



**IPRT Submission to the Department of Justice and Equality Value
for Money and Policy Review of
Prisoner Escort Services in the Criminal Justice Sector
March 2017**

About IPRT

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 human rights in the penal system, with prison as a sanction of last resort. We are committed to respecting the rights of everyone in the penal system and to reducing imprisonment. We work towards progressive reform of the penal system based on evidence-led policies and on a commitment to combating social injustice.

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1. Introduction

IPRT welcomes the opportunity to make this submission to the present review of prisoner escort services in the Criminal Justice Sector. The need for a review of the current prisoner escort service model has previously been recommended by both national¹ and international bodies, including the Committee for the Prevention of Torture (CPT) in 2015.²

The purpose of IPRT's submission is to:

- (a.) Highlight key issues that should be examined during the review process, primarily relating to prisoner safety and well-being while under escort, drawing on an evidence base and best practice in neighbouring jurisdictions.
- (b.) Draw attention to the impact of the redeployment of prison staff as a result of Prison Service Escort Corps (PSEC) staff shortages and its negative effects on prison regimes, including access to education and training activities.

While welcoming the current review, IPRT's clear position is that any Value for Money Review of effectiveness and efficiency must, in the first instance, ensure that legal and human rights are protected, and that Ireland meets both its domestic and international obligations.

2. Role and Duties of the Prison Service Escort Corps

The Prison Service Escort Corps (PSEC) was set up in 2005 and operates independently within the Operations Directorate of the Irish Prison Service (IPS). The responsibility for the secure escorting and well-being of prisoners lies with PSEC:³

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 a priority will be given to court escorts) and where necessary a "manning the dock" service.⁴

¹ The Inspector of Prisons has previously called for the Service Level Agreement between the Irish Prison Service and PSEC to be continuously reviewed and updated in line with national and international best practice. See *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*, p.37 point 10.3: <http://www.inspectorofprisons.gov.ie/en/IOP/Report%20of%20an%20Investigation%20by%20Judge%20Michael%20Reilly%20Inspector%20of%20Prisons.pdf/Files/Report%20of%20an%20Investigation%20by%20Judge%20Michael%20Reilly%20Inspector%20of%20Prisons.pdf> The State Claim Agency's Review Group also recommended that the Irish Prison Service review the current escort model. See State Claims Agency (2016) *Review of Assaults on Operational Prison Staff by Prisoners*, p. 37, available at <http://stateclaims.ie/wp-content/uploads/2016/11/Review-of-Assaults-on-Operational-Prison-Staff-by-Prisoners-November-2016.pdf>

² See CPT/INF (2015) 38 *Report to the Government of Ireland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment from 16-26 September 2014*, p.52: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680696c9a>

³ See *Service Level Agreement Between the Prisons and Prison Service Escort Corps* (2005), p. 4

⁴ Ibid.

The duties and responsibilities of PSEC are outlined as follows:

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.⁵

It is evident that the PSEC has an overall duty of care to prisoners and responsibility for ensuring the health and safety of all prisoners while under escort.

IPRT Recommendations:

- **The principle of a ‘duty of care’, ensuring the safe and secure custody of prisoners during transport, including their health and welfare needs, should be the overarching objective of the prisoner escort service.**
- **Standardised operating procedures of the Prisoner Escorting Service should be consistent throughout the entire prison estate.**

3. Resourcing of Prisoner Escort Services

In 2014, there were 25,000 escorts for court appearances and an additional 8,000 escorts for prison transfers.⁶ The number of hospital escorts averaged approximately 6,000 over 2014/2015.⁷ In a *Review of Assaults on Operational Staff by Prisoners* (2016), the State Claims Agency found that many interviewees believed PSEC to be under-resourced.⁸ IPRT is concerned at the impact of prison staff being taken away from core duties to cover PSEC shortages, as has been highlighted by the Inspector of Prisons (2015) and by Prison Visiting Committees, including the Dóchas Visiting Committee (2015), who cite school closures due to the “frequent temporary re-deployment of Prison Officers”. Additionally:

Complaints have been received from women who have been approved for Temporary Release mainly on compassionate grounds, and who have their TR cancelled at the last minute because staff were not available to escort them. It is difficult to qualify for such TR and having done so and built up the expectation of the outing, it seems particularly harsh when the privilege is withdrawn for staffing reasons.⁹

The Committee urged the Prison Service to resolve staffing issues to prevent future occurrences. Staff shortages can impact on prison regimes including prisoners’ access to education, activities and visits.

