



# Know Your Rights: Information, Advocacy and Remedies

Irish Penal Reform Trust | 22 August 2024

The Richmond Education and Event Centre



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## Background

In late 2023, the Irish Penal Reform Trust (IPRT) was one of 30 recipients of the Irish Human Rights and Equality Commission’s (IHREC) [Human Rights and Equality Grant 2023-2024](#). Our awarded project, 'Know Your Rights: Access to Justice and Rights for People in Prison' centred around plans to host a conference to build understanding of prisoners’ rights among those who support people in prison, and to build capacity to better advocate for the vindication of these rights. This report captures the highlights of our conference, ‘Know Your Rights: Information, Advocacy and Remedies’, which took place on 22 August 2024.

Previously, IPRT published an information booklet, *Know Your Rights: Your Rights as a Prisoner*, in both [2012](#) and [2021](#), alongside the Irish Council for Civil Liberties (ICCL). The booklet aims to help people understand the rights they have while in prison, in Plain English. In 2012, this booklet was translated into several common languages and was made available via CD. In 2021, we developed an interactive version of the booklet online, designed to support family members and those who work with people in prison to access just the information that they are looking for, rather than the full booklet. **The discussions from this conference about meaningful access to information will inform IPRT’s future work in developing any rights information materials.**

This conference was also particularly timely given the ongoing review of the [Prison Rules 2007](#) by the Irish Prison Service. IPRT has [previously engaged](#) with the Review and will continue to seek opportunities to feed into this process, including to reflect some of the issues explored during this conference.

**The purpose of this report is to capture some highlights and themes of the discussions. However, [recordings of the conference are available online here](#).**



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## Opening remarks

James Leonard, Conference MC

(Expert by Experience, award-winning podcaster)

James opened the morning by stating that it was an honour to have been asked to MC the conference, as over the last few years he has used IPRT materials for his own research. James noted his own journey from lived experience of imprisonment to starting a PhD, which will focus on prison education.

He highlighted his love for speaking with and interviewing people (hence his podcasting success!) and that he looked forward to engaging conversations throughout the day.



## Panel 1: Identifying and Accessing Rights and Information

Gemma Culleton, South Leinster Citizens Information Service

(Prison Information Officer)

Opening the first panel of the day, Gemma shed light on the critical work being done to bridge the information gap for people in prison. She highlighted the essential weekly service that South Leinster Citizens Information Service (SLCIS) provides to people in prison, recounting that a former prison governor aptly described her work with Citizens Information as **"prisoners' link with the outside world"**.

Gemma underscored the complexity of working with people in prison, noting that the challenge isn't necessarily in the issues they face but in their limited ability to access

information and communicate independently. Gemma reminded attendees that "information is power" and called on us to reflect on how easy it is for most of us to find what we need online and how empowering that can be. However, people in prison face several restrictions that severely hamper their ability to advocate for themselves, including the capping of phone calls at six minutes and little or no access to the internet.

She highlighted the widespread lack of awareness among external public service providers about the realities of life in prison. She shared how, when she makes calls on behalf of a prisoner, she's often met with suggestions to "go online," a response that highlights a deep disconnect. This gap in understanding forces her to constantly seek **ad hoc solutions to navigate around these systemic barriers.**

Much of Gemma's work revolves around crucial everyday issues such as banking, social welfare, renewing licenses, and obtaining passports. She presented findings from [research completed by SLCIS in 2022](#), which explored prisoners' access to information and assistance from outside state services and other vital services. **All participants in the research agreed on the importance of access to vital personal services while in prison, with one participant emphasising that, despite the circumstances of people in prison, they are "still human beings."** She noted that, from her experience in working with people in prison, the struggle to keep vital documents up to date while in prison adds to the stress of anticipating release.



Gemma described the emotional toll of these barriers, and recounted that the research explored the strong emotions like anger, fear, panic, frustration, and stress that people in custody felt realising they needed to contact an outside state service while in prison. Research participants reported feeling guilty about relying on others for help and a deep sense of powerlessness. Even within the prison system, the research found that there is confusion among staff about how prisoners can access outside services and who is best equipped to support them with this.

Gemma acknowledged some positive developments, such as a change in 2018 to allow people to receive contributory state pensions while in prison. However, she also highlighted ongoing issues, such as accounts being closed due to inactivity, and the persistent barriers that remain even with new policies from the Irish Prison Service on opening accounts in prison.

Gemma noted that research participants noted one way to bridge the information gap experienced by people in prison could be access to a space with a supervised internet connection and other materials. Gemma also noted that she encourages people to continue seeking assistance from Citizens Information after their release, in their own localities.

