



UNIVERSAL PERIODIC REVIEW IRELAND 2016¹

Submission by the Irish Penal Reform Trust

for the 25th Session of the UPR Working Group April/May 2016

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Submitting Stakeholder: Irish Penal Reform Trust

Established in 1994, the Irish Penal Reform Trust (IPRT) is Ireland's leading non-governmental organisation campaigning for rights in the penal system and the progressive reform of Irish penal policy. Our vision is one of respect for rights in the penal system with prison as a last resort. We are committed to respecting the rights of everyone in the penal system and to reducing imprisonment. We are working towards progressive reform of the penal system based on evidence-led policies and on a commitment to combating social injustice.

IPRT publishes a wide range of policy positions and research documents; we campaign vigorously across a wide range of penal policy issues; and we have established IPRT as the leading independent voice in public debate on the Irish penal system.

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¹ 2815 words

Introduction

This response has been drafted by the Irish Penal Reform Trust. It follows up on recommendations from Ireland's first Universal Periodic Review, (referenced throughout) and raises new issues which have emerged since.

The Irish Penal Reform Trust have also contributed to the Universal Periodic Review Submission by the Irish Civil Society Coalition, *Your Rights, Right Now* for the 25th Session of the UPR Working Group April/May 2016².

106.2 & 106.3

1. Ireland signed OPCAT 8 years ago, on 2 October 2007. Although the State indicated both to UNCAT in May 2011³ and to the UPR in October 2011 that it had recently approved preparation of legislation to ratify OPCAT, the *Inspection of Places of Detention Bill* remains on the "C List" of Governments legislative schedule as "Publication Expected: Not possible to indicate at this stage"⁴.
2. In his Annual Report 2014, the Inspector of Prisons has found that in Ireland abuse of the authority invested in prison officers can manifest itself as "*bullying, intimidation, name calling, failing to act on requests, making false promises, taking actions to ensure the discomfiture of prisoners and other actions designed to denigrate the prisoners under their control*"⁵ and has instigated a cultural review of the Irish prison system.⁶
3. The Report into the Death of Gary Douch, published almost 8 years after his death in custody found that a culture of non-compliance with regulations, guidance, protocols, and orders was tolerated.⁷ Although some reform of the complaints procedure has been effected⁸, there is still no fully independent complaints mechanism (independent

² See further Prisons/Detention section (page 20) of that Report

³ Submission of IHREC (Designate), to the CPT August 2014, page 2 at footnote 1:

http://www.ihrec.ie/download/pdf/ihrec_designate_report_to_cpt_7aug14.pdf

⁴http://www.taoiseach.gov.ie/eng/Taoiseach_and_Government/Government_Legislation_Programme/Government_Legislative_Programme_Spring_Summer_2015.pdf

⁵ Annual Report by the Inspector of Prisons 2014, at paragraph 6.1, available at

<http://inspectorofprisons.gov.ie/en/IOP/Inspector%20of%20Prisons%20Annual%20Report%202014.pdf/Files/Inspector%20of%20Prisons%20Annual%20Report%202014.pdf>

⁶ See announcement of the cultural review at <http://www.inspectorofprisons.gov.ie/en/IOP/IOP-Review2015.pdf/Files/IOP-Review2015.pdf>

⁷ Report into the Death of Gary Douch Vol I Executive Summary and Recommendations

<http://www.justice.ie/en/JELR/DouchGary%20-%20Volume%201%20-%20Executive%20Summary%20&%20Recommendations%20%28PDF%20-%200507KB%29.pdf/Files/DouchGary%20-%20Volume%201%20-%20Executive%20Summary%20&%20Recommendations%20%28PDF%20-%200507KB%29.pdf>

⁸ The Inspector of Prisons outlines the changes to the complaints system here:

<http://inspectorofprisons.gov.ie/en/IOP/Inspector%20of%20Prisons%20Annual%20Report%202014.pdf/Files/Inspector%20of%20Prisons%20Annual%20Report%202014.pdf>

investigators are remunerated from the Irish Prison Service budget) and no Ombudsman for prisoners, as recommended by several international monitoring bodies including the CPT,⁹ the Special Rapporteur on the situation of human rights defenders¹⁰ and the ICCPR¹¹. The Prison Rules 2007 do not reflect the requirements of full independence.¹²

Recommendation 1: Ratify OPCAT and create an effective and independent National Preventative Mechanism to include a fully independent complaints mechanism, an Office of Prison Ombudsman and a strengthened Office of the Inspector of Prisons. Ensure that the arrangements to investigate deaths in custody meet international human rights standards, including the requirement of promptness.

