

Report of an Investigation by

Judge Michael Reilly, Inspector of Prisons,

into the circumstances surrounding the death of

Shane Rogers at Cloverhill Courthouse on the

20th December 2011

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Presented to the Minister for Justice and Equality pursuant to Section 31(2) of the Prisons Act 2007.

Signed: _____
Judge Michael Reilly
Inspector of Prisons

Dated: 9th January 2013

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Chapter 1

Introduction

- 1.1 This Report follows a comprehensive investigation into the death of Shane Rogers who took his life in a holding cell in the Cloverhill Courthouse Complex on the 20th December 2011. The Report identifies a number of deficiencies which includes, *inter alia*, the failure of organs of the ‘prison system’ to communicate with each other, the failure to adhere to stated work practices, the absence of governance to ensure compliance with Standard Operating Procedures and inadequate record keeping.
- 1.2 This Report does not set out to scapegoat prison officers who, because of systemic failures and a lack of oversight by superiors, did not adhere to the highest standards. The Report should be used to address such failures, to provide appropriate oversight and to act as a warning to public servants at all grades that they must be careful and scrupulous when attending to their public duties in order that the general public can have complete confidence in the system that operates in our prisons.
- 1.3 It is clear that relevant information in the possession of the prison authorities in Cloverhill Prison regarding the vulnerability of Mr. Rogers was not shared with the prison authorities tasked with escorting Mr. Rogers from Cloverhill Prison to Cloverhill Courthouse and detaining him there. It is also clear that those tasked with escorting Mr. Rogers to Cloverhill Courthouse and detaining him there did not seek any information from Cloverhill Prison which could have informed them as to the vulnerability or otherwise of Mr. Rogers.
- 1.4 I was assisted in my investigation by Dr. Ide Delargy¹ and Mr. Hugh Kane.

¹ MB, MICGP, MRCGP. She is the Director of the Substance Misuse Programme at the Irish College of General Practitioners and National GP Coordinator for the HSE Addiction Services.

- 1.5 During the course of my investigation I received total co-operation from all persons and agencies. I was granted full access to all files and computer records. I would like to express my appreciation to the very many people who in one way or another provided me with all the information that I sought.

Chapter 2

Appointment and Methodology

Appointment

- 2.1 On 22nd December 2011, I was asked by the Minister for Justice and Equality (hereinafter referred to as the “Minister”) to carry out an investigation into the circumstances surrounding the death of Mr. Rogers on 20th December 2011.
- 2.2 I agreed to carry out the investigation. On 10th January 2012 the Minister signed my Warrant of Appointment. My terms of reference as set out in my said Warrant of Appointment are:-

“.....to carry out an investigation into the circumstances surrounding the death of Mr. Rogers on 20th December 2011 while he was a remand prisoner and to submit a report to me on the results of his investigation”.

- 2.3 In my Warrant of Appointment the Minister stated:-

“It should be noted that under the provisions of the Prisons Act 2007 governors, prison officers, other persons employed in prisons and prisoners are under a statutory obligation to comply as far as reasonably practicable with any request for information from the Inspector and that he should be provided with any records or copies thereof, including medical records, sought by him in the course of his investigation.

Members of the Garda Síochána and the Courts Service should co-operate fully with the Inspector in the course of this investigation and I would request that all other persons would also co-operate with him in this regard.”

Methodology

- 2.4 This investigation is not a court of law or a trial of any alleged wrongdoing by any particular person or group of persons. Rather, it is an exercise designed to establish the facts and the lessons to be learned. Therefore, I decided that where issues were in dispute, I would resolve such issues by setting the standard of proof as being on the balance of probabilities.
- 2.5 I conducted this investigation in accordance with the requirements of Constitutional and Natural Justice.
- 2.6 In this Report I have not referred to prison personnel and others by name.
- 2.7 In accordance with my Warrant of Appointment I requisitioned the following:-

From the Irish Court Service:-

- Court transcript from Dundalk District Court – 13th December 2011.
- Remand Warrant signed by the Judge of the District Court in Dundalk on 13th December 2011.
- Audio Digital Recording from Cloverhill District Court – 20th December 2011.

From Cloverhill Prison:-

- Medical Records and Notes relating to Mr. Rogers.
- CCTV.
- Standard Operating Procedures, Governors' and Chiefs' Orders.
- All relevant prison records.

From Prisoner Service Escort Corp (PSEC):-

- Standard Operating Procedures, Governors' and Chiefs' Orders.
- CCTV.
- All relevant records.

- 2.8 A desktop review of all the documents and CCTV referred to in paragraph 2.7 was carried out. This was a time consuming exercise.
- 2.9 Discussions were conducted with members of An Garda Síochána who were investigating the incident from their perspective.
- 2.10 The desktop review referred to in paragraph 2.8 assisted me in identifying areas for further investigation and relevant persons for interview. The persons to be interviewed fell into four distinct groups as follows:-

- Mr. Rogers's family, his Solicitor and the arresting Garda Sergeant in Carrickmacross.
- The medical personnel in Cloverhill Prison including, *inter alia*, the GP, the Nursing Staff and the In-Reach Forensic Mental Health Team.
- Relevant personnel from Cloverhill Prison.
- Relevant PSEC personnel.

All persons identified above were interviewed.

- 2.11 I visited Cloverhill Prison where I inspected those areas where Mr. Rogers was accommodated, the Reception Area, the holding area in Cloverhill Courthouse, the general Courthouse area and the cell where Mr. Rogers was found. In Chapter 4, I outline relevant information regarding Cloverhill Prison and Cloverhill Courthouse.

Chapter 3

Profile of Shane Rogers

- 3.1 Mr. Rogers, formerly of 1 Deery Terrace, Inniskeen, Co. Monaghan was a single man whose date of birth was 6th May 1979. He is survived by his parents, 2 brothers and one sister.
- 3.2 Mr. Rogers was never imprisoned before and had no previous criminal record.
- 3.3 Following a shooting in Dundalk, Mr. Rogers was arrested, charged with murder and brought before Dundalk District Court on 13th December 2011, where he was remanded in custody to Cloverhill Prison. His remand date was 20th December 2011 at 10.30am at Cloverhill Courthouse.
- 3.4 Mr. Rogers was detained at Cloverhill Prison from the 13th December 2011 and he died while in custody on the 20th December 2011 following an apparent suicide.
- 3.5 Prior to his arrest referred to in paragraph 3.3 Mr. Rogers did not have a history of mental illness or incidents of self harm.

Chapter 4

Relevant Information – Cloverhill Prison and Cloverhill Courthouse

Cloverhill Prison

- 4.1 Cloverhill Prison is a closed, medium security prison for adult males, which primarily caters for remand prisoners committed from the Leinster area.
- 4.2 There are visiting facilities for designated visitors. All visits are supervised by prison officers who observe the visits but are at sufficient remove not to hear the details of conversations between prisoners and their visitors.
- 4.3 Prisoners are allowed make one telephone call of 6 minutes duration each day to recipients whose identity has been cleared with the prison authorities. With the consent of the Governor a prisoner may make further telephone calls. All calls with the exception of calls to legal advisors and the Samaritans are recorded by the prison. This fact is made known to all prisoners.
- 4.4 All prisoners entering or leaving Cloverhill Prison are processed in the Reception Area. They are, *inter alia*, searched. This process involves the prisoners undressing and having their clothes searched. A visual inspection of their bodies is carried out to ensure that they are not obviously in possession of prohibited articles.
- 4.5 Prisoners in Cloverhill Prison are accommodated in single, double or multi-occupancy cells on 10 landings.
- 4.6 In this Report references are made to the D2 Landing. To put in context such references it is necessary that the information referred to in paragraphs 4.7 to 4.18 is understood.
- 4.7 D2 Landing is divided by a Class Office effectively creating two distinct areas which in the prison are referred to as – D2 ‘Security’ and D2 ‘Vulnerable’.
- 4.8 There are 2 Safety Observation Cells, 4 Close Supervision Cells and 12 accommodation cells in the area known as D2 ‘Security’.
- 4.9 There are 10 accommodation cells in the area known as D2 ‘Vulnerable’. They are used as single or double cells.

- 4.10 D2 'Vulnerable' and the 2 Safety Observation Cells in D2 'Security' comprise a specialist unit within the prison which is used to accommodate vulnerable prisoners. Prisoners can only be placed in the Safety Observation Cells on the orders of a member of the medical team. Only prisoners who meet specific criteria such as those likely to self harm are placed in these cells.
- 4.11 An In-Reach Forensic Mental Health Team from the Central Mental Hospital provides psychiatric services to those prisoners who need same in this unit (paragraph 4.10). This is a multi-disciplinary team which is led by a Consultant Forensic Psychiatrist. It also comprises, *inter alia*, a Psychiatric Registrar and Registered Psychiatric Nurses.
- 4.12 The medical personnel in the prison comprise 2 doctors and 17 registered nurses (general and psychiatric) who provide 24 hour cover in the prison.
- 4.13 The level of healthcare and supervision in this unit is very high. All staff is appropriately trained.
- 4.14 Prisoners classed as vulnerable by the In-Reach Team or the medical personnel cannot be moved to ordinary accommodation in the prison until passed to do so by the In-Reach Team or the medical personnel.
- 4.15 When the D2 'Vulnerable' area is fully occupied additional vulnerable prisoners are accommodated in the area known as D2 'Security'. The same level of care is provided for such prisoners as is provided in the area known as D2 'Vulnerable'.
- 4.16 Prisoners in Safety Observation Cells wear special protective clothing of a design to prevent self harm. They are issued with refractory blankets. All prisoners accommodated on D2 'Vulnerable' wear prison clothing which does not have items that could be used as ligatures such as shoe laces or cords in trousers.
- 4.17 Prisoners accommodated on D2 Landing (both areas) are classified by the prison as:-
- Vulnerable prisoners. I have already described such prisoners.
 - Protection prisoners. All vulnerable prisoners are deemed by the prison to be protection prisoners. In addition prisoners may be on protection for a variety

of other reasons such as the nature of their crimes, their membership of gangs or for other safety reasons.

- Security prisoners. As the name implies these may be high risk prisoners whose accommodation on the Wings of the prison would constitute a security risk.
- Punishment prisoners. These are prisoners who have infringed prison rules and who, as punishment, are deprived of certain rights such as the right of association etc.

4.18 Prisoners accommodated on D2 'Security', in the main, fall into the categories of protection, security or punishment but, as can be seen from paragraph 4.15, vulnerable prisoners may also be accommodated in this area.

4.19 The Governor, his management team and the prison officers in Cloverhill Prison are responsible for prisoners while such prisoners are in the prison.

Cloverhill Courthouse

4.20 Cloverhill Courthouse is adjacent to, but separated from Cloverhill Prison. It deals, in the main, with High Court Bail Applications and District Court Remand Hearings.

4.21 Prisoners from Cloverhill Prison who are due to attend Court in the adjacent Courthouse proceed through the Reception Area in the Prison and then by a closed passageway to the holding cells under the Courthouse.

4.22 The vast majority of prisoners appearing before Cloverhill Court appear in custody. It is a busy Court. It can have over 100 prisoners in custody on its busiest days.

4.23 There are 7 holding cells situated in the basement of Cloverhill Courthouse. These measure approximately 2.3m x 3.1m x 2.8m. There are also 3 consultation rooms which are used as holding cells when necessary. This area is almost always overcrowded. At times prisoners have to be held in prison vans while waiting for their cases to be called.

- 4.24 The provision of all facilities, including cells, in Cloverhill Courthouse is the responsibility of the Irish Courts Service. The issue of overcrowding and the inadequate cell accommodation in the Cloverhill Courthouse Complex has been raised by the Irish Prison Service with the Irish Court Service on a number of occasions. I have had sight of the relevant correspondence. Issues relating to “safe custody of prisoners and security” were raised.
- 4.25 Prisoners are brought from the holding cells to a waiting area outside the Courtroom to await their appearance in Court. When their appearance has been finalised in the Courtroom the prisoners are returned to the holding cells before being returned to prison.
- 4.26 While prisoners are in the Cloverhill Courthouse Complex they are the responsibility of PSEC. This is a separate branch of the Irish Prison Service which has its own Governor and management team.

