

Annual Report for 2018
to
Minister for Justice and Equality Charles Flanagan TD

From

Mountjoy Visiting Committee

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Section 1 Overview

1.1 The Mountjoy Visiting Committee under the Prisons (Visiting Committees) Act 1925 are pleased to provide to the Minister for Justice and Equality the Annual Report of the work of the Committee for 2018. The Visiting Committee provides an element of independent monitoring of conditions, treatment, dignity and rights of prisoners. Professor Andrew Coyle noted in his Review of Prison Visiting Committees in Scotland:

‘an important feature of prisoner’s right to raise matters with Visiting Committee members is that this is one of the few external avenues which include the ability to speak face to face with an independent person’.

1.2 Members of the Visiting Committee wish to acknowledge the 101 prisoners with whom they spoke and interacted throughout 2018. Concerns and complaints reported by prisoners were raised by the Committee with the Governor and staff. The shared focus on prisoners’ interests and welfare enabled many positive solutions to concerns raised.

1.3 Many prisoners spoke of their need for support in making a change to overcome addiction, poor mental health and homelessness during transition and resettlement in the community. The value of family contact and non-judgmental acceptance was mentioned by many. Others reflected on years of crime, intergenerational poor mental health, addiction and abandonment. The Visiting Committee note the complexity of lives, backgrounds and presenting concerns of prisoners and acknowledge that given the complexity, solutions need to be coordinated, structured and well resourced.

1.4 The opportunities for education, development of skills such as gardening, chef / cooking and computer courses were commented on favourably by a number of prisoners. Others frequently reported on the impact of closure of prison schools and workshops when there was a shortage of staff available to supervise and support the work.

1.5 The Committee members noted the support of staff for the role of the Visiting Committee. It was the experience of the Committee that Prison Governors and senior staff responded with a focus on prisoner interests and welfare. They have consistently sought solutions to concerns raised and, in many instances, went to considerable lengths to ensure that there was prompt and appropriate follow up, and direct sensitive communication in the context of loss, illness and distress. With very rare exceptions the work of the Committee was facilitated in a manner that was courteous and respectful of the prisoner’s right to be heard in confidence.

1.6 During 2018 Governor Brian Murphy retired from the prison service. He had led a programme of significant change in Mountjoy during his tenure. His focus on, safe custody and rights of prisoners in a changing world, the need for preparation for resettlement in the community and solutions with humanity and compassion led to the development of practice and procedure to ensure that those at most risk were supported by a joint approach with other professionals that focused on appropriate care and treatment.

1.7 There have been significant gains in Mountjoy during 2018 including, a number of new recruits to the prison service, a balanced gender approach to senior appointments and a renewed focus on transition/rehabilitation. The arrival of newly trained officers into a system where there had been no recruitment for a number of years was a welcome development bringing enthusiasm and new learning that has had an observable impact on morale, openness and communication. The Committee acknowledges the years of valuable service contributed by staff who retired during the year.

1.8 In spite of change and positive developments, some concerns reported in previous years remain. Those include:

- the significant level of substance abuse in the prison
- restrictions on prisoners who are held under Restricted Regime
- long waiting times to access health and therapeutic services for many vulnerable prisoners
- complaints re searching and attitude to prisoners' visitors
- the regular closure of workshops limiting opportunities for rehabilitation and training
- increase in committals for non-payment of fines at end of 2018
- the risk of pressure on family members and others in the community to supply illegal substances

1.9 The arrangements and facilities for prisoners' family members and others visiting are greatly improved. However there have been reports about the occasional less than welcoming attitude at the search area, on occasion hostile and on rare occasion comments of a personal nature.

1.10 The substance abuse and related activity is contributing to risk to both prisoners and staff, with a reported increase in intimidation, violence and injury to physical and mental health. Practices and endeavours to disrupt the inflow of drugs needs continued attention in the interests of both prisoner and staff.

1.11 The number of prisoners on Restricted Regime, whereby in the interests of security and safety, prisoners are held separately from the main population, has increased to approximately a third of the total prison population in Mountjoy. The Visiting Committee understands that in order to provide safe and secure custody, segregation from identified risk at request of prisoner or identified by management is critical. The implication of this practice is that prisoners may be spending up to 21 hours a day in cell with little human contact, restricted opportunity for exercise, education and rehabilitation. In some instances, there is a risk that a level of isolation, separation and restriction may contribute to alienation and poor mental health.