### Christopher Bowes, FLAC (Free Legal Advice Centres)

(Legal Officer)

Christopher from FLAC (Free Legal Advice Centres) offered valuable insights into the practical challenges faced by people in prison and the broader implications of access to justice. His presentation focused on the work FLAC does in providing information and legal assistance to marginalised groups, including those in prison, who often face multiple layers of discrimination. This work extends to specific communities through initiatives like information lines and clinics dedicated to Travellers, Roma, and the LGBTI community.

Christopher emphasised FLAC's comprehensive approach to understanding **access to justice, noting that access to justice is seen by FLAC as the outcome, and there are a number of different ways through which the outcome can be achieved.** For FLAC, the goal is to break the cycle that often exists between social disadvantage and criminal justice. This is achieved through early legal intervention, public information dissemination, and ensuring timely responses, with litigation being viewed as a last resort.

Christopher reflected on the stark difference in the legal needs in the general population versus those experiencing disadvantage. While most people in the community might grapple with a single legal issue, prisoners often confront a multitude of complex problems, many of which require legal solutions. He described this phenomenon as **"clustered injustice," where people in prison might face not only criminal legal issues, but also civil problems related to family law, social welfare, debt, and more.** These layered challenges create a scenario where dealing with one problem can often exacerbate others.



Christopher highlighted the importance of addressing these issues early, to avoid the knock-on effects (in areas of health and housing, for example) that can be costly both to the individual and the State. He argued that providing legal advice early on is far less expensive than engaging in litigation later. This proactive approach is central to FLAC's vision of what the Irish legal system should aspire to: early access to services, comprehensive public information, and a commitment to timely intervention.

During his remarks, Christopher also touched on the ongoing Review of Civil Legal Aid, emphasising how the experience of imprisonment can intensify existing civil legal problems. He introduced the concept of imprisonment as a "circuit breaker," suggesting that imprisonment could be an opportunity to provide access to public services that might otherwise be out of reach. This rethinking of legal assistance and access to justice, particularly in the context of health and education, positions these services as vital components of successful reintegration.

Christopher concluded with a call for a more flexible and needs-based approach to legal services, underscoring the importance of expanding the scope of Civil Legal Aid and expanding bodies such as Citizens Information.

### Dr Amina Adanan, Maynooth University School of Law and Criminology

(Lecturer / Assistant Professor)

Dr Adanan highlighted the significant challenges faced by foreign national prisoners or are from a minority ethnic group, drawing on research she co-authored for IPRT in 2022, [\*"Sometimes I'm missing the words": The rights, needs and experiences of foreign national and minority ethnic groups in the Irish penal system.\*](#)

Amina noted that the vast majority of those interviewed had received a copy of the Prison Rules on committal to prison. However, those who didn't receive them were non-English speakers. She referenced a poignant quote from a research participant that encapsulates the **confusion and lack of accessible information that many minority ethnic and foreign national prisoners experience**, often leaving them to rely on fellow prisoners for guidance:

*"I didn't know what my rights or the rules of the prison were either. I didn't know anything. I had to find out from the other prisoners that*

*you're not allowed to do this and that."* (IPRT 2022)

One of the positive aspects discussed was the feedback from prisoners regarding family visits from abroad. Dr Adanan noted that participants spoke positively about how the Irish Prison Service (IPS) accommodated visits when families had travelled from abroad, as well as the availability of video calling, which has become an important tool for maintaining family connections.

However, Dr Adanan also pointed out the sometimes-strained relationships between civil society organisations representing minority groups and the IPS. **There were concerns that requests and issues raised by these organisations were not being taken seriously by IPS staff, highlighting a need for better communication and responsiveness.**

A critical area Dr Adanan emphasised was the **need for more comprehensive data collection – not only by the IPS but by other public bodies as well.** This data is essential for understanding the full scope of the challenges faced by minority ethnic groups in prison and for informing policy reform.



She stressed the importance of ensuring that the full range of rights outlined in the Nelson Mandela Rules and European Prison Rules are incorporated in the ongoing review of the Prison Rules, particularly as they relate to minority ethnic groups.

She also addressed the **widespread dissatisfaction with the current prisoner complaints system**, noting that all interviewees spoke negatively about it. She emphasised the particular difficulties faced by non-English speaking prisoners, who often

struggle to navigate this system due to language barriers and low literacy rates. She stressed that alternative methods to make a complaint that are not just literary based should be introduced as part of the revised prisoner complaints system.

Amina's research highlights the need for greater awareness, improved communication, and a more inclusive approach to addressing the unique challenges faced by these vulnerable groups within the prison system.

### Paula Kearney, SAOL Project (BRIO Coordinator)

Paula delivered a powerful presentation about the rights and needs of women in the criminal justice system. Her work is rooted in the ethos of community work, and her focus is on meeting the women she works with where they're at. Paula emphasised the importance of addressing the root causes of drug use rather than simply chastising individuals for their addiction. She highlighted a common fear within services, where the concern is often more about the drugs themselves rather than understanding and tackling the underlying issues driving drug use.



