

Young people in St. Patrick's Institution

Executive Summary
of a report by the
Ombudsman for Children's Office

Executive Summary

In 2007 the Ombudsman for Children commissioned research to identify the kinds of barriers facing children in the achievement of their rights. Children in the criminal justice system were identified as a group who face multiple barriers to the full enjoyment of their rights.

Under the exclusions set out in the Ombudsman for Children Act, 2002, young people under 18 detained in prison are outside the Ombudsman for Children's investigatory remit. However, the Ombudsman for Children may consult with any children and young people under 18 years of age, including those in detention. In late 2009 the Ombudsman for Children's Office commenced such a consultation with young people detained in St Patrick's Institution.

St. Patrick's Institution is a closed, medium security prison managed by the Irish Prison Service, which holds remand and sentenced young people between 16 and 21 years of age. The aims of the Ombudsman for Children's consultation with young people under the age of 18 detained in the prison included:

- To hear directly from young people about their experiences of detention there;
- To highlight young people's perspectives, including their ideas for change, as regards the regime and conditions in the Institution; and
- To facilitate due consideration, as appropriate, of the young people's views within the Institution and at national policy and political levels.

The Ombudsman for Children's Office also aimed to develop constructive working relationships with the Irish Prison Service and staff and management in St. Patrick's Institution. The Ombudsman for Children acknowledges the openness of these parties in working with her Office in the undertaking of this consultation and the preparation of this report.

Prior to commencing the consultation, the Ombudsman for Children's staff liaised with a number of key individuals and organisations with an interest and expertise in the area of child detention; met with a group of young men who had previously been detained in St. Patrick's Institution; viewed the facilities at the Institution; and

met with various members of staff in St. Patrick's. These activities and discussions enabled the Ombudsman for Children's Office to develop a greater understanding of various aspects of prison life and informed the approach taken to conducting the consultation.

Participating young people in St. Patrick's were consulted about a range of issues, which were identified with reference to national and international standards on the detention of children:

- Orientation, induction and sentence planning
- Separation from young adults (18-21 year olds detained in the Institution)
- The physical environment and accommodation
- Health care and promotion
- Education, training and recreation
- Contact with family, community and the outside world
- Protection and safety
- Disciplinary measures
- Inspections and complaints; and
- Rehabilitation and reintegration.

The young people who took part in the consultation were divided into small working groups in which they discussed these topics in regular two-hour long sessions. Recognising some of the difficulties for the young people involved, including literacy and numeracy issues, each session involved a thematic group interview and a complementary drawing session, enabling the young people to engage with many of the topics through drawing as well as discussion.

The Ombudsman for Children's report presents the findings of this consultation process and also gives a formal response from the Irish Prison Service to the issues raised in each category. The report also presents a set of recommendations for action from the Ombudsman for Children.

Among the observations and viewpoints shared by the young people about aspects of their detention in the prison were:

- Young people arriving in St. Patrick's Institution for the first time rely heavily on informal communications with their peers to find out how the prison works and what services are available to them during their detention.
- Young people under 18 are not detained separately from young adults in all cases in St Patrick's Institution.
- Conditions in the cells should be improved and young people given more support to keep their cells clean.
- The overall quantity of food as well as the quality of some of the food provided could be improved on.
- Young people should be able to shower more regularly, regardless of whether or not they use the gym.
- Young people may be reluctant to speak up if they are experiencing mental health difficulties for fear that they could be placed in the special observation cell.
- The teaching staff working in the school for young people under 18 detained in the prison are very good and the classes give young people a chance to further their education and get qualifications. However, it would be good to have access to a wider range of subjects and in particular to kinds of training currently provided in the prison's workshops for young adults.
- Young people can find aspects of screened visits frustrating, including the short duration of visits and the constraints that the screens place on physical contact and privacy. These visits can be hard for visiting family members too.
- Young people find some of the protection measures challenging: the constraints associated with being 'on protection' make it something to be avoided while young people are anxious about the special observation cell, which they experience as punitive and degrading.
- Measures to assist young people with preparing for release from St Patrick's Institution and reintegrating into their communities are inadequate.

