

Dóchas Visiting Committee

Dóchas Centre,

North Circular Rd,

Dublin 7

23 February 2018

Mr Charlie Flanagan TD

The Minister for Justice and Equality

Dept of Justice and Equality,

94 St Stephens Green,

Dublin 2.

Dear Minister,

Throughout the year it has been our privilege to work with the women in Dóchas, carrying out our remit under the Prison (Visiting Committee) Act 1925.

We would like to thank Governor Mary O'Connor, the Deputy Governor, Chief Officers, ACOs, Officers and staff for their cooperation and assistance throughout year. We also wish to acknowledge the support of the campus Governor, Brian Murphy.

On behalf of the Dóchas Visiting Committee, I have pleasure in submitting our report for 2017.

Yours faithfully,

Anne M Delaney

**Chairperson**

**Dóchas Visiting Committee**

## **REPORT OF THE DÓCHAS VISITING COMMITTEE 2017**

### **INTRODUCTION**

In accordance with our obligations under the Prison (Visiting Committee ) Act 1925 we set out hereunder our report for 2017.

The Dóchas Visiting Committee currently consists of three members.

In fulfilling our remit under the said Act we ensured that visits were undertaken on a weekly basis. Some visits were pre-arranged, others were unannounced.

Each visit involved walking throughout the prison, speaking with the women, inspecting as many areas as possible, speaking with support personnel and staff and finally, discussing with management issues brought to our attention by the women or noted by ourselves. These issues or queries were followed up by us to ensure they were fully answered and where possible, resolved. We wish to acknowledge the assistance of Governor O'Conner and the management team.

Our regular visits provide us with up to date information on deficits within the prison, evidence of improvements where made, an insight into support structures both on-site and otherwise, the facility of speaking with personnel, and crucially, the opportunity for constant interaction with the women themselves.

Our report is based on this close, consistent, on-site monitoring throughout the year.

### **BUILDINGS AND YARDS**

Our 2015 and 2016 Reports both highlighted the unacceptable state of the Dóchas campus. Repeated queries regarding refurbishment works elicited assurances that the works were about to commence.

We were very encouraged therefore when work started in December 2017 on Elm and are happy to acknowledge this progressive measure.

Our concern remains however. We have sought confirmation that the works will progress on a continual phased basis until all the houses and campus have been refurbished. Unfortunately this confirmation has not been forthcoming.

As previously stated, the standard and condition of rooms, common areas, and yards throughout the campus is uneven. Some areas are good, such as The Willows but others are of an unacceptably low standard.

For example, houses in the small yard which generally accommodate women on basic require urgent attention. In one such house, Rowan, we found the following on our most recent inspection in December 2017:

The Kitchen paint was peeling off the walls in places and the whole area is in need of repainting. The floor covering which is trimmed up the walls for some three to four inches is coming away from the

wall and dirt and filth has accumulated behind it. There is one washing machine and one dryer between twenty women.

One woman in the recreation room was drying some items of clothing on a makeshift dryer. She told us that in common with other women they were afraid to leave clothes they had washed in the kitchen while the dryer was in use as they would be stolen.

We thoroughly inspected a random selection of rooms in this yard. Some rooms were quite good, neat and fairly recently painted. Most rooms however were not good and were inadequately furnished. The bedding was old and worn, shower and toilet facilities were grim. We have stated previously that the women themselves are and should be responsible for cleaning their own rooms. Some of the women are excellent in doing so; others will always have a problem in this regard. There is little incentive however for the woman as the basic fabric of the rooms and furnishings make it difficult to see any positive results from their efforts.

The outside area of the small yard area is nicely kept with flower beds and the grassed area is neat and clean. We suggest that more benches are placed in this yard.

The condition of the houses and rooms in the large yard varies. Some are adequate while others require urgent attention. Again there is an insufficient supply of necessary items of furniture. Some rooms have a table and small press, others do not. Bins are in short supply as are cleaning items. There is no evidence of a positive change since our last reports.

The yard itself varies in terms of maintenance. It has a good grass area and flower beds, all considerably larger than the small yard. There are some benches and tables, most of which are broken. A small number of women try to keep the flower beds and make an effort to keep the yard in a neat condition.

From our visual inspections of the Dóchas Campus, we believe it is in need of a major upgrade. We stress our inspections are visual only. We are not competent to comment on any other aspect of the buildings, including structural matters. We are satisfied however that urgent works are needed. Shower units and toilets urgently need upgrading. All furniture, including bedding, chairs, storage and soft furnishings, should be replaced. Comfortable furniture and bedding, adequate and appropriate storage space for clothes/personal items should be provided. All washing machines, dryers and all white goods should be replaced, repaired or upgraded and a sufficient number provided in each house.

We hope that in our next report we can acknowledge the steady progress of the works, undertaken for the welfare of these women who are in State care.