Paula discussed several key initiatives within the SAOL Project, particularly their peer programme at the Dóchas Centre. Among these initiatives is the DAVINA Project, which supports women experiencing substance misuse and domestic violence, providing them with the skills to walk away from harmful situations. Another important programme, Seeking Safety, focuses on

helping women who have experienced trauma and addiction to make informed and positive choices. The BRIO programme specifically assists women with both substance misuse issues and criminal justice involvement.

A central theme in Paula's presentation was the importance of understanding what the women she works with want to engage in themselves. This approach is reflected in BRIO's work on the rights of women in prison, where conversations among women in prison often reveal a sense of disillusionment. For example, while they have the right to vote, Paula noted that many ask, "Why would we? Nobody comes in to tell us what they stand for [...] we could be voting for something that is harming us." This sentiment underscores the disconnect many women in prison feel from the political process and broader society.

Paula also shared an inspiring art project developed through the lens of human rights, which provided the women with a creative outlet to explore and express their rights. The women will develop what a prison focused on human rights would look like, and what came up repeatedly was peer-led services and supports for those workers.

One of the critical issues Paula raised was the need for **meaningful resourcing of programmes that involve people with lived experience**. Too often, she noted, the insights and involvement of people with experience aren't adequate or meaningfully recognised, including through payment. This highlights the broader need for genuine investment in these programmes to ensure they are impactful and respectful of the participants' contributions.

Paula made a **strong argument for alternatives to imprisonment**. From her experience, when people are given another option, they are often willing to engage and make positive changes. She emphasised that investing in recovery and support systems, rather than simply housing women away in prisons, is the true path forward. This approach, she argued, not only reduces imprisonment but also fosters long-term

positive outcomes for the individuals and communities involved.

## Darina Ryan-Pilkington, Irish Prison Service

(Risk and Compliance Manager)

Darina provided a candid and insightful overview of the current challenges facing the prison system. She set the scene by providing context on the impact of overcrowding, noting the IPS could easily refill Cloverhill or even fill Loughan House several times over with the levels of overcrowding. This creates strain on the system, not only on accommodation but on canteen spaces, healthcare facilities, and other services.

Darina discussed her work in tracking recommendations from oversight bodies such as the Office of the Inspector of Prisons (OIP), IPRT, the Committee for the Prevention of Torture (CPT) and Prison Visiting Committees. However, with the prison system over capacity, she explained that the IPS is constantly struggling to meet the needs of 5,000 prisoners with a staff complement designed for 4,500, essentially starting each day at a deficit. This has placed the IPS in a perpetual state of "firefighting," as they engage with the Department of Justice (DoJ) to manage these pressing issues.

To address the overcrowding crisis, Darina highlighted the work of various working groups dedicated to identifying ways to continue developing services despite the immense challenges.



She emphasised that the IPS is on a significant journey of reform, focusing on several key areas:

- **Governance:** A solid governance structure is vital to ensure the IPS can achieve its goals. There is a need for practical and implementable policies that streamline operations and improve efficiency to allow the IPS the resources needed to focus on services and rehabilitation.
- **Systems and Data:** The IPS is committed to gathering data, improving data sharing – particularly with the DoJ – and is on a journey toward greater transparency and collaboration.

Darina also addressed the impact of overcrowding on staff, and on attempts to empower staff to advocate for prisoners. She noted that often staff members are unsure of what the individuals' needs are on committal. She acknowledged the importance of effective leadership within the prison system, noting that while initiatives like the prison TV channel are excellent, there is a risk of overwhelming prisoners with information. **A more strategic approach to information provision is needed to ensure prisoners are not saturated by the volume of content being driven their way.**

She praised the vital role that peers in prison play, particularly through programs like the Red Cross, Samaritans, and other peer initiatives, which are essential in supporting the prison community. Additionally, she mentioned the recent update of the committal information booklet, which will be reviewed and translated to better serve non-English speaking prisoners.

Darina touched on the ongoing review of the prisoner complaints process, acknowledging the slow pace but affirming that it remains a priority within the IPS. She emphasised that there is a collective understanding within the IPS that nobody wants to see individuals returning to custody, and they are doing everything reasonable and practical to prevent recidivism.

Finally, Darina discussed the substantial resources required to respond to oversight bodies, noting the commitment of IPS staff to keeping people safe and helping them fulfil their potential. Her presentation was a sobering reminder of the challenges facing the prison system, but also a testament to the ongoing efforts to improve conditions and outcomes for people in custody.

### Panel 1 Discussion

Questions after the panel discussion focused on a range of issues. James kicked off the discussion on the need for drug policy reform and the impact that this would have in the community and in prison.

