

**An overview of Mountjoy Prison Campus  
with particular emphasis on the  
Separation Unit by the Inspector of Prisons  
Judge Michael Reilly  
23<sup>rd</sup> July 2014**

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

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Inspector of Prisons

23<sup>rd</sup> July 2014

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# **Chapter 1**

## **Introduction**

- 1.1 The Mountjoy Prison Campus comprises the original Mountjoy Prison, the original St. Patrick's Institution, The Training Unit and the Dóchas Centre for women prisoners.
- 1.2 While this Report gives an overview of the Mountjoy Campus it is, in effect, a report on the Separation Unit.
- 1.3 In Chapter 2, I present a general overview of the Campus and of its operation.
- 1.4 My investigation of the Separation Unit has uncovered deficiencies, bad practice, overcrowding, lack of regimes and services which I considered unacceptable. In Chapter 3, I set out such deficiencies.
- 1.5 In Chapter 4, I detail the response of the Irish Prison Service and local management.
- 1.6 In Chapter 5, I make some general comments.

## **Chapter 2**

### **Overview of Mountjoy Prison Campus**

- 2.1 I have already stated in paragraph 1.1 that the Mountjoy Prison Campus comprises the original Mountjoy Prison, the original St. Patrick's Institution, the Training Unit and the Dóchas Centre for women prisoners.
- 2.2 In this Chapter I give brief details of the operation of the various sections that make up the Campus.

### **Original Mountjoy Prison**

- 2.3 Mountjoy Prison comprises 3 distinct parts, namely, the main building, the Medical Unit and the Separation Unit.
- 2.4 In 2008, when I was appointed Inspector of Prisons, Mountjoy Prison accommodated up to 636 prisoners in deplorable conditions. None of the cells in the main building had in-cell sanitation, the prison was overcrowded, the structure had fallen into disrepair, all areas of the building were filthy and there was a fraught atmosphere in the prison. All of these deficiencies were identified by me and reported on to the Minister.
- 2.5 In October 2010 a refurbishment programme for the main building commenced. Initially the C Division was closed and totally refurbished and reopened in March 2012. Since then the A and B Divisions have also been refurbished. At the time of writing the D Division is undergoing refurbishment and is due to open in April 2015. The refurbishment has been and is being carried out to an extremely high standard. All cells in A, B and C Divisions are single cells with in-cell sanitation. New showers have been provided on all landings and the whole area is extremely clean. The atmosphere in these Divisions has changed dramatically. A Committal Area for the prison is in the C Division Basement. This is a bright area where all assessments, both medical and operational, are carried out. This area could stand scrutiny by any external agency. All cells in the D Division will be for single occupancy and will have in-cell sanitation. The original D Division

workshops will be converted into accommodation cells – all single with in-cell sanitation.

- 2.6 The accommodation capacity of the three renovated divisions now stands at 339.
- 2.7 The provision of relevant workshops and other necessary facilities is well in hand. It is anticipated that all workshops will be operating by mid 2015.
- 2.8 **The Director General, his officials, the Governor of the prison and his management staff deserve praise for the forethought needed and the work required to bring this building, which originally officially opened on 27<sup>th</sup> March 1850 up to modern standards.**
- 2.9 The Medical Unit is a stand alone Unit. It has 51 cells – all with in-cell sanitation. It boasts the High Support Unit. This Unit has received many international and domestic awards and could be replicated anywhere throughout the world. This Unit would stand scrutiny from any agency.
- 2.10 The Separation Unit, which is the focus of this Report, is a stand alone Unit at the back of Mountjoy Prison. In Chapter 3, I set out the results of my investigations into the operation of the Unit.

### **Original St. Patrick's Institution**

- 2.11 The inadequacies of St. Patrick's Institution have been well documented by me and as a result the Institution has been closed as a committal unit for young offenders. Children under the age of 18 years who are on remand are still accommodated in the building on the B Division. I have made my views known on this practice. It is wrong that this small cohort of children, sometimes as small a number as 1 or 2 should be accommodated in a wing of this Institution. It is, at times, tantamount to holding them in isolation and it is certainly inhumane.

