated for the night in the reception area in 3 holding rooms with 8 prisoners in one room. During the

night there was an incident with one prisoner which luckily only resulted in material damage to part of the area.

- 2.16 I was so concerned that I wrote, by email, on the 27th February 2009 to the Department of Justice, Equality and Law Reform (the Department) and the Irish Prison Service expressing my fear that this practice could lead to possible serious injury or loss of life. A Governor's Order was posted on that same date prohibiting this practice.
- 2.17 Between 24th February 2009 and 1st April 2009 prisoners were accommodated in the reception area overnight on 4 occasions. The numbers so accommodated varied from 4 to 9 prisoners. While I accept that this was done in contravention of the Governor's Order this must be viewed in the context of the overcrowding problem in the prison. A judgement call must be made as to where prisoners are to be accommodated when the prison is full. While the decision may be to contravene the Governor's Order this decision must be based on security considerations and the need to protect prisoners. These might dictate that in all the circumstances the contravention of the order was the most appropriate option. These contraventions of a Governor's Order should be known to management and the Irish Prison Service as the 'Numbers Book' is readily available.
- 2.18 Protection prisoners account for approximately one sixth of the population of the prison at any one time. These prisoners are accommodated in the B Base and on C 2 landing. Both areas are consistently overcrowded.
- 2.19 Protection prisoners are locked up for 23 hours each day. They get a maximum of one hours exercise, have minimal access to teachers and have no access to the gyms or the workshops.
- 2.20 Protection prisoners typically belong to gangs which reflects the situation that exists in certain sections of Irish society. Other prisoners, while not belonging to gangs, are nevertheless on protection because of threats made against them.

The gangs in the prison must be kept apart. This causes great logistical difficulties for management.

- 2.21 There is no dedicated area in the prison for vulnerable prisoners. At any one time there are approximately 20 such prisoners in the prison.
- 2.22 There is no dedicated area in the prison for committal prisoners. These prisoners at present are accommodated wherever space can be found throughout the prison. This can be in a variety of places as set out at paragraph 2.10. A dedicated area with appropriate accommodation for approximately 40 prisoners is required for such committal prisoners.
- 2.23 For any prison to operate efficiently and effectively and provide safe and secure custody for its prisoners appropriate programmes and facilities must be available which will ensure that prisoners are occupied in a structured manner for an appropriate part of each day. For this to be a reality overcrowding is not acceptable.
- 2.24 Mountjoy Prison has the potential to provide structured activity for a maximum of 321 prisoners on any one day. These activities include the school, gyms, fabric shops, computer workshops, carpentry and tiling workshop, concrete workshop, industrial cleaning, kitchens, bakery, outside work party, work in such areas as the showers, laundry, reception, waste management, landings and the grounds. The facilities for education and vocational training described in Chapter 3 of this report are excellent and operate to a high standard providing worthwhile activities for the prisoners so engaged. Unfortunately, the facilities outlined above rarely operate to their maximum. There are many reasons for this, notably, supervision posts not filled, posts being stripped by the deployment of staff elsewhere in the prison, delays in getting prisoners to the facilities and absenteeism among staff.
- 2.25 In the 12 months to the 31st July 2009, there have been many serious incidents in the prison ranging from a serious riot in July 2008, a hostage taking incident in March 2009 to a death in July 2009. There were numerous other incidents

involving serious injuries to prisoners and on occasions to prison staff. Bullying and intimidation between prisoners is common. Prison amenities and facilities have been damaged by prisoners on numerous occasions.

2.26 I stated at paragraph 2.7 that the design capacity of the prison is 489. I have been informed by management that when the separation unit opens as described at paragraph 5.6 below the prison could function in safety with a maximum of 540 prisoners.

2.27 If Mountjoy Prison is, in the short term, to remain part of the Irish Prison Estate the numbers must be reduced to 540 and not allowed increase beyond this figure.

Chapter 3

Existing programmes and facilities

School

- 3.1. The school is situated in the main prison block. There are 2 classrooms in the medical unit. There are 14 full time and 7 part time teachers. A wide range of subjects are taught in the school.
- 3.2. A number of teachers are involved in other aspects of prison life and most are members of prison committees.
- 3.3. Approximately 50 prisoners attend the school for any one period (morning or afternoon). Limited classes are available for prisoners on protection on C2 Landing and in the B Base. Evening classes are held some evenings in the Medical Unit.
- 3.4. In 2008, 520 prisoners enrolled in the school. 20% of these prisoners could not read or write and 30% could only sign their names. 15 hours teaching every day involves literacy/numeracy work.
- 3.5. In the period September 2007 to July 2008, 202 prisoners received awards in examinations including Junior Certificate, Leaving Certificate, FETAC and Open University.
- 3.6. In February 2009, a number of prisoners participated in a play in the prison that was written by one of the teachers in the school. A number of prisoners participated in a Prison Art Exhibition hosted by St. Patrick's Institution in February 2009.
- 3.7. The school has limited classes for prisoners in July, depending on the number of teachers who opt to work. There are no classes in August.

