

Country Report: Ireland

The main source of information for this country report came from the Irish Prison Inspectorate reports of 2003 and 2005. The Prison Visiting Committee Reports have been criticised as 'lacking bite and being top heavy in political appointees.' However, they published 'hard hitting' reports in 2003.¹ Another very useful source was the 2002 study: 'Parents, Children and Prison, Effects of Parental Imprisonment on Children', as was an academic paper on juvenile justice. Other academic sources are quoted from various publications. The 2004 Irish Prison Service Report was used. Several newspaper articles are referred to, all from the Irish Examiner. A QCEA staff member attended the 'Sisters Inside Conference', held at Dóchas Centre, Mountjoy Prison, in 2004.

1. Introduction

The prison population was 3,279 (including ninety-two prisoners on temporary release) in April 2006, with a prison population rate of seventy-eight per 100,000 (based on an estimated national population of 4.22 million). Pre-trial prisoners accounted for 15.9 per cent of the total prison population, juveniles made up 1.7 per cent and foreign prisoners made up nine per cent. There were fourteen establishments and an occupancy level (based on official capacity) of 98.5 per cent.²

The Parole Board was set up in 2001 in order 'to review the cases of prisoners with longer term sentences and to provide advice in relation to the administration of those sentences.'³ In 2004, ten out of the forty-three prisoners referred to the board for review declined their assistance, although the reasons for this were not given.⁴

Prisoners have a statutory right to remission of one quarter of their sentence, unless this is repealed as a disciplinary measure. Temporary release may be day-to-day release (usually at the end of the sentence), full temporary release, compassionate release or release under escort.⁵

2. Women prisoners in Ireland

Profile of women prisoners

According to the International Centre for Prison Studies, women prisoners made up 3.5 per cent of the total prison population in April 2006.⁶ On any given day, there are between 100-110 women in prison in Ireland.⁷

¹ John Breslin, 'Bed Crisis Sends Mentally Ill Inmates to Jail', *Irish Examiner*, 7 May 2004 [newspaper on-line], accessed 16 April 2007, available at <http://archives.tcm.ie/irishexaminer/>

² *International Centre for Prison Studies*, World Prison Brief, Prison Brief for Republic of Ireland [on-line], accessed 16 April 2007, available at <http://www.prisonstudies.org/>

³ *The Parole Board* (Ireland Department of Justice, Equality and Law Reform), Annual Report 2004, p. 9 [on-line], accessed 16 April 2007, available at http://hrbndc.imaxan.ie/directory/news_detail.php?cat_id=&news_id=2240&pointer=0

⁴ *ibid.*, p. 15.

⁵ D. King, *Parents, Children and Prison, Effects of Parental Imprisonment on Children*, Centre for Social & Educational Research (Dublin Institute of Technology, 2002), p. 18.

⁶ *International Centre for Prison Studies*, available at <http://www.prisonstudies.org/>

A recent study on women in prison in Ireland characterised Irish women prisoners as 'young, poor and uneducated'. Almost half of the women studied were twenty-five or under and less than five per cent were over fifty. This distribution differs from that of the female population as a whole, where in 2002, some thirty-six per cent of women were under twenty-five years of age and twenty-one per cent were over fifty-five (figures for women over fifty were not available for the population as a whole).⁸

'The most striking feature of the analysis is the relatively trivial nature of the offences for which many women were imprisoned' says the author, Quinlan, who points out that most were sentenced for 'poverty crimes' with theft being the most common followed by nuisance offences⁹ and contempt of court, as well as prostitution.¹⁰ In 2002, ninety per cent of the eighty-eight women in prison in Ireland were held for shoplifting and ninety-seven per cent were held for less than a year.¹¹

A study by the Department of Justice in 1996 found that the majority of women prisoners surveyed lived in inner city Dublin and had been brought up there. Sixty-two out of 100 women surveyed in an independent study had an average of 2.7 children each. Eleven of the women had at least one child in care while children of most of the other prisoners were cared for by their family.¹² No statistics on the numbers of mothers in prison are available from the authorities.

The Irish Prison Rules (IPR) 2005,¹³ do not contain a section on women. References to women exist only for the provision of childbearing prisoners, the separation of male and female prisoners, and in relation to searching. There are no references to: women's health care (including that of pregnant prisoners); women-orientated probation and welfare support; the sanitary and hygiene needs of female prisoners; grievances of women prisoners, which may include complaints of sexual impropriety; foreign national women, juvenile women, the transport of female and pregnant prisoners; visits or contact with family.