## **MOTHER AND BABY UNIT**

Located in Phoenix House, this unit is dedicated to the exclusive use of mothers and their babies. It is kept to a very high standard, is spotlessly clean, bright, warm, well ventilated and nicely decorated. It is well stocked. A small yard or play area is available to the mothers and babies directly off the unit.

An unsettling change has recently occurred however in that the women and babies have been removed from this dedicated unit to ordinary rooms in the main houses. We have been informed that this is for disciplinary reasons. The removal of mothers and babies from this unit is a deep concern to us. We have constantly raised concerns about the detention of mothers with little babies. Given that their incarceration most regretfully remains a part of our legal and penal systems, it is vital that the critical importance of a child's earliest years to its learning and development is fully grasped and accommodated. Thus mothers and their babies must be housed in the most humane, comfortable and spacious place. Housed in a small room on a general corridor with ten or fifteen other women cannot in our view be deemed to be in the best interests of the baby.

Accordingly we call for the immediate restoration of this dedicated unit and the return to it of the mothers with their babies. With respect, we suggest that if there are questions of discipline, these can and should be managed in such a way as to avoid any adverse impact on babies.

As stated elsewhere in this report, there is a serious and increasing issue with overcrowding. We hope that the removal of mothers and babies from this unit has not been undertaken in order to free up spaces.

#### **RECEPTION AREA**

This unit is the first point of contact for the women with the prison system. They shower, receive fresh clothing from the store, have their medical history taken and from here are put into a holding cell.

For many women the experience of first contact with the prison system is traumatic and extremely challenging. Apart from information given to the women by the personnel, information is also available through a range of leaflets. Women have informed us that the staff in this unit are helpful and are sensitive to the difficulties of all, including those with literacy or language difficulties.

We would ask that the information leaflets on the Visiting Committee are kept in constant supply in the Reception Unit and handed to the women.

#### **DÓCHAS EDUCATION CENTRE**

This much valued unit offers a wide range of academic and personal development courses to the many women who engage with it.

The school offers a wide range of subjects and courses and the curriculum is focused around the QQI certification from levels 2-4. For example, Level 2 includes courses such as Personal Care and Presentation, Numeracy skills, reading and writing. Level 3 includes Child Care, Nutrition, and Computer Literacy among its many courses and Level 4/5 offers several other skills and courses such as Communications, Functional Maths, and Occupational First Aid.

The school offers some State Examination subjects, facilitates study with the Open University, and provides several other accredited and some non-accredited courses to various levels.

Above all, the school offers the women the opportunity to develop, mature and grow in a safe environment and helps them manage their custodial sentence. The provision of literacy and numeracy is a primary focus and is woven into the full programme delivery.

The Head Teacher and her dedicated staff deliver this full programme to a widely varying community and attempt to time-table for all, even women on very short sentences.

It is a resource which is highly regarded by the women and we are regularly told by the women of its importance to them.

It is very disappointing therefore to have to again refer to the disruption of classes because of staff re-deployment or other operational issues.

It cannot be over emphasised how these random closures adversely impact on the learners. Their day is disrupted leading to frustration and boredom and for some the belief that there is no point in signing up for a course. It also presents the staff with serious challenges.

We therefore urge again that the problems with staff shortages/re-deployment/operational difficulties are finally addressed and resolved to ensure that this valuable resource which is of such fundamental importance to the women is put on a full, uninterrupted operational footing.

It should also be pointed out that these shortages which become acute at the end of each quarter have also resulted in the postponement of medical appointments or the cancellation of long awaited visits to children/family at special times, a particularly harrowing experience for those concerned.

## **LIBRARY**

The library is a fully stocked resource which provides a quiet space for users during its scheduled opening hours. It too however has similar problems to the school. Staff re-deployment also means that the library is opened only sporadically thus frustrating those who would benefit from this facility where they can read, research their school work and study.

## **TUCK SHOP**

The good work of the officers in the Tuck Shop undertaken in 2016 continued to assist the provision of goods at reasonable prices throughout 2017.

## **KITCHENS AND CANTEENS**

The kitchens and canteens continue to be kept to a high standard and provide a plentiful supply of good food to the women. They are also continuing to provide work/training facilities to women in the catering trade.

## **HEALTHCARE**

This busy unit provides GP led Primary Health Care to the Dóchas women. It is also the provider of other core supports and services to them. These include seeing each new admission, medication management, counselling/referrals, liaising with other services both within and outside the prison including ISM, constant input into inter-disciplinary teams and many other vital services. As an embedded professional healthcare provider within the Dóchas complex, it is also a strong advocate

for the women. The delivery of these services by the professional and caring team in Healthcare under its Nurse Manager is a crucial element in the on-going care of the women and their progress towards rehabilitation. As an advocate for the women and working with other services and supports both inside and outside the prison, the Healthcare team assists in addressing the difficult issue of obtaining supported accommodation or/and access to appropriate services for the many women who need these on release.