⁵ Ibid, p. 5.

⁶ *Review of Assaults on Operational Prison Staff*, p. 37

⁷ Ibid.

⁸ Ibid.

⁹ See *Dóchas Visiting Committee Annual Report 2015*, p.3, available at:

http://www.justice.ie/en/JELR/D%C3%B3chas_VC_Annual_Report_2015.pdf/Files/D%C3%B3chas_VC_Annual_Report_2015.pdf

The prison service in Northern Ireland has reduced the number of court escorts through the use of video-link conferencing to court. This could be expanded in Ireland to reduce the number of prisoners being transported, sometimes long distances, for court appointments. However, IPRT emphasises that the absolute right for the prisoner to attend his/her court appearances in person must be retained, as if they were at liberty. This right must never be challenged or overridden by prison staffing issues and/or operational concerns. Participation by video-link must be entirely voluntary and never mandatory or under pressure from prison staff or management.

IPRT Recommendations:

- **The prisoner escort service should be adequately resourced in order to effectively fulfil its function of ensuring that prisoners can attend court appointments, hospital appointments and inter-prison transfers. Hospital appointments should be given equal weight to court appointments.**
- **Prisoner escort services must be adequately resourced to ensure that prison staff are not redeployed from other duties within prisons with consequent negative impact on access to visits, education, training and other services for prisoners.**
- **Expansion in the use of video-link conferencing to courts may reduce the burden on prisoner escorts services. However, the absolute right of a prisoner to attend court in person must be retained: any expansion in the use of video-link conferencing must ensure participation by the prisoner is voluntary, and that prisoners do not come under pressure from prison staff or management to waive this right.**

4. Prioritisation of Health-related Escorts

There were approximately 6,500 escorts in the category of ‘Hospital – Medical’ in 2014.¹⁰ A number of national and international bodies have highlighted their concerns that operational considerations can take priority over the medical needs of prisoners, sometimes with tragic consequences. In a report on an investigation into a death occurring in Mountjoy Prison in 2014, the Inspector of Prisons found that the Irish Prison Service had “*failed in its duty of care to the deceased*”, in that:

despite being referred to hospital by the prison doctor at approximately 12 noon on 24 July, seeking medical attention on two occasions on 25 July and a deterioration in his medical condition at approximately 15.30 hours on 25 July the deceased was not transferred to hospital until found in his cell in an unresponsive state at 03.31.30 on 26 July 2014.

¹⁰ Review of Assaults on Operational Prison Staff, p. 60.

The report found that operational considerations – including a lack of staff available for escort – had taken precedence over the prisoner’s transfer from Mountjoy Prison to the Mater Hospital, despite being deemed urgent by medical personnel.

In a report highly critical of healthcare provision in Irish prisons, the CPT found that a “*lack of escort staff available within prisons result[ed] in numerous prisoners missing medical appointments*”¹¹.

In his *Report on Healthcare in Irish Prisons* (2016), the Inspector of Prisons reaffirmed that analysis of prison healthcare staffing should not be influenced by operational or other non-healthcare considerations, and called for the following information to be recorded and made available to inspectors on request:

(d) The number of medical referrals to A&E hospital departments for a given period.

(e) The average time for transfer of prisoners to A&E departments referred to at (d) above with the longest and shortest time for a given period.

(f) The number of medical referrals to external consultants for a given period.