- 3.8 I observed on numerous occasions that prisoners scheduled to attend classes did not reach the school on time and were in some instances over an hour late for class.
- 3.9 The school facilities in the main prison are reasonable. The classrooms are of adequate size. The school kitchen has recently been refurbished. There is sufficient office space. However, overall the school can only cater for 50 prisoners at a time. The school is not sufficiently large to deal with the present population of the prison. The school does not operate to its maximum capacity.
- 3.10 There was a positive atmosphere amongst the teachers and they enjoyed a good relationship with prison staff and prisoners. I was informed that discipline was not a problem in the school.

Workshops

- 3.11 Workshops are located in the A and D Wings. Prisoners from A and B Wings attend the workshops on A Wing and prisoners from C and D Wings attend the workshops on D Wing. All workshops provide worthwhile training for the prisoners. They are well run by dedicated staff.
- 3.12 The **fabric workshop on A Wing** produces towels for the entire prison estate. Approximately 1500 towels are produced monthly. 16 prisoners work here. It is a popular workshop and there is a waiting list. This workshop has an embroidery machine and a fabric printing machine that are used to decorate garments. At the time of my initial inspection 25th and 26th November 2008, 2 prisoners who worked there were also attending computer classes to enable them design embroidery patterns for the garments being produced in the workshop.
- 3.13 The **fabric workshop in D Wing** produces prison issue jeans for prisoners in all prisons. 17 prisoners work here. There is an embroidery machine in this workshop. A small laundry is located here where all the kitchen and laundry whites are washed by prisoners.

- 3.14 There is a **computer and print workshop in D Division** which caters for both basic and advanced studies. This workshop was closed for 6 months following the riot in July 2008. The Print Workshop prints all the committal forms in 12 languages. The prisoner information booklet is also produced here. 28 prisoners can work in the computer and print workshop.
- 3.15 There is a **joinery workshop in D Division** which produces impressive pieces including garden benches and flower boxes. 16 prisoners work here. All prisoners must complete a health and safety course before being allowed work here. Prisoners progress from using basic machines to advanced technical machinery. Tiling is taught in this workshop where prisoners learn how to lay tiles in bathrooms, kitchens etc. This is a very practical workshop and assists prisoners in getting employment following their release.
- 3.16 Both of the fabric workshops and the joinery workshop make large contributions to various charities. Last Christmas 1500 Santa hats were donated to children's charities and Santa suits were donated to 18 other different charities. When the Special Olympics were held in Ireland 90,000 flags were made in the workshops. Various items of clothing for the Games were also made. All the medal presentation cushions of varying sizes were donated by these workshops. Botchi Courts were manufactured in the joinery workshop as well as the pigeon hole boxes for each event centre. The prisoners I spoke to, who were involved in this work, were very pleased that they could contribute to society in such a positive way.
- 3.17 There is a **building skills workshop in A Division**. This is in one portion of the area occupied by the old metal workshop which was taken out of use after the riot in July 2008 for security reasons. The fitting out of this workshop was done by prison officers and prisoners and is to a high standard.
- 3.18 There is a **computer workshop in A Division**. This is in the remaining portion of the area occupied by the old metal workshop described at paragraph

- 3.17 above. This workshop was also fitted out by prison officers and prisoners to a high standard.
- 3.19 A **concrete workshop** is located in the grounds of the Prison. 6 prisoners work in this workshop. The work produced here is impressive. Prisoners produce *inter alia* patio slabs and garden ornaments.
- 3.20 The **grounds of the prison** are maintained by prisoners working under supervision. The grounds are well kept and tidy.
- 3.21 The **waste management** area (also in the grounds of the prison) deals with the waste from the entire Mountjoy complex (Male Prison, Dóchas Centre, St. Patrick's Institution and the Training Unit). 4 prisoners work here. All waste is brought to this area. Cardboard, electrical equipment, waste oil and clothing are all sorted for appropriate recycling. The complex produces 24 tonnes of waste a week.
- 3.22 There is an **outside work party** attached to the Mountjoy complex. Specially selected prisoners from Mountjoy Prison and the Training Unit who are considered trustworthy participate. The numbers on the work party can vary as work and circumstances dictate. Over the years these work parties have contributed to enhancing a wide variety of community projects. I made an unannounced visit to observe the work being done by a work party on 21st January 2009. 3 prisoners were working under supervision renovating houses that had fallen into disrepair. This entailed putting on new roofs, putting in new floors, plumbing, joinery, plastering etc. The standard of work was impressive.
- 3.23 There is provision for an **industrial cleaning workshop** in Mountjoy. There is a room dedicated for this purpose in the Basement and some equipment has been provided. 2 prisoners are currently working with the Industrial Supervisor cleaning areas of the prison. If the workshop was fully operational it could provide worthwhile work for an additional 9 prisoners and additional areas of the prison could benefit.

- 3.24 It is proposed to open a **health and safety workshop** if resources are made available which would have a capacity for 8 prisoners.
- 3.25 Participation in the computer workshops leads to accreditation. Currently participation in the other workshops in Mountjoy does not lead to accreditation. The Regimes Directorate of the Irish Prison Service is in negotiation with the City and Guilds to have Mountjoy accredited as a test centre. To date this has not been finalised.
- 3.26 During the riot in July 2008 the workshops and recreation area in the D Division were extensively damaged. The area was renovated and reopened on a phased basis with all areas opened by December 2008. The majority of the renovation work was undertaken by the Trades Staff and the Industrial Supervisors together with a number of prisoners and is to a high standard. The staff and prisoners must be commended for their fine work.