106.36, 106.37, 106.38, 106.39, 106.40, 106.41, 106.44 & 106.45

4. Just last year, in 2014, the Human Rights Committee found that Ireland failed to meet the international standards under the ICCPR¹³ in respect of prison conditions. As recently as June 2015 the US Department of State described prison conditions as “*the principle human rights problem*” in Ireland.¹⁴
5. As the Thornton Hall Review Group found, the **overcrowding** problem in the prison system will not be solved solely by building more prisons¹⁵ when imprisonment continues to be overused. Despite the construction of over 900 new prison spaces since 2007, overcrowding still persists; on 2 July 2015 five prisons were at capacity¹⁶.

⁹ CPT report on visit to Ireland 2010 http://www.cpt.coe.int/documents/irl/2011-03-inf-eng.htm#_Toc284508932

¹⁰ Report of the Special Rapporteur on the situation of human rights defenders on her mission to Ireland 2012 http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-47-Add-3_en.pdf

¹¹ UN Human Rights Committee concluding observations on the fourth periodic report of Ireland 2014 http://www.ihrec.ie/download/pdf/un_hrc_concluding_observations_on_ireland_and_iccpr_24_july_2014.pdf

¹² IPRT outlines how the Prison Rules 2007 differ with international standards at section 2.1 http://www.iprt.ie/files/IPRT_Position_Paper_7_-_Complaints,_Monitoring_and_Inspection_in_Prisons.pdf

The main issues are the lack of an explicit appeals mechanism and the lack of an Independent Prisoner Ombudsman.

¹³ UN Human Rights Committee concluding observations on the fourth periodic report of Ireland, CCPR/C/IRL/2012 http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CCPR%2FC%2FIRL%2FCO%2F4&Lang=en Ireland fails to meet the international standards with regards to overcrowding, in-cell sanitation, lack of segregation between remand and convicted prisoners as well as between detained immigrants and sentenced prisoners and in the level of inter-prisoner violence.

¹⁴ US Department of State Country Report on Ireland 2014, published June 2015 <http://www.state.gov/documents/organization/236748.pdf> The main issues in the report include lack of in-cell sanitation and overcrowding.

¹⁵ Thornton Hall Review Group Report at p iii, available at <http://www.justice.ie/en/JELR/ThorntonReviewReportRedacted.pdf/Files/ThorntonReviewReportRedacted.pdf>

¹⁶ http://www.irishprisons.ie/images/dailynumbers/02_july_2015.pdf

Overcrowding persists¹⁷ - Cork and Limerick prisons were at 123% and 118% capacity respectively on the 21 September 2015 while any other prisons were operating at close to full capacity.

6. Despite the passage of the Fines (Payment and Recovery) Act 2014¹⁸ and the ongoing passage of the Civil Debt Bill **almost 9,000 people were committed to prison for failure to pay a court ordered fine** in 2014¹⁹. The Community Return Scheme is a very welcome initiative, but it is not available for prisoners serving mandatory minimum sentences.²⁰
7. While the Irish Prison Service Three-Year Strategic Plan 2012-2015²¹ aimed to end **slopping out** by 2016²², the operationalisation of this plan is behind schedule and as of July 2015, 8% of Irish prisoners are still required to slop out.²³ 37% prisoners are required to use the toilet in the presence of another²⁴. Only 55% prisoners were in a single cell with a flush toilet or had access to toilet facilities in private at all times²⁵.
8. Many commitments in the **capital plan** have not been fulfilled,²⁶ the replacement of A&B wings in Limerick prison, which was due to be completed in 2015, has not yet commenced²⁷.
9. Only 54% of prisoners are accommodated in **single cells**²⁸. While the building of the new Cork prison is very welcome, planning for increased capacity and double cell-

¹⁷ See daily prison population figures at

http://www.irishprisons.ie/images/dailynumbers/21_september_2015.pdf

¹⁸ <http://www.irishstatutebook.ie/pdf/2014/en.act.2014.0007.pdf>

¹⁹ http://www.irishprisons.ie/images/pdf/ar2014_english.pdf

²⁰ For more information on the Community Return Scheme, see the report by the Irish Prison Service and the Probation Service here

http://www.justice.ie/en/JELR/Community_Return_Study_Report_v3_9.pdf/Files/Community_Return_Study_Report_v3_9.pdf

²¹ <http://www.irishprisons.ie/images/pdf/strategicplanfinal.pdf>

²² Report on Penal Reform by the Joint Committee on Justice, Defence and Equality, published March 2013, available at <http://www.oireachtas.ie/parliament/media/Penal-Reform-Report-13-March-2013-Final.pdf> at p23.