Chapter 5

Chronology of events

- 5.1 The chronology of events set out in this Chapter is informed, *inter alia*, by the documentation referred to in paragraph 2.7, the CCTV footage of the 20th December 2011, interviews conducted and our observations of relevant areas in Cloverhill Prison and the Cloverhill Courthouse Complex.
- 5.2 On the morning of Sunday the 11th December 2011 Mr. Rogers presented himself at Carrickmacross Garda Station where, at approximately 7.00am, he was arrested by the Garda Sergeant from Carrickmacross on suspicion of murder and detained.
- 5.3 Between 7.00am on the 11th December 2011 and the morning of the 12th December 2011 Mr. Rogers was questioned by members of An Garda Síochána. During this time he was also visited by his family and his Solicitor.
- 5.4 At approximately 9.00pm on Monday the 12th December 2011 Mr. Rogers was charged with murder.
- 5.5 At approximately 9.15pm on Monday the 12th December 2011 Mr. Rogers's Solicitor attended at the Garda Station to meet with Mr. Rogers. During this meeting Mr. Rogers told his Solicitor that he (Mr. Rogers) was going to kill himself and that he had told the Gardaí of this on both the Sunday and the Monday. His Solicitor was concerned because he felt that his client meant it. Mr. Rogers asked him (his Solicitor) to make his Will. He asked his Solicitor to take down in writing precisely his wishes as to what was to be done with his possessions following his death. He gave detailed directions as to what was to be done with his money etc. The Solicitor felt that this was in fact a suicide note that was being dictated to him. He asked Mr. Rogers not to carry out his intentions. The Solicitor discussed this matter with the Sergeant and expressed his worries to him.
- 5.6 While in custody in the Garda Station the Sergeant overheard Mr. Rogers speaking on the telephone to his sister as follows:-

“Don’t come home to see me wait for the funeral”.

The Sergeant also heard Mr. Rogers say that he would take the first opportunity that arose to kill himself.

5.7 On Tuesday the 13th December 2011 Mr. Rogers was taken to Dundalk District Court. He was remanded to Cloverhill Prison to appear at Cloverhill District Court on the 20th December 2011.

5.8 During the Court appearance evidence of Mr. Rogers's state of mental health was given by the arresting Garda Sergeant. The following extracts from the transcript of such Court proceedings are relevant:-

- The Sergeant gave evidence of Mr. Rogers's reply after the charge of murder had been read over to him in the following terms:-

"I apologise to him and to his family and friends and to (named person). I am sorry for what I did. I cannot live with myself for doing this".

- The Sergeant was cross-examined by Mr. Rogers's Solicitor in the following terms:-

Q *".....Mr. Rogers contacted you on the morning of this incident"?*

A *"That's correct, Judge".*

Q *"And he spoke to you on the telephone and he arranged voluntarily to come in to Carrickmacross to meet with you"?*

A *"That's correct, Judge, yes".*

Q *"And can I ask you from the first time that you met him and when he arrived into the station that morning; would you tell the Court what his demeanour was"?*

A *"Well, Judge, he was from the first moment I met him, he was very remorseful for what had happened, I found him truthful and explained in full what had happened".*

Q *"And during all of the time that he's been in Carrickmacross in detention, during that time have you found him honest, forthright –"?*

A *"Honest and forthright".*

Q *"-- consistent in everything that he has told you"?*

A *"He has been consistent and continuously remorseful for what has happened".*

Q *"And if I asked you if he was devastated by what has happened, would he -- would you agree with that"?*

A *"I would, Judge, that'd be correct".*

Q *"And the remorse that he has expressed, would you agree that it's actually a total genuine remorse"?*

A *"Oh it's very genuine".*

Q *"Yes. Sergeant, you have dealt with him and he appreciates so much what you've done for him over the last two days, but over the last day in particular, would you agree that he has become a suicide risk"?*

A *"Yes, Judge, absolutely".*

Q *"There's a -- that that has been reflected --"*

A *"Yes, Judge".*

Q *"-- in how he has spoken and his demeanour and his mood, is that -- would you agree with that"?*

A. *"I would, Judge, yes".*

SOLICITOR *"Judge, the reason why I asked Sergeant ..., I'd ask that you would make a recommendation that he would be referred to the psychiatric services in Cloverhill, Judge".*

JUDGE *"Very good. Well, I'll remand him in custody to Cloverhill next Tuesday, the 20th of December 2011 at 10.30am, and I'll direct that Mr. Rogers receive medical and psychiatric attention".*

- 5.9 Having heard the evidence referred to at paragraph 5.8 the District Court Judge directed that Mr Rogers be afforded appropriate psychiatric and medical attention while in custody and this was noted on the Warrant in the following terms:-

“The Judge further directed psychiatric & medical attention”.

A copy of this Warrant is exhibited as **Appendix A**.

- 5.10 Following his Court appearance Mr. Rogers was taken from Dundalk District Court to Cloverhill Prison in Dublin by the Garda Sergeant. He arrived at the prison at approximately 12.50pm.

- 5.11 On arrival, and following his committal, the Garda Sergeant fully briefed Officer A (Cloverhill Prison) on Mr. Rogers and of his serious concerns about the prisoner’s stated indication that he would commit suicide. The Sergeant noted this in his note book. We did not interview Officer A (Cloverhill Prison) as the Sergeant’s account is corroborated by the following note in the Prisoner Intelligence Details Section on the PRIS System:-

“Prisoner Shane Rogers committed on the above date for murder. Stated that he had been having suicidal thoughts. Garda on committal stated that prisoner stated that he could not do a life sentence and could not deal with taking another mans life and admitted that he would kill himself the first chance he got. Seen immediately by N/O (name given) and placed in a Close Supervision Cell on D2 for security and observation”.

The reference to the ‘Close Supervision Cell’ is incorrect. It should read ‘Safety Observation Cell’.

- 5.12 A committal interview with Mr. Rogers was conducted on the 13th December 2011 by a Nurse Officer. He was also assessed by the prison doctor. The In-Reach Forensic Mental Health Team from the Central Mental Hospital had devised a questionnaire for use at the interview and assessment referred to which was designed to highlight any concerns relating to the vulnerability of prisoners which the In-Reach Forensic Mental Health Team might have to focus on. This procedure was followed in this case.

Subsequent to the interview and assessment and due to his vulnerability Mr. Rogers was placed in a Safety Observation Cell on D2 'Security' at approximately 2.30pm.

- 5.13 On the 14th December 2011 Mr. Rogers was reviewed by the Prison Doctor who reported that Mr. Rogers 'appeared fine'. He also knew that Mr. Rogers was due to be examined by the In-Reach Forensic Mental Health Team on that date.
- 5.14 The In-Reach Forensic Mental Health Team were aware of Mr. Rogers. They had discussed his case and were aware of the results of his initial interview and subsequent assessments. He was considered a cause for concern for the following reasons:- the nature of his crime, his first time in prison, the flagging by the Court of his suicidal ideation and the publicity surrounding his case.
- 5.15 On the 14th December Mr. Rogers was reviewed jointly by two members of the In-Reach Forensic Mental Health Team - both Registered Psychiatric Nurses (RPNs). They conducted a full assessment. Following this assessment his case was considered by the Consultant Forensic Psychiatrist in consultation with those who had conducted the assessment. A decision was made that his status would not change, that he was to be kept under close supervision at all times but that he was suitable to be moved from the Safety Observation Cell to a shared cell on D2 'Vulnerable'. A shared cell affords more support and reduces risk due to the presence of another prisoner. It was also decided that further reviews would take place.
- 5.16 Between the 14th December and the 19th December the Consultant Forensic Psychiatrist kept Mr. Rogers's condition under constant review. No change was made to his status.
- 5.17 On the 19th December Mr. Rogers was reviewed by the Psychiatric Registrar and an RPN (both members on the In-Reach Forensic Mental Health Team). No deterioration in Mr. Rogers's mental health state was reported. There were no depressive symptoms present and Mr. Rogers denied having self-harm ideation. No medications were prescribed. Mr. Rogers was still considered a high risk prisoner and his medical status was not changed. A decision was made by the In-Reach Forensic Mental Health Team to leave Mr. Rogers on D2 'Vulnerable' and to re-assess him after his Court appearance on the 20th December 2011. Pending such re-assessment

Mr. Rogers was deemed to be a vulnerable prisoner who was to remain on close supervision for the reasons set out in paragraph 5.14.

- 5.18 It is the practice in Cloverhill Prison that a prisoner, who following interview and assessment and who has been deemed to be a vulnerable prisoner, is placed on D2 'Vulnerable'. Such prisoner cannot be transferred to any other part of the prison until cleared by a member of the medical staff to do so – neither, can such prisoner's medical status be changed unless authorised by a member of the medical staff. A note to this effect would be placed on the medical electronic file. In the instant case there is no entry to this effect.
- 5.19 During the course of this investigation we were given access to all medical files and to all medical personnel who we wished to interview.
- 5.20 While in Cloverhill Prison Mr. Rogers was visited by his father, mother, brother, two friends and a Dublin Solicitor (acting on behalf of his Carrickmacross Solicitor). The visits took place on the following dates; 14th, 15th, 16th, 17th and 19th December 2011.
- 5.21 Mr. Rogers spoke on the telephone to his father, his mother and his brother. These conversations took place on 14th, 15th, 16th, 17th, 18th and 19th December 2011. I listened to the audio recordings of these telephone conversations. Except in exceptional circumstances telephone calls between prisoners and his/her family would be considered as confidential. I have carefully considered such confidentiality issues and data protection concerns and have concluded that, on balance, I should refer to one brief extract from one conversation as same is relevant to the stated state of mind of Mr. Rogers on the afternoon of the 14th December 2011. Through her Solicitor Mr. Rogers's mother has confirmed the contents of the extract from such conversation which is reproduced hereunder. This conversation commenced at 5.49pm on the 14th December 2011:-

Mr. Rogers *"Ah don't be worrying I might try get talking to the solicitor maybe and get him to, maybe if you're talking to (name of brother) will you ask him did he ring (name of his Solicitor) to tell him about me looking for bail".*

Mother *"Would you get bail? I mentioned that to Sergeant (name of Sergeant) and he said you could do harm to yourself or do harm to others".*

Mr. Rogers *"Ah not at all.....no I'll be alright that's all gone out of my head now".*

Mother *“He said it could be 2 years before you’d be sentenced”.*

Mr. Rogers *“Yeah, sure that’s”.*

Mother *“You could be on remand for 2 years”.*

Mr. Rogers *“Yeah”.*

Mother *“Don’t be talking about committing suicide or anything”.*

Mr. Rogers *“Not at all”.*

Mother *“That was in the paper you know”.*

Mr. Rogers *“Why what did they say?”*

Mother *“Said you were contemplating suicide that you couldn’t live with yourself”.*

Mr. Rogers *“No sure don’t be reading don’t be listening to everything you hear in the newspapers”.*

This conversation represents the only occasion that reference is made to self harm or suicide directly, indirectly or by inference in any of the telephone calls referred to in this paragraph either by Mr. Rogers or the persons that he talked to.

- 5.22 Mr. Rogers’s mother has stated that she made a telephone call to Cloverhill Prison at approximately 3.00am on what she believes to be Wednesday morning the 14th December. She has stated that she told the person that she spoke to that “Shane was suicidal”.
- 5.23 Mr. Rogers’s father, mother and brother have stated that they at different times visited Mr. Rogers in prison. The prison records confirm that these visits took place.
- 5.24 On one occasion Mr. Rogers’s brother was accompanied by two of Mr. Rogers’s friends.
- 5.25 All of the visits took place in the visiting facilities in Cloverhill Prison.
- 5.26 At 9.55am on the 16th December Mr. Rogers placed a call to his Solicitor in Carrickmacross but failed to talk to his Solicitor.

- 5.27 On the 17th December the Solicitor telephoned the prison and expressed his fears that Mr. Rogers was a suicide risk.
- 5.28 Mr. Rogers was seen by the Governor of the Prison at ‘Governor’s Parade’ on the 14th, 15th and 19th December 2011. The issues raised by Mr. Rogers included arranging to add names to his approved telephone callers list and to seek work within the prison.
- 5.29 Mr. Rogers was supervised by the Class Officers on the Landing and was visited by the Chaplains during the period. Neither the Class Officers nor the Chaplains who were interviewed noticed anything untoward about Mr. Rogers during this period.
- 5.30 The prisoner who shared the cell with Mr. Rogers (see paragraph 5.15) reported to the prison authorities that most of the time Mr. Rogers was in good form and that they chatted to each other.
- 5.31 On the 20th December Mr. Rogers was due to attend Court at Cloverhill Courthouse. At 9.30am on that morning Mr. Rogers was taken from D2 ‘Vulnerable’ and escorted to the Reception Area by Officer B (Cloverhill Prison). He arrived in the Reception Area at 9.35am, where he was handed over to Officer C (Cloverhill Prison). It appears that Mr. Rogers was the only prisoner in reception at that time.
- 5.32 We were advised that Mr. Rogers was observed in reception removing all his prison clothing and was given a towel for privacy purposes while the security checks were being completed. We could not verify this account as there is no CCTV in the area where prisoners undress for obvious privacy reasons.
- 5.33 When the security checks were completed Mr. Rogers dressed in court clothing provided by the prison - shirt, jumper, jeans, underwear, shoes and socks. The officers interviewed stated that this court clothing had been thoroughly searched and was free of anything that could be used as a ligature.
- 5.34 When Mr. Rogers was dressed in his court clothing he was handed over to Officer D (PSEC) who placed Mr. Rogers in a holding cell in the Reception Area at 9.40am on his own to await his transfer through the enclosed passageway to the Court area.