*(g) The number of cancellations of appointments with external consultants with reasons for such cancellations for a given period.*¹²

The *Review of Assaults on Operational Staff by Prisoners* (2016) reports that interviewees believed that court escorts were prioritised over hospital and prison transfer escorts.¹³ This is confirmed as policy in the Service Level Agreement between the Irish Prison Service and PSEC. Among the recommendations of the State Claims Agency is the potential in-sourcing of more healthcare services within the prison complex to reduce hospital escorts.¹⁴

IPRT Recommendations:

- **Prisoner escort services must be adequately resourced and staffed to ensure that all prisoners can attend medical appointments within or outside prisons.**
- **Prisoner escort services must always be able to facilitate urgent transfers of prisoners to hospital when deemed necessary by medical personnel.**
- **The proposed Review of Prison Healthcare¹⁵ should assess the potential for in-sourcing of more healthcare services within the prison complex.**

¹¹ CPT (2015) cited in Inspector of Prisons’ *Report on Healthcare in Irish Prisons* (2016), pp. 5-6, available at: <http://www.inspectorofprisons.gov.ie/en/IOP/Healthcare%20in%20Irish%20Prisons,%20Report%20by%20Judge%20Michael%20Reilly.pdf/Files/Healthcare%20in%20Irish%20Prisons,%20Report%20by%20Judge%20Michael%20Reilly.pdf>

¹² Ibid, p. 21.

¹³ State Claims Agency (2016) *Review of Assaults on Operational Prison Staff by Prisoners*, p. 37.

¹⁴ Ibid, p. 10

¹⁵ Department of Justice and Equality (2017) ‘Tánaiste publishes ‘Healthcare in Irish Prisons’ Report’, 21 Feb 2017, available at: <http://www.justice.ie/en/JELR/Pages/PR17000060>

- IPRT restates the Inspector of Prisons’ recommendation that **“The provision of healthcare to prisoners must be the sole responsibility of the medical professionals and must not be dependent on operational considerations.”**
- IPRT restates the Inspector of Prisons’ call **for information on the number of medical referrals to A&E hospital departments, average time for transfer of prisoners, number of medical referrals to external consultants, number of cancellations of such appointments and reasons for such cancellations, to be recorded and made available to inspectors.**

5. Issues relating to Vehicular Transport

Under the *UN Standard Minimum Rules for the Treatment of Prisoners*, transfers should be carried out in a way to reduce the public exposure of a prisoner and transport should not cause undue hardship. The *European Prison Rules* also state that transport in vehicles which do not offer adequate ventilation or light or which causes physical hardship is unacceptable.

Concerns for prisoner safety and well-being while under escort are regularly brought to the attention of IPRT by prisoners and their families. This is an area that necessitates further investigation and improvement. These key issues are examined below.

Practice of Handcuffing

In its 2011 report on Ireland, the Committee for the Prevention of Torture (CPT) found that the standard practice in Ireland is to handcuff prisoners for the entire duration of the journey (with the exception of women, the elderly and the disabled). The standard practice of prisoners remaining handcuffed in small compartments, which are reported as double locked, is of concern. This can place prisoners at serious risk¹⁶, for example if the vehicle needs to brake suddenly placing the safety of a prisoner in danger.

The CPT (2015) highlighted to Ireland in 2015 that *“handcuffing during transportation should be resorted to only when the risk assessment in the individual case clearly warrants it and be done in a way that minimises any risk of injury to the detained person.”*¹⁷

The CPT had previously highlighted similar concerns in for Ireland in 2006:

*The CPT is concerned to learn that prisoners were routinely handcuffed during the journey even though they were locked inside an individual secure cubicle.*¹⁸

¹⁶ See RTE News Report where prison van overturned following tyre blowout, *Three Injured in Prison Van Crash in Galway* available at <http://www.rte.ie/news/2013/0904/472185-prison-van-crash/> (accessed 15/12/16)

¹⁷ CPT report (2015), p. 52

¹⁸ See CPT report (2006)

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680696c96> (accessed 16/03/17)

The Northern Ireland Criminal Justice Inspectorate (2014) report *Prisoner Escort and Court Custody Arrangements in Northern Ireland*¹⁹ also recommended that prisoners should not be routinely handcuffed in secure vehicles and introduced the ‘handcuffing by exception’ policy which is based on individual risk assessment. This recommendation has been implemented in Northern Ireland and an inspection of the Prisoner Escort and Court Custody Service found that 60% of prisoners are no longer routinely handcuffed while travelling in a secure vehicle.