Facilities

- 3.27 There is a **library** in the main prison building. There are 3 librarians. The library is well stocked and in good condition. It is open 7 days a week for 3 sessions a day. On occasions the library has to close because prison officers attached to the library are detailed to other work in the prison owing to staff shortages.
- 3.28 There are 2 **gyms** in the main prison building and 1 in the Medical Unit. Different landings use the gym facilities at different times. Fully trained gym instructors supervise and instruct the prisoners at all times. There is a wide range of equipment in all gyms. I was informed that equipment frequently breaks down due to its constant use and often delays are experienced in having same repaired or replaced. This can lead to frustration among prisoners.
- 3.29 There is a small **laundry** adjacent to the main shower block which deals with prisoners' bed clothes and towels. 2 prisoners work under supervision between this laundry and the adjacent shower block. There is a further small

laundry adjacent to the Reception Area which deals with prison issue clothes. The drying machines in this laundry were not working on any occasion that I visited.

- 3.30 There is **no** laundry for prisoners' personal clothes. I should point out that the majority of prisoners wear their own clothes and not prison issue clothes. As a general rule prisoners send out their clothes with visitors to be washed. I have observed prisoners washing their clothes in basins in their cells on numerous occasions. They then have to dry such clothes on pipes or make-shift lines in the cells. I have been informed and believe that at times prisoners bribe fellow prisoners working in the laundries to wash and dry their clothes for them. This would not happen if proper facilities were provided. The sending out of laundry with visitors creates extra paper work and security problems for prison staff and places an extra burden on prisoners' visitors.
- 3.31 A and B Wings share **recreation facilities** as do C and D Wings. On a number of inspections I found the A Recreation Area dirty. In each area there is a television and a pool-table. The prisoners have access to the yards from these areas. On all my visits the yards were dirty. The D Recreation area was clean and tidy on all of my visits.
- 3.32 There are **recreation facilities** located on each floor in the Medical Unit. They consist of a television room and an area with a pool table. They were clean during my inspections. There are 2 yards for the Medical Unit, a large and a smaller yard. The prisoners can play basketball in the larger yard. These yards were dirty on all of my inspections.
- 3.33 The **kitchen** facilities are good and can cater for the prison population. During all inspections the kitchens were clean. The kitchen in the main prison block has achieved a number of awards. 16 prisoners work in this kitchen and 5 work in the kitchen in the medical unit. When equipment breaks or requires replacement this takes time.

- 3.34 The prison **bakery** is impressive. It provides bread and other bakery products for all the Dublin based prisons. 11 prisoners work here.
- 3.35 There are 2 **tuck shops** in the prison. They are adequately stocked and are open at appropriate times. Protection prisoners and prisoners in the Medical Unit have their tuck shop requirements delivered to them.

General comment

- 3.36 The most positive aspect of Mountjoy Prison is its provision of health care to prisoners. The requisite professionals are in place and innovative procedures and regime changes have been introduced. These have the potential to provide a high standard of health care to all relevant prisoners in the prison. Overcrowding and the unstructured nature of the prison creates obstacles to the provision of such services. At times some of the services could be best described as 'fire brigade' services. I am satisfied that if my recommendations 1 to 5 are acted on these dedicated professionals will be able to provide a high, appropriate and consistent standard of health care in appropriate settings to the prisoners in Mountjoy Prison. It is not necessary in this report, which is in the nature of an interim report, to give details of the great strides made by the prison in the whole area of health care. These will be more appropriate to my next report on Mountjoy Prison.
- 3.37 In my next report on the prison I will give details of the other services being provided to prisoners by others not mentioned in this report.

Chapter 4

Deficiencies in the prison

- 4.1 I have already pointed out certain deficiencies in the prison. These include the problem of overcrowding, the lack of a vulnerable persons' unit, the general problems associated with committal prisoners, the fact that prisoners do not arrive at school on time, the stripping of certain posts and the non filling of others.
- 4.2 The purpose of this chapter is to point to certain other deficiencies in the prison that require attention. I do not intend setting out in detail each defect or area that requires attention as to do so would make this report unwieldy, would dilute the importance of my observations and could suggest that considerable capital investment is required.
- 4.3 For the sake of balance, and to be fair to the persons working in the prison, I wish to state that when I point to inadequacies in this chapter this is not to be read as implying that all areas that come under a general heading are to be taken as being criticised. To illustrate this point not all landings are dirty or untidy. My remarks are intended to give a general view of the prison which may be particular to certain areas and not to others.
- 4.4 I have pointed out many of my concerns to management. They have endeavoured to meet my requirements but for a variety of reasons have not been able to. The remedy of the inadequacies set out in this chapter will involve, at different levels and for different operations, the Irish Prison Service, local management and the staff of the prison.

Slopping out

- 4.5 Because there is no 'in cell' sanitation in the cells on the landings in the main prison block prisoners must 'slop out' after unlock. This practice has been described by the Committee for the Prevention of Torture and Inhuman or

Degrading Treatment or Punishment (CPT) and my predecessor as inhuman and degrading treatment. I agree with their findings.