- 5.35 Officer C (Cloverhill Prison) who handed over Mr. Rogers to Officer D (PSEC) has stated that he told Officer D (PSEC) that Mr. Rogers was a high profile prisoner who had been charged with murder.
- 5.36 The only document handed to Officer D (PSEC) was a document containing the name, the prison number and a photograph of the prisoner.
- 5.37 During the course of our investigation we visited the Reception Area and were appraised of the standard procedures adopted when a prisoner is processed through this area when going to Court.
- 5.38 At 9.50am, Mr. Rogers was escorted by Officer E (PSEC) from the holding cell referred to at paragraph 5.34 to the holding cells in the Cloverhill Court Complex where he was placed in cell number 7 on his own. While walking between the Reception Area and the Court Complex Mr. Rogers engaged Officer E (PSEC) in conversation which was of a general nature.
- 5.39 Officer F (PSEC) who was detailed in charge of staff from G4S to clean the holding cells confirms that the cells were cleaned at approximately 7.30am that morning. Before Officer F (PSEC) departed the cell area at 9.00am this Officer confirmed that there was no cord or clothing in this cell. The Officer confirmed that cell number 7 was allocated for Mr. Rogers and that no other prisoner was allocated to this cell. The only reason for allocating a single cell to Mr. Rogers was that Mr. Rogers was coming from D2 Landing.
- 5.40 The PSEC staff that we interviewed stated that the reason given for placing Mr. Rogers in a cell on his own was because prisoners from D2 Landing were from one of three categories of prisoner - vulnerable, security or punishment and therefore had to be kept separate from the other prisoners. All of the PSEC staff interviewed stated that they never knew which category a prisoner, originating on D2 Landing, came from.
- 5.41 At 11.27am Mr. Rogers was taken from cell 7 and brought to the Court waiting area. At 11.38am he was taken into the Court for a brief remand appearance which concluded at 11.40am. After his appearance in Court Mr. Rogers was returned to the same holding cell – cell 7. PSEC records indicate that 19 prisoners were accommodated in the holding cells on that date – 20th December 2011.

- 5.42 At 12.03pm Officer G (PSEC) was observed on CCTV entering Mr. Rogers's cell with dinner for the prisoner.
- 5.43 No further observation of Mr. Rogers took place until 12.58pm when Officer G (PSEC) is observed on CCTV looking in through the inspection hatch. The Officer immediately raised the alarm as he stated that he observed Mr. Rogers hanging by a ligature from a light fitting. During the course of our investigation we examined this cell. As stated in paragraph 4.23 this cell measured approximately 2.3m x 3.1m x 2.8m. We noted that it had a fixed bench, a window, an alarm bell, an inspection hatch and a ceiling light. It also had a toilet in a screened area. The light and its fitting comprised a florescent tube enclosed in a metal casing which was attached to the ceiling by two metal holders. There was a gap between the ceiling and the light fitting at each end. We were informed that one end of the ligature was knotted and then jammed in the light fitting.
- 5.44 Following the raising of the alarm a number of the officers (PSEC) who had been in the Class Office for the previous 30 to 40 minutes, apparently taking a break, rushed to Mr. Rogers's cell. We examined the CCTV for this period of time (approximately 40 minutes). There were no officers in the area of the cells and no cells were checked during this time.
- 5.45 A number of officers entered the cell. They took Mr. Rogers down, removed the ligature, laid him on the floor and began first aid. Simultaneously the alarm was raised for medical assistance and an ambulance was called at 1.00pm.
- 5.46 Shortly after 1.00pm nursing staff arrived and took over administering first aid, including CPR. The medical staff were equipped with and used a defibrillator.
- 5.47 At approximately 1.25pm the first emergency medical technicians arrived followed a few minutes later by the ambulance crew. They continued to assist Mr. Rogers. He was ventilated, a collar was fitted, he was transferred to a spinal board and was taken to Tallaght Hospital where he was pronounced dead at 2.03pm.
- 5.48 At 2.30pm the Governor of Cloverhill Prison asked one of the Chaplains to call the family of the late Mr. Rogers to advise them of the tragedy. When the Chaplain got through to the family on the telephone they already knew about the death as a

newspaper had contacted them. The Chaplain agreed to and did meet the family at Tallaght Hospital that afternoon.

Chapter 6

Issues raised by the Rogers' Family

- 6.1 In this Chapter, I set out a number of concerns that the Rogers' Family have raised.
- 6.2 Mr. Rogers's mother has stated that she made a telephone call to Cloverhill Prison at approximately 3.00am on what she believes to be Wednesday morning the 14th December. She has stated that she told the person that she spoke to that "Shane was suicidal". While there is no record of this telephone call in the Prison I accept what Mrs. Rogers says.
- 6.3 Mr. Rogers's father, mother and brother have stated that they, at different times, visited Mr. Rogers in prison. The prison records confirm that such visits took place. On one occasion Mr. Rogers's brother was accompanied by two of Mr. Rogers's friends.
- 6.4 All of the visits took place in the visiting facilities in Cloverhill Prison. The Rogers' family believe that the content of conversations in the visiting boxes are monitored by the prison authorities. They state that during each visit Mr. Rogers stated that he intended to commit suicide.
- 6.5 Mr. Rogers's brother states that he received a telephone call from Mr. Rogers between 6.00pm and 7.00pm on the 19th December. He believes that the telephone conversation was monitored by the prison authorities. He states that in this telephone conversation Mr. Rogers stated to him that he was going to commit suicide and told him "not to come up as he would not be there long enough".

Chapter 7

Status of Shane Rogers while in custody

- 7.1 In the instant case Mr. Rogers was placed in a Safety Observation Cell on D2 ‘Security’ for one night – 13th December 2011. On the 14th December he was moved to a shared cell on D2 ‘Vulnerable’ which he shared with one other prisoner until 9.30am on the 20th December when he was taken to Court (referred to in paragraph 5.31)
- 7.2 As far as the medical personnel were concerned Mr. Rogers was, at all times, considered to be a person at risk. He was vulnerable and was on close supervision. (See paragraph 5.15). This classification had not been altered up to the time that Mr. Rogers was brought to Court on the 20th December 2011.
- 7.3 Mr. Rogers was variously classified in prison records by Cloverhill Prison as ‘vulnerable’ or ‘protection’.
- 7.4 As far as PSEC were concerned Mr. Rogers fell into an omnibus category comprising ‘vulnerable’, ‘protection’ and ‘security’ prisoners.
- 7.5 All prison records, with the exception of medical records, are maintained in electronic form on the Irish Prison Service computer system known as PRIS. For the purpose of this investigation I will only refer to two sections on the PRIS system:-
- **The intelligence section**

In this section matters such as a prisoner’s vulnerability, threats to his/her safety or life by others, threats of self harm etc. are recorded.
 - **The profile section**

In this section information as to name, address, height etc. is included together with a picture of the prisoner. The section also contains information to denote whether or not a prisoner is a sex offender or a suicide risk.
- 7.6 On the 20th December 2011 Mr. Rogers was classed in the profile section as being neither a sex offender nor a suicide risk. I attach a copy of Mr. Rogers’s profile at

Appendix J. I have been unable to ascertain the identity of the person who created this profile.

- 7.7 All officers can access a prisoner's profile section but only designated officers can access a prisoner's intelligence section.

Chapter 8

Relevant Standard Operating Procedures

- 8.1 Irish Prisons and the operation of same are governed by The Irish Prison Rules 2007. These Rules are supplemented by local directions known as Standard Operating Procedures, Governors' Orders and Chiefs' Orders.
- 8.2 The escorting of prisoners from prisons to and from Courts is, in the main, undertaken by the Prisoner Service Escort Corp (PSEC). PSEC is a stand alone unit within the Irish Prison Service which has its own Governor and management team. PSEC was set up in 2005. The Irish Prison Service informed me, in the course of this investigation, that when PSEC was set up the prison governors were concerned as to how the prison escorts were going to be performed particularly in the context of the use of cellular vehicles and the overall arrangements for the treatment of prisoners under escort by PSEC. A *Service Level Agreement* between the prisons and PSEC was drafted and dated 30th September 2005. This service level agreement mirrored arrangements in the United Kingdom where private operators provided a prisoner escort service to governors of prisons and covered all duties expected of PSEC. I have been informed that while this agreement was "agreed" with the Governors of all prisons it did not become part of the operating procedures. There is no record of this agreement having been signed by Cloverhill Prison, any other prison or by PSEC. The operating management of the prison stated that they were not aware of the document. A copy of this agreement is attached at **Appendix B**. PSEC are also governed by The Irish Prison Rules 2007 which are supplemented by local Standard Operating Procedures, Governors' Orders and Chiefs' Orders.
- 8.3 The following Standard Operating Procedures and Chiefs' Orders are relevant to this investigation:-
- (a) SOP No. 1/05 – Prisoner Profile/Photo Identification dated 28/11/2005 (**See Appendix C**)
 - (b) SOP No. 03/2007 – Searching at Court Venues dated 24/7/2007 (**See Appendix D**)

- (c) General Standard Operational Procedure for Staff Performing Escort Duty with Cellular Vehicles undated (**See Appendix E**)
- (d) Chief's Order No. 13/06 dated 18/07/2006 – Prisoner Security Profile (**See Appendix F**)
- (e) Chief's Order No. 11/2007 – Special Observation - dated 18/07/2007 (**See Appendix G**)
- (f) Chief's Order No. 13/07 dated 26/07/2007 (**See Appendix H**)
- (g) Chief's Order No. 15/07 dated 28/09/2007 – Protection Prisoners Under Escort by PSEC Staff (**See Appendix I**)

8.4 The following are relevant extracts from the Standard Operating Procedures and Chiefs' Orders referred to in paragraph 8.3:-

- *“On commencement of duty Officer i/c collect Prisoner Profile/Photo I.D. from the General Office of the prison concerned” referred to in Appendix C.*
- *“Before taking custody of the prisoner(s), the Officer i/c. Escort will confirm with the Officer i/c. Discharges that all prisoners have been identified and searched by the respective prison staff” referred to in Appendix D.*
- *“The Officer i/c shall be aware of.....the age, health, security category, offence, behaviour and contacts of the prisoners involved in the escort” referred to in Appendix E.*
- *“Officer i/c. escort. On arrival at your designated collection area please obtain all relevant documents from the Assistant Chief Officer i/c. committals and dischargesRead and examine all documents received and in particular pay attention to prisoner security profile forms” referred to in Appendix F.*
- *“All prisoners while under escort by PSEC who are being held in a court holding cell or a Garda station cell are to be regarded as Special Observation prisoners.....These prisoners shall be checked regularly at no more than fifteen minute intervals.....This Order is to be strictly adhered to” referred to in Appendix G.*

- *“Ensure that the offender has been put through the proper reception procedures, searching etc” referred to in Appendix H.*
- *“The Officer i/c shall ensure that all information relevant to the personal safety of protection prisoners or the control risk they present is made available to him before he takes them under his charge” referred to in Appendix I.*

8.5 I set out hereunder relevant extracts from the Service Level Agreement referred to in paragraph 8.2 and **Appendix B:-**

- *“PSEC shall have a duty of care and will ensure that appropriate procedures are developed, enacted and in place under this agreement to assess risk, manage, and maintain Health and Safety provisions and good hygiene in compliance with legislation and good practice across its activities” referred to in Article 2.3.1.*
- *“PSEC, the Prisons and the IPS shall review and rationalise the current Prisoner Profile Form with the intention to create a standardised Prisoner Escort Record (hereinafter referred to as the “PER”) form for use by PSEC and the Prisons” referred to in Article 2.5.1.*
- *“The PER will provide PSEC staff with all relevant information regarding the Prisoner under escort” referred to in Article 2.5.2.*
- *“A copy of the completed PER will remain with the prison” referred to in Article 2.5.4.*
- *“PSEC shall complete a security and risk assessment of each individual Prisoner taking into account the circumstances of the escort, previous Prisoner history, information received from the Prisons and other relevant information available to PSEC to determine and ensure the appropriate staffing levels for each type of escort” referred to in Article 4.1.2.*
- *“The Prisons will ensure that all known relevant information is provided to PSEC on the PER and if necessary bring to the attention of PSEC the latest*

information in relation to any risk of violence, self harm or escape” referred to in Article 4.1.5.1.

- *“PSEC shall provide sufficient staff at each court taking account the following, at minimum:*

The physical security of the court room

The physical structure of court buildings and security risks present.

The nature and extent of escort and other related tasks to be undertaken within and around the premises by PSEC

Types of special risk (escapee, self harm) etc.

Intelligence information provided by the Gardaí or the Prisons.

The nature of the hearing.

The level of media interest: and,

The character and demeanour of accused” referred to in Article 4.3.5.