- 2.12 I understand that the practice of accommodating remand children will cease on 15<sup>th</sup> October next when all such remands will be accommodated in the Oberstown Centre. From that date the name St. Patrick's Institution will be consigned to history.
- 2.13 The C and D Divisions of the building formally known as St. Patrick's Institution have been renovated and now form part of the Mountjoy Prison. This renovation has been carried out to a high standard. All cells have in-cell sanitation and are for single occupancy only. I am happy to report that doubling up is not a feature.
- 2.14 Appropriate structured activity is available for all prisoners as is adequate out of cell time.
- 2.15 The intention is that, as soon as the 17 year old children have been moved to Oberstown, the B Division will be renovated and will then form part of Mountjoy Prison. This will mean an additional approximate 44 cells designed as single occupancy cells with appropriate in-cell sanitation.
- 2.16 **The Governor (of the old St. Patrick's) and his management staff must be congratulated for turning this particular part of the Campus around from being unfit for purpose to now operating as a modern prison. This entailed bringing a new ethos not alone to management but throughout the prison.**

### **Training Unit**

- 2.17 The Training Unit has capacity for 96 prisoners. This original purpose of this Unit was to provide training for 96 prisoners who were coming to the end of their sentences with a view to preparing them for their release and their re-integration into society. At present I am gathering information on the Unit and will present a report to the Minister within the coming year. **I have concerns that the Unit is not being utilised to its potential.**

2.18 I understand that a report into the future use of the Training Unit is almost complete. I await publication of this Report.

**Dóchas Centre**

2.19 I have presented a number of reports to the Minister on my inspections of the Dóchas Centre. At present I am conducting a further inspection of the Centre and will be presenting a report to the Minister in the coming months.



## Chapter 3

### **Separation Unit**

- 3.1 I have been carrying out an investigation of the Separation Unit for in excess of 6 months. I have talked to a great cross section of people both inside and outside the prison system whose views I have taken on board. I have talked to prisoners and their families. I have talked to management and staff in the prison. I have visited the Separation Unit on many occasions. These visits have been unannounced. I have been assisted in my investigation by Professor Ian O'Donnell and Ms. Karen Nolan BL. I would like to thank them sincerely for their dedication and help. We examined records in the prison which were relevant to the Separation Unit. We received co-operation from all those we met. I would like to acknowledge such co-operation.
- 3.2 The Separation Unit was originally built as accommodation quarters for prison staff. It has had a troubled history having been closed on two occasions as it was considered not fit for purpose.
- 3.3 The Separation Unit is at the back of the prison and is a stand alone building. It has 31 cells on 3 floors. Cells have in-cell sanitation and measure 12.55 square metres. 3 yards abut the Unit. There are 2 recreation rooms and a number of small all purpose rooms.
- 3.4 I have already stated in Chapter 2 that the Separation Unit forms part of Mountjoy Prison. I have also stated that the main building of the prison has been refurbished to a high level and that that part of the prison is fit for purpose and could stand scrutiny from any quarter.
- 3.5 Therefore, it is difficult to understand how the deficiencies detailed in this Chapter could have been allowed manifest themselves. The Unit that I describe bears no relation to the main building. It is as though, because the Unit is at the back of the main prison, it was forgotten. This is difficult to appreciate as the same management team are responsible for this Unit and for the main building.