IPRT Recommendation:

- **The practice of handcuffing during escort as standardised procedure should be reviewed. The practice of handcuffing should be in line with international human rights based recommendations and should be based on individual risk assessment.**

Conditions during Escort

The CPT (2015) reports that a number of prisoners from Ireland had made complaints relating to prison transportation, and also outlined how prison officers were ‘alarmed’ at the way escorts were currently taking place.²⁰

Prolonged Periods detained in Prison Escort Vans

Complaints received from prisoners and concerned relatives include being held for prolonged periods in prison escort vans due to the absence of holding cells in some courthouses. The CPT (2015) found that some prisoners had spent up to 12 hours in a prison escort van with insufficient staff available to facilitate toilet breaks, with the result of prisoners having to urinate within the small compartment of the prison van. In October 2016, *The Irish Times* reported that prisoners attending the Dublin District Child Care Court were being held in prison escort vans for long periods while waiting for their children’s case because there were no holding cells at the court.²¹ The CPT has previously recommended that the Irish authorities examine the possibility of establishing holding cells in courts where there are none at present.²²

IPRT is concerned that there is no specific information publicly available on the length of time prisoners are detained in prison vans.²³ The current *Escorting of Prisoners Policy* sets out the general procedures in relation to transportation of a prisoner, however there is no set standard on the maximum length of time a prisoner should be detained in a van.

¹⁹ Criminal Justice Inspectorate (2014) *Prisoner Escort and Court Custody Arrangements in Northern Ireland* available at: <http://www.cjini.org/CJNI/files/a6/a6b3edcd-4f37-441a-b039-43f8f75147e6.pdf>

²⁰ CPT/Inf (2015) 38, *Report to the Government of Ireland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment from 16-26 September 2014*, p. 52

²¹ See ‘No holding cells for prisoners attending children’s court’, *The Irish Times*, 31st October 2016 <http://www.irishtimes.com/news/crime-and-law/no-holding-cells-for-prisoners-attending-children-s-court-1.2848769> (accessed 15/12/16)

²² See CPT/INF (2015) 38, p.52

²³ Deputy Jonathan O’Brien PQ on guidelines in place for Gardaí and members of the Irish Prison Service transferring prisoners to court and the length of time a prisoner can be left in a van, available at: <http://www.justice.ie/en/JELR/Pages/PQ-16-09-2016-20> (accessed 15/12/16)

Lack of Rest Stops

The lack of toilet breaks was documented by the CPT (2011), where the Committee received a number of complaints relating to the lack of any rest stop during inter-prison transfers particularly between Dublin and Cork.²⁴ Similar concerns were raised in the CPT Report (2006) which highlighted the lack of any rest stops and complaints about the lack of ventilation in prison vans on warm days. Concerns have also been raised by legal practitioners on the conditions of prison vans, particularly during cold and hot weather.

Absence of Seatbelts in Prison Vans

Currently there are no seat belts for prisoners in prison escort vans. This means that if the vehicle has to brake suddenly a person could be at risk of personal injury. While in the UK seat belts are not used in case of incidents of self-harm or harm to staff, prisoners have raised their concerns for their safety as a result of the 'slippery plastic of the seats.'²⁵ Concerns about safety due to the absence of seat belts have been raised by prisoners with IPRT.