For example, while socioeconomic status might not currently be a protected ground, there are still a host of issues for people in this area. Attendees and panel members were encouraged to think about how legal services are provided – looking at a specific area rather than a more global approach – and whether we would be better served by dealing with a person, rather than a case.



The panel also discussed voting in prison, with James recounting a previous interaction he had with President Michael D Higgins who, when he was an elected politician, was frequently contacted by people in Castlerea Prison because nobody else would entertain them. James noted that it takes a radical politician to see the value in engaging with people in prison, but that he believes it can and should be done.

Discussion followed on the impact of imprisonment on children and progressive practice examples across Europe and the UK

that better encourage familial bonds, including Hope Street in the UK.

The need for a more comprehensive national access to Citizens Information was also discussed, with Gemma noting that an in-reach programme has recently been set up in Arbour Hill Prison. Darina noted that a draft standard operating procedure relating to bank account is being developed by the IPS, but there is a balance to be struck between the importance of people being able to bank independently and the potential illegitimate use of accounts.

**[You can watch the presentations and discussion from panel 1 on our YouTube.](#)**



Panel One (L-R): James Leonard, Paula Kearney, Gemma Culleton, Dr Admina Adanan, Christopher Bowes, Darina Ryan-Pilkington and Saoirse Brady.

### Panel 2: Remedies and Making Complaints

**Dr Ciara O’Connell, Office of the Inspector of Prisons**

**(Senior Inspector)**

Dr O’Connell provided an overview of the OIP’s role and responsibilities. She outlined the critical functions of the OIP, which include conducting inspections, investigating deaths in custody, overseeing the complaints process, and engaging with confidential correspondence.



Ciara delved into the OIP's inspection focus areas, with a particular emphasis on Safety and Security, where they conduct deep dives into complaints. **She spoke about the importance of maintaining the trust that prisoners place in the OIP, and one way the Office does this is through providing Plain English and translated versions of their findings to ensure accessibility for people in prison. This commitment to clarity and transparency is crucial in fostering trust between the prison population, prison staff, and the OIP.**

Ciara also touched on the OIP's engagement with prisoners during inspections, mentioning that they utilise digital surveys to gather feedback directly from the landings. She believes that, to her knowledge, the OIP is the only inspectorate currently employing such surveys, which allows for direct and real-time engagement.

Ciara emphasised that the OIP does not have the authority to investigate complaints. However, the OIP can elect to examine the circumstances around a complaint. For example, regarding Category A or the most serious complaints the OIP can look at issues of procedural fairness around the investigation. Ciara noted that the IPS has a panel of investigators to handle Category A complaints. However, she pointed out that there are not as many investigators as the Irish Prison Service would like there to be.

A significant portion of her presentation focused on the characteristics of an effective complaints system. Ciara outlined the essential qualities of a good system: it must be 1) available, accessible, and confidential, 2) expedient (move quickly), 3) independent

and provide a right to appeal, and, 4) effective. She shared that the OIP has publicly noted its concerns about the current complaints system. The OIP carried out a thematic review of the complaints system in 2016 and since then had repeatedly deemed it unfit for purpose. Trust in the complaints system is fundamental, but **unfortunately, the OIP has found low levels of trust across the prison estate. Many prisoners feel intimidated or fear reprisal, which can lead them to withdraw their complaints. This highlights the need for a more robust and secure complaints system.**

Ciara gave examples of what complaint boxes should look like, emphasising the importance of security features such as who has access to the boxes and the size of the gap through which complaint forms are submitted. Additionally, complaints should be submitted in sealable envelopes to ensure that they are not opened before processing.

Ciara concluded her presentation by discussing the **ongoing work between the OIP, the Ombudsman, and the Irish Prison service to bring proposals to the DoJ to introduce revised legislation to bring about a more effective complaints system.** The goal is to create a system that prisoners can trust, one that is secure, fair, and effective in addressing their concerns.

Ciara's presentation underscored the importance of a well-functioning complaints system within prisons, one that respects the rights of prisoners and provides them with a safe avenue to voice their grievances.

### Jacqui Durkin, Prisoner Ombudsman for Northern Ireland

(Interim Prisoner Ombudsman; Chief Inspector of Criminal Justice Inspection Northern Ireland)

Jacqui provided a comprehensive overview of her role and the broader context of prison oversight in Northern Ireland. However, she **emphasised the need for vital upstream work on alternatives to custody, highlighting how such measures could better protect the rights of those who eventually end up in custody.**

Jacqui provided a snapshot of the prison population in Northern Ireland, which currently stands at around 1,400 prisoners, including 90 women and 50 young men. She drew attention to the high number of individuals on remand and the significant impact that imprisonment has on families, often resulting in “fractured families.”