- 4.6 There are 27 slop hoppers, 50 toilets, 105 wash basins, 43 urinals and 33 hand driers for the use of prisoners accommodated in 376 cells, without 'in cell' sanitation, designed to accommodate 391 prisoners but where the numbers are always well in excess of this figure. Prisoners have a limited time to make use of these facilities.
- 4.7 There is no privacy for prisoners to attend to their hygiene requirements in their cells but this position is exacerbated when two or more prisoners share a cell.
- 4.8 I have witnessed 7 prisoners sharing a 4 man cell where the sanitary requirements were met by 3 buckets. Similarly I have witnessed 3 prisoners sharing a cell and sharing the same 'slop out' bucket. This amounts to inhuman and degrading treatment.
- 4.9 Prisoners are obliged to eat their meals in their cells. For prisoners in single cells this happens within feet of their 'slop out' buckets but where prisoners are accommodated in multiple occupancy cells the position is far worse.
- 4.10 At night the prison operates a 'toilet patrol'. This entails prison officers unlocking prisoners from their cells to allow them use the toilet facilities. The 'toilet patrol' does not operate after 9.30 pm. I have visited many cells during night visits where prisoners have had to use their buckets not alone as 'slop out' buckets but as rubbish receptacles. These 'slop out' buckets cannot be emptied until unlock the following morning. This amounts to inhuman and degrading treatment.

Rubbish bins

- 4.11 The rubbish bins that I refer to in this section are those on the landings in the main prison.

- 4.12 The rubbish bins comprise in the main clear plastic bags held in place by a metal holder. They are meant for rubbish from prisoners cells. When full they are brought from the landings by prisoners to a collection area on the ground floor for onward disposal in the waste management area.
- 4.13 Because of the overcrowding of the prison, the inadequate number of slop hoppers and because prisoners often have to use their 'slop out' buckets as rubbish receptacles (which cannot be emptied into the slop hoppers) human waste is often poured into these bins. I have witnessed this happen on occasions. This amounts to inhuman and degrading treatment.
- 4.14 I have witnessed liquids leaking from these bags both while *in situ* and while being carried by prisoners to the collection point.
- 4.15 Apart from plastic gloves prisoners do not wear any protective clothing while carrying out this work. This amounts to inhuman and degrading treatment.
- 4.16 The rubbish bins are emptied for the last time each evening at approximately 7.30 pm.
- 4.17 I have observed rubbish bins either almost full or in some cases overflowing during my night visits. This means that they are of little or no use when prisoners are unlocked in the morning.

Dirty areas of the prison

- 4.18 The areas that caused me most concern were where the sanitary/washing facilities are situated and around the rubbish bin areas on the landings.
- 4.19 Numbers of areas were dirty – at times filthy. Toilets were dirty and sometimes blocked, urinals were overflowing, wash hand basins were dirty, floors were covered with water or other liquid and hand driers were not working. The areas around the rubbish bins had pieces of food on the floor, were generally dirty and untidy and at times liquid could be seen seeping from them.

4.20 Some landings and stairs were dirty.

4.21 Certain recreation areas were dirty.

4.22 Yards were dirty.

Cells

4.23 A majority of the cells in the main block and in the B Base were dirty and unkept. Many need repainting and some need total refurbishment.

4.24 Numbers of cells did not have adequate furniture such as chairs, tables or storage facilities.

4.25 Numbers of cells did not have adequate rubbish bins and in some cases as detailed at paragraphs 4.10 and 4.13 none.

4.26 Where prisoners had to 'slop out' sufficient 'slop out' buckets were not provided in some cells. In most cases 'slop out' buckets were uncovered. This amounts to inhuman and degrading treatment.

4.27 In some cells I observed torn and soiled mattresses. It is the policy of the prison that worn mattresses are changed. It is difficult to maintain mattresses when, in some cases, prisoners have to sleep on them on the floor.

4.28 Cockroaches and mice are a problem in certain cells. I witnessed cockroaches at night and evidence of mice.

4.29 Not all cells had working 'alarm bells'.

4.30 The smell of sewage was evident on landings at certain times and this permeated into cells.

4.31 In certain cells windows were broken or not working.

4.32 Locks on certain cell doors were not working properly.

Broken and leaking equipment

4.33 This is a problem throughout the prison. The main reason is the age of the prison but a secondary reason is that the prison now has a population which imposes a workload on a system not designed to carry such a workload.

4.34 Broken and/or leaking water pipes, broken and/or leaking sanitary facilities and broken 'in cell' alarm bells were the most common features observed under this sub-heading.

4.35 On many visits I found that the already inadequate number of toilets, wash basins, urinals, slop hoppers, showers and hand driers was reduced because of breakages, blockages or leaks.

4.36 In some areas the water pressure was not adequate. This was most obvious in the Reception Area where the water pressure, on the occasion of most of my visits, was so low that there was either very little or no water in the wash basins and only sufficient water for one shower at any time.

4.37 In certain toilet and wash areas windows were broken and in one area, I was informed, the windows had been broken for a number of years.

Staff facilities

4.38 I am aware that the main staff facilities, which are adequate, are situated outside the main gate. Therefore, if staff wish to use toilet or rest facilities, they must either use the facilities which are outside the main gate or use the facilities provided in the prison.

4.39 If staff use the facilities outside the main gate they must return to the prison through the searching area. This can cause delays especially after 8 pm when they must be checked through by the Assistant Chief Officer (ACO) on duty.

