

**Minister meeting with Council of Europe Secretary General Marija
Pejčinović Burić
3 May 2022**

**1. CPT Report - Treatment of mentally ill prisoners in Irish
prisons**

Background

On 24th November 2020, the Council of Europe's Committee for the Prevention of Torture (CPT) published the report of its seventh periodic visit to Ireland, which took place from 23 September to 4 October 2019.

As a follow-up to the report on the Council of Europe Committee on the Prevention of Torture (CPT), visit to Ireland in 2019 and the subsequent response by the Irish Government, the Irish Ambassador to the Council of Europe met with the President of the CPT late last year. Some key points on development in the penal policy area are provided below.

General Key Points

- The Programme for Government contains a broad range of policies and proposals that represent a coherent approach to enhancing and sustaining a more just and safe society with a specific commitment to review policy options for prison and penal reform.
- In delivering on this commitment, the Department of Justice is undertaking a number of important pieces of work that will address some of the issues considered in this report.
- The report of the cross-sectoral group tasked with undertaking a review of policy options for prison and penal reform is expected to be published shortly.
- The High Level Task Force on Mental Health which is looking at how best to care for people with mental health issues who come into contact with the criminal justice system, produced an interim report in Q4 2021 and a high level implementation plan is expected to be presented in Q2 of this year.
- Preparation of the legislation necessary to ratify the Optional Protocol to the U.N. Convention against Torture is advanced and a General Scheme of Places of

Detention Bill is expected to be published shortly, subject to Government approval. It will then be referred for drafting in the normal course.

- The important work of the Prisons Visiting Committees is recognised and the Programme for Government commits to reviewing the existing function, powers, appointment procedures and reporting processes for these Committees. A Review Team was established in September 2020 to take this commitment forward and their work is ongoing.
- Work to introduce a new Prisoner Complaints System is also ongoing and substantial work has been completed on the necessary actions to introduce this new system.

Mental Health Taskforce

- The Mental Health Taskforce was established in April 2021.
- The Taskforce has had nine plenary meetings and has established three subgroups on diversion, capacity issues in the Prison Service and National Forensic Mental Health Services, and community issues, including care after release.
- The Taskforce has engaged with a large number of relevant bodies and civil society actors, including meeting with the Mental Health Commission on 2 December 2021 and, more recently, met with the Chairperson of the National Prison Visiting Committees Chairpersons Group and with the Inspector of Prisons.
- The Taskforce submitted its interim report on 22 November 2021 and the Minister met the group before Christmas to get an update on their work.
- The work of the Taskforce is continuing and the aim is to finalise a report, including a high-level implementation plan assigning responsibility and timelines for its recommendations shortly (Q2).

Health Needs Assessment (HNA)

- The Irish Prison Service continues to work to enhance and improve its level of medical service delivery to prisoners.
- The Service has embarked on a comprehensive HNA to examine the broad range of health care services that are provided across the entire prison estate.
- Crowe Ireland were commissioned in 2019 to conduct the HNA, both for the Prison Service as a whole and for the 12 individual prisons.
- This comprehensive HNA Report has been submitted and contains 60 specific recommendations, which cover every area and aspect of Healthcare service and delivery within the Service.

- It also includes a roadmap for change to be implemented over a 2-3 year timeframe and overseen by a Project Steering Board.

Additional resources provided to address mental health challenges in our penal system

- Over €2m in additional funding was provided for the Service to improve mental health services under Budget 2022.
- This includes just over €1m for psychologists and specialist mental health nurses in prisons who can work with prisoners to address mental health issues for all categories of offender.
- It is intended to recruit additional psychologists throughout 2022.
- In addition, this year, the Service intends to increase the mental health qualifications and skills within the Service's nursing workforce through recruitment, training and development.

Optional Protocol to the UN Convention against Torture (OPCAT)

- Ireland signed the Optional Protocol to the UN Convention against Torture (OPCAT) but has yet to ratify this treaty.
- Ireland has already signed and ratified the Convention.
- The Protocol provides for the establishment of bodies known as National Preventive Mechanisms (NPMs) which would inspect facilities where people can be held involuntarily.
- The Programme for Government includes a commitment to ratify OPCAT and my Department is leading on the development of the legislation needed to facilitate the introduction of a multiple institution NPM model in this State.
- The General Scheme of the Inspection of Places of Detention Bill is currently being drafted and is expected to be submitted to Government shortly.

Developments in relation to the Central Mental Hospital.

- On-going funding in recent years for forensic mental health services has allowed for the development of the New National Forensic Hospital in Portrane and expansion of the prison in-reach services across the country.
- The new modern 170-bed hospital complex in Portrane will replace the current CMH in Dundrum which typically operates at full.
- It will include a 130-bed adult unit, a 30-bed intensive care rehabilitation unit and a 10-bed forensic child and adolescent unit.

- The opening date for Portrane remains to be clarified due to certain Industrial Relation issues which are being finalised, along with the HSE addressing construction completion matters. The estimated opening date is mid to late 2022.