Delivery of these services by Healthcare demands a full complement of personnel.

We are happy to acknowledge therefore that the deficit in nursing personnel reported in our 2016 Report has been addressed and there is now a full complement working in Healthcare.

### **PSYCHOLOGY SERVICES**

The Dóchas Centre was without the essential services of a Psychologist for a considerable part of 2017. This was very regrettable as many of the progressive and vital programmes delivered by the psychologist including skills coaching in mindfulness, distress tolerance, emotional regulation and interpersonal skills were discontinued. From speaking with many of the women, they were deriving considerable benefits from these programmes.

The absence from the campus of this vital service, despite the welcome input from the Mountjoy Psychologist from time to time, was a cause of deep concern to the Visiting Committee.

We have very recently been informed that the appointment of a permanent full time psychologist to Dóchas has been made and we wish to acknowledge and to welcome this appointment. We understand that the psychologist will take up the position in January 2018.

### **HEALTH AND SAFETY**

All fire extinguishers were in place and all were in working order. It was confirmed that weekly inspections of fire extinguishers and hoses are carried out and that twenty five fire drills are conducted annually. Full records of all inspections are maintained.

### **CHAPLAINCY**

The Chaplaincy service is a most valued resource within the Dóchas. It provides pastoral care to all women who wish to use it, regardless of beliefs or religious affiliation. The Chaplaincy interacts with the full inter-disciplinary team including ISM and is acutely aware of the needs of the women during their time in prison and on release. Their support of the women during their many crises or personal challenges is immense and the women themselves speak highly of the practical comforting support of the Chaplains.

### **DRUGS**

It continues to be a matter of concern that despite constant monitoring, drugs remain a serious problem within Dóchas. We are aware that this is pervasive across the prison system. We fully

understand that the problem of supply is difficult to monitor but we would urge that more resources are made available to curb this on-going and very serious issue.

## **STAFF**

As in previous reports, we want to acknowledge the difficulties and challenges faced by officers in discharging what are highly responsible duties and the professional and caring manner with which the majority of officers discharge them.

As in all institutions, complaints are received and must be dealt with.

Some women complained of officers showing favouritism resulting in a feeling of helplessness. Others have complained of aggressive language or bullying behaviour being used towards them.

There can never be any justification for the uneven treatment of certain women or the use of aggressive bullying language towards them. Women in custody (as with all prisoners) are entitled, without exception, to be treated with dignity and respect.

Allegations have come to our attention of inappropriate relationships between some women and a small number of male staff.

It should be wholly unnecessary to have to state that, almost without exception, the women coming into Dóchas are among the most vulnerable cohort in society. They have faced severe and difficult challenges in their lives. Many have suffered abuse, are in abusive relationships and suffer alcohol or drug addictions. While in prison they are detached from families and community and crucially, separated from their children or from those for whom they may be the only carers. Others are homeless and for many of them, a sentence to Dóchas is a welcome respite from the horrors of living rough on the streets or nightly hostels.

There is therefore a heavy onus on (inter alia) management and all prison officers to ensure that in all respects and at all times, the treatment of these women is, without exception, fair, humane, professional, safe and appropriate.

If it is found that the behaviour of any prison officer, male or female, towards these women does not measure up to the highest professional standards demanded there is a clear duty on management, the Prison Service or other appropriate agency to take the necessary action.

If the appropriate action is not taken or is inadequate, something is radically wrong.

We also want to highlight two related issues which concern us:

The first is the investigation process of all complaints and the second is the training of officers of all levels including management.

## **Investigations**

We are concerned at the manner of investigating complaints and keeping the complainant informed fully as to the progress of the investigation. It seems to the VC that investigations into fairly straight-forward complaints are not robust enough, do not have a standardised procedure to be

followed and further that the investigation of such complaints takes an inordinate amount of time to complete.

It is our view that a fair, comprehensive, transparent and expeditious complaints procedure should be devised and used, based on best practise. The complainant should be fully informed of her rights and kept up to date on the progress of the investigation. Failure to do so results in the ongoing sense among prisoners that their complaints are not taken seriously, are not fully investigated and that there is little point in complaining.

In more serious complaints, especially where allegations of a serious nature are made against prison officers or where inappropriate conduct has been alleged, we believe that as a matter of course these investigations should be conducted by external investigators who are unconnected with the prison service.

### **Training**

Training of new recruits has commenced at the training college in Portlaoise. The intake of trainees is to be welcomed. We believe that a crucial part of their training is the recognition of the differing demands and emphasis required for the detention of women and their care. Apart from embedding this in every facet of their training, we believe that all trainees should participate in a full module dealing specifically with the detention of women.