- *“PSEC shall, as a minimum: be responsible to the Prisons for the health and safety of the prisoner” referred to in Article 4.4.2.*
- *“Prisoners who have been identified to PSEC staff as being at risk of self harm or suicide shall be dealt with in accordance with standard policies and procedures” referred to in Article 5.3.1.*
- *“PSEC shall ensure that the management and operation of court cells takes account of the separation requirements of various types of Prisoner by special needs, gender and/or offence” referred to in Article 5.4.1.*

Chapter 9

Findings

- 9.1 Mr. Rogers was a high profile prisoner, whose mental health vulnerability between the time of his arrest and his committal to prison was clearly identified.
- 9.2 Within the prison he was considered a vulnerable prisoner. This was his first time in prison, he had been charged with murder and he faced a significant sentence.
- 9.3 The prosecuting Garda Sergeant highlighted his concerns both in Court and on delivering the prisoner to Cloverhill Prison.
- 9.4 The Committal Warrant referred to in **Appendix A** directed that Mr. Rogers receive psychiatric and medical attention while in prison.
- 9.5 The information concerning Mr. Rogers's vulnerability on the 13th December was recorded in the PRIS system in the intelligence section but not elsewhere on the system.
- 9.6 Mr. Rogers's Solicitor highlighted his concerns in Court as referred to in paragraph 5.8. He also expressed his concerns to the Prison.
- 9.7 Mr. Rogers's family were concerned about his vulnerability but apart from an undocumented telephone call by his mother in the early hours of the 14th December did not relay their concerns to anyone in the Irish Prison Service.
- 9.8 The nursing and medical staff in Reception at Cloverhill Prison and the Governor of the Prison acted on the concerns referred to at paragraphs 9.3 and 9.4 by placing Mr. Rogers in a Safety Observation Cell on D2 'Security' on the 13th December.
- 9.9 The classification of Mr. Rogers as a person at risk due to his vulnerability was not altered by any of the medical personnel at anytime between the 13th and 20th December. He was also a prisoner on close supervision.
- 9.10 The assessments carried out by the In-Reach Forensic Mental Health Team were comprehensive and were reviewed by senior staff. Following the assessments the In-Reach Forensic Mental Health Team continued the protective regime for Mr. Rogers and planned a further review to take place after his Court appearance on the 20th

December. Having conducted a comprehensive review of all records and interviewed all relevant personnel I am satisfied that the assessments were thorough and comprehensive. I agree with the conclusions drawn from such assessments.

- 9.11 Mr. Rogers was classed as ‘vulnerable/protection’ by Cloverhill Prison for the period 13th to the 20th December.
- 9.12 Between the time of his reception into Cloverhill Prison at 12.50pm on the 13th December 2011 until 9.30am on the 20th December 2011 the medical staff, the Governor and his officers acted properly and responsibly towards Mr. Rogers by identifying his vulnerability and acting accordingly.
- 9.13 When Mr. Rogers was handed over to PSEC staff, the staff interviewed stated they knew nothing about Mr. Rogers’s vulnerability. They had basic details i.e. name, photograph and that he came from D2 Landing. They recognised that a prisoner who was accommodated on D2 Landing was classed in the category of ‘vulnerable’, ‘security’ or ‘punishment’ but did not know which category Mr. Rogers belonged to.
- 9.14 Mr. Rogers’s vulnerability was known to the prison personnel in Cloverhill Prison on 20th December 2011 (see paragraph 9.12). This knowledge was not transferred by the Prison to PSEC on that date. PSEC did not enquire as to the status of Mr. Rogers on that date.
- 9.15 Mr. Rogers died following a hanging. He used a cord similar to those found in track suit trousers which was jammed in the light fitting referred to in paragraph 5.43.
- 9.16 I am unable to establish where Mr. Rogers got the ligature from.
- 9.17 PSEC had no system for identifying and risk assessing prisoners transferred to their custody.
- 9.18 As no appropriate records were kept I am unable to comment as to whether or not the SOP’s and Chiefs’ Orders, referred to in paragraph 8.4, and specifically in **Appendices C, D, E, F, H and I** were followed.
- 9.19 Mr. Rogers was not checked from 12.03pm until 12.58pm on the date of his death. This contravened Chief’s Order No. 11/2007 – Special Observation – dated 18th July 2007 referred to as **Appendix G** which states:-

“All prisoners while under escort by PSEC who are being held in a court holding cell or a Garda station cell are to be regarded as Special Observation prisoners.....These prisoners shall be checked regularly at no more than fifteen minute intervals.....This Order is to be strictly adhered to”.

- 9.20 The PSEC staff interviewed stated that they had never seen the SOP referred to at paragraph 9.19 and **Appendix G**.
- 9.21 There is no governance in place within PSEC to ensure compliance with SOP's, or Governors' or Chiefs' Orders including that all staff have knowledge that particular SOPs even exist.
- 9.22 No SOP exists within the IPS covering either the definition of or the management of vulnerable prisoners. The categorisation of prisoners as “vulnerable” is far too broad.
- 9.23 In paragraph 6.4, I have stated that the Rogers' family believed that the contents of conversations in the visiting boxes were monitored by the prison authorities. I am satisfied that, while visits are supervised conversations are not monitored, in that they take place out of earshot of the supervising officers. The family did not either collectively or individually inform the prison authorities of the contents of any conversations between them and Mr. Rogers when he allegedly stated (during visits) that it was his intention to commit suicide.
- 9.24 All telephone calls made by a prisoner in Cloverhill Prison on the prison telephone system are automatically logged and a printout of same is generated. The contents of such telephone calls are recorded and in certain cases monitored in real time.
- 9.25 In paragraph 6.5, I refer to the belief of Mr. Rogers's brother that he received a telephone call from Mr. Rogers on 19th December between 6.00pm and 7.00pm. There is no record of such a call but there is a record of a call the previous day at 5.39pm when Mr. Rogers did speak to his brother for 6 minutes. I listened to a recording of this conversation. Mr. Rogers did not directly, indirectly or by implication suggest that he was going to commit suicide and did not use the words referred to in paragraph 6.5. Mr. Rogers did speak to his mother and father at 11:49:05am on the 19th December. He did not speak to his brother during this telephone call.

- 9.26 The prison authorities acted promptly in contacting the Rogers family but they already knew of their son's death as the media had learned of same and were making enquiries in the Carrickmacross area. Understandably, this caused them great upset.
- 9.27 In paragraph 7.6, I stated that the Prisoner Profile Form created for Mr. Rogers (see **Appendix J**) included, *inter alia*, an averment that he was not suicidal. Even if this averment was correct (which it was not) this form was not seen by any PSEC officers as it was not the policy at the time to hand this form to members of PSEC when remand prisoners were being handed over by the prison to PSEC officers. Even if the Prisoner Profile Form had been seen by PSEC officers on duty it would not have absolved them of their obligations to check on Mr. Rogers every 15 minutes as referred to in paragraph 9.19.
- 9.28 The holding area and the cell accommodation in the Cloverhill Court Complex are totally inadequate for the large number of prisoners who appear in custody on a daily basis in Cloverhill Court. Despite urgings by the Irish Prison Service the issue of overcrowding was not addressed by the Irish Court Service in real terms. Prisoners' and prison officers' safety is compromised by the constant overcrowding in this area. The physical accommodation is the responsibility of the Irish Court Service (paragraph 4.24). The Irish Court Service are in dereliction of their responsibilities in this regard. The overcrowding in the Cloverhill Courthouse Complex was not a contributing factor to Mr. Rogers's death.
- 9.29 If the Service Level Agreement referred to in Paragraph 8.5 and **Appendix B** had been implemented and if its provisions had been adhered to PSEC should have known of the vulnerability of Mr. Rogers. **This finding should not be taken as an assertion that, even if PSEC had known of the vulnerability of Mr. Rogers, the tragedy would not necessarily have been averted.**

Chapter 10

Recommendations

10.1 The Recommendations contained in this Chapter fall into four distinct groups:-

The Irish Prison Service and PSEC

- 10.2 All existing relevant Standard Operating Procedures, Governors' and Chiefs' Orders must be implemented.
- 10.3 The Service Level Agreement referred in **Appendix B** should be reviewed, updated in line with national and international best practice and implemented.
- 10.4 The Irish Prison Service must ensure that Standard Operating Procedures, Governors' and Chiefs' Orders are continuously reviewed, updated (if necessary) and then implemented in order to address deficiencies such as those outlined in this Report.
- 10.5 Within PSEC Governance Structures should be developed to ensure that appropriate Standard Operating Procedures, Governors' Orders, Chiefs' Orders and a revised Service Legal Agreement are put in place. Staff should be made aware of the existence of such procedures, orders etc. and their obligations under same. Systems should be developed to audit on an ongoing basis the implementation of such procedures, orders etc.
- 10.6 Prison officers should continuously monitor those prisoners who have been assessed as presenting a significant risk of suicide or serious self harm when such prisoners are removed from prison for any purpose including attendance at Court. Appropriate Standard Operating Procedures must be put in place to deal with such eventualities.
- 10.7 Appropriate and detailed records must be maintained.
- 10.8 The Irish Prison Service should advise all staff of the need for confidentiality around serious incidents affecting prisoners and staff should be advised that breaching this confidentiality would amount to a serious breach of discipline.

The Irish Court Service

- 10.9 The Irish Court Service must take immediate steps to ensure that sufficient, adequate and appropriate cell accommodation is provided for all prisoners in custody in the Cloverhill Courthouse Complex. Ancillary appropriate accommodation for staff must also be provided.
- 10.10 The Irish Court Service must develop a protocol to provide that, in cases where the Presiding Judge directs that a prisoner is to receive psychiatric and/or medical treatment, a summary, in writing, of the reasons advanced for the making of such an order should be attached to the relevant warrant.

The Media

- 10.11 The media while exercising their public reporting mandate must always be aware of the sensitivities of families at times of tragedy. They must not add to the trauma of such persons when gathering information immediately following such an event. They must also be respectful of the obvious need for privacy of persons faced with unexpected tragedy.

General Recommendation

- 10.12 The Office of the Inspector of Prisons should be informed by the State Pathologist's Office of the preliminary findings relating to the cause of all deaths which fall to be investigated by the Inspector of Prisons as soon as possible after a post-mortem has been carried out on the same basis as such information is made available to An Garda Síochána. The rationale for this recommendation is that where the suspected cause of death is not clear time and effort could be wasted by my office in investigating avenues that are not relevant.

Appendix A

Court Warrant issued by Dundalk District Court

Dated the 13th December 2011

Remand warrant

CRIMINAL PROCEDURE ACT 1967 Form No. No. 19.1
CRIMINAL JUSTICE (MISCELLANEOUS PROVISIONS) ACT 1997
COMMITTAL WARRANT (remand)

District Court Area of Dundalk District No. 6

PROSECUTOR: The D.P.P. at the suit of Sgt. Kieran Moore

ACCUSED: Shane Rogers D.O.B 6-5-1979

ASE NO: CL/ 1332331 PULSE ID: 685962

WHEREAS the above-named accused was this day before the Court charged that Charges as per copy charge sheet (of summons(es) attached.

AND WHEREAS the hearing of the said charges has been adjourned to the sitting of the District Court on the 20 day of December, 2011 at 10.30 am/pm* under the provisions of section 5 of the Criminal Justice (Miscellaneous Provisions) Act 1997

HIS IS TO COMMAND YOU to whom this warrant is addressed to lodge the accused in the *(prison) remand institution he being a person who is not less than eighteen nor more than twenty-one years of age

there to be detained by the governor/the person in charge thereof until the above time of adjournment

- 1) Being a period not exceeding eight days from the date hereof.
- 2) ~~Being a period not exceeding fifteen days from the date hereof and this not being the occasion of the first appearance of the accused before the court.~~
- 3) Being a period exceeding 15 days but not exceeding thirty days from the date hereof, the accused and prosecutor so consenting and this not being the occasion of the first appearance of the accused before the court.

When he shall have him/her at the said sitting to be further dealt with according to law.

Dated this 13th of December, 2011.

Signed [Signature]
Judge of the District Court

To the Superintendent of the Garda Síochána at Dundalk

The Judge further directed ~~as~~ psychiatric + medical attention

CONSENT AND CONDITIONS OF RELEASE

The Court hereby consents to the above named accused being conditionally released on his/her entering into a recognisance *himself/herself in the sum of €..... *(of which €..... cash to be lodged) *and one sufficient surety in the sum of €..... (of which €..... cash to be lodged) or two sufficient sureties in the sum of €..... each (of which €..... cash to be lodged by each) and the accused is not to commit any offence *and to sign on daily/weekly at..... Garda station between..... a.m. and..... p.m.

1.
2.
3.
*And further consents that in lieu of such surety or sureties lodgement of the sum of €..... be accepted.

Dated this day of 20.....

Signed
Judge of the District Court
Warrant handed to Superintendent/Inspector at am/pm
*Delete where inapplicable †Delete where inapplicable

Appendix B

Service Level Agreement between the
Prisons and the Prison Service Escort Corps

Dated 30th September 2005

**SERVICE LEVEL AGREEMENT BETWEEN THE PRISONS AND THE
PRISON SERVICE ESCORT CORPS**

September 30, 2005.

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INTRODUCTION:

This Service Level Agreement (SLA) sets out mutual rights and obligations of the parties concerned, namely:

- Prisoner Service Escort Corps (PSEC); and
- All Prisons and Places of Detention.

DEFINITIONS AND INTERPRETATION

“Governor”, means the person who has legal custody of a Prisoner(s) as referred to in this document or as otherwise defined in the Prison Rules.