- 4.40 There are toilet and rest facilities for staff in the main prison. These are inadequate. The toilet facilities for male prison officers are in a portacabin. The toilet facilities for female officers are located in the Basement with access gained by a circular stone stairs.
- 4.41 The rest facilities inside the prison for prison officers are in a portacabin and are inadequate. On my visits they were dirty, did not have adequate seating or other essential facilities. The lights were broken.

CCTV

- 4.42 On my initial unannounced visit 25th and 26th November 2008 to the prison I observed that areas of the prison were not covered by CCTV. My position is that, subject to privacy issues, all areas of the prison should be covered by CCTV. Since I brought this to the attention of the relevant authorities additional CCTV cameras have been installed. The installation of CCTV cameras can act as a safeguard for both staff and prisoners. It may be necessary to increase the coverage by CCTV of areas already covered.

General comments

- 4.43 I am aware that prisoners contribute to the dirty and untidy environment.
- 4.44 I am aware that prisoners are responsible for certain damage caused in the prison. I have witnessed this on occasions.
- 4.45 I am aware that prisoners, at times, block toilets and slop hoppers with clothing and other articles.

Chapter 5

Regime Changes

- 5.1 During the course of my inspection process of Mountjoy Prison I identified a number of issues that could and should be changed. These were overcrowding, the accommodation of protection prisoners, the fact that there is no designated committal area in the prison, the lack of a vulnerable prisoners' unit, the absence of a drug free area, the problems associated with getting prisoners to the school and workshops on time and the maximising of the use of the school and workshop facilities.
- 5.2 I had a very constructive meeting with the Director General of the Irish Prison Service, the Governor of Mountjoy Prison and the Director of Operations of the Irish Prison Service where the aforementioned matters were discussed. At this meeting I made certain proposals, referred to later in this chapter, which when implemented will make a considerable difference to the operation of the prison. In this regard, I would like to compliment and thank the Director General and Director of Operations of the Irish Prison Service in addition to the Governor for their willingness to consider my proposals and their openness to accept suggested regime changes.

Overcrowding

- 5.3 The Irish Prison Service intends opening approximately 400 new prison spaces before the end of 2009. These will be in Castlerea, Portlaoise and Wheatfield Prisons. This should alleviate the overcrowding in Mountjoy Prison. The Irish Prison Service is committed to reducing the numbers in Mountjoy. They were not in a position to specify a maximum number that they considered could be accommodated in the prison. My position as set out at paragraph 2.26 is that the maximum number of prisoners that could be accommodated in the prison at any time should not exceed 540. It should be possible to achieve this with the extra places coming on stream.

5.4 When the Segregation Unit is opened (see paragraph 5.6 below) this should not herald an increase in numbers in Mountjoy Prison. The maximum number, in the prison, should still not exceed 540 prisoners.

5.5 Limited doubling up of prisoners will occur when 540 prisoners are accommodated in Mountjoy Prison but this should be a temporary measure pending the completion of the new prison at Thornton Hall. The practice should be kept under constant review and should, except in exceptional circumstances, never happen with the following classes of prisoners:

- Prisoners on 23 hour lock up.
- Prisoners who are kept in their cells longer than normal.
- Prisoners serving life sentences.
- Prisoners serving long sentences.
- Prisoners who because of their type of prison accommodation do not enjoy the norms of privacy as other prisoners.
- Prisoners who, because of their mental, medical or physical conditions, could not be deemed suitable for such multiple occupancy.

Protection Prisoners

5.6 I enquired as to the present status of the Separation Unit. I was informed that the Unit is due to reopen before the end of 2009. The Separation Unit is a stand alone self contained unit with possible accommodation for approximately 60 prisoners. To accommodate 60 prisoners numbers of cells would have to be double cells. The cells in the unit are larger than the cells in the main prison, all have 'in cell' sanitation and all have better light and ventilation. As I stated at paragraph 5.5 doubling up of prisoners should be a temporary measure pending the completion of the new prison at Thornton Hall. Each floor has a small shower block. It has a number of rooms which could be used for gyms, workshops and educational purposes. There are two yards attached to the unit. One of these yards serves as a waste management area. It is intended to move this elsewhere.

- 5.7 At any one time there are approximately 100 protection prisoners in Mountjoy Prison. They are on 23 hour lock up. They are accommodated in the B Base and on C2 landing.
- 5.8 I suggested at the meeting referred to a paragraph 5.2 that the protection prisoners from the B Base and a number from C 2 landing could be accommodated in the separation unit. If so accommodated these prisoners would have access to an enhanced prison regime. They would have greater time out of their cells and access to structured activities.
- 5.9 My suggestion was accepted. Therefore the protection prisoners in the B Base should be moved to the Separation Unit before the end of 2009.

Dedicated committal area

- 5.10 There is no dedicated area for committal prisoners. These prisoners, when they first present at the prison, are accommodated wherever space can be found throughout the prison. They are, except where security or other circumstances dictate, accommodated on mattresses on the floor in cells already full or as described in paragraph 2.10. An area with approximately 40 beds is required for such committal prisoners.
- 5.11 There are 38 beds in the B Base. The B Base is adjacent to the Reception Area of the prison. The B Base will be available towards the end of 2009 when the protection prisoners are moved to the Separation Unit.
- 5.12 I suggested at the meeting referred to a paragraph 5.2 that the B Base could be used as an area for committal prisoners. Prisoners on their initial committal could be properly assessed from all points of view and then accommodated either on a landing in the prison, in a specialist unit or transferred to another prison as appropriate. It is important in any prison setting that when any prisoner is assessed as being at risk that this risk is managed throughout the prisoner's stay in prison.