IPRT recognises the concerns of having seat belts for prisoners who may be at risk of self-harm, and the Council of Europe Directive which states that if an individual is facing sideways he/she should not be wearing a seat belt.²⁶ Nonetheless, a recommendation has been made in England and Wales for manufacturers to liaise with prisoner escort providers to determine the health and safety implications of installing seatbelts into prison vans.²⁷

IPRT Recommendations:

- **The maximum lengths of time detained/waiting periods in escort vans/court custody cells should be clearly laid out in PSEC Operating Procedures.**
- **Information such as lengths of time prisoners are detained in vans should be recorded and aggregate data published.**
- **Toilet breaks and food breaks should be facilitated on journeys under escort at a minimum every two and half hours in line with the current Escorting Policy.**
- **Prison vans should be clean and in good, roadworthy condition at all times.**

²⁴ CPT report (2011) p. 54, available at:

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680696c98> (accessed 20/03/17)

²⁵ See HM Inspectorate of Prisons Report (2014) *Transfers and Escorts within the Criminal Justice System: A thematic review by HM Inspectorate of Prisons*, p. 8, available at:

<https://www.justiceinspectors.gov.uk/hmiprison/inspections/transfers-and-escorts-within-the-criminal-justice-system/> (accessed 15/12/16)

²⁶ "Research has shown that it is not possible to provide side-facing seats with safety belts ensuring the same level of safety to the occupants as front-facing seats. For safety reasons, it is necessary to ban those seats in certain categories of vehicles." Nonetheless IPRT believes this is an issue for review. See Point 8

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2005-0195+0+DOC+XML+V0//EN&language=BG>

²⁷ See *Prisoner Escort and Court Custody Arrangements in Northern Ireland: A follow-up Review of Inspection Recommendations*, p. 20 <http://www.cjini.org/CJNI/files/a6/a6b3edcd-4f37-441a-b039-43f8f75147e6.pdf>

- **Consideration should be given to expanding provision of court custody cells due to their absence in some courts and overcrowding in cells in other courts.**
- **A review to determine the health and safety implications of installing seatbelts into prisoner escort vans should be undertaken, with involvement and inter-departmental co-operation from key stakeholders including the Department of Justice and Equality, the Irish Prison Service, the Health and Safety Authority and the Department of Transport.**

6. Vulnerable Categories of Prisoner

The needs of older prisoners, prisoners with particular medical needs and other vulnerable categories of prisoners should be considered as part of this review. Protocols that ensure the safety of vulnerable cohorts of prisoners due to their illness, age or status should be developed and implemented.

The risk presented by prisoners with mental health issues to themselves and to others, including staff, is outlined by the State Claims Agency (2016), which notes an “increase in the number of hospital visits requiring escorts” due to the increase in the number of prisoners with mental health issues in the prison system.²⁸

IPRT Recommendations:

- **Clear protocols should govern the transport of prisoners with medical or physical needs to ensure their safety and well-being, including medication dispensing and a minimum number of toilet breaks.**
- **Prisoners with serious mental health issues should be diverted from the prison system to more appropriate therapeutic facilities.**

7. Communication and Inter-Agency Protocols

In the *Report of an Investigation into circumstances surrounding the death of a Prisoner at Cloverhill Courthouse* in 2011, the Inspector of Prisons highlighted serious deficiencies in communications between PSEC and the Irish Prison Service:

It is clear that relevant information in the possession of 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.

²⁸ State Claims Agency (2016) *Review of Assaults on Operational Prison Staff by Prisoners*, pp. 52-3

It is also clear 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.²⁹

The Inspector highlights the “*failure of organs of the prison system*” to communicate with each other including: failure to adhere to stated work practices; absence of governance to comply with Standard Operating Procedures; and inadequate record keeping.³⁰ The report highlighted that staff were unaware of which category of prisoner the individual belong to and did not recognise him as a ‘vulnerable’ prisoner.