“Service” or “Services” means the service, as outlined at 1.1, to be provided by PSEC to the Prisons.

“IPS”, means Irish Prison Service.

“Manning the Dock”, means the Prison Service obligations at the Circuit and higher criminal courts.

1. PURPOSE AND IDENTITY**1.1 Purpose**

The purpose of the Prison Service Escort Corps (PSEC) is to provide a Prisoner escorting service, including inter prison escorts, planned outpatient, and in-patient, hospital escorts (conditional on the availability of resources as priority will be given to court escorts) and, where necessary, a “manning the dock” service. The PSEC will carry out its business in an effective and efficient manner with all escorts co-ordinated and properly structured.

1.2 Identity

1.2.1 The PSEC will operate on an independent basis within the Irish Prison Service.

1.2.2 PSEC will operate under the control of a Governor who will report to the Director General, and will cooperate with Governors of all Prisons and Places of Detention.

1.3 Basis of Operations

The PSEC will operate on the basis of Service Level Agreements with the Irish Prison Service, Prison Governors, Gardai and the Courts Service.

1.4 Legal Custody

The PSEC as an operational unit of the Prison Service will not at any stage take legal custody of a Prisoner in its own right. It is at all times acting in respect of a Prisoner as the agent of the Governor in whom legal custody of the prisoner is vested.

In this context any reference to “taking charge”, “care” or “escorting” of the prisoner should be construed in the same manner as if the Governor’s own staff were taking charge of a prisoner for the purposes of an escort. The working arrangements whereby PSEC will act as the agent of the Governor is set out in this Service Level Agreement.

2. PRISONER ESCORTING AND COURT CUSTODY MANAGEMENT

2.1 Escorting, Care and Effectiveness

2.1.1 PSEC shall be responsible to the Prisons for the secure escorting and well being of those persons whom the Governor has assigned the duty of escorting to PSEC in pursuance of Prisoner escorting and manning the dock procedures.

2.2 Personal Responsibility of Staff

2.2.1 PSEC shall be responsible to the Prisons for maintaining the secure escorting of Prisoners placed in its care, exercising safe working practices, maintaining standards of Prisoner care, confidentiality and impartiality at all times in its operations with Prisoners. All PSEC staff will be aware of the importance to consistently deliver, these requirements and understand their role in maintaining these aspects of service delivery under this agreement.

2.3 Health & Safety and Hygiene

2.3.1 PSEC shall have a duty of care and will ensure that appropriate procedures are developed, enacted and in place under this agreement to assess risk, manage, and maintain Health & Safety provisions and good hygiene in compliance with legislation and good practice across its activities.

2.3.2 Smoking legislation will be adhered to at all times.

2.4 Fire Precautions

2.4.1 PSEC will comply with all relevant national fire regulations and shall ensure that appropriate arrangements are developed, enacted and in place under this agreement to assess risk, manage and achieve continuous adherence to both national standards and any specific local fire safety and prevention plans across its activities, and whilst Prisoners are in its care.

These arrangements shall, as a minimum, include fire safety precautions and evacuation procedures for the vehicle fleet.

2.5 Prisoner Escort Documentation

2.5.1 PSEC, the Prisons and the IPS shall review and rationalise the current Prisoner Profile Form with the intention to create a standardised Prisoner Escort Record (hereinafter referred to as the "PER") form for use by PSEC and the Prisons.

2.5.2 The PER will provide PSEC staff with all relevant information regarding the Prisoner under escort.

2.5.3 The PER form shall also be used to record all movements of, and activities in relation to a Prisoner under escort including, but not limited to, arrival and departure times at all locations, times of visits from legal representatives, time escorted to court and returned to cell, time of departure to, and arrival at the place of custody.

2.5.4 A copy of the completed PER will remain with the Prison.

3. THE PRISONER - GENERAL PRINCIPLES

3.1.1 PSEC shall escort all male and female Prisoners and shall ensure that their treatment is within the legislative requirements and that the services provided, under escort are sensitive to the needs of each type of Prisoner.

3.1.2 Prisoners shall be handcuffed in accordance with escort guidelines, local orders and SOPs.

3.1 High Security Escorts

3.1.1 PSEC shall comply with the Prisons and IPS procedures for the identification and management of high security escorts. Requests for armed support from the Gardaí will continue to be made by the Prisons through the IPS Operations Directorate to the Garda Protection office. The Prisons will inform PSEC of the presence of armed Garda support when requesting an escort of this type.

4. PRISONER ESCORT AND COURT RESPONSIBILITIES

4.1 General

4.1.1 PSEC and Prisons shall be jointly responsible for ensuring that a comprehensive communications process exists to determine the Prisoner escort requirements from Prisons. PSEC having completed their routing and scheduling programme will advise the relevant Prisons of the Prisoner escort groupings, vehicle scheduling arrangements and arrival times no later than 16:00 hours on the preceding day.

4.1.2 PSEC shall complete a security and risk assessment of each individual Prisoner taking into account the circumstances of the escort, previous Prisoner history, information received from the Prisons and other relevant information available to PSEC to determine and ensure the appropriate staffing levels for each type of escort.

4.1.3 Prisoners must be delivered to court in sufficient time before the court sits. This will enable the formal procedures to be complied with and any necessary meetings or visits to the Prisoners by legal representatives, which are organised by prior arrangement, to take place. The latest time by which Prisoners are required to arrive at each court is as follows:

- 30 minutes before the day's proceedings are scheduled to commence in all Courts

4.1.3.1 Local arrival time requests at individual Courts will be facilitated.

4.1.4 The prisoner whilst under escort will remain in the care of PSEC staff at all times.

4.1.5 PSEC staff, upon hand-over of a Prisoner from the Prisons, must sign for the Prisoner under escort on the Prisoner Escort Record (PER) form in order to confirm they have taken responsibility for the escorting of the Prisoner. A copy of this procedure will be retained by the Prison.

4.1.5.1 The Prisons will ensure that all known relevant information is provided to PSEC on the PER and if necessary bring to the attention of PSEC the latest information in relation to any risk of violence, self harm or escape.

4.1.6 At hand-over from PSEC, the receiving Governor, or person acting on his/her behalf, must sign for the Prisoner under escort on the Prisoner Escort Record (PER) form, in order to confirm they have taken responsibility of the Prisoner. A copy of this procedure will be retained by the Prison.

4.1.7 PSEC shall record each hand-over on the PER.

4.1.8 The Prisons will notify PSEC of Court escort requirements at the earliest opportunity but no later than 15:00 on the preceding day. Late requests will only be facilitated where possible. PSEC will notify the Prisons by 16:00 of the escorts schedule. The notification will include details of each prisoner and the Court to which the prisoner is to be produced.

4.1.9 The Prisons will ensure that the Prisoner is ready for collection at the agreed time to allow delivery to the Court by the required time. The Prison will prepare a Prisoner Escort Record (PER) in respect of each Prisoner, and prepare the Prisoner's property, cash, official records and other documentation, as required, for collection by PSEC.

4.1.9.1 The Prisons shall designate a member of his/her staff to liaise with PSEC upon arrival at the Prison. This person will deal with all issues regarding the handover of prisoners to PSEC. This arrangement will also apply for Inter-Prison Escorts.

4.1.9.2 Prisoners will be formally identified to PSEC by the Prison Officer with the responsibility for Discharges at handover and likewise on arrival at Prisons, PSEC will formally identify Prisoners under escort to the Prison Officer with responsibility for Committals.

4.1.10 Prisons shall ensure that prison procedures at Main Gates, General offices, Surgeries and Reception areas operate effectively allowing PSEC to load/unload and leave the prison in the shortest possible time.

4.1.11 Prisons shall ensure that prisoners are thoroughly searched prior to handover to PSEC staff and PSEC will ensure that prisoners are searched before being placed on vehicles prior to return to Prison.

4.2 Court Escorts

4.2.1 PSEC's core tasks in relation to Prisoner escorting and management of Prisoners in court complexes will be, as a minimum, to:

- Escort Prisoners to and from prison;
- Escort Prisoners from one court to another;
- Manage Prison business in the criminal courts;
- Manage court cell activities; and
- Manage bail and discharge arrangements at Courts.

4.3 Escort of Prisoners to/from Courts

4.3.1 PSEC shall ensure that all Prisoners leave each courthouse at the earliest opportunity once the Court has dealt with their cases.

4.3.2 PSEC shall review the number of Prisoners due to be returned to Prisons on an hourly basis and take steps to ensure they are transported with due diligence. PSEC shall ensure that all Prisoners are collected from all courts for transfer to Prison within 30 minutes of receiving the final warrant of the day.

4.3.3 PSEC shall, prior to the departure of Prisoners from the Courts, advise the relevant Prison of the Prisoner details, numbers and vehicle departure and arrival times.

4.3.4 PSEC shall ensure that no Prisoner shall be released until confirmation has been received from court officials or the Prisons that it is in order to do so.

4.3.5 PSEC shall provide sufficient staff at each court taking into account the following, at minimum:

- The physical security of the court room;
- The physical structure of court buildings and security risks present;
- The nature and extent of escort and other related tasks to be undertaken within and around the premises by PSEC;
- Types of special risk (escapee, self harm), etc;
- Intelligence information provided by the Gardaí or the Prisons;
- The nature of the hearing;
- The level of media interest; and,
- The character and demeanour of accused.

4.3.6 The Prisons in association with IPS will, using the Inter-Prison transfer system, make arrangements where possible to transfer Prisoners to a Prison close to the Court in advance of a court appearance.

4.3.7 Where a prisoner has an ongoing trial it is expected that the prisoner will be returned to the local Prison at the end of each day for the duration of the trial.

4.4 Inter-Prison Transfers

4.4.1 Routine

4.4.1.1 PSEC shall collect from the holding prison all Prisoners to be escorted to another prison and, undertake the escort and hand over the Prisoner(s) to prison staff at the receiving location.

4.4.1.2 A minimum period of 48 hours notice of escort requirements will apply to routine requests.

4.4.1.3 The Prisoner's property, including valuables, warrant, operational file and medical file shall accompany the Prisoner. However PSEC may not transport prisoners property where the amount of property exceeds the volumetric capacity available.

4.4.2 Transfer of Escorting Responsibilities

4.4.2.1 PSEC shall, as a minimum:

- Ensure that the Prisoner is the person named in the warrant;
- Confirm with the holding prison that he or she is due to transfer to the receiving Prison that day;
- Be responsible to the Prisons for the safe keeping of the Prisoners' property and cash;
- Be responsible to the Prisons for the safe keeping and transportation of official records, and other documentation;

- Be responsible to the Prisons for the transportation of Prisoners;
- Account for all items received and handed over;
- Be responsible to the Prisons for the health and safety of the Prisoner; and
- Be responsible to the Prisons for the security and safe transfer of each Prisoner.
- Be responsible to the Prisons for the management of medication issues on route; and
- Be responsible to the Prisons for the care and well being of the Prisoner.

4.4.3 Where visible injuries/illness exist or the Prisoner complains of any injury or ailment at the time of hand-over, PSEC shall as a minimum:

- Make a written note of the injuries/illness on the PER and ensure that the dispatching Prison provides written confirmation of any injuries/illness that were present at hand-over; and
- Ensure that the Prisoner's fitness to travel has been determined by the dispatching Prison.

4.4.3.1 In the event of a Prisoners complaint of injury/illness or where injury/illness is visible medical intervention will be offered to the Prisoner and this will be noted in the PER.

4.4.4 If it comes to the attention of PSEC staff that a Prisoner is injured, whilst in PSEC custody, the officer in charge at the time will be responsible for reporting same to the Governor in writing and completing necessary documentation.

5. ADMISSION, INDUCTION AND RELEASE AT COURT

5.1 Prisoner Under Escort and Court Custody

5.1.1 PSEC shall ensure that the manner in which a Prisoner in their care is received and treated reflects an appropriate balance between the necessary routine and formalities that must be completed and each individual's reactions, needs and anxieties, and whether or not they have had previous experience of custody.

5.2 Admission from Bail at Court

5.2.1 PSEC shall ensure that all persons or Prisoners admitted are positively identified at the time of arrival into PSEC care to ensure that each individual Prisoner is the person named in the warrant.

5.2.2 PSEC shall as a minimum;

- Ensure that relevant and up to date court listings are available to its staff;
- Assume responsibility for the retention, safe keeping and secure management of official records, Prisoner records, and other documentation in transit and at court;
- Assume responsibility for the medical issues including a Prisoners emergency admittance to hospital;

- Account for all items received and handed over including recording and safeguarding Prisoners' property and cash.
- Be responsible to the Prisons for the Health & Safety of the individual; and
- Be responsible to the Prisons for the security and well being of each Prisoner.

5.2.3 PSEC will ensure that prisoners who have special needs will be accommodated in so far as is reasonably practicable.

5.2.4 Where any Prisoner's behaviour is giving PSEC cause for concern (whether suspected mental health or other behavioural concerns) this shall be immediately communicated to the receiving Governor.

5.3 Suicide Risk Management

5.3.1 Prisoners who have been identified to PSEC staff as being at risk of self harm or suicide shall be dealt with in accordance with standard policies and procedures.