- 5.13 If the B Base were used as the only area for committal prisoners the necessary supports such as appropriate nursing and monitoring could be provided in one place as opposed to the present position where this is not feasible due to committal prisoners being accommodated throughout the prison.
- 5.14 My suggestion would have two upsides for the prison – a) it would give a more settled feel to the prison, and, b) it could be the start of a sentence management process where the needs of the prisoners could best be met.
- 5.15 My suggestion was accepted.
- 5.16 The B Base as a dedicated area for committal prisoners can only become a reality when the protection prisoners are moved to the separation unit. Some areas of the B Base require renovation – especially the 4 man cells. This must be done before it becomes a dedicated unit for committal prisoners.
- 5.17 I accept, that for operational reasons, a firm commitment cannot be given that the B Base will exclusively be used for committal prisoners. It should, however, never be used as ordinary accommodation and its numbers should not exceed 38.

Vulnerable prisoners

- 5.18 There is no dedicated area in the prison for vulnerable prisoners. At any one time there are approximately 20 such prisoners in the prison.
- 5.19 It is accepted that prisoners with serious mental health problems have the right to be treated in a non-forensic mental health environment. Currently vulnerable prisoners are accommodated in the B Base and on C2 Landing with protection prisoners and in various special cells located around the prison. This is undesirable as they may not have adequate access to all the primary healthcare and mental health care services that they would have if they were located in a specific dedicated unit.

- 5.20 When a prisoner is admitted to the prison a proper and thorough risk assessment should be carried out. Certain prisoners can pose a risk to themselves and/or to others. In Mountjoy Prison there is no stratification of this risk. When the result of the assessment is known the risk, if identified, should then be managed. This is not done. There is no point in carrying out the assessment if the risk is not then managed. I should point out that it is never possible to eliminate risk.
- 5.21 The psychiatrist and his team spend unnecessary time trying to ascertain if the prisoners accommodated as described in paragraph 5.10 are in fact vulnerable prisoners who require the services of the psychiatric team.
- 5.22 Cloverhill Prison does provide a proper risk assessment of vulnerable prisoners and such risks are managed within the prison. There is a dedicated unit (D2) which in the Irish prison system is a model that other prisons should strive to emulate. There are of course models to be found in other jurisdictions.
- 5.23 I suggested at the meeting referred to a paragraph 5.2 that a floor of the medical unit could be dedicated as a vulnerable persons unit.
- 5.24 The upside of this for the prison would be a) prisoners with mental health problems could be treated in a more appropriate environment, b) the vulnerable prisoners would be in an area which has the appropriate facilities, c) the vulnerable prisoners would not be a cause of disruption to other prisoners, d) the staff assigned to the unit would be specifically trained to deal with vulnerable prisoners and e) the resources of the medical team would be better directed.
- 5.25 My suggestion was accepted. I was informed that there would not be a difficulty in carrying through with this suggestion.
- 5.26 It is important that the Healthcare Complex Nursing Manager, his team and the psychiatric team from the Central Mental Hospital (who provide services

to the prison) are consulted and have a direct input into the setting up of this facility.

Drug free area

- 5.27 At present there is no drug free area in the main block of Mountjoy Prison.
- 5.28 The availability of illicit drugs is an ongoing problem in the prison.
- 5.29 There are a number of initiatives which are aimed at assisting prisoners get off drugs. I will be dealing with these in greater detail in my next report. It is sufficient to say, at this time, that prisoners who are availing of these initiatives must be encouraged and helped. The lack of a drug free area in the prison militates against this.
- 5.30 I suggested at the meeting referred to a paragraph 5.2 that such an area should be provided.
- 5.31 It was agreed that consideration would be given to providing a drug free support unit. This could be a designated landing.
- 5.32 I accept that it will always be difficult to maintain a drug free support unit in a prison such as Mountjoy due to the physical construction of the prison but this should not be used as an excuse for inaction in this regard.

Getting prisoners to school and workshops on time

- 5.33 At present prisoners are gathered from the yards for school and workshops. Delays can occur as prisoners, for a variety of reasons, are either overlooked or are not delivered to either the school or workshops on time.
- 5.34 I observed on numerous occasions prisoners not arriving until an hour after start time. I found documentary evidence that a proportion of prisoners scheduled to attend class did not appear at all. This leads to inefficiency and a waste of resources.

5.35 On my suggestion at the meeting referred to a paragraph 5.2 it was agreed that management would address the matter.

Maximising use of school and workshop facilities

5.36 The school and the workshops operate at certain hours.

5.37 As I have pointed out at paragraph 5.34 prisoners do not always arrive for tuition, or if they do, they are often late.

5.38 At times prison staff required in the school or workshops are delegated to other functions. By and large this is because of the overcrowding in the prison.

5.39 At times appointments to relevant posts essential to the running of the workshops are not made with the result that workshops are closed.

5.40 On my suggestion at the meeting referred to a paragraph 5.2 it was agreed that these matters would be reviewed by both management and the Irish Prison Service. It was also agreed that management would look at the possibility of extending the hours of opening the workshops in order that a greater number of prisoners could be gainfully occupied.