1.12 It is well established in national and international research that there is a significantly increased presentation of mental illness in the prison population. Many may have suffered intergenerational abuse and trauma including, addiction, physical and mental illness, and may have been reared in out-of-home care. Others may have low educational attainment, poor literacy skills in the context of unmet special needs, family poverty and deprivation. The lack of adequate supports and appropriate interventions in the community restrict opportunities for prevention and movement out of poverty, homelessness. Greater resources at community level for families, mental health, disability, homelessness and addiction services are required to enable the most vulnerable who leave prison to fully rehabilitate themselves on release.

1.13 The ongoing communication and contact with children, spouse and parents is frequently mentioned by prisoners as a source of comfort, concern and also, challenge. Dilemmas regarding access to children, expressions of loss, remorse and hope as well as hopelessness about the future are frequently raised in conversation.

1.14 A small number of prisoners spoke of concern that there was a lack of feedback to them about the outcome of complaints. A record of communication between staff and prisoner regarding complaints and outcome could assist where there is a perceived lack of information. The Committee looks forward to the outcome of the review of the complaints system.

1.15 Prisoners frequently report on the value of speaking with Chaplains and Listeners; they emphasise the value of the support, comfort and relief of speaking to Listeners who have particular empathy and understanding. They also spoke of the support from Chaplains for their family members in times of great vulnerability and stress.

1.16 Positive developments include refurbishment of exercise yard, recreation and visiting areas. The input of a visiting sportsperson providing training and motivation for fitness and exercise has been welcomed by prisoners. There has been positive comment by prisoners that a new laundry has been installed.

1.17 Many prisoners have commented with feeling about the value for them of the many visits by President Michael D. Higgins and Ms. Sabena Higgins. The recognition of their circumstances and the positive regard by the President has been welcomed.

1.18 In order to keep informed about relevant legislation, research and prison reform, members of the Visiting Committee attended a number of national events and conferences. Mindful of the value of education, training and ongoing development, members attended two Training days in 2018.

1.19 Members of the Visiting Committee offer condolence to family members of the three prisoners who died in custody during 2018.

Section 2 Statutory Framework

2.1 A Visiting Committee is appointed to each Prison under the Prisons (Visiting Committees) Act 1925 and Prisons (Visiting Committees) Order 1925

Section 3 of the Act describes ‘Duties and Powers of Visiting Committees’

3.—(1) Every visiting committee appointed under this Act shall conform to and observe such of the rules made by the Minister under this Act as shall apply to them, and, subject to such rules, it shall be the duty of every such visiting committee—

(a) from time to time and at frequent intervals to visit the prison in respect of which they are appointed and there to hear any complaints which may be made to them by any prisoner confined in such prison and, if so requested by the prisoner, to hear such complaint in private; and

(b) to report to the Minister any abuses observed or found by them in such prison; and

(c) to report to the Minister any repairs to such prison which may appear to them to be urgently needed; and

(d) to report to the Minister on any matter relating to such prison on which the committee shall think it expedient or shall have been requested by the Minister so to report.

(2) Every such visiting committee and every member thereof shall be entitled at all times to visit either collectively or individually the prison in respect of which they are appointed and shall at all times have free access either collectively or individually to every part of such prison.

2.2 The Committee report to the Minister as described in 3 (b)(c)(d) Act 1925

2.3 Under the current system appointment to Visiting Committees is by Ministerial/Government appointment.

Section 3 Mountjoy Visiting Committee Practice and Procedures

3.1 The function of Prison Visiting Committees is to visit at frequent intervals the prison to which they are appointed and hear complaints, if any, which may be made to the committee by any prisoner or prisoners, send an annual report, from the committee to the Minister for Justice and Equality detailing any concerns, abuses observed or found by them in the prison and to notify the Minister of any repairs which the Committee considers may be urgently needed. The Visiting Committee members have free access either collectively or individually to every part of the prison to which they are assigned.

3.2 Mountjoy Prison Visiting Committee provides an independent and an outsider perspective on life inside of the prison. Its function is to independently monitor the conditions, observe and report on the treatment of prisoners, make observations in respect to the dignity afforded to and the care of each individual prisoner, which includes monitoring of prisoner rights.