According to the IPR, male and female prisoners should be accommodated in separate areas and should not be allowed access to areas that the opposite gender has access to at the same time. Male and female prisoners may participate in activities together with permission of the Governor.

Prisons

There are two prisons for women in Ireland, the main one is the Dóchas Centre, which is part of the Mountjoy prison complex and which came into operation in 1999. The other, Limerick, is much smaller with only twenty beds. Women may also be removed to the only secure

⁷ 'Crime Special: Poverty the Cause of Most Women's Crimes', *Irish Examiner*, 5 August 2004 [newspaper on-line], accessed 16 April 2007, available at <http://archives.tcm.ie/irishexaminer/>

⁸ *Central Statistics Office Ireland*, Population [on-line], accessed 6 October 2006, available at <http://www.cso.ie/statistics/popnbyage2002.htm>

⁹ Such as being drunk and disorderly

¹⁰ *Irish Examiner*, 5 August 2004, available at <http://archives.tcm.ie/irishexaminer>

¹¹ Ivana Bacik, speaking at Sisters Inside: Women, Prison and Human Rights, an international conference on women and prison organised by the Irish Penal Reform Trust, June 2004

¹² King, *Effects of Parental Imprisonment on Children*, p. 16.

¹³ *Rules entitled Prison Rules 2005* (to be made by the Minister for Justice, Equality and Law Reform), accessed 16 April 2007, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6DLEHL-en/\\$File/PrisonRules2005.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6DLEHL-en/$File/PrisonRules2005.pdf)
The Prison Rules are to come into force in late 2006.

psychiatric hospital, the Central Mental Hospital. This report is based on the Dóchas Centre (Dóchas means 'hope').

The Dóchas Centre holds sentenced, pre-trial, trial, debtor and foreign national adult women (aged over eighteen years).¹⁴ Most women are on short sentences and many of the women are awaiting trial.¹⁵ Foreign nationals who are refused entry into the country are also held here, often arriving unannounced and late at night. Women may be imprisoned for prostitution and for abortion, which is illegal in Ireland. Some women are held for their own protection.¹⁶

The Dóchas Centre is a closed, medium security unit designed to hold eighty-one women. The prison's vision statement reads 'We encourage growth and development in preparing a safe environment. We are committed to addressing the needs of each person in a healing and holistic way.'¹⁷ There is a female governor of Dóchas and a governor with overall responsibility for both Dóchas and Mountjoy. There are approximately ninety prison staff, most of whom are female. Overall, it is a relaxed and well-run prison without violence, although probation and welfare staff have been verbally assaulted. One newspaper reporter described the prison as 'reminiscent more of a student campus than a detention centre.'¹⁸ The Inspector commented that Dóchas is 'unique' and 'very humane in dealing with a very difficult and complicated group of people.'¹⁹ There is no segregation according to crime; 'everyone's treatment here is the same' (Prison governor).²⁰

The Centre comprises six 'houses' as well as a pre-release centre and the health unit, and there are open spaces in between where prisoners can walk. Two of the houses are drug free. There are no bars on the windows or any security apart from the entrances to the prison. Accommodation is referred to as 'rooms' not 'cells' and the prisoners are not handcuffed even when escorted to court. Prisoners are given some responsibilities in running their houses. An attempt is made to mirror conditions on the outside and staff are encouraged to wear civilian clothing.²¹

Houses are mostly two storey buildings (one has eighteen bedrooms and three storeys). One house that the Inspector visited was reported to have 'very impressive and fully equipped kitchens' (including laundry facilities), a small dining room and an upstairs sitting room with TV and video, bookshelves, etc. There is an officers' station/room off this. There are between ten and twelve bedrooms per house; each has a toilet, sink, shower, TV and a two-way intercom. The call is diverted to the central station if the officer is not available. The lock-up time varies between 19:30 in some houses to 22:00 or 00:00 in others. In several houses, offices have had to be converted into rooms, these are 'totally unsuitable' and overcrowded.