5.3.2 PSEC's procedures and staff shall be sensitive to any change in a Prisoner's circumstances (e.g. from remand to convicted status).

5.3.3 If a Prisoner who has been identified as at risk of self-harm or suicide is ordered by the court to be detained in custody, PSEC will provide the receiving Prison with advance notification of his/her detention, in order that appropriate arrangements can be made for the Prisoner's reception and ongoing care.

5.4 Cell Allocation

5.4.1 PSEC shall ensure that the management and operation of court cells takes account of the separation requirements of various types of Prisoner by special needs, gender and/or offence.

5.5 Prisoner Release at Court

5.5.1 PSEC shall ensure that discharge procedures at court enable and verify that: the Court has completed the;

- necessary documentation authorising the Prisoner's release, and
- where so directed all instructions, written or oral, in relation to the release of a Prisoner are followed.

5.5.2 Following receipt of directions of the Court and upon confirmation that bail conditions have been met and status verified, the prisoner shall be released from custody without undue delay.

5.5.3 PSEC shall ensure that no Prisoner shall be released on the basis of incomplete or inaccurate documentation until details have been verified. PSEC shall consult Court officials and the Prison prior to any Prisoner being released in such circumstances. PSEC shall retain any document authorising such release(s) on file and provide a copy to the Prison.

5.5.4 PSEC shall ensure that prisoners are issued with property in accordance with standard procedures and that all relevant documents, receipts etc. are returned to the Prison

6. CARE AND SERVICES FOR PRISONERS

6.1 Management of Court Cells

6.1.1 PSEC shall exercise a duty of care in respect of the access and egress of prisoners onto vehicles in accordance with standard operational procedures and best practice. PSEC shall be responsible for the operation and management of cell accommodation and the supervision of prisoners in PSEC custody.

6.2 Toilet and Sanitation Facilities

6.2.1 PSEC shall ensure that Prisoners have access to toilet and sanitation facilities whilst in the court cells.

As far as reasonably practicable whilst in transit, prisoners shall be offered access to toilet facilities at intervals of no more than two and a half hours at specific secure locations.

As a minimum this shall include Prisoner access to a toilet, wash-hand basin and the necessary requisites to allow Prisoners to maintain a good standard of personal hygiene.

6.3 Drinking Water

6.3.1 PSEC will ensure that Prisoners shall have access to water on request.

PSEC shall ensure there is an adequate supply of water, appropriate to the period of time the Prisoner is in the care of PSEC.

6.3.2 As a minimum, an offer of drinking water shall be made to each Prisoner at least every 2½ hours.

6.3.3 PSEC shall ensure that the offer and availability of drinking water reflects the needs of Prisoners whose journeys commence late in the day following a court appearance, a Prisoner's medical condition or journeys which are undertaken during periods of hot weather.

6.4 Medical Care and Records

6.4.1. PSEC shall ensure that the provision of any medical care and treatment of individual Prisoners is adequately recorded on the PER. These should, as a minimum, include details of:

- Any issues regarding fitness to travel;
- Any first aid administered;
- Any use of force;
- Maternity and nursing mother care;
- Any mental health care issues;
- Any prescribed medication, its verification and management;
- Any drug and alcohol withdrawal symptoms or treatment;
- Any need for hospitalisation;
- Any medical treatment administered;
- The reporting of any medical care, or medication provided, whether at court or in transit;
- Any instance of actual or attempted self harm;
- Any instance of actual or attempted suicide; and
- Any death whilst under escort.

6.4.2 Where a Prisoner has to be hospitalised in an emergency by ambulance or otherwise, whilst under PSEC escort, the Prison will provide staff to supervise the Prisoner within 4 hours of a request being made by PSEC.

6.5 Food Services

6.5.1 PSEC shall ensure prisoners receive quality meals at appropriate intervals.

6.5.2 The meals provided shall be consistent with the standard available to prisoners in the Prisons generally.

7. SECURITY: PASSIVE AND DYNAMIC

7.1 Security Reviews

7.1.1 PSEC shall ensure that its own standards promote a strategic and proactive approach to the management of escort security.

7.1.2 PSEC shall assess, identify and manage security risks at Courts, hospitals and on vehicles, to ensure the safe escorting of prisoners at all times, to prevent escape and to protect the public.

7.1.3 PSEC's operational procedures shall place first emphasis on, and fully reflect appropriate security standards. These shall include, but not be limited to security:

- At point of hand-over from Prisons;
- At point of transfer from vehicles to the premises (Court, Gardaí, Prison or other Locations);
- During transit;
- During court cell confinement;
- During movement within court premises; and
- During court hearings.

7.2 Professional Visits to Prisoners

7.2.1 PSEC shall ensure that professional visits to Prisoners are conducted in a manner compliant with Prison Rules.

7.3 Prisoner Discipline

7.3.1 PSEC shall report breaches of Prisoner discipline in accordance with the 'The Rules for the Government of Prisons, 1947' and/or shall otherwise involve the Gardaí where required. The Prisons shall be responsible for the inquiry, adjudication and disposal of any charges raised under these rules.

7.3.1.1 Where a criminal incident is reported to the Gardaí involving a Prisoner under escort, the Prison shall be informed immediately.

7.3.2 Where a Prisoner is charged with a breach of discipline as outlined above the member of PSEC staff raising the charge shall, if required by the Governor, appear in person at any disciplinary hearing at times requested by the Governor. PSEC shall normally be provided with reasonably practicable notice of the date, time and location of any hearing.

7.3.3 PSEC shall, where required, also co-operate with, and make staff available to support, any Garda investigation and request for evidence.

7.4 Searching

7.4.1 PSEC shall establish and maintain a regime for searching (including management of strip searches) Prisoners in accordance with the Prison Rules.

7.5 Physical Restraint

7.5.1 All PSEC staff will receive appropriate training including training in appropriate C&R techniques.

7.5.2 Only C&R techniques and mechanical restraints approved by the IPS may be utilised.

7.5.3 PSEC shall record and maintain records of all instances where C&R techniques or mechanical restraints have been utilised, details of the incident (including staff and Prisoners names) and any medical reports relating to such incidents.

7.5.4 PSEC's system of recording shall be designed to withstand critical examination.

7.5.5 PSEC shall ensure that all C&R equipment is maintained in a fit and serviceable condition.

7.6 Incident Reporting & Management

7.6.1 PSEC shall ensure that a comprehensive system of incident reporting and logging (including but not limited to the incidents detailed at Table 1) is established and maintained including procedures for contacting the Prisons and the IPS.

7.6.2 PSEC shall manage any major or minor incidents of disorder that arise amongst Prisoners under their control.

7.6.3 Prisons, where possible, will supply to PSEC support and specialised staff to assist PSEC staff in the event of incidents of disorder that arise amongst Prisoners under their control.

7.6.4 PSEC shall ensure that its incident management and control system includes a requirement and obligation to gather and record intelligence during incidents and to communicate such information to the Prisons and/or the Gardaí during (ideally on a 'real time' basis as events occur) and following any incident.

7.7 Contingency Planning

7.7.1 PSEC shall prepare incident and emergency contingency plans. These shall outline the planned interventions, activities, and management control structures and mitigate any event that may disrupt the day-to-day routine or expectations of court business, custody of Prisoners in transit and Prisoner management. This shall also include contingencies for loss of court facilities, vehicle bases and vehicles.

7.8 SECURITY INTELLIGENCE (GENERAL)

7.8.1 Control of Drugs and Unauthorised Articles

7.8.1.1 PSEC shall establish appropriate operational procedures and measures to restrict and control the potential flow of illegal drugs or unauthorised articles to and via Prisoners and into Prisons.

7.8.1.2 These operational procedures shall include searching of Prisoners, and passive and dynamic security to restrict the opportunities for the movement of drugs or other unauthorised articles. Unauthorised articles shall include any item which should not be available to, or which has not been issued and authorised for a Prisoner to possess at that time and place by the Prisons or PSEC.

7.8.2 PSEC shall report all instances of suspected or actual drug-related incidents or seizures, and all finds of unauthorised articles to the Prison that day.

7.8.3 PSEC shall develop operating procedures to take cognisance for the safe return of all seized drugs, etc. to the Prison as appropriate.

8. VEHICLES

8.1 Vehicles

8.1.1 PSEC shall ensure that sufficient vehicles are available on a daily basis to allow it to discharge its obligations and fulfil the necessary arrangements for secure escorting of all Prisoners under this agreement.

8.1.2 PSEC shall ensure that any vehicle operating under the terms of this agreement is 'fit for purpose' and is compatible with the purpose for which it is intended.

8.1.3 Subject to these provisions PSEC shall be responsible for the selection of vehicle type (cellular or other vehicle types) and maintenance support & repair services (including daily and/or periodic road worthiness checks and all statutory inspections).

8.1.4 PSEC shall ensure that an appropriate fleet management system is established which records individual vehicle history including but not limited to daily and cumulative mileage, routes, details per vehicle of: maintenance, modifications, breakdown and statutory or other inspections undertaken. The fleet management records shall be available to be viewed as required.

8.1.5 PSEC shall ensure that vehicles are kept physically secure, clean and tidy (externally and internally), and hygienic (internally) at all times. This shall include, but not be limited to:

- external washing of vehicles (at intervals consistent with prevailing road conditions and vehicle usage but no less than once per week);
 - removal of rubbish (at least daily);
 - cleaning of spills or body fluids (ideally at the time and prior to that vehicle again being utilised in service), and
 - replenishment of consumable goods to support Prisoners in transit (e.g. water, sanitary products, at least daily or as required to replace items consumed).
-

TABLE 1 REPORTABLE INCIDENTS (reference 7.6.1)

The following list, which is not intended to be exhaustive, are types of incident considered to be reportable to the Prisons:

- Fire
 - Barricade
 - Hostage
 - Suicide
 - Attempted suicide
 - Concerted Disorder
 - Need for Medical Care
 - Prisoner Protest
 - Key Compromise
 - Use of Restraints
 - Need for Emergency Services (Fire)
 - Need for Emergency Services (Gardai)
 - Need for Emergency Services (Ambulance)
 - Hunger Strike
 - Escape from Escort
 - Attempted Escape
 - Self Inflicted Injury
 - Death in Custody
 - Assault on Staff
 - Assault on Prisoner
 - Release in error
 - Drugs recovered from Prisoner
 - Drugs recovered from visitor
 - Drugs recovered from cells/court area
 - Conflict with family
 - Conflict with members of the legal profession
 - Road traffic accident involving a PSEC vehicle
 - Incident in courtroom, and
 - Any other relevant matter.
-

Appendix C

S.O.P. No. 1/05

Prisoner Profile/Photo identification

Dated 28th November 2005

Prison Service Escort Corps
Cloverhill Prison
Cloverhill Road
Clondalkin
Dublin 22




Cór Coimhdeachta na Seirbhíse Príosúnachta
Príosún Chnoic na Seimre
Bóthar Chnoic na Seimre
Cluain Dolcáin
Áth Cliath 22
Facsimhír/Fax: (01) 6304805

Teileafón/Telephone: (01) 6304804
Ríomhphoist/e-mail:
info@irishprisons.ie

S. O. P. NO.1/05.

Prisoner Profile / Photo Identification.

- On commencement of duty Officer i/c. collect Prisoner Profile / Photo I.D. from the General Office of the prison concerned.
- Forward same with escort to court destination.
- Hand over correct, Prisoner and Profile / Photo ID. to Officer i/c. cell area.
- Officer i/c. cell area write up prisoners names on the white board provided.
- Take particular attention to prisoners identification, and match same with Profile / Photo ID. provided. The risk of impersonation is always present.
- On completion of business please return Profile / Photo ID. to whichever prison, along with the prisoner as directed by the courts.


Mal. Kelly. C/O.1.
28/11/2005.

Appendix D

S.O.P No. 03/2007

Searching At Court Venues

Dated 24th July 2007

(1)

S.O.P. 03/2007. **SEARCHING AT COURT VENUES.**

SUBJECT AREA: Security.

SUBJECT:

- Searching of prisoners and cells at all Courts venues.

GENERAL INFORMATION.

- Effective searching of a prisoner considerably reduces the risk of a prisoner injuring staff, inflicting harm on himself or others, damaging property or escaping from lawful custody.
- Searches must be methodical and with a minimum of two officers present at all times to prevent false allegations of misconduct, assault, or to provide evidence where an offence is disclosed with regard to property found in possession.

OBJECTIVE:

- To create a secure, safe and hygienic system for staff when searching prisoners and cells at all Court venues

RISKS:

- The danger of a needle prick from a syringe needle hidden in clothing.
- Searching procedures not being adhered to.
- Failure to detect contraband.
- Contraband concealed internally inside the body.
- Allegations by prisoners of being sexually assaulted.
- Damage to cell or cell contents.
- Cells not being examined before, during or after use.

Arrangements and Control.

Prison Reception Procedures.

- Before taking custody of the prisoner(s), the Officer i/c. Escort will confirm with the Officer i/c. Discharges that all prisoners have been identified and searched by the respective prison staff.
- Always do a Rub Down search when taking custody of a prisoner.