Further, we believe that this module should be part of the on-going training of all existing prison officers of every rank. As officers of all ranks progress through their careers, on-going training is crucial to re-enforce the concept of best practise and highest professional standards.

We want to emphasise again that the majority of officers both male and female undertake their difficult task with sensitivity and professionalism. There should be no place in this demanding service for any person who fails to discharge his or her duties to the very highest professional standards.

### **NUMBERS**

Despite reports that the prison population is decreasing, this is not the case in the female prison population. The numbers in Dóchas continue to rise and have reached well into the 130s during 2017. With a total capacity of 105 this is unacceptable over-crowding and a very serious strain on resources. It forces 'doubling-up', the use of bunk beds in small rooms and the use of Recreation rooms as sleeping quarters often with four beds to a room.

The temporary closure of Elm house during refurbishment is not the sole reason for this increasing pressure on resources. Numbers have been steadily rising during the past three years and recreation rooms have been used to house women during that period.

Management have tried to alleviate the worst consequences of this problem. It remains unresolved and leads to disruption, behavioural problems and serious discontent.



## **HOMELESSNESS AND ACCESS TO SUPPORT SERVICES**

Housing, the resettlement of women post release and accessing support services remain some of the most difficult challenges. We are aware of the huge work undertaken on behalf of the women by many organisations and teams to try to secure safe accommodation, housing, and access to the services and supports so necessary for the on-going care and rehabilitation of many women on their release.

It is particularly heartening to see the many successes of these hard-working teams and especially so when it is obvious the women themselves have faced up to their challenges encouraged, informed and helped by Dóchas personnel and support staff.

Very serious difficulties remain however. We recognise that the problem of homelessness is pervasive throughout society and that support services such as addiction services, counselling and residential treatment centres are severely stretched.

However, the cohort of women on whom we are reporting are those in State care and about to leave it. For the most part, they are vulnerable and without resources despite the strenuous efforts invested in them by the Dóchas personnel including the Education Unit, Probation Service, ISM, Re-Settlement, Healthcare and many other teams. Several of the women will have engaged fully with the prison services and the results, as we have said, of this joint effort and hard work by the Dóchas teams and the women themselves are extremely positive.

The difficulty is that on release so many of these women will be unable to access treatment or will be homeless. As previously reported, we are frustrated at the official responses we receive to our representations. We are told that the support structures are in place to ensure that no woman leaves without an effective on-going sustainable plan and that no woman is ever homeless.

This is frankly not the case and we will re-state precisely what we have said in our 2016 Report viz. that we are aware of women who have left Dóchas with no place to go and with money for a Bed and Breakfast for one night, thereafter forced to depend on 'the nightly hostel'.

Apart from the seriousness and dangers of being homeless, it is difficult to see how an ongoing post release plan can be sustained for any woman released under those circumstances. Consequently the considerable input into these women by the services within Dóchas and the women's own efforts are quickly undone.

## **PROVISION OF GENDER SPECIFIC OPEN OR STEP DOWN FACILITIES FOR WOMEN**

We have already referred at length in our 2015 and 2016 Annual Reports to various Reviews and Reports undertaken by, among others, The Department of Justice and Equality and The Irish Prison Service, including joint Reports by The IPS and The Probation Service. Each contains statements of intent with regard to pursuing progressive gender specific initiatives for women including the provision of an open/step down facility for those who qualify. We unequivocally support these proposed initiatives.

Despite the conclusions of each of these meticulously researched and endorsed reports and reviews, not one such open facility or centre has been provided.

It is unacceptable that women in detention are suffering discriminatory treatment in this regard. We are constantly referring to the fact that Open facilities of a very high standard are available only to men. This represents the unequal treatment of women and is patently wrong.

There are a number of women in Dóchas whom it is acknowledged would qualify for such a facility. Surely at this stage, with the benefit of several excellent evidenced based reports and reviews, a pathway to the provision of these facilities can be progressed without any further vacillation and concluded without any further and unnecessary delay?

We presume it is obvious and thus unnecessary to say that such a facility or facilities might also have the knock-on effect of relieving the serious over-crowding in Dóchas?

## **CONCLUSION**

The Dóchas Visiting Committee acknowledges that considerably improved and positive programmes have been put in place within Dóchas. We recognise the serious challenges faced by management particularly as a result of over- stretched and often under- funded resources. Despite these difficulties, we wish to fully acknowledge the resolute and caring approach of Gov. O’Conner, her staff and the hard-working supports within Dóchas to providing the best possible outcomes for the women in their care.

Notwithstanding this undoubtedly excellent work we believe that a great deal more remains to be done.

Accordingly we ask that the issues we have raised and deep concerns we have drawn attention to throughout this report are fully addressed.

Anne M Delaney

**Chairperson**

**Dóchas Visiting Committee**

Noel Cloak.

**Dóchas Visiting Committee**

Christine Ryan

**Dóchas Visiting Committee**