The NI Criminal Justice Inspectorate (2014) reports that prisoner escort and court custody staff undergo human rights training and receive specific training in dealing with vulnerable prisoners, including a self-harm and suicide prevention policy.³¹ The report also recommends that the Northern Ireland Prison Service “*should assess the impact on prisoner welfare of the time prisoners spend away from their establishments.*”

IPRT Recommendations:

- **The development of clear and effective protocols between relevant agencies is essential to ensure that information about vulnerable prisoners under escort is clearly communicated and exchanged in a timely manner.**
- **Human rights training and mental health awareness training for all prison staff, including PSEC, including regular refresher training on the management of vulnerable prisoners should be provided.**

8. Suggested Performance Indicators

IPRT’s view is that the Northern Ireland Criminal Justice Inspectorate offers a model of monitoring that might usefully be adopted. Suggested performance indicators include:

- Statistical data on numbers, frequency, distance, reason, etc. of prisoner escorts
- Analysis of any impact on local prison staffing and regimes
- Recording of delays or cancellations of court, hospital or other external appointments
- Lengths of time that individual prisoners spend away from their prison establishment
- Lengths of time that individual prisoners are held in cellular vehicles
- Adequate provision of refreshment and rest breaks
- Frequency of use of handcuffing while under escort
- Condition of vehicles
- Any road traffic or other incidents
- Incidents of injury to prison staff or prisoners while under escort
- Complaints received, including outcomes

²⁹ See *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*, p. 5

³⁰ Ibid.

³¹ Criminal Justice Inspectorate (2014) *Prisoner Escort and Court Custody Arrangements in Northern Ireland*

9. Oversight and Inspections of the Prisoner Escort Service

External oversight is essential to ensuring an effective and robust prisoner escort service that meets its duty of care to prisoners. Independent inspections should be carried out at regular intervals with reports published. These inspections should examine *inter alia*: the number and type of escorts, conditions in vans, seatbelt provision, journey lengths, toilet breaks, treatment by escort staff, health and welfare, and the complaints process (which should include the number of complaints relating to injury during escort). These are all issues published by HM Inspectorate of Prisons (England and Wales) in a Thematic Review of *Transfers and Escorts within the Criminal Justice System*.³²

IPRT understands that PSEC does not currently come within the remit of the Inspector of Prisons and is therefore not subject to independent oversight. This represents a significant gap in accountability.

IPRT Recommendations:

- **Independent inspections of prison escorting services should be regularly carried out throughout the entire prison estate. Inspections of prisoner escort services should examine *inter alia*: the number and type of escorts, conditions in vans, seat belt provision, journey lengths, toilet breaks, treatment by escort staff, health and welfare, and complaints process (which should detail the number of complaints related to injury during escort).**
- **Consideration should be given to expanding the remit of the Office of the Inspector of Prisons to undertake inspections of prisoner escort services. The Office must be adequately resourced to fulfil any such expansion. Reports on inspections of Prisoner Escort Services should be published at regular intervals.**

³² See HM Inspectorate of Prisons (2014) *Transfers and escorts within the criminal justice system*, available at: <https://www.justiceinspectors.gov.uk/hmiprison/wp-content/uploads/sites/4/2014/12/Transfers-and-escorts-thematic-review-2014.pdf> (20/03/17)

10. Summary of Recommendations

Vision of Prisoner Escort Service

- 1. The principle of a ‘duty of care’, ensuring the safe and secure custody of prisoners during transport, including their health and welfare needs, should be the overarching objective of the prisoner escort service.**
- 2. Standardised operating procedures of the Prisoner Escorting Service should be consistent throughout the entire prison estate.**

Resourcing of Prisoner Escort Service

- 3. The prisoner escort service should be adequately resourced in order to effectively fulfil its function of ensuring that prisoners can attend court appointments, hospital appointments and inter-prison transfers. Hospital appointments should be given equal weight to court appointments.**
- 4. Prisoner escort services must be adequately resourced to ensure that prison staff are not redeployed from other duties within prisons with consequent negative impact on access to visits, education, training and other services for prisoners.**
- 5. Expansion in the use of video-link conferencing to courts may reduce the burden on prisoner escorts services. However, the absolute right of a prisoner to attend court in person must be retained: any expansion in the use of video-link conferencing must ensure participation by the prisoner is voluntary, and that prisoners do not come under pressure from prison staff or management to waive this right.**