¹⁴ Irish Prisons Inspectorate, Mountjoy and Dóchas Centre, *Revisit to Mountjoy prison 25-26 January 2005* p. 6 [on-line], accessed on 16 April 2007, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/\\$File/mountjoy.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/$File/mountjoy.pdf)

¹⁵ Irish Prisons Inspectorate, Mountjoy and Dóchas Centre, *Mountjoy inspection: 20-31 January 2003*, p. 7 [on-line], accessed on 16 April 2007, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/\\$File/mountjoyprisonanddochas.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/$File/mountjoyprisonanddochas.pdf)

¹⁶ *Irish Examiner*, 5 August 2004, available at <http://archives.tcm.ie/irishexaminer/>

¹⁷ *ibid.*

¹⁸ *ibid.*

¹⁹ Irish Prisons Inspectorate, *Revisit to Mountjoy prison*, p. 37, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/\\$File/mountjoy.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/$File/mountjoy.pdf)

²⁰ *Irish Examiner*, 5 August 2004, available at <http://archives.tcm.ie/irishexaminer/>

²¹ Irish Prisons Inspectorate, *Revisit to Mountjoy prison*, pp. 74 and 77, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/\\$File/mountjoy.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/$File/mountjoy.pdf)

One of the houses, Phoenix House, functions differently and provides pre-release/temporary release accommodation for women who do not pose a security risk. It is drug-free and regular urine tests are taken. The women in Phoenix House have a key to the front door. The house contains two self-contained bedsits designed for one person; however, these were overcrowded with, at times, four women and a baby sharing a bedsit. The occupants have a key to their door. There are four other ensuite bedrooms.²²

The main problems at Dóchas are financial restraints, overcrowding, prisoners' emotional and psychological problems and drugs.

3. Contact with the outside world

Visits

Sentenced prisoners are allowed one thirty-minute visit per week. Prisoners awaiting trial are entitled to one thirty-minute visit per day. Prisoners may request an additional fifteen minute special visit per week. There is a limit of three adults per visit but no limit on the number of children. The dining hall doubles as a visiting area. Tables and chairs are fixed to the floor. Mothers are allowed contact with their children. There is a play area for children which extends outside the building and has toilet facilities. Both of these have been temporarily closed, however, due to the passing of illegal drugs. A professional childcare worker from the Mountjoy Visitors' Centre staffs the play area at weekends, when most of the visits are held.²³

There are five visiting cubicles; two have removable screens so that, during professional visits, papers can be passed between the prisoner and his/her visitor. The other three have fixed screens which do not allow any contact between the prisoner and visitor. The dining hall is covered by CCTV and is patrolled by a guard when there are visits taking place.²⁴

In general, voluntary prison visitor centres have increased in their capacity since 1994 and are jointly managed by the St. Vincent de Paul Society and the Dublin Quaker Service Committee. In 2001, there were forty-four paid staff and many volunteers. The Department of Justice financed the project for €700,000 in 2002.²⁵ In the box below are some further details of this work:

'Award for Prison Visitors Centres

The Committee and supporters of the Prison Visitors Centres Committee were delighted to be awarded one of the top prizes at the Dublin Bus Annual awards for Charities, which took place in July 2005 at Jury's Hotel, Ballsbridge. Both the Minister for Transport, Martin Cullen, and the Chairman of CIE, John Lynch, were present for the occasion. The Award honours the almost ten years of voluntary work by the Committee, which is managed jointly by the Society of St. Vincent de Paul and the Religious Society of Friends.

The need for this work was identified by the experiences of families visiting prisoners in the Maze and Magaberry prisons in Northern Ireland during the 1980s. It was realised that the families of prisoners were one of the most deprived sections of our community. Both spouses and children suffer greatly from the loss of the breadwinner and from the stigma attached to being a prisoner family. In many cases, their suffering is more than that of the prisoners themselves.

²² *ibid.*, p. 96.

²³ King, *Effects of Parental Imprisonment on Children*, p. 18.

²⁴ Irish Prisons Inspectorate, *Mountjoy inspection*, pp. 90 and 91, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/\\$File/mountjoyprisonanddochas.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/$File/mountjoyprisonanddochas.pdf)

²⁵ 'Visitors' Centres at Prisons', *The Friendly Word*, Vol. 18, Issue 6, December 2001

The work started with a cup of tea and a listening ear by volunteers, members of the two Societies, but rapidly grew into full-time work with purpose built centres at Mountjoy and Cloverhill prisons. These centres, financed largely by the Department of Justice through the Prison Service, have been a model of care and have been visited by experts from overseas. They are a tribute to the work of the two Societies and to the caring attitude of the Department of Justice, the Prison Service and their officials. In the region of 8000 adults and children pass through the Centres each month.