²³ Irish Prison Service Census July 2015 http://www.irishprisons.ie/images/monthlyinfonote/jul15_incell.pdf
292 prisoners were required to slop out in direct contravention of Ireland's international human rights law obligations.

²⁴ http://www.irishprisons.ie/images/monthlyinfonote/jul15_incell.pdf

²⁵ http://www.irishprisons.ie/images/monthlyinfonote/jul15_incell.pdf

²⁶ Irish Prison Service Three Year Strategic Plan 2013-2015, Appendix VIII, Capital Expenditure Plan 2012-2016
<http://www.irishprisons.ie/images/pdf/strategicplanfinal.pdf>

²⁷ Minister for Justice, Frances Fitzgerald in a written answer no. 444 in the Dáil on 14th January 2015 stated "... final approval for the project has not yet been granted. Work is continuing on finalising the design for the redevelopment of Limerick prison." In the same answer she stated that the contract for redevelopment of Limerick prison was awarded in September 2012.

<http://oireachtasdebates.oireachtas.ie/debates%20authoring/debateswebpack.nsf/takes/dail2015011400075>

²⁸ http://www.irishprisons.ie/images/monthlyinfonote/jul15_incell.pdf

occupancy²⁹ is both regressive and contrary to international standards, including Rule 9(1) of the UN Standard Minimum Rules for the Treatment of Prisoners which stipulate that single-occupancy should be the norm³⁰.

10. 58 prisoners were on “**23 hour lockup**” in July 2015 and a further 7 were on 22 hour lock up. This represents a significant increase of 51% on April 2015 levels.³¹ It is of serious concern that the number of prisoners on “restricted regimes³²” has increased by 33% between July 2015 and April 2015. This represents an increase from 301 prisoners on “restricted regimes (April 2015) to 399 (prisoners on “restricted regimes (July 2015)³³. The most recent figures therefore suggest that almost 10% of all Irish prisoners are currently experiencing a “restricted regime”.

11. Recent cases clearly demonstrate³⁴ **lack of access to exercise, education and training** is a serious issue for already vulnerable prisoners.³⁵ In 2014 the Inspector of Prisons found prisoners in the Separation Unit existing in a state of “bored inactivity” and a “general air of neglect and decrepitude”. Prisoners expressed feelings of being “forgotten about” and “being on top of each other”.³⁶ The Inspector of Prisons has voiced concerns about the Training Unit at Mountjoy, saying that it is not being utilised to its full potential.³⁷ Of particular concern is lack of access to rehabilitation programs for prisoners under restricted regimes.³⁸

²⁹ Former Minister for Justice, Alan Shatter in a press release by the Department of Justice on announcing the building of a new prison in Cork, stated from the outset that it double cell-occupancy was planned.

<http://www.justice.ie/en/JELR/Pages/PR14000007>

³⁰ <http://www.ohchr.org/Documents/ProfessionalInterest/treatmentprisoners.pdf>

³¹ http://www.irishprisons.ie/images/monthlyinfonote/jul15_restrict.pdf

³² The restriction of a prisoner's regime means separation from the general population, or solitary confinement for long periods up time typically more than 19 hours per day.

³³ http://www.irishprisons.ie/images/monthlyinfonote/jul15_restrict.pdf

³⁴ *McDonnell v The Governor of Wheatfield Prison* [2015] IEHC 112 –

<http://www.ihrec.ie/news/2015/07/31/commission-notes-court-of-appeal-decision-in-case/>

³⁵ See judgment in *Governor of Mountjoy Prison v McDonagh*, unreported. Here the effects of a restricted regime coupled with staffing issues meant that a prisoner was spending 24 hours a day in his cell. This led him to protest his conditions with a hunger strike.