3.3 The Visiting Committee has developed a number of practices and procedures to govern its work.

Section 4 Prisoners Concerns

4.1 The concerns of prisoners heard by Visiting Committee members were categorised under seven broad headings. This is illustrated in Table 1 below. When arranged this way, visiting/visitors, and issues of temporary release/transfer to another prison were the most common concerns raised by prisoners. Complaints were made to the Committee about the absence or insufficiency of pre-release arrangements, including engagement and communication about pre-release plans.

4.2 A number of concerns raised by prisoners are not exclusively within the remit of Mountjoy prison. The number of prisoners raising concerns about transfer is significant, with apparent delay, lack of clarity and coordination about decision making both for prisoner and staff. This generally arises in the instance of requests for transfer to other prisons, these latter must be able and willing to accept a transfer. It arises also in the instances of parole and temporary release which involve the Irish Prison Service and/or the Department of Justice. The process used for transfer of prisoners is not transparent. The need for system wide cooperation and coordination is indicated.

4.3 During 2018 the pattern of gradual increase in prisoner numbers in prison Mountjoy (Male) has continued. In December 2018 the total population was 689 with 235 on Restricted Regime. The figures for (July) 2015 were 539 with a 119 on Restricted regime. This has significant implications for management of services for prisoners including, time out of cell, access to workshops and education. In this context there is a need for increased resources of services including officer staff, health services, rehabilitation and other ancillary services.

4.4 The Visiting Committee is aware that a number of prisoners have reported being assaulted and a number of prison officers have been injured in assaults. It would appear many of these episodes may be linked with the drug culture both inside and outside the prison.

4.5 Twenty-four (24) prisoners spoke of concerns regarding practice and procedures when family and relatives visit. Substance abuse has an impact on this aspect of life in prison for all prisoners, family members and prison staff. In order to block illegal substance entering the prison management have put in place surveillance, search and detector dogs. Difficulties booking visits, screened visits, family members being denied visits, duration of visits and delay in escort to some units have been frequently raised. Occasionally an impolite general attitude towards visitors has been reported; this needs urgently to be addressed.

4.6 Prisoner concerns regarding homelessness and insufficient preparation in transition is frequently spoken of by prisoners. A level of uncertainty, fear, lack of information and support is an ongoing theme heard by the Visiting Committee.

4.7 The steady increase in number of Restricted Regime prisoners has significant implications for care and rehabilitation of prisoners and for safe management of the prisoner population. The duty of care exercised by the Governor and staff in order to provide personal security and stability in the system is commendable. Incentivised schemes in training, work opportunities and drug rehabilitation need greater emphasis and resources in order to change the culture and practice of spending many hours in cell isolation. The health of the more vulnerable prisoner is likely to be at greater risk in such circumstances.

Table 1**Concerns of prisoners Mountjoy 2018**

Concerns	Specific concern	2018
Daily Life	No Response to complaint	1
	Recreation/Gym availability	5
	Food (special diet =1 complaint)	3
	Laundry	2
	Shop Service	0
	Post	3
	Work, lack of	6
	Clothing Loss	6
	Lock up hours	7
	Phones	2
	Witness/victim of violence	9
	Library	0
Access to school	6	
Visiting	Visiting*	24
Accommodation	Drug-free Landings not available	3
	Showers (not working)	1
	Heating (Progression Unit)	1
Health	Optical services/Dental	5
	Mental health services	9
	Physical Health	6
Status	Compassionate Release	1
	Temporary Release sought	1
	Prison Transfer Sought	10
	Protection Status	8
	P.19	1
Release Preparation sentence management	Release preparation, fear of homelessness	12
	Parole	2
Dignity issue	Bullying by other prisoners	3

Source: Mountjoy Visiting Committee 2018

* searching of visitors, barring of visitors, difficulties booking visits, insufficient time slots, visits from children, inadequate internal transport to visit.

4.8 It emerged at the end of 2018 that prisoners sentenced to prison for non-payment of fines increased from four prisoners in January to June 2018, but up to 11 prisoners in July – November. Initial impressions would indicate that this is a vulnerable cohort of prisoners many of whom are homeless and/or seem to have mental health difficulties.

4.9 The Visiting Committee considers that the single-cell occupancy system currently in Mountjoy needs to be stringently maintained to avoid contravening the standard set by the Inspector of Prisons and Article 12 of the UN Mandela (Prison) Rules:

Rule 12

Where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself or herself.