The €5000 prize money will be used to provide extra fun and facilities for the children during the coming Christmas and Easter holidays.²⁶

In 2002, three of the five women surveyed expressed positive views about visiting arrangements; one respondent said it looked less like a prison which made it easier for children.²⁷

4. Motherhood in prison

Babies in prison

According to the Irish prison rules 2005²⁸, female prisoners may keep their baby in prison with them until they are one year old, whether or not they give birth while in custody. The reason given is to facilitate breast-feeding. A child may remain in custody longer under 'special circumstances'. Children may be separated from their mother before the age of one upon the order of a court or if the mother of the child consents. In the latter case, babies are to be removed 'at the direction of the Governor, only after the prison doctor, and such other health care professionals as the Governor or prison doctor considers appropriate, have been consulted.' A mother in prison may have extra 'provision of articles or food' for her child. Before a child leaves prison, with or without his/her mother, the Governor shall 'ascertain...the appropriate placement for the care of the child.'

Children on the outside

An Irish study that included interviews with five mothers and twenty-one fathers in prison revealed that seventeen (65.4 per cent) of them had not been asked whether or not they were parents on admission to prison; five (19.2 per cent) of them had been asked; whilst four (15.4 per cent) said they could not remember. 'Some people in here, they don't treat you like you're a mother. They forget. You're treated more like a number or something' said one female prisoner. Eighteen of the twenty-six surveyed prisoners (male and female) had had time to make arrangements for the alternative care of their children. In most of these cases, the children had been living with both parents and the other parent had become the sole caregiver. Thus, the number of prisoners able to make alternative care arrangements would probably be much lower if only women were surveyed, since women are more likely to be single carers. None of the children of the five women surveyed were now living full-time with their fathers. One mother said she had not had time to make alternative arrangements and her mother had been forced to step in or the child would have been taken into care. Out of a total of fifty-seven children included in the study, eight had been living with one or two parents and were no longer, causing a major upheaval in a child's life. Two mothers said their children

²⁶ Text is from the website of Irish Quakers [on-line], accessed 6 October 2006, available at <http://www.quakers-in-ireland.ie/principles/faithact.htm#IQFA>

²⁷ King, *Effects of Parental Imprisonment on Children*, p. 29.

²⁸ *Prison Rules 2005*, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6DLEHL-en/\\$File/PrisonRules2005.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6DLEHL-en/$File/PrisonRules2005.pdf)

were in foster care, two mothers said their children were being cared for by grandparents and one mother said her children were being cared for by both the father and another relative. This is very different to the twenty-one male prisoners' children who were mostly looked after by their mothers with only three exceptions.²⁹

In talking about relationships with their young children, one mother said 'she doesn't really know me'. Another said that, although her daughter was young, she still knew who she was and referred to her as her mother, but the child 'couldn't even speak when I was getting locked up. You know, now she's able to speak and walk...I missed out on all that.' A woman prisoner said her imprisonment had had a big impact on her daughter: when she eventually settled down with her new caregivers, her behaviour with her mother changed 'When she comes up here, she just doesn't want to do anything. She's different. When I phone, like, I can hear her in the background. She can talk and all, but she won't say anything when she comes up here.' Another mother said of her daughter 'she is probably thinking 'what did I do?' you know, all that kind of thing in her head...I reckon she'd be thinking 'What have I done wrong? Why aren't I with my mammy?' One mother said 'she couldn't mess up again' or she would lose her children for good. Another said she needed to get out and spend time with her children or it would be too late to have any relationship with them.³⁰

Parenting courses were run at both Mountjoy and the Dóchas Centre. These were successful in the men's prison but in the women's prison this gave rise to so many difficult issues that counselling was not available to cover them. Parenting classes were simply stopped for women.³¹ This is astonishing and shows a total lack of response to the real needs of women.