- 3.6 As I have stated in paragraph 3.3 there are 31 cells in the Unit. They measure 12.55 square metres. The cells have in-cell sanitation. These cells are of a size as to be suitable for double occupancy provided the prisoners so accommodated had relevant structured activities to engage in, had adequate recreation and enjoyed appropriate out of cell time. In my Report dated 29<sup>th</sup> July 2010 titled:- ***The Irish Prison Population – an examination of duties and obligations owed to prisoners*** I set out in detail the regimes and services that should be available to all prisoners.
- 3.7 The average daily numbers of prisoners accommodated in the Separation Unit in the 6 months prior to 23<sup>rd</sup> July 2014 was 57.
- 3.8 I and my team noted prisoners in the Separation Unit existing in a state of bored inactivity. There was a general air of neglect and decrepitude. Prisoners expressed feelings of being “*forgotten about*” and “*being on top of each other*”.
- 3.9 The prisoners accommodated in the Separation Unit were, in the main, ‘protection prisoners’. Prisoners on protection have limited recreational opportunities as they are locked down for the major part of the day or else are only allowed associate with certain other prisoners and then only in confined areas.
- 3.10 The following were the main deficiencies observed by me and my team:-
- (a) The E1 exercise yard was not in use. I appreciate that this yard bounds the boundary wall. However, it is difficult to understand why it was idle when so many prisoners had little to occupy themselves with.
  - (b) All visits are screened visits. Prisoners felt that both they and their families were being punished. It is difficult, if not impossible, for prisoners to conduct audible conversations and maintain relationships with family and children when this is done through a glass partition where the acoustics are bad. There were prisoners in the Unit who

were on the Enhanced Regime who were subject to screened visits. Prisoners in the Unit were being discriminated *vis a vis* prisoners in the main building when it comes to visits. There are open visits in the main building.

- (c) Recreational amenities were virtually non-existent. Prisoners got to the yards for an hour a day. They were allowed to go to the gym one or two days a week. There were two pool tables. Other than that they walked the landings which are small. There is no natural light on the landings.
- (d) There was virtually no education for the prisoners in the Unit. On E1 Landing there was one small room and over the gym there was a larger room with one table. Education was provided on a very irregular basis. It was difficult to ascertain precisely what amount and level of education was being provided in the Unit. No timetable or structured programme could be made available for my information. It appeared to be more of an ad-hoc teaching system. During one visit a prisoner was observed sitting a state examination. The conditions and the environment for sitting such an examination were unacceptable. I was informed that, at times, prisoners were 'taught' in a corner of a busy landing. This is unacceptable.
- (e) I have stated in paragraph 3.3 that there are 2 recreation rooms in the Unit. These are located on E3 and E5 landings. These rooms were converted into 'dormitories' with 4 bunks in each. Portion of each room had been screened off as a toilet area. Each room had a fixed camera which operated 24/7. It could be viewed not only in the control room but on any monitor having access to the prison CCTV. Prisoners had been asked to sign a waiver to acknowledge that they were aware of the existence of the cameras but not all prisoners were prepared to do this. I was informed that despite their refusal to sign the waiver some were still accommodated in these rooms. These cameras were an unacceptable invasion of privacy and should never have been allowed. I was informed that the cameras were used to check prisoners at night

because the layout of the rooms meant that a visual check from the door was not possible. I do not accept this explanation as even this purpose was defeated because the occupants of the lower bunks could not be seen on the cameras. On 17<sup>th</sup> June last I visited the Unit. There were 3 prisoners in the recreation room on E3 Landing. They were eating their evening meal. The room was filthy. There were 2 chairs and a broken locker. 2 prisoners were using a chair each as a table. The third could only use the floor as his table and had to place food that he was not eating at the specific time on the dirty floor. Prisoners told me that on numerous occasions they asked that the cameras be removed. On one occasion they broke the camera. It was replaced within approximately 24 hours. I make this point as there were and are other cameras in other parts of the Campus that were and are known to be broken or malfunctioning but have not been repaired. On my visit on 17<sup>th</sup> June I noted that the toilet in the recreation room on E3 Landing was broken, held together and attached to the wall and the hand basin by strips of cloth.

- (f) Some toilets in the cells did not flush. Prisoners had to pour containers of water into them to clear the contents. Many toilets did not have privacy screens.
- (g) Many cells had broken windows, were cold and in bad repair.
- (h) A worrying feature was discarded razors in an old toilet beside the showers. These could pose a danger to staff and prisoners if fashioned into weapons.
- (i) On occasions prisoners were accommodated on mattresses on the floor in cells and in the 'recreation rooms'.
- (j) Shower curtains were missing from a number of shower cubicles. All shower cubicles needed to be repaired, cleaned and painted.