Section 5 Visiting

5.1 *The Visitors Centre*

The Visitors Centre at the Mountjoy Prison plays an integral part in the daily life of the prison. Managed by St. Vincent De Paul (SVP) it provides a meet and greet area to visitors to the prison and their children. Experienced staff members offer comfort and understanding to persons visiting relatives and friends undergoing various terms of imprisonment. The Visiting Committee value information on visiting supplied to us by the Society of St Vincent de Paul who manage the Visitors Centre.

5.2 It is widely accepted that imprisonment affects a much wider section of the population than those who are serving custodial sentences. Staff at the centre helps to ease, in many cases, the hidden strain of persons having to visit a prison. This is particularly so when adults and children visit the prison for the first time.

5.3 The centre is located within the prison perimeter. This unique position allows the visitors' centre staff to meet with visitors as they book in for their visit and as they leave afterwards. Therefore, staff members are available to offer practical and emotional support to visitors before and after visits.

5.4 *Opening Hours*

The centre is open from 9.30am. – 12.30pm and 1.30pm – 4.30pm on Monday, Wednesday, Thursday, Friday, Saturday. The centre is closed on Tuesdays and Sundays.

5.5 *Number of Staff Members*

2 x Full-time Staff (Childcare Workers),

4 x Part-time Staff (Project Workers),

5 x Part-time Staff (Volunteers).

Cover for Staff in times of illness.

The centre has a relief cover budget. In the event of staff shortages, part-time staff work extra hours and get paid accordingly, as reported by the S.S.V.de P.

5.6 *Number of Visitors to Centre in 2018*

During 2018 a total of 57,317 visitors availed of the facilities provided at the Visitors Centre. The monthly record of visitors is as follows:

Table 2

Number of visitors to Mountjoy via the Visitors Centre 2018

Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
4,931	3,464	4,534	5,813	4,452	4,331	5,769	4,443	4,182	5,316	4,337	5,745

Source: Centre Manager Communication to the Visiting Committee 2019

5.7 Main issues reported by visitors to Visitor Centre staff

- Difficulty in booking visits
- Difficulty in leaving in property
- Drugs freely available within the prison
- Search Unit: at times a disrespectful attitude towards adults and children

5.8 Main issues raised by prisoners concerning their visitors to Visiting Committee

- Searching of visitors
- Barring of visitors
- Difficulties booking visits
- Insufficient time slots
- Issues concerning visits from children
- Adequacy of bus transport to progression unit

It is of note that there is an overlap of issues reported concerning visiting raised by visitors on the one hand and separately by prisoners. The overlap concerns:

- Difficulty in booking visits
- Searching of visitors

5.9 The Committee notes that SKYPE computer-remote communications are not available in Mountjoy but are available in other prisons. The Visiting Committee proposes that the number of visiting slots be increased.

Section 6 Integrated Sentence Management and Education

6.1 The Visiting Committee consider Integrated Sentence Management (ISM), which was introduced by the Irish Prison Service in 2008, as a key resource in enabling the prisoner to fully exploit rehabilitative opportunities during his sentence. The Committee understands there are currently three full-time trained ISM staff in Mountjoy prison. They are charged with the facilitation of prisoners' engagement with the prison system from the day of his committal through to periodic and pre-release reviews and ultimately coordinating appropriate support on release. By definition, a large proportion of the ISM client base is comprised of individuals with a multitude of problems ranging from drug addiction to difficult family situations. Keeping prisoners motivated to continue serving their sentence in a constructive and developmental pathway is a time consuming and labour-intensive task.

6.2 The ISM staff report encountering numerous problems in trying to ensure that the prisoner is adequately supported through each stage of his sentence. In many cases it is necessary for prisoners to cope with their addiction before they can fully engage with other activities such as education and training. Recovery from addiction is inhibited by shortage of places on drugs rehabilitation courses and a high demand on counselling and psychological services.

6.3 The high proportion of prisoners under restricted regimes in Mountjoy is a limiting factor in achieving optimal use of resources such as education, workshops and recreational facilities such as gyms. Most of those on restricted regimes seek segregation under Rule 63 of Prison Regulations. The management and staff of the prison make every effort to persuade and facilitate prisoners to move out of restriction as well as making arrangements for limited access to education for those remaining on restriction. Inevitably such particular arrangements for one segment of the population impinge upon the resources available to prisoners not on restricted regimes.

6.4 During the early months of 2018, the Visiting Committee was concerned by the frequent closure of workshops and schools because of staff shortages. This situation has improved in the latter half of the year.