5. Health

According to an international survey conducted in 1999, the number of Irish female prisoners reporting 'very good' or 'excellent' health was just sixteen per cent.³² A 2001 study revealed that female prisoners had rates of hepatitis B at twelve per cent, hepatitis C at forty-two per cent and HIV at two per cent, all slightly higher than the male prison population.³³

According to the 2003 report, the surgery and waiting area in Dóchas centre are spacious, bright and clean. The pharmacy was described as excellent and one of the rooms viewed was reported to be bright and comfortable.³⁴

In the health care unit, located directly over the medical unit, there are four ordinary rooms and three 'cladded' rooms. The 'cladded' rooms (which have alarms installed) were initially intended to be used solely for women on medical supervision, but are now used as ordinary accommodation due to overcrowding.³⁵ The local branch officer of the Prison Officers' Association (P.O.A) (Dóchas) said that the health care unit is overcrowded with sometimes up to five people per room.³⁶

²⁹ King, *Effects of Parental Imprisonment on Children*, pp. 26 & 27.

³⁰ *ibid.*, chapter five.

³¹ *ibid.*, p. 32.

³² *Healthcare Study of the Irish prison population (HIPP)*, Summary [on-line], accessed on 16 April 2007, available at www.hipp-europe.org/resources/internal/Irish-prisons/0020.htm

³³ King, *Effects of Parental Imprisonment on Children*, p. 17.

³⁴ Irish Prisons Inspectorate, *Mountjoy inspection*, p. 80, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/\\$File/mountjoyprisonanddochas.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/$File/mountjoyprisonanddochas.pdf)

³⁵ *ibid.*, p. 91.

³⁶ *ibid.*, p. 87.

A doctor attends the centre every day and a community nurse attends for six hours every week. The health care team (including the probation and welfare officer) meet every Wednesday morning. There are five nurses and one medical orderly attached to the medical unit. Other medical professionals, such as a dietician, optician, etc. are brought into the centre as required and, when the need arises, the prisoners are referred to outpatient facilities.³⁷

Between 2003 and 2005, a dental area was established which was described as 'well equipped' by the Inspector in his 2005 report. On the same visit, a nurse told the Inspector that it is difficult to get nurses to come and work in prison as there are no chances of promotion and it is seen as a 'dead-end job'.³⁸

Meals are eaten in a bright communal dining room, which is unusual, as in most Irish prisons prisoners eat alone in their cells. There is a self-service buffet of hot and cold food, and special diets and vegetarian diets are catered for. The menu is on a twenty-eight day cycle. Prisoners work in the kitchen and automatically follow an in-house certificated catering course. The kitchen has won several awards for excellence and the Inspector was very impressed by the high standard. As in many prisons, the evening meal is very early (16:30-17:15) so that there are only three hours between lunch and dinner.³⁹

Mental health

The Governor believes that female prisoners have more problems than their male counterparts with abuse, partners and children, and that women prisoners had more problems with childcare and homelessness.⁴⁰ Many of the prisoners have experienced physical and sexual abuse.⁴¹ There are three welfare and probation officers attached to the centre, they are overworked and so prison officers also undertake this work at times.⁴² Probation and welfare staff would like to spend more time addressing offending behaviour.⁴³ The Inspectorate was of the opinion that there was sufficient staffing but that roles should be more clearly defined.⁴⁴ There is some bullying amongst prisoners around sexual orientation.⁴⁵ More resources are needed for treating the mental health of prisoners.⁴⁶ There is now a permanent full-time psychologist who is 'badly needed'.⁴⁷ A rape counsellor comes in once a week which welfare officers say is not enough.⁴⁸ The prison chaplains say that the support they can provide is inadequate and that, although the courts may recommend treatment, it is not available in prisons.⁴⁹

³⁷ *ibid.*, p. 77.

³⁸ Irish Prisons Inspectorate, *Revisit to Mountjoy Prison*, p. 35, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/\\$File/mountjoy.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/$File/mountjoy.pdf)

³⁹ Irish Prisons Inspectorate, *Mountjoy inspection*, pp. 97-98, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/\\$File/mountjoyprisonanddochas.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/$File/mountjoyprisonanddochas.pdf)

⁴⁰ *ibid.*, p. 78.

⁴¹ *ibid.*, p. 86.

⁴² *ibid.*, p. 78.

⁴³ *ibid.*, p. 82.

⁴⁴ *ibid.*, p. 86.

⁴⁵ *ibid.*, p. 83.

⁴⁶ *ibid.*, p. 85.