Taking these and other views expressed by the young people into account, the Ombudsman for Children is making a number of recommendations.

These **recommendations** include:

- Develop safe, inclusive and effective mechanisms for young people to express their views and participate in appropriate areas of decision-making. Ensure young people are supported by an appropriate person to bring concerns and complaints to the attention of the authorities.
- Give serious consideration to young people's proposal about providing a one-to-one information session for all young people shortly after committal to the prison.
- Provide for staff working directly with young people under 18 in the Institution to receive initial and follow-up training in a range of areas.
- Implement measures as required to ensure that cells are adequately ventilated, appropriately heated, well lit and maintained.
- Take steps to ensure that young people's privacy is appropriately respected, including when they are in their cells. Promote respect among all staff for young people's personal belongings.
- Follow up on young people's views that waiting times for dental treatment need to be reduced.
- As required, review the quality of some of the food as well as the amount of food provided.
- Implement additional measures to encourage and support young people's self-care.
- Review the adequacy of existing preventative and remedial mental health services for young people under 18 in the Institution.
- Take additional steps to motivate young people to participate fully in education and work to extend the range of education and training opportunities provided in the Institution.
- Improve current provision in relation to recreational activities.
- Examine the scope for taking a more flexible approach to visits.
- Give serious consideration to young people's ideas for change in relation to phone calls and assess whether additional phones need to be installed in B Division.
- Implement additional measures as required to ensure that provision for young people's contact with family and the outside world complies with relevant national and international standards.

- Develop protocols between the Irish Prison Service and the HSE to ensure that child protection standards and practices implemented in the prison comply with the Children First National Guidelines for the Protection and Welfare of Children.
- As regards current provision for young people on protection:
 - assess the feasibility of improving capacity to accommodate young people under 18 on protection in B Division;
 - identify protection measures that limit the risk of secondary victimisation involved in placing victims of peer-bullying on protection;
 - ensure that access for young people under 18 to education, recreation and exercise opportunities while on protection are maximised in so far as is practicable.
- Implement measures to address the unacceptable inconsistency between the intended purpose of the special observation cell and how it is perceived and experienced by young people themselves.
- Take steps as required to provide for a standardised approach to disciplinary measures on the part of all relevant staff and communicate the details of this approach to young people.
- Take all necessary steps to ensure that the internal system for handling complaints from young people is consistent with best practice.
- Review the adequacy and appropriateness of current reintegration measures and improve current provision as required.

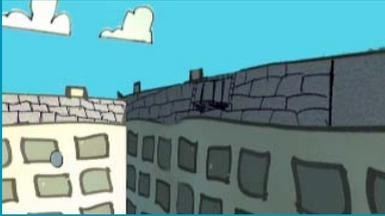
Finally, given the clear need to establish an external, independent mechanism to handle individual complaints from young people in the Institution, the Ombudsman for Children is strongly recommending – once again – that the Minister for Health and Children and the Minister for Justice and Law Reform make an order in accordance with Section 11(2)(a) of the Ombudsman for Children Act, 2002, so that the Ombudsman for Children’s Office is enabled receive complaints from young people under 18 detained in the Institution.

A full list of all recommendations can be found within the main body of the report.

The Ombudsman for Children has frequently raised concerns regarding a range of issues associated with St Patrick’s Institution and the facility has been a focus of sustained criticism at national and international level. The Ombudsman for Children’s Office welcomes the fact that the Institution will cease to operate as a place of detention for young people under 18 in 2013/2014, with the scheduled opening of phase one of a new National Children Detention Facility at Oberstown near Lusk in Co. Dublin.

In the interim, it is vitally important that necessary improvements are made in St. Patrick’s Institution so that the rights and welfare of young people detained there now and in the future are fully respected and their prospects of reintegrating into their families and communities are enhanced.

To this end, the Ombudsman for Children’s Office welcomes the efforts already made by the Irish Prison Service and St. Patrick’s Institution in response to the Office’s recommendations and looks forward to further constructive engagement with both parties in this regard.



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