6.5 The management and staff of Mountjoy are committed to developing a rehabilitative emphasis to sentence management. The effective implementation of the ISM system is crucial to achieving this objective. However, three ISM staff, or one staff member per 200 prisoners, are not sufficient to deal with the number and individual complexity of the system.

6.6 Under the ISM procedure the prisoner is assessed at an early stage of his sentence and is invited to follow a plan, tailored, to his particular needs and setting goals for his development for which he accepts responsibility to achieve. The plan is reviewed at intervals throughout the sentence and culminates with the development of a Community Integration Plan, approximately 9 months prior to release. The Visiting Committee has become aware that the prisoner is not given a copy of this plan. If the prisoner were given a copy of his personal plan, it would keep him reminded of the goals that he has set and a record of his progress towards achieving them as well as permitting officers on landings to discuss the plan with the prisoner, should they wish to do so. However, officers will need guidance and support to enable them to do this. It might also stimulate a more pro-active and informed engagement by the prisoner with the ISM system.

6.7 Approximately one year prior to release, the ISM Co-ordinator meets the prisoner to establish his/her needs on release and a plan is drawn up which aims to assist his re-integration into the community.

6.8 A significant number of prisoners have reported to the Visiting Committee that they have no engagement with the ISM. They are unaware of the requirement for a periodic review of their progress during their sentence or of the requirement for a resettlement interview six months before release. They have not engaged with the ISM.

6.9 The Visiting Committee are concerned by the lack of individual briefing pre-release with the cohort of prisoners, especially those with fragile family relations and substance abuse issues. This may require a more meaningful engagement with the ISM and other officers on a regular basis. In the final phase of a long sentence some prisoners do not appear to be adequately counselled and assessed. The Visiting Committee appreciates the many opportunities offered to prisoners by the Education Centre.

6.10 The Committee regrets that education participation levels are so low in Mountjoy. The Committee notes that the provision of education opportunities to protection prisoners has reduced the available hours for non-protection prisoners. The apparent rise in participation rates (see Table 3 below May 2018) must be interpreted therefore with caution.

Table 3

Proportions of Mountjoy prisoners participating in education Jan to May 2018

	Jan %	Feb %	March %	April %	May %
Participation levels	19.8	19.5	16.7	18.0	27.8

Source: *Reply to PQ 162 of 28 June 2018 by Minister for Justice to question by Tommy Broughan. TD.*

Section 7 Health Services for prisoners

7.1 It has been established in national and international research and reports that the health needs of prisoners are complex and varied. A number of male prisoners enter prison from conditions where physical, mental and dental health may have been chronically neglected due to substance abuse and other circumstances. There is an increase in the number of men who, through illness, learning difficulties or poor educational achievement, have lost contact with family, are homeless and are being committed to prison, where in the past they may have been treated by the mental health services. The most vulnerable are falling through the gaps in community based mental health services, are sentenced to imprisonment where mental health problems and the risk of self-harm may be intensified.

7.2 The reality of the prison service providing ‘asylum’ for large numbers of men suffering with mental illness has been noted by the current and immediate past Director General of the IPS at the Oireachtas Public Accounts Committee.

7.3 Prisoners comment on difficulty getting access to health services but speak of improved health when able to access the ongoing health care provided. Generally, responses in emergency circumstances are timely and treatment effective.

7.4 However the lack of adequate resources leading to long waiting lists, lack of permanent posts in the treatment teams and the significant shortage of beds in a secure mental health inpatient treatment unit is a cause of serious concern to the Visiting Committee. Professor H. Kennedy, TCD and Central Specialist Forensic Hospital Dundrum and his team found that 16% of male committals and 27% of remand prisoners had a mental illness. Professor S. Fazel of Oxford found that one in seven prisoners have a psychotic illness or major depression and approximately one in five enters prison with a clinically significant substance abuse disorder.¹ In Ireland up to 26% of male prisoners are in need of treatment to address mental illness or substance abuse.²

7.5 An increasing number of prisoners have benefited from the intervention of the In-reach Forensic Mental Health Multidisciplinary Team, including psychiatric assessment and treatment, individual and group therapy, referral and effective liaison with community services. The project undertaken in Mountjoy by the In-reach Team has been successful in identifying mental health needs, improving the quality of care of the most vulnerable, providing ongoing therapeutic intervention and where indicated facilitating re-referral to community-based services.³

7.6 The care from nursing, drug treatment team, psychology, counselling when accessed, is reported by prisoners to be valued and effective. However, a number of prisoners with a diagnosed serious mental illness are left on waiting lists, without ongoing effective therapy and treatment due to lack of adequate resourcing of forensic mental health services including access to secure inpatient treatment services.