⁴⁷ Irish Prisons Inspectorate, *Revisit to Mountjoy Prison*, p. 33, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/\\$File/mountjoy.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/$File/mountjoy.pdf)

⁴⁸ Irish Prisons Inspectorate, *Mountjoy inspection*, p. 85, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/\\$File/mountjoyprisonanddochas.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/$File/mountjoyprisonanddochas.pdf)

⁴⁹ *ibid.*, p. 86.

In 2004, prison doctors went on strike, partly due to lack of support by management.⁵⁰ The Inspectorate of the Irish prison service commented that ‘many of the women with psychiatric problems should not be in prison; possibly it may cause them further mental deterioration.’⁵¹

Substance addiction

In 2004, between seventy and ninety per cent of the prisoners were addicted to drugs or alcohol.⁵² Detox and methadone maintenance programmes are an essential part of the prison doctor’s referral service⁵³ and, in 2003, approximately thirty per cent of the prisoners were on methadone maintenance. In 1996, fifty-seven per cent of women at Dóchas had used heroin at some time in their lives.⁵⁴ Illegal drugs are frequently smuggled into the centre; cannabis is the most common drug smuggled. Officers describe illegal drugs as ‘rampant’ and are unsure what to do when they see drugs being passed. The desire for smuggled drugs gives rise to bullying.⁵⁵

Alcoholics Anonymous and Narcotics Anonymous Counsellors are used within the centre⁵⁶ and a drug counsellor comes in for one afternoon session per week.⁵⁷ Two of the houses are drug-free houses and anyone found breaking this rule is demoted to another house.⁵⁸ Random searches are carried out and prisoners who have received illegal drugs may only see visitors when separated from them by a screen.⁵⁹

6. Education, work and training

The 2004 Annual Report of the Irish Prison Service showed that, during the course of the year, approximately eighty-two per cent of women attend classes and, out of these, fifty-eight per cent attended for ten or more hours per week.⁶⁰ The Inspector said there is “some effort, but not nearly enough” to provide purposeful activity.⁶¹ In 2003, the Inspectorate commented on good educational facilities, such as the computer rooms, gym and the kitchen where catering is taught.⁶² One newspaper journalist described the classrooms for hairdressing and computing as “state-of-the-art”.⁶³ However, of the twenty-three subjects on offer none are distinctly academic, unlike in the men’s prison. This may be due to women’s shorter sentences. Only one

⁵⁰ *Irish Examiner*, 7 May 2004, available at <http://archives.tcm.ie/irishexaminer/>

⁵¹ *ibid.*

⁵² *Irish Examiner*, 5 August 2004, available at <http://archives.tcm.ie/irishexaminer/>

⁵³ *ibid.*

⁵⁴ Irish Prisons Inspectorate, *Revisit to Mountjoy Prison*, p. 33, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/\\$File/mountjoy.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/$File/mountjoy.pdf)

⁵⁵ Irish Prisons Inspectorate, *Mountjoy inspection*, pp. 78, 83 and 88, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/\\$File/mountjoyprisonanddochas.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/$File/mountjoyprisonanddochas.pdf)

⁵⁶ *ibid.*

⁵⁷ *Irish Prison Service*, Annual Report 2004, p. 45 [on-line], accessed on 16 April 2006, available at <http://www.irishprisons.ie/publicationsItem.asp?pubID=22>

⁵⁸ Irish Prisons Inspectorate, *Mountjoy inspection*, p. 77, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/\\$File/mountjoyprisonanddochas.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/$File/mountjoyprisonanddochas.pdf)

⁵⁹ *ibid.*, p. 88.

⁶⁰ *Irish Prison Service*, p. 45, available at <http://www.irishprisons.ie/publicationsItem.asp?pubID=22>

⁶¹ Irish Prisons Inspectorate, *Revisit to Mountjoy Prison*, p. 37, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/\\$File/mountjoy.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/$File/mountjoy.pdf)

⁶² Irish Prisons Inspectorate, *Mountjoy inspection*, p. 80, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/\\$File/mountjoyprisonanddochas.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/$File/mountjoyprisonanddochas.pdf)