Her role as the Interim Prisoner Ombudsman involves **overseeing an investigation team that operates independently and impartially**. While the administrative staff supporting these investigations are seconded from the Department of Justice, the independence of the investigative process remains a core principle. Jacqui explained that her office is responsible for investigating deaths in custody and complaints, is enshrined in the Prison Rules.

A key point Jacqui raised was the challenge of handling clusters of complaints from individual prisoners. While it is not uncommon for a single prisoner to submit multiple complaints, each one must be treated with the same level of seriousness and care to ensure that no legitimate concerns are dismissed. The office operates a freephone number accessible from each prison landing, through which 90 per cent of complaints are received, with the remainder arriving via letters. Common issues that people in custody raise complaints about are: treatment by prison officers, searches and checks, and discipline. Recently, body scanners have been a notable issue in complaints received.

Jacqui underscored the importance of having an independent office, stressing that such independence is crucial for maintaining confidence among prisoners and their

families. **An independent Prisoner Ombudsman serves as a check and balance within the prison system, ensuring that prisoners and their families have faith in the fairness of the complaints process.**

Moreover, Jacqui pointed out that complaints can lead to improvements in prison administration, making complaints an essential tool for enhancing the overall functioning of the prison system.

Finally, Jacqui highlighted the vital role her office plays in joint oversight with other bodies to uphold the Optional Protocol to the Convention Against Torture (OPCAT) principles, by working alongside other agencies – Independent Monitoring Boards and Criminal Justice Inspection NI – to ensure everyone in prison can be confident in the remedies available to them. This collaboration allows her office to mine rich data on what is happening in Northern Ireland's prisons, providing valuable insights that can inform policy and practice.

Jacqui's presentation offered a clear case for the importance of independent oversight in the prison system, not only as a means of ensuring justice and fairness for prisoners but also as a mechanism for continuous improvement within the system.

## Damien Heron, Oberstown Children Detention Campus

(Director)

Damien delivered an impassioned presentation, **emphasising the need for innovation and responsibility in the treatment of young people in detention**. He began by challenging the audience to move beyond accepting the status quo.

The Oberstown Youth Detention Campus has capacity for 46 young people, 40 male and six female. They place young people at the very heart of all they do. Damien highlighted the crucial role of Grainne Smyth, the Advocacy Officer at Oberstown, describing her position as vital to ensuring that the voices of young people are heard and their rights protected.

*“The advocacy officer talks to me about right [sic], right to phone calls, visits, zoom calls, right to education, food” (Young person)*

Damien explained that as part of their induction, every young person meets with the advocacy officer and a designated liaison person, ensuring that they have immediate access to independent support. This independence is maintained throughout their time at Oberstown, fostering a culture of trust and respect.

He also spoke about the importance of creating a family-type atmosphere at Oberstown, noting that the value of food and the sense of normalcy it provides is just as significant for the children in Oberstown as they are for those at home. The young people on the Campus Council were able to organise a food conference to engage with chefs and staff to address issues that mattered most to them around food.

Listening to young people and involving them in the co-creation of solutions is a key part of Oberstown’s ethos. One of the more unique aspects of Oberstown’s approach is involving young people in the recruitment process for senior roles that are going to be involved with young people. Damien shared that some of the most challenging questions during these interviews come from the young people themselves, demonstrating their keen insight and involvement in shaping their environment.

Damien spoke about the 'Rise Garden' project, which was featured at the Bloom festival in Phoenix Park in 2023. This initiative allowed young people from Oberstown to share their stories with the nation, offering a powerful testament to their journeys and the potential for growth and change.

He also addressed the broader responsibility of the State and society to improve the treatment of those in institutions, acknowledging Ireland's poor history in this regard. Damien urged everyone to consider their own responsibility in creating a better system.



A significant part of his presentation focused on the relationship between Oberstown and the judiciary. He mentioned the upcoming visit of the Judicial Council to the Campus and **emphasised the importance of judges seeing young people as young people rather than just cases to be processed.** He illustrated this with a poignant example of a young person who, when asked by a judge if he understood the proceedings, responded with “100 per cent” despite not actually understanding what was happening at all. This highlighted the **gap between legal proceedings and the actual understanding of young people, underscoring the need for better communication and support.**

Damien ended by noting that Oberstown’s role is about giving all young people who come through the doors the tools to maximise their potential.

### Susan McKay, Office of the Press Ombudsman

(Press Ombudsman)

Susan delivered a thought-provoking presentation that highlighted the role of journalism in shaping public perceptions of the justice system and those within it.