1.H. Kennedy, Monks, Curtin, Wright, Linehan, Duffy, Teljeur, (2004) Forensic Mental Health Service – Mental Health in Irish Prisons – Final morbidity Report.S. Fazel, Hayes, Trestman (2016) The Mental Health of Prisoners, a review of prevalence, adverse outcomes and intervention, *The Lancet Psychiatry*, 3(9) pp. 871-881.

2.S. Fazel, Hayes, Trestman (2016) The Mental Health of Prisoners, a review of prevalence, adverse outcomes and intervention, *The Lancet Psychiatry*, 3(9) pp. 871-881.

3.Smith, D. Harnett, Flanagan, Hennessy, Gill, Quigley, Carey, MC Ghee, McManus, Kevans, Concannon, Kennedy and Mohan, *Beyond the Walls, an Evaluation of Ireland’s first Pre-Release Programme for Sentenced Mentally disordered Offenders*, Trinity College Dublin.

7.7 The suffering and anguish for prisoners in these circumstances cannot be overstated. The impact on prison officers with responsibility for prisoner care, observing prisoners who may be acutely ill, and distressed left without treatment, is at risk of contributing to loss of confidence and poor morale amongst staff.

7.8 Prisoners who are in prolonged confinement, isolated in cell, who lack a focus on rehabilitation may be increasingly vulnerable and at risk of becoming paranoid, confused and may lose touch with reality. The Visiting Committee suggests that in the interests of natural justice and in order to maintain good mental health prisoners held in such circumstances should be reviewed by mental health professionals on an ongoing basis.

7.9 A level of agitation, impulsive restless and overactive behaviour has been observed by the Visiting Committee among some prisoners and may be arising amongst other factors from undiagnosed and untreated hyperactive and attention deficit disorder, contributing to physical outbursts and assault. Staff on landings and other areas in day to day contact with prisoners are best placed to note changes in prisoner mood and behaviour, they are available to offer assistance and escalate concerns to the health services. However further training, support and debriefing for staff dealing with prisoners who display emotional distress may contribute to de-escalation of violence, assist the prisoner and protect staff from burnout.

7.10 Prisoners regularly highlight their wish for drug addiction counselling and further for a drug free section in the prison post effective treatment. It is regrettable that some prisoners who successfully complete drug treatment regress while awaiting supportive accommodation in transition or when they return to inadequate services in the community.

7.11 A small number of prisoners have highlighted some perceived inadequacies in the dental services available to prisoners. It seems that treatment such as dentures or bridges are not available within the Protocol between IPS and the Dental Hospital other than in exceptional circumstances. The Visiting Committee considers that a review of this Protocol is indicated in the interests of the welfare of prisoners.

7.12 The Visiting Committee continues to consider that one nurse on duty at night in a large campus with up to 700 prisoners including a high support medical unit may present risk to both prisoners and staff.

Section 8 Restricted Regime

8.1 Mountjoy continued to have a very high concentration of prisoners on a restricted regime or ‘under protection’ during 2018. The high number of prisoners- one in three - availing of a restricted regime may have causes outside the prison. These include the number of organised crime arrests, remands by the Courts, court case committals, relations between organised crime groups outside the prison system; relations which may be reflected within the prison.

8.2 The overwhelming majority of protection prisoners are in this status by choice but have an option to revoke their ‘voluntary’ status every month. If a prisoner expresses fear for his safety, the Governor is obliged to give this paramount consideration. However, the task of maximising the time out of cell for protection prisoners, while at the same time avoiding conflict between factions is challenging for management and staff.

8.3 The Visiting Committee continues to recommend that more of the restricted regime group of prisoners would have greater access to and avail of meaningful activities such as school, workshops, fitness programmes, training and drug treatment, on a more frequent basis, as well as fresh air and natural outdoor light.

Mountjoy Prisoners under restricted regime 2018

Table 4

Period	Total Number Rule 63	% of total Rule 63 in custody*	Lock up 23 hours Rule 63	Lock up 22 hours Rule 63	Lock up 21 hours Rule 63	Rule 62 Order
January	194	31.9	0	60	134	10
April	222	31.5	0	0	222	10
July	235	34.2	1	9	225	3
October	221	33.5	0	0	221	2

Source: extracted from IPS Census of Restricted Regime.