Chapter 6

Security

- 6.1 I have dealt in some detail in my Annual Report 2008 with the enhanced security measures that have been introduced in all of the closed prisons in the State. These include *inter alia* the drug detection dog service, the Operational Support Units, modern technology used during cell searches, enhanced perimeter security, enhanced security screening for all persons entering the prison and the introduction of the B.O.S.S. chair (body orifice security scanner). These new measures are fully operational in Mountjoy Prison. All persons, both visitors and staff, must go through the screening and searching procedure. It consists of a walk through metal detector and an x-ray scanner for any personal items such as coats or briefcases. Drug detection dogs are a feature of the screening process.
- 6.2 During my inspection I received complaints, mostly from prisoners but also from visitors, that the searching procedure of persons entering the prison was personally invasive and went beyond what could be considered acceptable. I would, again, like to take this opportunity to refute such suggestions. As already stated at paragraph 10.7 of my Annual Report 2008 the searching is comparable to that at airports. Visitors are not strip searched or partially strip searched as has been alleged. I observed these screening and search procedures being carried out on numerous occasions in Mountjoy Prison and indeed in other prisons. My staff and I have undergone the same procedures. I am satisfied that a person's dignity is fully respected by prison officers at all times and that the complaints arose as a result of misinformation.
- 6.3 I stated at paragraph 10.9 of my Annual Report 2008 that I considered more could have been, and should be, done by the Irish Prison Service to inform both prisoners and prisoners' visitors as to the exact procedure entailed in the screening and searching. I suggested that the installation of monitors, similar to those in airports and operating on a rolling basis, in the visitors' waiting

area, demonstrating exactly what the procedure entails, could reduce the confusion surrounding the procedure.

- 6.4 I stated at paragraph 10.8 of my Annual Report 2008 that prison officers should wear some form of identification such as a number on their uniforms when on duty.
- 6.5 General searches for drugs and contraband occur in the prison on a regular basis. Prisoners and cells are searched. Contraband including drugs, mobile telephones and various types of weapons have been discovered during these searches. All searches are recorded.
- 6.6 As I have stated at paragraph 2.25 there have been many violent incidents in the prison. Numbers of these have been reported in the press. Prisoners and prison officers have been injured. The most serious incident led to loss of life. This is the subject of a criminal investigation. I will refer to this in a later report.
- 6.7 On 12th July 2008 a riot took place in the prison. I visited the prison on the 14th and 15th July to brief myself fully on the situation. I spoke to approximately two thirds of the prisoners involved in the riot. I spoke to prison officers and to management. I am aware that criminal proceedings have been commenced. Therefore, at this stage, I do not intend giving any further details regarding this incident. It is sufficient to state that my investigation did not reveal any matters that required my further attention. I briefed the Minister through the Secretary General of the Department on the matter on the 16th July 2008.
- 6.8 I will deal, in greater detail, with security issues in my next report on the prison.

Chapter 7

Investigation of prisoners' complaints

- 7.1 During my initial unannounced inspection on the 25th and 26th November 2008 I examined the Prisoners' Complaints Book. I found that insufficient detail was recorded in the book. Details of *inter alia* the name of the person being complained about, the progress of an investigation (if initiated) and the result of the complaint were not always included.
- 7.2 I brought these matters to the attention of management. I was pleased to see on a subsequent visit that greater detail was being included in line with my recommendations.
- 7.3 Between the commencement of my unannounced inspection on the 25th November 2008 and the 18th February 2009 I received a number of allegations concerning the alleged ill-treatment of prisoners by a minority of prison officers.
- 7.4 I am aware that under Section 31(6) of the Prisons Act 2007 it is not my function "*to investigate or adjudicate on a complaint from an individual prisoner*". As the complaints received seemed to suggest a pattern I felt I was entitled under the same section of the Act which states "*.....but he or she may examine the circumstances relating to the complaint where necessary for performing his or her functions*" to further examine these complaints.
- 7.5 I again examined the Prisoners' Complaints Book. I ascertained that 67 complaints had been lodged by prisoners between 1st January 2008 and 14th May 2009. Of these a significant number related to allegations of assault, bullying, intimidation or harassment by prison officers. The complaints book did not contain adequate information. In some cases the names of the officers complained of were not recorded. The investigation of many of the complaints did not appear to have been finalised. Where prisoners were released this seemed to signal the end of the investigation.

- 7.6 I talked to prisoners and others in the prison system. I examined the files relating to the complaints that had been made to me. The contemporaneous complaint forms completed by the prisoners, the complaints made to me by the prisoners and my further investigations, details of which I cannot disclose for operational and investigative reasons, suggested to me that if the allegations, or any of them, were true would amount to a most serious situation and that a thorough investigation should be undertaken.
- 7.7 I examined all the remaining files relating to the complaints lodged as detailed in paragraph 7.5. Those files which appeared to have been finalised did not always seem to reflect, in a transparent manner, that objective and fair procedures had been adhered to.
- 7.8 I have a small staff and am not equipped to conduct such an investigation as I suggested in paragraph 7.6 should be carried out.
- 7.9 I was so concerned that on the 19th February 2009 I contacted the Minister to brief him on my serious concerns. I briefed the Minister through the Secretary General of the Department on that evening.
- 7.10 On the 20th February 2009 a Garda investigation was initiated. This is being led by a senior Garda Officer and is ongoing. On the same day the Irish Prison Service commenced an internal investigation.
- 7.11 I am not in a position to comment further on this matter or on the ongoing investigations. I hope to be in a position to comment further in my next report on the prison but this is subject to the finalisation of the investigations referred to above.
- 7.12 Ireland does not have an ombudsman for prisoners to investigate individual complaints. This seems to suggest a *lacuna* in the system.