Susan began by reading an excerpt from Nell McCafferty's 1980 work *In the Eyes of the Law*, which was a groundbreaking piece that addressed the intersections of justice, courts, prisoners, and the law. McCafferty's writing noted the “clear distinction between law and justice” and poignantly noted that the “person who goes to jail again and again is not rehabilitated and is sent back to jail again and again and again”. Susan

emphasised how, in many ways, the issues Nell identified persist today, reflecting both progress and ongoing challenges in the criminal justice system.

Susan shared how her initial interest in these issues began with campaigning for longer prison sentences for those convicted of sexual assault. However, over time, she came to realise that simply extending sentences alone would not reduce violence against women. Her visits to numerous prisons provided her with firsthand insight into issues like overcrowding. She noted that journalists are invited into prisons to see them shiny and new, and often “within no time flat”, the services are often overwhelmed by the number of people.

As the Press Ombudsman, Susan's role involves interpreting and applying the Press Council of Ireland's Code of Practice. She spoke about the spirit of the code and how it should be understood, stressing the balance between the freedom of the press to publish the stories that need to be told, and the responsibilities that come with it. **While the press has the freedom to inform the public, this freedom must be exercised with a strong sense of responsibility, particularly when it comes to reporting on prisoners.**



Susan noted that prisoners should not be treated as “fair game” for sensationalist reporting. She noted that the Code is rooted in the values of freedom and human rights. **Prisoners, their families, and their advocates have the same rights to complain as politicians and other powerful elements of society, including the right to challenge and refuse to accept certain comments as fact.** She emphasised the importance of privacy,

ensuring that court reports are fair and accurate, and being mindful when reporting on issues like suicide of people in prison.

She also highlighted the self-regulatory nature of the Press Ombudsman. Susan clarified that the Press Ombudsman does not issue “judgments” but rather publishes decisions, contributing to transparency and accountability. **She pointed out that the way the press represents prisoners has a significant influence on public opinion, which in turn affects political decisions. Misrepresentation can further entrench prejudice, making it even more important for the press to approach their coverage responsibly.**

One of the frustrations Susan expressed was that more people, especially those in prison, are not making complaints about poor reporting. She acknowledged the obstacles that make it difficult for prisoners to lodge complaints, such as literacy issues.

Despite these challenges, she noted that her office is one of the few services that still offers a phone number where calls are answered directly. **In an effort to improve access, a new information leaflet is being created for prisoners and those working with them, ensuring they are aware of their rights and how to exercise them.**

Susan concluded by stressing that having a right is of little use if people don't know about it. She encouraged complaints as a means of holding the press accountable, which ultimately helps to improve the quality of the Irish press.

### Áine Bhreathnach, Irish Human Rights and Equality Commission (IHREC) (Senior Solicitor)

While Áine is from the legal team, she highlighted some of the work that has been done across various teams in IHREC to advance the rights of prisoners.

Áine noted the dearth of information that is provided to prisoners as well as the dearth of modes of the provision of information to

prisoners. IHREC has ongoing concerns regarding prisoners' access to information about their rights and included this in its recent engagement with the Committee for the Prevention of Torture (CPT). The adequacy of the prisoner complaints system has been a critical issue that IHREC has raised both nationally and internationally and IHREC is clear that without a robust complaints system, there can be no effective remedy.

Áine discussed the progress being made in collaboration with the Ombudsman on improving the complaints system, but she emphasised that the pace of this progress has been frustratingly slow. **She also expressed IHREC's concerns about the speed of progress with the [Inspection of Places of Detention Bill](#) and the delayed ratification of the Optional Protocol to the Convention against Torture (OPCAT), which is essential for protecting the rights of people in detention in Ireland.**

Áine explored the role of Section 42 of the Irish Human Rights and Equality Act ('the Public Sector Equality and Human Rights Duty'), which imposes a statutory obligation on public bodies to prevent discrimination and protect equality. Áine noted that the Irish Prison Service was among the first organisations to publish an Action Plan under this duty, which was a positive step forward.



**Áine also discussed IHREC's role in intervening in cases of human rights violations for people in detention**, for example, when they acted *amicus curiae* in cases involving Oberstown Children Detention Campus, where they provided specialist expertise on single separation.

Similarly, IHREC also intervened in the case of McDonnell v Governor of Wheatfield Prison in relation to human rights issues regarding the isolation of prisoners for their own safety.

She highlighted the challenges faced by people in prison regarding the Equality Acts, where less favourable treatment and harassment based on a protected ground are of significant concern. She noted that she sees an opportunity to advance the rights of people in prison under the Acts. However, there are barriers to people in prison accessing this information. For example, IHREC's [Your Rights Service](#) provides vital information in print and online.

**A particularly troubling issue Áine raised was the limited access prisoners have to certain forms of legal remedy.** For example, people in prison cannot file complaints with the Workplace Relations Commission (WRC) due to their lack of internet access. Additionally, Legal Aid is not available for cases under the Equality Acts, further limiting prisoners' ability to seek redress. Áine suggested that Ireland could learn from the higher number of cases taken in the UK under similar circumstances.