³⁶ Overview of Mountjoy Prison Campus with special emphasis on the Separation Unit by the Inspector of Prisons, Judge Michael Reilly

<http://inspectorofprisons.gov.ie/en/IOP/An%20overview%20of%20Mountjoy%20Prison%20Campus%20with%20particular%20emphasis%20on%20the%20Separation%20Unit.pdf/Files/An%20overview%20of%20Mountjoy%20Prison%20Campus%20with%20particular%20emphasis%20on%20the%20Separation%20Unit.pdf>

³⁷ See an Overview of Mountjoy Prison Campus with particular emphasis on the Separation Unit

<http://inspectorofprisons.gov.ie/en/IOP/An%20overview%20of%20Mountjoy%20Prison%20Campus%20with%20particular%20emphasis%20on%20the%20Separation%20Unit.pdf/Files/An%20overview%20of%20Mountjoy%20Prison%20Campus%20with%20particular%20emphasis%20on%20the%20Separation%20Unit.pdf>

³⁸ The Inspector of Prisons notes this issue in his Assessment of the Irish Prison System, 2013 “Those prisoners on 23hour lockup have little or no access to the school, gym etc. They cannot engage in structured activity”

<http://www.inspectorofprisons.gov.ie/en/IOP/An%20Assessment%20of%20the%20Irish%20Prison%20System%20%28PDF%20-%201.15MB%29.pdf/Files/An%20Assessment%20of%20the%20Irish%20Prison%20System%20%28PDF%20-%201.15MB%29.pdf>

See also *Mountjoy Prison v McDonagh*, unreported. Here the effects of a restricted regime coupled with

12. As a result of the continuing reservation issued by Ireland on Article 10(2) of the ICCPR, juvenile and adult prisoners and **remand and convicted prisoners** are not always segregated.³⁹

Recommendation 2: Expedite the work required to bring the prison estate into line with international minimum standards, particularly in respect to overcrowding, in-cell sanitation, use of solitary confinement, lack of segregation between remand and convicted prisoners and in respect of level of inter-prisoner violence.

106.42

13. Although the long-overdue development of a new prison in Cork is welcome, **double cell-occupancy** contravenes the UN Standard Minimum Rules.⁴⁰ The building of Cork prison will not address the position of prisoners in Portlaoise who also slop out⁴¹

106.43 & 106.46

14. Approximately 15-20 **children** continued to be detained at any one time in an adult prison at Wheatfield Place of Detention⁴².
15. Despite legislative developments to provide for remand of 17 year old boys to the child detention school at Oberstown, where the “child detention school” at Oberstown is full, small numbers of 17 year old males continue to be remanded/held at St. Patrick’s Institution⁴³.
16. While the Children Act 2001⁴⁴ does provide for alternatives to detention for children, **high rates of child remand** remain extremely concerning; in 2013, an overall total of

staffing issues meant that a prisoner was spending 24 hours a day in his cell. This led him to protest his conditions with a hunger strike.

³⁹ UN Human Rights Committee concluding observations on the fourth periodic report of Ireland, CCPR/C/IRL/2012

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FIRL%2FCO%2F4&Lang=en It is recommended that Ireland act swiftly to ensure that remand and convicted prisoners are segregated.

<https://wcd.coe.int/ViewDoc.jsp?id=955747> It is also contrary to rule 9(1) of the Standard Minimum Rules for the Treatment of Prisoners <http://www.ohchr.org/Documents/ProfessionalInterest/treatmentprisoners.pdf>

⁴¹ See Census Report for April 2015 by the Irish Prison Service

http://www.irishprisons.ie/images/monthlyinforote/apr15_incell.pdf On the 8th April 2015, thirty-six prisoners were slopping out in Portlaoise prison. These prisoners will not benefit from the building of the new prison at Cork, and will continue to slop out, in contrast with recommendations by the CPT

<http://www.cpt.coe.int/documents/irl/2011-03-inf-eng.pdf>

⁴² http://www.irishprisons.ie/images/dailynumbers/02_july_2015.pdf

⁴³ Two 17-year-olds were detained in St Patrick’s Institution and eleven were detained in Wheatfield Prison on June 18th 2015. This practice has been repeatedly condemned by the Inspector of Prisons in his 2012 report and by the Children’s Ombudsman in 2011 <http://www.oco.ie/wp-content/uploads/2014/03/St-Pats-Report.pdf> Although efforts have been made to move boys under 18 years from St Patricks, the practice continues.

⁴⁴ <http://www.irishstatutebook.ie/pdf/2001/en.act.2001.0024.pdf>

96 children were remanded in custody by the courts to the Children Detention Schools. Of these, only 26 children subsequently received a detention order, representing 27% of the total. In 2014, a total of 110 children were remanded in custody. Of these, only 49 children subsequently received a detention order, representing 45% of the total⁴⁵.