⁶³ *Irish Examiner*, 5 August 2004, available at <http://archives.tcm.ie/irishexaminer/>

woman per year studies for a third level degree. The outdoor pursuits are very good and include windsurfing, mountaineering, abseiling and canoeing. There are art exhibitions, debates and visiting writers. Classes include industrial cleaning, parenting, first aid, office work, baking, and hairdressing.⁶⁴ The European Computer Driving Licence is popular.⁶⁵ All new prisoners have an interview with the head teacher. Classes run for eleven months of the year. The number of women attending classes is usually between eighteen and twenty each day. In 2002, ten women sat one subject in their Junior Certificate, one woman sat one subject in the Leaving Certificate and one sat Open University exams.⁶⁶

7. Minority groups

Juveniles

In the Republic of Ireland, offending and non-offending juveniles may be held together or even with adults, thus criminalising non-offending juveniles. Thirty-four per cent of girls admitted to Oberstown Girls Centre (Detention School) were admitted for non-offending reasons. The Children's Act of 2001 abolished the imprisonment of children under eighteen years old but has yet to come into force due to the lack of secure placements. 155 juveniles were committed to prison in 2002, according to the Irish Prison Service Annual Report. The European Court of Human Rights ruled against the Irish government in 2002 for detaining a sixteen year old with serious behavioural problems.⁶⁷

On the day of the Inspector's visit, a sixteen year old girl had been sent to Dóchas by the court for a three month sentence with a note saying that she was so unruly she could not be placed in a special school with other juveniles. There was no single room available for her so she had to be placed in a room with three much older prisoners. The Governor said there was no provision for that age group within the prison nor any way of keeping her separated from other prisoners, although a single room was found for her the next day. According to the Irish High Court, as well as the 1987 and 2006 European Prison Rules, juveniles and adults should be kept separate. In October 2003, a fifteen year old was placed in the same position.⁶⁸

Foreign nationals and ethnic minorities

In one year, 305 women from thirty-one countries were imprisoned at Dóchas. The Governor was unaware of any racism on the part of staff although there is some amongst prisoners. According to the Governor, "most of the foreign nationals mix quite well with Irish prisoners

⁶⁴ Irish Prisons Inspectorate, *Mountjoy inspection*, pp. 76, 81 and 82, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/\\$File/mountjoyprisonanddochas.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/$File/mountjoyprisonanddochas.pdf)

⁶⁵ *Irish Examiner*, 5 August 2004, available at <http://archives.tcm.ie/irishexaminer/>

⁶⁶ Irish Prisons Inspectorate, *Mountjoy inspection*, pp. 81 & 82, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/\\$File/mountjoyprisonanddochas.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/$File/mountjoyprisonanddochas.pdf) (The Open University runs correspondence courses for people without former educational achievement and has a philosophy of social justice and educational opportunity. It is ranked as one of the top universities in the UK for teaching. Its qualifications are recognised throughout the world.)

⁶⁷ Mairéad Seymour, 'Transition and Reform: Juvenile Justice in the Republic of Ireland', *European Society of Criminology* [on-line], accessed 16 April 2007, available at http://www.esc-eurocrim.org/workgroups.shtml#juvenile_justice

⁶⁸ Irish Prisons Inspectorate, *Mountjoy inspection*, pp. 76 and 84, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/\\$File/mountjoyprisonanddochas.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/$File/mountjoyprisonanddochas.pdf)

and partake of the same activities”. However, it is often harder for Irish Travellers to be accepted. Non-English speakers are placed with someone who can interpret for them, if possible. Interpreters from the Department of Justice, Equality and Law Reform also help with interpretation as does the Languages Department from Dublin City University which operates a regular befriending group.⁶⁹

8. Security and punishment

The Irish Prison Rules⁷⁰ state that strip searches are allowed and ‘shall be carried out with due regard to decency, privacy and the dignity of the person being searched and at no stage shall a prisoner be left in a state of complete undress.’ Searches of prisoners by members of the opposite gender are prohibited and a minimum of two guards should be present. Searches should not be carried out in view of other prisoners and only in front of as many guards ‘as are required to ensure the effective conduct of the search and the maintenance of good order and safe and secure custody’. Guards must be of the same gender as the prisoner. If it is necessary to conduct a search in the presence of a police officer, they must be of the same gender as the prisoner. ‘Invasive searching of the orifices of a prisoner’s body’ is not permitted, unlike in many other European countries.