Áine encouraged those working in the criminal justice sector to apply for the next round of grant funding provided by IHREC under the Human Rights and Equality Grant Scheme. This scheme is part of IHREC's broader efforts to support initiatives that advance human rights and equality, particularly within the prison system.

## Panel 2 Discussion



Many of the questions that followed this panel discussion focused on media reporting. A member of the audience noted that the damage has already been done when the reporting has happened and questioned whether there was anything the Office of the Press Ombudsman can do when there is something upcoming. Susan notes that people can apply to the court to not allow certain details to be reported, which may be of some assistance, but her Office's powers on court reports were limited. Susan noted, however, that she can issue Press Advisory Notices, and did so recently around the reporting of the attack outside the school on Parnell Square in late 2023.

Another question was raised with Susan around the merits of reporting addresses of people who may be vulnerable during the court process, particularly women. Susan explained that this is to protect the press against potential complaints where someone with the same name lives in the same area. However, Susan noted that there have been cases where breaches have been upheld, and this is particularly true where children live in the home.

Susan noted her Office's work with organisations such as SAOL Project around interviewing people who may be vulnerable.

**[You can watch the presentations and discussion from panel 2 on our YouTube.](#)**



Panel two (L-R): Dr Ciara O'Connell, Saoirse Brady, Jacqui Durkin, Damien Hennon, Áine Bhreathnach, Susan McKay and James Leonard.

## Panel 3: Advocacy in Prison

This panel took a more discursive format and as such there is no overview of the remarks of each individual panellist. Instead, their contributions have been themed below.

The discussion was chaired by Saoirse Brady, IPRT Executive Director. Panellists were:

- **James Leonard**, Expert by Experience and award-winning podcaster
- **Warren Graham**, Advocate with lived experience based in Loughan House
- **Miriam Healy**, Chaplain, Wheatfield Prison
- **AnnMarie Sweeney**, Traveller Outreach Worker
- **William Lawrence**, Mental Health Worker, Exchange House Ireland

*“That every prison that men build is built with bricks of shame” (Oscar Wilde, The Ballad of Reading Gaol)*

### Theme 1: Communication and accessibility

A recurring theme across the panel discussion was the difficulty that people in prison face in accessing information about their rights. Panellists criticised the prison system’s lack of coherent communication with prisoners. Often, when prisoners’ requests are denied, they are not given clear explanations. There was a recognition that this is not always the fault of staff in the prisons, as oftentimes they might not have been told the reasons either. This lack of communication is wide-reaching. A **lack of transparency around decision-making** and reasons for denial of requests can contribute to a feeling of being disrespected or unimportant. Additionally, while it may not have factored into the decision-making at all, in the absence of being told the actual reason(s), people from minority ethnic groups then often question whether the decision was made because of their ethnicity.

The panel stressed the importance of **delivering information in various formats – audio, visual, written** – to accommodate

different literacy levels and ensure that all prisoners, regardless of their abilities, have access to information about their rights. This is particularly important for people who are neurodiverse and people with low literacy.

### Theme 2: Resourcing

Several panellists noted that the IPS is under-resourced, resulting in staff – including Chaplains – being unable to meet prisoners’ needs effectively.

William highlighted how **services such as education or other programmes are cancelled when prisons are short-staffed**, wasting opportunities to deliver meaningful interventions to people in prison who are eager to access services.

James aptly noted that prisoners and prison staff often share many of the same frustrations about the prison system.



### Theme 3: The role of peers

Miriam emphasised that people with lived experience of prison carry a “truth that compels us all to listen.” Their stories of survival and resilience often have a powerful impact on others, motivating change both within the prison system and in public perceptions of those with experience of the criminal justice system.

Several panellists noted that the presence of former prisoners who have successfully reintegrated into society serves as a beacon of hope for those still in prison. Miriam noted how **prisoners “sit up” when they hear stories of people who have been in prison,**

people who have turned their lives around, because they can relate directly to their experiences. Members of the panel named specific role models who had experience of imprisonment who they recall looking up to while they were in prison themselves.

#### Theme 4: The need for reform

All panellists agreed on the **need to focus on alternatives to imprisonment**. Miriam argued that the punitive model is rooted in societal abdication of responsibility, with the public pushing politicians to prioritise imprisonment over meaningful reform. Panellists agreed that the current system isn't set up in a way to give people a sense of dignity and more time should be focused on alternatives, rather than trying to fix parts of a flawed system.

Peers with lived experience are key players in **advocating for prison reform** and influencing policy. By sharing their insights with lawmakers, media, and the public, they help shape more informed and humane policies. The panel emphasised the need to include more voices from former prisoners in conversations about the future of the prison system.