17. Recent inspections of the Children's Detention School at Oberstown have found that the children detention schools failed to meet nine of the ten standards assessed. Six standards were found to require improvement; and the failure to meet three standards was found by the inspection body HIQA to present "significant risk". These were in the areas of: **use of solitary confinement** (known as single separation), the management of medication, and staffing and training issues.⁴⁶ In one incident, a child was found to have been locked into a room for 83 hours 45 minutes over a 4 day period⁴⁷.

Recommendation 3: Ensure that no child is remanded in custody save as a measure of last resort for the shortest appropriate period of time by ensuring that appropriate alternatives to imprisonment are available as well as child centred bail supports and services

Recommendation 4: Secure the immediate transfer of children still detained in adult prison at Wheatfield Place of Detention and St. Patrick's Institution to a child appropriate facility.

Recommendation 5: Ensure that every child deprived of liberty is treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. Ensure that the new amalgamated child detention school at Oberstown guarantees at least the minimum standards of care and treatment required by international human rights law including the UN Convention on the Rights of the Child

Recommendation 6: Ensure that the Irish HIQA Standards for Inspection of child detention schools are revised promptly to reflect at least the minimum standards of care and treatment required by international human rights law including the Convention on the Rights of the Child.

106.43

18. Although the Fines (Payment and Recovery) Act 2014 has been passed, the information technology required to ensure its provisions are of tangible benefit have not been operationalised. In 2014 there were 8,979 committals to prison for non-

⁴⁵ <https://www.kildarestreet.com/wrans/?id=2015-06-09a.1401&s=children+and+remand#g1402.g>

⁴⁶ Inspection Reports available here <http://hiqa.ie/social-care/find-a-centre/childrens-centre/oberstown-campus>

⁴⁷ Ibid, see page 17

payment of a court-ordered fine.⁴⁸ The Criminal Justice (Community Service) (Amendment) Act 2011 initially saw an increase in the number of community service orders being made, but this number has dropped recently.⁴⁹ The Criminal Justice (Community Sanctions) Bill has not yet been enacted and so those who have committed minor offences cannot yet benefit from its provisions.

Recommendation 7: To enshrine the principle of prison as a last resort in legislation at the earliest opportunity

Recommendation 8: To increase and promote the use of existing alternatives to detention and to continue to legislate for additional effective alternatives to detention

Recommendation 9: To operationalize Fines Act 2014 in order to reduce the number of those committed to prison for failure to pay a court ordered fine

⁴⁸ See Annual Report of the Irish Prison Service 2014 at p 19.

http://www.irishprisons.ie/images/pdf/ar2014_english.pdf This figure represents an increase of 10.6% on the previous year. In a response to a Dáil question, Minister for Justice Frances Fitzgerald said “*The Fines (Payment and Recovery) Act 2014 represents a very significant change in the way justice is administered by the courts. As well as introducing an option for persons to pay fines by instalment, there are also changes in the way those who fail to pay fines are dealt with, as the Act provides a range of options available to judges including recovery orders, attachment of earnings, community service and ultimately imprisonment. These changes will have significant implications for agencies across the Justice sector, including the Courts and the Courts Service, An Garda Síochána, the Probation Service and the Irish Prison Service.*

The changes in processes and procedures which are required to implement the new system have to be carefully developed to ensure that the new system operates effectively and efficiently from the beginning.

Work is ongoing in preparing for the implementation of the Act. The area most directly affected by the changes is the Courts and the Courts Service is working on a number of developments which will ensure that the implementation of the legislation and the new procedures which will operate under it are as efficient as possible.

There are major changes in information technology required to ensure that the instalment payment system operates effectively and that the necessary accounting procedures are in place for the recording of payments. Changes are also required in the way that information is transferred between the Courts Service and An Garda Síochána to ensure that both organisations have fully up to date information on the cases and their current status.

The introduction of payment by instalment will increase the overall workload of processing fine payments. The Courts Service is introducing new arrangements for the payment of fines which will allow payments to be made in a range of outlets across the country, and not just through Courts Service offices. A procurement process is currently underway and contract negotiations with the preferred bidder are ongoing. The service provider will have to be in place before the new system can be fully implemented. The service provider's IT system will have to link in to the Courts Service IT system.” 26th May 2015 available at

<https://www.kildarestreet.com/wrans/?id=2015-05-26a.40&s=fines+%28payment+and+recovery%29+act#g42.r>