Health-related Escorts

- 6. Prisoner escort services must be adequately resourced and staffed to ensure that all prisoners can attend medical appointments within or outside prisons.**
- 7. Prisoner escort services must always be able to facilitate urgent transfers of prisoners to hospital when deemed necessary by medical personnel.**
- 8. The proposed Review of Prison Healthcare³³ should assess the potential for in-sourcing of more healthcare services within the prison complex.**
- 9. IPRT restates the Inspector of Prisons’ recommendation that “The provision of healthcare to prisoners must be the sole responsibility of the medical professionals and must not be dependent on operational considerations.”**

³³ Department of Justice and Equality (2017) ‘Tánaiste publishes ‘Healthcare in Irish Prisons’ Report’, 21 Feb 2017, available at: <http://www.justice.ie/en/JELR/Pages/PR17000060>

10. IPRT restates the Inspector of Prisons' call for information on the number of medical referrals to A&E hospital departments, average time for transfer of prisoners, number of medical referrals to external consultants, number of cancellations of such appointments and reasons for such cancellations, to be recorded and made available to inspectors.

Practice of Handcuffing

8. The practice of handcuffing as standardised procedure should be reviewed. The practice of handcuffing should be in line with international human rights based recommendations and should be based on individual risk assessment.

Conditions during Transport

9. The maximum lengths of time detained/waiting periods in escort vehicles/court custody cells should be clearly laid out in PSEC Operating Procedures.
10. Information such as lengths of time prisoners are detained in escort vehicles should be recorded and aggregate data published.
11. Toilet breaks and food breaks should be facilitated on journeys under escort at a minimum every two and half hours in line with the Escorting Policy.
12. Prison van conditions should be clean and in good condition at all times
13. Consideration should be given to increasing (and expanding) provision of the number of court custody cells due to their absence in some courts and as a result of overcrowding in court custody cells in other courts.

Prisoner Safety: Seatbelt Provision

14. A review to determine the health and safety implications of installing seatbelts into prison escort vans should be undertaken, with involvement and inter-departmental co-operation from key stakeholders including the Department of Justice and Equality, the Irish Prison Service, the Health and Safety Authority and the Department of Transport.

Vulnerable Categories of Prisoner

15. Clear protocols should govern the transport of prisoners with particular medical or physical needs to ensure for their safety and well-being, including medication dispensing and a minimum number of toilet breaks.
16. Prisoners with serious mental health issues should be diverted from the prison system to more appropriate therapeutic facilities.

Communication Protocols

17. The development of clear and effective protocols between relevant agencies is essential to ensure that information about vulnerable prisoners under escort is clearly communicated and exchanged in a timely manner.

Staff Training

18. Human rights training and mental health awareness training for all prison staff, including PSEC, should be provided, along with regular refresher training on the management of vulnerable prisoners.

Governance/External Oversight

19. Independent inspections of prison escorting services should be regularly carried out throughout the entire prison estate. Inspections of prisoner escort services should examine *inter alia*: the number and type of escorts, conditions in vans, seat belt provision, journey lengths, toilet breaks, treatment by escort staff, health and welfare, and complaints process (which should detail the number of complaints related to injury during escort).
20. Consideration should be given to expanding the remit of the Office of the Inspector of Prisons to undertake inspections of prisoner escort services. The Office must be adequately resourced to fulfil any such expansion. Reports on inspections of Prisoner Escort Services should be published at regular intervals.

IPRT hopes that the issues raised in this submission will be of assistance to the Value for Money and Policy Review of Prisoner Escorts in the Criminal Justice System.

Please contact IPRT at (01) 8741400 for further information.