* Percentages calculated by MVC

8.4 Table 3 shows that the use of restricted regime for the maintenance of good order (Rule 62) in the prison is used sparingly. In contrast, the proportion of prisoners seeking segregation from others in the prison population (Rule 63) has been at a constant level of 32-34% for 2018, compared to approximately 12 per cent for the prison population of Ireland as a whole. This gives rise to great logistical and staffing issues and impacts on prisoner rehabilitation.

8.5 As the year progressed the numbers of prisoners getting a minimum three hours out of cell time improved. A number of restricted prisoners obtained more than 3 hours out of cell time. We have observed that some prisoners develop disrupted sleeping patterns. The Committee has observed that some prisoners decline to leave their cells for the two hours of guaranteed (under amended Prison Rules) out-of-cell time and may become disoriented and confused.

8.6 The Visiting Committee have noted that a regime of 22/23 hours of lock-up of prisoners is effectively solitary confinement according to Rules 43 and 44 of the Mandela Rules, and is prolonged in duration.

8.7 The steady increase in number of Restricted Regime prisoners has significant implications for the rehabilitation of prisoners and for safe management of the prisoner population. The duty of care exercised by the Governor and staff in order to provide personal security and stability in the system is commendable. Incentivised schemes in training, work opportunities and drug rehabilitation need greater emphasis and resources in order to change the culture and practice of spending many hours in cell isolation. The more vulnerable prisoner is likely to be at greater risk in such circumstances.

8.8 The Visiting Committee notes and supports the Irish Prison Service facilitation in the making of the full-length Irish film 'Michael Inside' which premiered in 2018 and addresses the theme of gang impacts on prisoners and their families.

Section 8 Parole

9.1 Parole, subject to strict conditions being complied with, is an early release from prison. It applies to prisoners convicted of serious offences with longer sentences, including life sentences.

9.2 There have been developments taking place within the Irish Prison Service with regard to sentence management. However, the Visiting Committee understands there was a strongly held view within the service that sentence management for people serving life imprisonment was not clearly defined. The then Director General of the Irish Prison Service requested the establishment of a committee to review this area of work (IPS – 2016). There is currently a Bill before the Oireachtas: The Parole Bill 2016. The Irish Prison Service has appointed consultants to examine the measurement of sentences which may contain errors and which could impact on eligibility for parole.

9.3 The Committee notes that a review of sentence management supported current initiatives driving sentence management. There has been an increase in the past 15 years in the number of life sentence prisoners and the increased percentage of this group, as a proportion of the prison population, according to the IPS. Some prisoners decline to engage with the Parole system at all. The Visiting Committee is concerned at such disengagement. In 2017, 17 prisoners in Mountjoy were interviewed by the Parole Board.

Section 10 The Mountjoy Visiting Committee Recommends:

Relatives Visiting Mountjoy

A statement of the IPS policy on dignity be affixed in all visiting areas.

The Visiting Committee proposes that the number of weekly visiting slots be increased

Skype digital programmes to facilitate communication with family be introduced to Mountjoy

Integrated Sentence Management

Each prisoner be given a copy of their Integrated Sentence Management plan

All officers to be provided with briefing on ISM plans and a focus in training on rehabilitation

Review and increase in resources to ISM and a continued focus on rehabilitation

Restricted Regime

Policy development and solutions be given a high priority to the rise in numbers of protection prisoners

Mixing of remand and sentenced prisoners

Remand and sentenced prisoners are separated with the exception of where the security of the prisoner requires a different decision

Workshops opening/closing

Rehabilitation requires a greater focus. The Visiting Committee proposes that Mountjoy be provided with the resources to maintain workshops open five days a week

Drug free landings

Greater resources for drug treatment and drug-free landings are imperative for the successful rehabilitation of prisoners

Complaints

Prisoners are kept adequately informed about the status and measures to communicate the outcomes of investigation of their complaints.

Night nurse staffing

An increase in night time nurse staffing

Transfers

The need for a system-wide and more transparent cooperation and coordination is indicated for transfers between prisons

Health

The needs of prisoners with disability and mental health difficulties require greater recognition.

Increased resources at community level for families, mental health, disability, homelessness and addiction services are required to enable the most vulnerable leaving prison to fully rehabilitate themselves on release.

Staff

More extensive debriefing, training and support for staff who have been the subject of assaults. Staff training be *protected hours* permitting them to attend.