⁴⁹ See Irish Probation Service Annual Report 2011

[http://www.probation.ie/pws/websitepublishingdec09.nsf/AttachmentsByTitle/Probation+Service+Annual+Report+2011/\\$FILE/Probation+Service+Annual+Report+2011.pdf](http://www.probation.ie/pws/websitepublishingdec09.nsf/AttachmentsByTitle/Probation+Service+Annual+Report+2011/$FILE/Probation+Service+Annual+Report+2011.pdf) at p 39. Community Service Orders rose to 2,738 in that year. In 2014, the number of Community Service Orders made had dropped to 1,910

[http://www.probation.ie/website/probationservice/websitepublishingdec09.nsf/AttachmentsByTitle/Probation+Service+Annual+Report+2014/\\$FILE/Probation+Service+Annual+Report+2014.pdf](http://www.probation.ie/website/probationservice/websitepublishingdec09.nsf/AttachmentsByTitle/Probation+Service+Annual+Report+2014/$FILE/Probation+Service+Annual+Report+2014.pdf) at p 57.

107.39

19. Although Action 5 of the *Irish Prison Service and Probation Service Joint Strategic Plan* is concerned with alternatives to custody for **women offenders**⁵⁰, the proportion of women committed to prisons has increased dramatically, and is usually for non-violent offences, such as non-payment of fines.⁵¹
20. There is serious overcrowding in the Dóchas Centre⁵², which leads to a number of negative outcomes for women prisoners,⁵³ and precludes the possibility of achieving the aims of the *Joint Women's Strategy*.⁵⁴
21. Little has been done to implement the recommendations set out in the Strategic Review of Penal Policy, and with the failure to properly implement the Fines (Payment and Recovery) Act 2014, the issue of overcrowding continues to present a significant breach of human rights for women in detention.

Recommendation 10: To review the Irish penal system system to assess to what extent it currently reflects the requirements of the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders [Bangkok Rules] and to ensure that “An Effective Response to Women who Offend” Joint Probation Service – Irish Prison Service Strategy 2014 – 2016 is fully resourced and operationalised at the earliest opportunity

Recommendation 11: In line with Rule 45 of the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders [Bangkok Rules] to utilize options such as home leave, halfway houses and community-based programmes and services to the maximum possible extent for women prisoners, to ease their transition from prison to liberty, to reduce stigma and to re-establish their contact with their families at the earliest possible stage.

⁵⁰ See the Joint Strategy here:

[http://www.pprobation.ie/pws/websitepublishingdec09.nsf/AttachmentsByTitle/Joint+IPS+and+PS+Strategy+2013-2015/\\$FILE/Joint+IPS+and+PS+Strategy+2013-2015.pdf](http://www.pprobation.ie/pws/websitepublishingdec09.nsf/AttachmentsByTitle/Joint+IPS+and+PS+Strategy+2013-2015/$FILE/Joint+IPS+and+PS+Strategy+2013-2015.pdf)

⁵¹ Irish Penal Reform Trust Position Paper on Women in the Criminal Justice System

[http://www.iprt.ie/files/IPRT Position Paper on Women in the Criminal Justice System.pdf](http://www.iprt.ie/files/IPRT%20Position%20Paper%20on%20Women%20in%20the%20Criminal%20Justice%20System.pdf) Women prisoners are particularly affected by poverty, abuse, addiction and responsibilities as carers.

⁵² The Strategic Review on Penal Policy notes that Dóchas Centre and Limerick Women's Prison are the two most overcrowded prisons in the State.

<http://www.justice.ie/en/JELR/Strategic%20Review%20of%20Penal%20Policy.pdf/Files/Strategic%20Review%20of%20Penal%20Policy.pdf> at p 65

⁵³ Interim Report on the Dóchas Centre by the Inspector of Prisons, Judge Michael Reilly, October 2013, Published December 2013 available at

<http://www.justice.ie/en/JELR/Report%20on%20the%20Dochas%20Centre%20101013.pdf/Files/Report%20on%20the%20Dochas%20Centre%20101013.pdf> Negative effects of overcrowding outlined at paragraph 2.10 including arguments being a constant feature, lack of privacy and services and regimes not being adequate.

⁵⁴ “An Effective Response to Women who Offend” Joint Probation Service – Irish Prison Service Strategy 2014 – 2016

<http://www.justice.ie/en/JELR/Joint%20Womens%20Strategy%20March%202014.pdf/Files/Joint%20Womens%20Strategy%20March%202014.pdf>

Recommendation 12: To progress the establishment of a female open prison as recommended by the Strategic review Group on Penal Policy and Rule 45 of the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders [Bangkok Rules] and to clarify the arrangements in place in respect to access to all reproductive medical services and to ensure these are in line with Bangkok 25(2) and 39.

ENDS