General.

- Every prisoner shall be searched as may be directed or required.
- The searching of a prisoner shall be conducted with due regard to decency and self respect and in a manner which is consistent with the necessity of discovering any concealed article.
- A Male Prisoner shall be searched by Male Officers, and Female Prisoners by Female Officers.

- All persons found in possession of a Mobile Phone or a component thereof (e.g. sim card) shall be dealt with under section 36 of the Prisons Act 2007.
- All prohibited articles confiscated shall be recorded and appropriate disciplinary procedures instigated.

The danger of receiving a needle prick when searching a prisoner.

- Before searching a prisoner ask him if he is carrying a syringe or is there a syringe or sharp in his clothing. There is a real danger of receiving a needle prick if clothing is handled with bare hands. If clothing has to be handled when searching, always use the needle prick gloves.
- Ask the prisoner if he has anything else to declare before commencing searching.
- Check Cell and Toilet area is secure before use.

Points to note.

- Use caution when searching a cell and never put your hand some where you cannot see e.g. under a table. To search places like this use a mirror.

Procedures for Rub Down Searching:

Inform the prisoner that you are going to perform a rub down search.

Ask the prisoner to search out his arms with their hands and fingers in an open position and their feet apart.

Starting under the hair line, rub your hands down the shoulders and out to the wrist, and then from the wrists underneath the arms down to and around the waistline. Next, using both hands simultaneously, run your hands down the inside and outside of each leg from the groin to the ankles, using a patting movement rather than a rubbing movement.

When to conduct a Rub Down search:

If deemed necessary when prisoners are attending court.

When necessary.

What to look for:

All prohibited articles.

Weapons.

Escape materials.

Drugs etc.

Where to look:

All over the body especially the midriff.

Legs.

Any bulky area.

Points to note:

Always conduct search in a discrete location.

Always a minimum of two officers present during the search.

Always inform the prisoner that you are about to conduct a rub down search.

Carry out the search as quickly and as thoroughly as possible.

(3)

Procedures for Strip Searching Male Prisoners.

- It is the upmost importance for staff to use their eyes when searching.
- When searching, unprotected hands should never be placed in areas that have not been examined with the eyes.
- Before searching a prisoner ask him if he is carrying a syringe or is there a syringe or sharp in his clothing. There is a real danger of receiving a needle prick if clothing is handled with bare hands. If clothing has to be handled when searching, always use the needle prick gloves.
- Ask the prisoner if he has anything else to declare before commencing searching.
- Ask the prisoner to remove upper clothing. Ask him to turn pockets and sleeves, etc. inside out. Replace upper clothing.
- Check hands, hair, ears, mouth and nose, etc.
- Ask the prisoner to remove his trousers to turn the pockets and legs inside out.
- Remove socks and ask the prisoner to turn them inside out.
- Tap shoes against the wall.
- Ask the prisoner to pull his underpants down to his knees and spread his feet apart.
- Visually examine the body the front and back.
- Order the prisoner to pull up his underpants.
- Ask the prisoner to show you the soles of his feet.
- Any problems during the search, request the presence of a supervisor.
- Once the search has commenced the prisoner must always be kept in sight until the strip search is completed.

When to Strip Search a prisoner:

If deemed necessary when prisoners are attending court.

When necessary.

(4)

What to look for:
All prohibited articles.
Weapons.
Escape materials.
Drugs etc.

Searching of Female Prisoners to be carried out in accordance with Prison Regulations.

Points to note:

- Always search in a discrete location.
Always a minimum of two officers present during the search.
Carry out the search as quickly and as thoroughly as possible.
- After the strip search, the area is to be checked. If items of contraband are discovered, they are to be impounded and a full report is to be made to the Governor of the circumstances of the strip search.
- Whenever a prisoner has been subjected to a strip search an incident report will be submitted by the officer conducting the search prior to the end of his tour of duty for that day showing the following information:-
 - a. Name of the prisoner.
 - b. Names of officers carrying out the search.
 - c. Any other persons present, give reasons.
 - d. Name of officer authorising the search.
 - e. The location where the search was carried out.
 - f. The reason for the search.
 - g. The result of the search.

The Assistant Chief Officer in charge shall if at all possible personally supervise all Strip Searching of Male Prisoners and countersign the entry in the Search Book.

Think Safety ! - Think Security !


M. Kelly. C/O.I.
24/07/2007.

Appendix E

General Standard Operational Procedure for Staff Performing Escort Duty with Cellular Vehicles

Undated

General Standard Operational Procedure for Staff Performing Escort Duty with Cellular Vehicles

OFFICER I/C ESCORT

The Officer I/C Escort shall be responsible for the good order and security of the escort.

The Officer I/C shall be aware of the following:

- The number and names of prisoners to be escorted
- The age, health, security category, offence, behaviour and contacts of the prisoners involved in the escort
- The risk to the public in the event of an escape
- Intelligence information known that one or more prisoners may be planning an escape attempt, or any history of escape or attempting to escape
- The notoriety of the case
- The security of the escorting vehicle
- The security of the destination of the escort
- The sex of the prisoner(s)
- The nature and purpose of the journey being undertaken

DUTIES OF THE ASSISTING OFFICER

On commencement of duty the Assisting Officer should report to the Key Room and collect the escort case containing Handcuffs and Keys, and the Escort Information Pack.

The Assisting Officer shall assist the Officer I/C with the vehicle security, defect, fuel, and health & safety checks.

The Assisting Officer shall be conversant with procedures regarding:

- Vehicle loading and unloading, including cell location
 - Breakdown or road traffic accident

- Emergencies
- Prisoner escape
- Prisoner injury or illness
- Emergency escape procedures
- Vehicle control panel (See operating manual in each vehicle)

During the journey, the Assisting Officer should monitor the demeanour of prisoners in his charge, and keep in regular contact with the driver, informing him of any unusual circumstances which may have arisen.

The Assisting Officer shall not move about the vehicle whilst it is moving.

All unscheduled stops should be reported to the relevant PSEC Base.

A professional image should be displayed to the public and others at all times.

DUTIES OF THE OFFICER DRIVING:

On commencement of duty the Escort Driver shall report to the Key Room and receive details of the allocated escort vehicle.

The Escort Driver shall collect and be responsible for the vehicle keys, route pack, vehicle log and mobile phone that should be tested before leaving the base.

The Escort Driver shall then proceed to the vehicle and carry out a thorough search and defect/damage check. Any items that could be a threat to security shall be removed, defects or damage found shall be reported immediately.

The vehicle must be checked to ensure that it has sufficient fuel to complete the journey without refuelling.

The Escort Driver must ensure that the Health & Safety equipment is in order, i.e., fire extinguishers, first aid kit and a copy of instructions re emergency procedures.

The Escort Driver must be fully conversant with the action to be taken in the event of a breakdown or road traffic accident. He should also be competent in the use of the vehicle's control panel.

During the journey, the Escort Driver shall keep in regular contact with the Assisting Officer and report any incidents or abnormalities to the PSEC base.

Whilst driving the Cab doors are to be kept locked at all times.

A professional image should be displayed to the public and others at all times.

RECEPTION PROCEDURES

On arrival at the Main Gate of a Prison, you will enter the vehicle lock, and when searched, proceed to the designated forecourt. Park the vehicle as instructed and identify yourself to the Officer I/C Discharges.

The Escort Driver and Assisting Officer will report to the Prison Reception to collect the prisoner(s) to be escorted.

Before taking custody of the prisoner(s), the Officer I/C Escort will confirm with the Officer I/C Discharges that all prisoners have been identified and searched by the respective prison staff.

The Officer I/C Escort will receive, from the Officer I/C Discharges, the following documents:

1. Copy of warrant(s)
2. Security profile (Prisoner Escort Record form when designed)
3. Any relevant medical documentation
4. Prisoner photograph (from PRIS)

The Officer I/C Escort will identify the prisoner(s) from the PRIS photograph prior to loading.

The prisoners will be handcuffed as per procedures and escorted to the vehicle.

Before leaving Reception, prisoners will be given the opportunity to use the toilet facilities.

The seating arrangements / cell allocation will be decided by the Officer I/C Escort.

N.B. NOT BY THE PRISONERS

When all prisoners are locked securely on the vehicle the escort will proceed from the prison.

If a Garda Escort is detailed to accompany the vehicle, liaise with it at the Main Gate regarding the route to be taken.

HANDCUFFING

Policy

- All prisoners must be handcuffed when leaving a prison / institution on escort
- All prisoners must be 'double-cuffed' to an officer when being moved between a PSEC vehicle and any other location. The only circumstances in which a prisoner may be 'single-cuffed' are as follows:
 1. When the hazardous nature of the route creates a risk of injury to staff or prisoners in the event of a trip or fall
 2. On medical grounds, e.g. Prisoner on crutches

Application and Removal of Handcuffs

- Apply handcuffs between the elbow and wrist bone, as near as possible to the wrist bone
- Handcuffs should be applied as tightly as possible, but without pinching the flesh or affecting the circulation
- Prisoners should present both hands to the front in 'palm to palm' position
- While fitting the 'controlling' handcuffs, a firm grip should be kept on the cuffs to ensure that the prisoner does not have the opportunity to use them as a weapon
- The 'securing' (second) set of handcuffs should first be fitted to the officer, and master-locked
- The free end of the 'securing' cuff should then be fitted to the prisoner above the 'controlling' cuff already in place
- Handcuffs should only be removed in a secure area, i.e., a holding cell, in the confines of a prison
- Where a prisoner is 'double-cuffed', remove the handcuffs between the officer and prisoner first
- The 'controlling' handcuffs may then be removed.

USE OF THE ESCORT CHAIN

The Escort Chain must be used whenever restraint is necessary but handcuffs are inappropriate.

Never remove the handcuffs to allow a prisoner to use the toilet facilities in an unsecured area without applying the Escort Chain.

The toilet area must be searched before a prisoner uses it.

Check windows carefully.

There must be sufficient officers for one to remain uncuffed and to hold keys, and to support colleagues if the escort chain is to be used safely.

For toileting purposes, the officer and the prisoner should always be of the same sex.

To stop the prisoner closing and locking the door, keep the chain between the door lock and the striking plate on the door frame.

VEHICLES

Searching

The Officer I/C Escort must ensure that the vehicle has been thoroughly searched before allowing prisoners to board. Remove any items that could be considered as a threat to the security of the escort. If in doubt contact a supervisor or PSEC base.

The Officer I/C Escort must check that the vehicle has sufficient fuel to complete the journey without refuelling.

Prisoners' Property

Do not allow prisoners to carry any items of property or clothing, or have any access to them during the journey.

Seating Arrangements

Direct the prisoner to his/her cell.

Do not allow the prisoner to choose his/her cell or seat.

When handcuffed to a prisoner, the Officer will enter the vehicle last and exit first.

Remember that prisoners are most likely to try to escape during loading and unloading from a vehicle.

UNSCHEDULED STOPS EMERGENCY PROCEDURE

Should a prisoner or member of staff become ill or find it necessary to use the toilet before the completion of a journey, the escort should proceed to the nearest Garda Station or Prison. The PSEC base should be contacted, advising them to contact the Prison or Garda Station at which you plan to make the unscheduled stop. If you do not know the location of the nearest Prison or Garda Station, then the PSEC base will advise you and give directions.

If the unscheduled stop is likely to make the escort late, ask the PSEC base to inform the court or other destination of your predicament and estimated time of arrival.

Cells should not be unlocked during a journey other than in a secure location, i.e. A Prison or at a Garda Station where Garda support is available. The PSEC base must be contacted to receive permission prior to opening a cell.

Stops for snack foods etc. are not permitted.

CONTINGENCY PLANS FOR:

1. **VEHICLE BREAKDOWN**
2. **ROAD TRAFFIC ACCIDENT**
3. **FIRE**
4. **VEHICLE ROLL**

Breakdown

If the vehicle breaks down you should contact the PSEC base who will make arrangements for the retrieval of your vehicle and onward transportation of prisoners.

Road Traffic Accident

If your vehicle is involved in a road traffic accident, the following procedures should be followed:

1. Assess the situation
2. Inform the PSEC base
3. Inform the Gardai

If you deem the situation as dangerous, i.e., passengers in danger of further injury, evacuate the vehicle as you would for normal disembarkation. If the side door is not functioning, use the rear door for exiting.

You should only use the escape hatches if both doors are unable to be opened.

Fire

If the vehicle you are travelling in is on fire the following actions must be taken:

1. Stop the vehicle
2. Evacuate the vehicle and secure the prisoners by linking handcuffs
3. Inform the Gardai and Fire Service
4. Inform the PSEC base.
5. Attempt to fight the fire if safe to do so

Vehicle Roll

If your vehicle should roll, the following actions must be taken:

1. Assess the situation
2. Inform the Gardai and Ambulance Service
3. Inform the PSEC base
4. Evacuate the vehicle using escape hatches
5. Secure the prisoners

Whilst bearing in mind the need to avert escape, remember that the preservation of life comes before preventing escapes.