(k) The number of telephones was inadequate.

(l) Cleaners on the landings complained of a lack of equipment and facilities to carry out their tasks. There was little in the way of cleaning products, buckets etc. evident on our inspections. I was informed that at times buckets had to be emptied, rinsed and cleaned in the cells.

3.11 The entire Separation Unit was dirty and in need of a thorough cleaning and repainting. On all visits rubbish was observed on the floors, stairwells and landings and discarded mattresses were observed on numerous occasions and as late as 17<sup>th</sup> June last.

3.12 There was obvious tension on the landings. This is unacceptable for both staff and prisoners.

## Chapter 4

### **Response of Prison Management and the Irish Prison Service**

- 4.1 On 23<sup>rd</sup> June last I met with the Director General and Director of Operations of the Irish Prison Service and the Management of Mountjoy Prison and Campus in Mountjoy Prison.
- 4.2 At the meeting referred to in paragraph 4.1, I outlined the results of my investigation and the deficiencies that I had identified. These are outlined in Chapter 3 of this Report.
- 4.3 I stated that I appreciated the difficulties experienced in running a prison and the problems faced in accommodating protection prisoners. I pointed out that this did not excuse the deficiencies identified by me. **I stated that, unless such deficiencies could be addressed, I would have to consider advising the Minister that the Separation Unit was unfit for purpose and should be closed.**
- 4.4 On 18<sup>th</sup> July I received the response of the Mountjoy Management Team to my concerns set out in paragraph 3.10. This was a considered and comprehensive response which sets out a short term plan and a medium to long term plan for the Unit and for those prisoners currently accommodated there.

#### **Short term plan**

- 4.5 The short term plan consists of physical improvements of the structure and increased activities for the prisoners. These improvements will be overseen by the local management of the Prison.
- 4.6 It also contains an agreement that the numbers accommodated will be capped at 40 prisoners. This will assist in alleviating the tension levels associated with overcrowding.

### **Medium/long term plan**

- 4.7 The Separation Unit is to close by the end of August 2014. The decision to close the Unit was taken by the Director General of the Irish Prison Service and his Directors.
- 4.8 A phased closure plan, which will see all prisoners currently accommodated in the Unit relocated to other prisons across the prison estate, is currently being developed by prison management in conjunction with the Director of Operations of the Irish Prison Service.
- 4.9 **I consider that the Separation Unit should play no further part in the Irish Prison Service Estate and must strongly recommend to the Minister and to the Irish Prison Service that the closure of the Unit should be final and that the building should be decommissioned.**
- 4.10 I understand that a Campus Master Plan for the Mountjoy Campus is being developed. I await the outcome of such deliberations but would urge that my views as outlined in paragraph 4.9 would be taken into account.

## Chapter 5

### **General comments**

- 5.1 I am satisfied that, with the closing of the Separation Unit, the relocation of the 17 year old remand children from St. Patrick's Institution to Oberstown and the opening of the D Division coupled with the refurbishment of the B Division in the old St. Patrick's Mountjoy Prison should, in the future, stand scrutiny from any quarter.
- 5.2 However, prison management must always be vigilant to ensure the following:-
- (a) that the prison does not become overcrowded,
  - (b) that relevant structured activities, education and vocational training are available for **ALL** prisoners in addition to appropriate out of cell time,
  - (c) that the cells which are now designated as single cells must remain as single cells,
  - (d) that the Committal Unit must not be used for accommodation purposes,
  - (e) that the fabric of the prison is maintained, and
  - (f) that the prison is kept clean at all times.
- 5.3 I am conscious that Mountjoy Prison is a remand prison in addition to being a committal prison. Therefore, in order that the prison can operate effectively and deliver on the requirements set out in paragraph 5.2 it will be necessary to transfer out appropriate prisoners to other prisons. The Director of Operations must be ever vigilant to this necessity.
- 5.4 I intend carrying out further inspections to ensure that what has been promised is delivered on. I will report as necessary.