Chapter 8

Recommendations

In this chapter I do not intend making a recommendation to cover every item of concern to me and as outlined in this report. I have in some instances grouped concerns into a single recommendation.

In order to be helpful and to set out clearly what must be done I have included a brief commentary on each recommendation.

1 Overcrowding to be eliminated by reducing the population to 540 or under. (paragraphs 5.3 to 5.5).

This can be achieved by the end of 2009 with the opening of the 400 additional prison places. It should be done on a phased structured basis as prisoners are moved from other prisons to the new units. The Irish Prison Service should ensure that obstacles are not created to frustrate the orderly reduction in the Mountjoy prison population. This recommendation is cost neutral from a capital cost point of view.

2 The Segregation Unit to be opened by the end of 2009 and protection prisoners from B Base be moved there. (paragraphs 5.6 to 5.9)

Prior to my discussions as set out in paragraph 5.2 the Irish Prison Service were taking steps to open the Segregation Unit. Therefore this recommendation is cost neutral from a capital cost point of view and should be completed by the end of 2009.

3 A dedicated committal area for prisoners be provided. (paragraphs 5.10 to 5.17)

The area as agreed - the B Base - will be available as soon as recommendation 2 has been complied with. The provision of the area is cost neutral. The only capital costs involved will be the refurbishment of parts of the B Base. The refurbishment should commence immediately recommendation 2 has been complied with.

4 A dedicated area for vulnerable prisoners be provided. (paragraphs 5.18 to 5.26).

This recommendation is cost neutral from a capital cost point of view as it involves the moving of prisoners from one area of the prison to another. It would not have any effect on the numbers in prison. I was assured that this would not present a problem. This can be achieved quickly. As I have stated at paragraph 3.36 the Healthcare Complex Nursing Manager, his team and the psychiatric team from the Central Mental Hospital should be consulted and have a direct input into the setting up of this facility.

5 The provision of a drug free support unit. (paragraphs 5.27 to 5.32).

It would seem that the provision of such a unit would be cost neutral from a capital cost point of view as it in essence entails moving prisoners from one part of the prison to another. It would not have any effect on the numbers in prison. This can be achieved quickly.

6 Prisoners' complaints to be dealt with in an open and transparent manner in accordance with law and best practice. (paragraphs 7.1 to 7.12).

The Standards for the Inspection of Prisons that I published in July 2009 will give guidance on this issue. This is a matter of the utmost importance and urgency which the Irish Prison Service should deal with without delay.

7 Ending the practice of slopping out by providing a 'toilet patrol' at times prisoners are under 'lock down'. (paragraphs 4.5 to 4.10).

This is self explanatory. I do not know what the implications of providing this service would be but I am informed that it is provided in another prison.

8 Rubbish bins must be emptied on a regular basis. (paragraphs 4.11 to 4.17).

This work is done by the prisoners and should be cost neutral. Rubbish bins should always be emptied after night 'lock down' and on a regular basis during the day. Prisoners should be supplied with appropriate protective clothing. Prison officers should ensure that only rubbish is deposited in these bins.

9 All areas of the prison be kept clean. (paragraphs 4.18 to 4.22).

Prisoners do the bulk of this work. A proper reporting procedure should be put in place in order that staff take appropriate responsibilities. Compliance with this recommendation should be virtually cost neutral as the bulk of the labour is practically free.

10 Cells to receive attention. (paragraphs 4.23 to 4.32).

This will require an audit of all cells. This is not a complicated matter and could be carried out over a number of days. There would be capital cost implications as additional furniture would have to be provided for certain cells and certain work would have to be carried out either by trade staff or outside contractors. The cleaning and painting could in some cases be carried out by prisoners under supervision. This work should start immediately. A time scale should be announced for the completion of this work.

11 Broken and leaking equipment to be replaced and/or repaired. (paragraphs 4.33 to 4.37).

This is ongoing work that is carried out in all prisons. Mountjoy Prison has additional problems as outlined in this report. There will be capital cost implications but the work should start immediately and such work should be prioritised. A time scale should be announced for the completion of this work.

12 Staff facilities in the main prison should be improved. (paragraphs 4.38 to 4.41)

These are self evident from the report. Staff should take certain responsibilities in this regard.

13 CCTV coverage should be increased. (paragraph 4.42).

This is an ongoing matter, as it is in all prisons, which as I have said in this report is for the protection not only of the prisoners but also of staff. It has ongoing cost implications which I assume have been allowed for.

14 Prisoners must attend school and workshops on time. (paragraphs 5.33 to 5.35).

This is a matter for local management. It requires a change in existing practices and should be cost neutral. This can be achieved quickly.

15 The use of the school and the workshops should be maximised. (paragraphs 5.36 to 5.40).

This is a matter for both local management and the Irish Prison Service as it will require changes in existing practices and a commitment that appropriate supervisors are in place.

16 All prison officers to wear some form of identification on their uniforms when on duty. (paragraph 6.4)

I have referred to this in my Annual Report 2008. This must be attended to without delay.