Each vehicle contains an operation manual, which gives a step-by-step guide to the vehicle's general operation, control panel, cell and emergency evacuation procedures.

GENERAL AWARENESS

Pay attention when on escort duty and be aware of your surroundings including other road users. Observe the prisoners in your charge, taking into consideration:

Moods

A number of factors before, during and after an escort can lead to sudden changes of mood and a prisoner may become agitated, angry or depressed. This can apply to any type of escort.

Manipulation

The prisoner(s) may attempt to manipulate escort staff in a bid to escape.

Unusual Behaviour

Be aware of any unusual behaviour or request. Should a prisoner appear agitated, make frequent requests to visit the toilet, or be seen fiddling with clothing, look for a possible hidden motive.

Intimidation

Intimidation can come from prisoners, their families and friends or associates. If you are threatened in an attempt to gain the release of a prisoner, contact the PSEC base as quickly as possible and inform the Gardai if they are present. If you consider it necessary, the escort should be terminated and the prisoner returned to the prison.

DO NOT allow prisoners to influence decisions whilst on escort and do not take instructions en route to and from your destination.

DO NOT allow yourself to become complacent when everything appears to be going well. It is at these times that you can be conditioned into a false sense of security.

DO NOT allow prisoners to dictate on vehicle seating or cell allocation during an escort.

IN THE EVENT OF AN ESCAPE

In any situation where firearms are produced, you should consider the preservation of life more important than the security of the escort.

If a prisoner escapes, you should:

Pursue the prisoner unless this action would jeopardise the security and control of any other prisoners under escort. Do not risk losing more prisoners whilst you try to recapture the escapee.

Inform the Gardai immediately, giving the following details:

1. The name of the prisoner(s)
2. Description of the prisoner(s)
3. Clothing worn by the escapee(s)
4. Where last seen and direction of travel

Hand over Escape Pack to the Gardai (note name and number of Garda to whom you give the Escape Pack)

Inform the PSEC base who will notify the court or prison that the escort was en route to.

PROCEDURE AT COURTS

The removal of prisoners from the vehicle should not commence until the Officer I/C Escort has:

1. Informed the officer in-charge of the court of the arrival of the prisoners
2. Enquired if the officer in-charge of the court requires the prisoners off the vehicle in any particular order
3. Sought assistance from the officer in-charge of the court (if staff are available) to commence the removal of the prisoners from the vehicle
4. The security arrangements agreed on arrival at courts should also be in place when prisoners are being returned from the holding cells to the PSEC vehicle

Prior to the prisoners being removed from court to the vehicle:

1. The vehicle must be searched
2. The prisoner(s) must be 'double-cuffed'
3. Documents must be in order
4. Warrants must be valid
5. Prisoners must be identified
6. Prisoners must be searched

On return to the establishment, the Officer I/C Escort will report to the officer I/C Main Gate and confirm the prisoner names on the vehicle.

The escort will proceed to the Reception area and handover the prisoner(s) along with all relevant documentation/warrants, and receive a signature for same on the Prisoner Escort Record (PER).

VISITS AT COURT

Prisoners at court will not normally be allowed to receive social visits, unless the judge requests otherwise, and there are staff available to accommodate the visit. The Governor may direct that such a visit take place.

Visits between a prisoner and his/her legal representative must be permitted on the same basis as normal legal visits are held (i.e. The visits will be in sight but out of hearing of staff)

A prisoner must be allowed to retain his legal papers, but will not normally be allowed to receive or hand out property while at court.

TRANSFERS TO PRISONS

In addition to the documentation routine for all prisoners, the Officer I/C Escort will be in possession of the following:

1. Prisoners' cash and property
2. Prisoners' General Office file(s)
3. Prisoners' medical file(s)

The prisoners' cash and valuables will have been checked, recorded and bagged. Also the clothing and personal possessions that he/she were allowed to retain in their cell will be bagged.

At the Reception area, the PSEC vehicle will be searched after the prisoners have disembarked.

The Officer I/C Escort will be issued with receipts for the prisoners' cash and property.

The Officer I/C Escort will be issued with a body receipt for the prisoner(s) which will be returned to the General Office of the sending prison.

Appendix F

Chief's Order No. 13/'06

Re: Prisoner Security Profiles

Dated 18th July 2006

Prison Service Escort Corps
Cloverhill Prison
Cloverhill Road
Clondalkin
Dublin 22



Cór Coimhdeachta na Seirbhíse Príosúnachta
Príosún Chnoic na Seimre
Bóthar Chnoic na Seimre
Cluain Dolcáin
Áth Cliath 22
Facsimhír/Fax: (01) 6304805

Teileafón/Telephone: (01) 6304804
Ríomhphoist/e-mail:
info@irishprisons.ie

To all P.S.E.C. Staff.

Chief's Order. No. 13/'06.

Re: Prisoner Security Profiles.

- Officer i/c. escort. On arrival at your designated collection area please obtain all relevant documents from the Assistant Chief Officer i/c. committals and discharges.
- Read and examine all documents received, and in particular pay attention to prisoner security profile forms.
- If you are unhappy or unsure of any part of the security profile form that you have received from the prison please inform the Chief Officer i/c. P.S.E.C. for directions before you proceed with the escort.



Mal. Kelly. C/O 1.
18/07/2006.

Appendix G

Chief's Order 11/2007

Special Observation

Dated 18th July 2007

Prison Service Escort Corps
Cloverhill Prison
Cloverhill Road
Clondalkin
Dublin 22



Cór Coimhdeachta na Seirbhíse Príosúnachta
Príosún Chnoic na Seimre
Bóthar Chnoic na Seimre
Cluain Dolcáin
Áth Cliath 22
Facsimhír/Fax: (01) 6304805

Teileafón/Telephone: (01) 6304804
Ríomhphoist/e-mail:
info@irishprisons.ie

Chief's Order 11/2007.

Special observation

To all PSEC staff.

All Prisoners while under escort by PSEC who are being held in a court holding cell or a Garda station cell are to be regarded as Special observation Prisoners .

These Prisoners shall be checked regularly at no more than fifteen minute intervals .

This order is to be strictly adhered to.

Liam Edwards Chief Officer.

18/07/2007.

Liam Edwards clo

Appendix H

Chief's Order No. 13/'07

Dated 26th July 2007

Prison Service Escort Corps
Cloverhill Prison
Cloverhill Road
Clondalkin
Dublin 22



Cór Coimhdeachta na Seirbhíse Príosúnachta
Príosún Chnoic na Seimre
Bóthar Chnoic na Seimre
Cluain Dolcáin
Áth Cliath 22
Facsimhír/Fax: (01) 6304805

Teileafón/Telephone: (01) 6304804
Riomhphoist/e-mail:
info@irishprisons.ie

Extracts from the Escort Guidelines, - Chief's Orders, & Rules for the Government of Prisons 1947.

Chief's Order No.13/'07.

1: 5. - Before departure ensure that the prisoner has taken his breakfast and has had the opportunity to go to the toilet.

1: 9. - Ensure that the offender has been put through the proper reception procedures, searching, etc.

2: 1. - Be familiar with the use of handcuffs. An officer should have received instruction during training regarding such use. If an inexperienced officer is not satisfied that he is capable of efficiently using handcuffs he should report this fact to the Chief Officer or A.C.O. i/c. in the prison to which he is assigned. The Chief Officer/A.C.O. should arrange appropriate instruction.

2: 7. - Officers should check restraints before offenders are taken out of transport.

3: 9. - Where there is an obvious risk of escape the officer in charge should always refuse permission for an offender to go to the toilet until the escort reaches a secure facility.

4: 2. - The Officer in charge should verify before leaving the prison whether there are factors which might present a sound reason for an escape attempt - an outstanding trial for serious offences, an extradition order, etc.

4: 3. - A profile on the offender going under escort should be made available by the General Office. This includes details of committal date, remission date, details of warrants holding the offender, etc. The profile should include specific notes where special arrangements or instructions are required in the case of an offender who is an escape risk or a potential risk to prison staff or other offenders. All prisoner profiles should be endorsed by the Chief Officer.

As per Chief's Order NO. 13/06.

If you are unhappy or unsure of any part of the security profile form that you have received from the prison please inform the Chief Officer i/c. P.S.E.C. for directions before you proceed with the escort.

5: 3. - The cell or secure room should be searched and toilets, furniture, window bars, etc., should be checked.

5: 4. - Staff should maintain the utmost vigilance while offenders are on their way to Court cells or secure rooms.

7: 8. - Visits to toilets should always be adequately supervised so as to prevent escape. Toilets should be checked to ensure that they do not provide a ready means of escape and that prohibited articles are not concealed in them.

8: 1. - It should be borne in mind that the security and safety of prisoners placed in a Garda Station rests with prison service staff.

8: 6. - The offender should be checked in his cell at regular intervals.

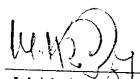
14: 2. - A request by an offender to remove handcuffs because they are "hurting him" should be very carefully considered before handcuffs are removed.

14: 4. - Requests to go to the toilet or to make a phone call frequently signal an escape attempt.

14: 5. - In the event of an escape attempt or if an escape is anticipated the Gardai and the institution should be informed by radio or telephone as soon as possible. *Inform the Chief Officer i/c. P.S.E.C. without delay.*

15: 1. - Officers should not transact private business when on escort duty.

1947: 17. - *A prisoner shall be exposed to public view as little as possible while being removed from or to prison. In order to avoid exposure while passing through the public streets, he shall, if necessary, be conveyed in a closed vehicle.*


M. Kelly. C/O.1.
26/07/2007

Appendix I

Chief's Order No. 15/'07

Re: Protection Prisoners under escort by PSEC Staff

Dated 28th September 2007

Prison Service Escort Corps
Cloverhill Prison
Cloverhill Road
Clondalkin
Dublin 22

Teileafón/Telephone: (01) 6304804
Ríomhphoist/e-mail:
info@irishprisons.ie



Cór Coimhdeachta na Seirbhíse Príosúnachta
Príosún Chnoic na Seimre
Bóthar Chnoic na Seimre
Cluain Dolcáin
Áth Cliath 22
Facsimhíir/Fax: (01) 6304805

CHIEF'S ORDER NO. 15/'07.

TO ALL P.S.E.C. STAFF.

Re: Protection Prisoners under escort by P.S.E.C. Staff.

- All Protection Prisoners under escort by P.S.E.C. staff must be treated with extreme caution.
- The Officer i/c. shall ensure that all information relevant to the personal safety of protection prisoners or the control risk they present is made available to him before he takes them under his charge.
- Where prisoners are known to be protection prisoners the Officer i/c. must ensure that at all times that they are not allowed to compromise good order and discipline, nor be put in a position where they may be in danger from other prisoners. Protection prisoners must be separated at all times from other prisoners.
- The Officer i/c. shall separate from other prisoners any prisoner at any time if there is reasonable cause to believe that the prisoner may cause a disturbance; that the prisoner's safety appears to be threatened; or that collusion between prisoners, particularly co-accused, may prevent the course of justice.
- Please be advised as per Chiefs Order 2/'06 that all Arbour Hill prisoners whilst under escort by P.S.E.C. staff are to be treated as Protection Prisoners and therefore must at all times be housed separately from all inmates from other institutions. Under no circumstances are they to come in contact with other prisoners. If there is any difficulty in this area please contact the Chief Officer i/c. P.S.E.C.

M. Kelly, C/O .I
28/09/2007

Appendix J

Mr. Roger's Prison Profile



Seirbhís
Phríosúin
na hÉireann



Cloverhill Remand Prison Escort Pack Report

Phone No: 0035316304500

*If Sentence is increased or if prisoner is remanded to another Institution or Prison,
Contact General Office or Chief Officer Before You Leave The Court House or Garda Station*

Escort Contact Phone Number:

Prisoner Number: 75718

Name: Rogers Shane

Alias:

Address: 1 Deerys Terrace,
Inniskeen,
Monaghan,
Ireland.

Height:

Weight:

Date Of Birth: 06-MAY-1979

Marks:

Tattoos:

Scars:

Next Of Kin:

Relationship:

Address:

Telephone No 1:

Telephone No 2: None Recorded

PSEC ☐ **Prison** ☐ **Gardaí** ☐ **Video** ☐ (Please tick as appropriate).

Committal Date: 13-DEC-2011

Sentence Expiry Date:

Remission Date:

Planned Court Appearance Date/s & Reason/s:

Offence(s):

Outstanding Warrant/s:

No. Of Warrants: 0

If Appealing, Warrants Appealed?

Warrant No Description

Link to Other Prisoner/Link Relationship:

Special Features (Current):

Special Features (Previous):

Intelligence Class:

Further information relates regarding intelligence check PRIS for details

Sex Offender: ☒ **N**

Suicidal: ☒ **N**

Special Instructions Regarding Use of Restraints

Cuff at all Times: ☐ *(Please tick if Required).*

Additional Information:(By Hand)

Attire on Discharge:(By Hand)

Signature of Chief Officer or Officer Acting for Him:-

_____ **Rank:** _____