9. Additional information

Release

There are no halfway houses as there are for male prisoners. In light of this, female prisoners who would be suitable for such accommodation were taken for walks in the nearby mountains. Regrettably, this ceased after adverse media coverage and opposition from the local community.⁷¹

Newly discharged prisoners, without accommodation, are offered Bed & Breakfast or hostel accommodation. The Governor has a discretionary fund and so may give an additional twenty to thirty euros to departing prisoners.⁷²

The Governor said some women had refused temporary release because they had nowhere to live. The St. Vincent de Paul Society (a Catholic charity) tried to provide accommodation locally but was unable to do so due to opposition from the community.⁷³ The Governor said: “We’ve had women come back after they’ve been let out and we’ve provided them with something to eat or washed their clothes... It’s not our role, but they have nowhere to go.”⁷⁴

⁶⁹ *ibid.*, pp. 78 and 79.

⁷⁰ *Prison Rules 2005*, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6DLEHL-en/\\$File/PrisonRules2005.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6DLEHL-en/$File/PrisonRules2005.pdf)

⁷¹ Irish Prisons Inspectorate, *Revisit to Mountjoy Prison*, p. 32, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/\\$File/mountjoy.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/$File/mountjoy.pdf)

⁷² *ibid.*, p. 35.

⁷³ Irish Prisons Inspectorate, *Mountjoy inspection*, p. 76, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/\\$File/mountjoyprisonanddochas.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/$File/mountjoyprisonanddochas.pdf)

⁷⁴ *Irish Examiner*, 5 August 2004, available at <http://archives.tcm.ie/irishexaminer/>

In the south-east of Ireland, there are only six beds available to homeless women compared to 140 for men. Leaving prison is cited as one of the main causes of homelessness. The majority of services are provided by the voluntary sector.⁷⁵

Activities

In 2004, various events were arranged at Dóchas: International Women's Day was celebrated with outside guests, a mini-marathon was run by prisoners for charity, a play was performed by prisoners in the gym, there was a fashion show, a children's party and outside carol singers came in. Fourteen women took part in an International Dance Centre project.⁷⁶

Overcrowding

Overcrowding affects the whole of Dóchas prison. Prior to Christmas 2002, there had been 103 women in the centre where there should be eighty-one. At the time of the 2003 report, there were ninety-six. Three 'cladded' rooms designed for medical supervision have to be used as rooms, sometimes for three prisoners at a time; offices are also converted to rooms when needed⁷⁷ - which is almost always. Both probation and welfare officers say that there is no point creating more available space as it will be filled as soon as it has been created.⁷⁸ This is echoed by Rick Lines, director of the Irish Penal Reform Trust: "If we build a much bigger prison for women, it will be filled up with women as soon as it's built and not necessarily because of their criminal tendencies." Such overcrowding is recognised by the Irish Prison Service, hence the proposed rebuilding of the Dóchas Centre.⁷⁹

Financial constraints

In January 2005, the Governor of Mountjoy Prison (including the Dóchas Centre) said that budgetary constraints meant he had not been able to implement the recommendations made by the Inspector in January 2003. He was having great difficulty operating the prison with the overtime and budget constraints placed on him and this had had an impact on the welfare of prisoners; Wednesday visits had been cancelled to save staffing posts, workshops had been closed and other programmes reduced.⁸⁰ Thus, there was a marked deterioration in regime and services to prisoners between 2003 and 2005.

⁷⁵ Neans McSweeney, 'Only Six Beds for Homeless Women', *Irish Examiner*, 5 July 2004 [newspaper on-line], accessed on 16 April 2007, available at <http://archives.tcm.ie/irishexaminer/>

⁷⁶ Irish Prison Service, p. 46, available at <http://www.irishprisons.ie/publicationsItem.asp?pubID=22>

⁷⁷ Irish Prisons Inspectorate, *Mountjoy inspection*, p. 75, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/\\$File/mountjoyprisonanddochas.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ5XLF2S-en/$File/mountjoyprisonanddochas.pdf)

⁷⁸ *ibid.*, p. 84.

⁷⁹ Irish Examiner, 5 August 2004, available at <http://archives.tcm.ie/irishexaminer/>

⁸⁰ Irish Prisons Inspectorate, *Revisit to Mountjoy Prison*, p. 7, available at [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/\\$File/mountjoy.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ6BCHD5-en/$File/mountjoy.pdf)