#### Theme 5: Cohorts in need of tailored responses

Warren noted neurodiverse people are a minority group in prison and require specialised support to improve their experiences.

The significant stigma that Traveller women experience both in prison and upon release,

was explored, with William highlighting that the experiences for Traveller men and Traveller women were worlds apart, with men being embraced on release from prison and women often being rejected.

Owing to systemic discrimination, Travellers are hesitant to engage with State services. William noted that Travellers feel like they can't turn to gardaí, even when they are the victim of a crime. AnnMarie noted that while other interventions might be available, Traveller women are afraid of these for fear of having their children taken into care. This historical and current social context needs to be considered when developing services for the Traveller Community.

#### Theme 6: Stigma

Stigma was a recurring theme throughout the panel. James highlighted the importance of publicly sharing his story to challenge stigma, and several speakers addressed the dehumanising effects of the media's portrayal of prisoners, which tarnishes their reputation permanently.

James noted that part of the power of sharing lived experience is the ability to encourage others without exploiting their trauma. Rather than capitalising on these experiences for publicity, peers can focus on using their stories to reach wider audiences and advocate for change.



There was consensus about the need to **change the social narrative around who is in prison**, so that the public increasingly sees these people as citizens, families, etc.

Warren's [Loughan House Radio](#) was cited as

an innovative way to share information about life in prison.

having their voice heard in discuss them at a political level.

### Theme 7: Impact on families

Several panellists highlighted the deep emotional impact that imprisonment has on families, especially children. Miriam spoke about families “spiralling” when a loved one is imprisoned, while William, James and AnnMarie all highlighted how children suffer when they are disconnected from parents.

James recounted his devastation by his father’s imprisonment, underlining the need for early intervention to break cycles of crime and imprisonment.

The panel explored the additional hardships faced by women, particularly mothers. AnnMarie stressed that short phone calls with children are completely insufficient for maintaining parental bonds, particularly for people who have several children.

[You can watch the discussion from panel 3 on our YouTube channel.](#)



Panel three (L-R): James Leonard, Miriam Healy, AnnMarie Sweeney, William Lawrence and Saoirse Brady.



### Theme 8: Disenfranchisement

There were discussions around improving prisoners’ access to voting and advocating for their rights in the political sphere. This needs coordination and someone to champion it.

It was noted that when people feel helpless, they often lash out and turn to violence as a way to be heard. In an information vacuum, people can be radicalised, and this should be a concern to us all.

Warren’s engagement with the Joint Committee on Justice was a notable, first-of-its-kind example of people in prison

## Next Steps

In closing the conference, Saoirse outlined a number of practical steps IPRT will take to disseminate the highlights of the day. The development of this conference report is the very first of those steps. We will share this report with attendees and online, but importantly we will also share a version with our members who are currently in prison.

Longer-term, IPRT will explore the best ways for us to deliver rights-based information into to the people who might benefit from it, whether that be people in prison, the people who work with them, or their family members. We will take the learnings from this conference and work with stakeholders to explore how to extend our *Know Your Rights* programme of work into the future. It is clear, however, that, there is a need for multi-mode delivery of information about rights and no one method will work for everyone.

Several specific issues arose across the course of the conference. An issue that arose frequently, was the prisoner complaints system. Panellists discussed challenges including operational issues down to lack of faith in the system by people in custody. Arising from this, IPRT will place a renewed focus on working with relevant bodies to advocate for a revised complaints system. We will also continue engagement on the review of the Prison Rules, where possible.

At an organisational level, IPRT is reviewing and updating our paid membership structure to ensure that IPRT membership is as beneficial and meaningful as possible to both IPRT and our members. We look forward to engaging with old members and new, particularly those with lived experience of the criminal justice system or who are currently in prison!

## Thanks

A sincere thanks to our speakers across three panels who kindly shared their time and expertise, and who engaged so thoroughly. In particular, thank you to James Leonard for expertly keeping the show on the road throughout the day!

Thank you to our attendees for their attendance, insightful questions, and support of IPRT's work. We were thrilled to see so many people from far and wide come together to share insights and network. It is clear how much this topic impacts the work of so many given that attendees included service providers, statutory services, oversight bodies, legal professionals, advocates, civil society organisations, academics, people with lived experience, funders, prison staff and management of various levels, and students.

Thank you to our photographer, Karl Hussey, and our videographer, John McKeown, who both captured the event. Thank you to KC Deli who provided the catering for the day. A special thank you to the staff of the Richmond Education and Event Centre who supported us on the lead up to and during the event to ensure its success. Thanks is also due to Governor Lydon of Loughan House for his support in facilitating Warren Graham's online participation in the event.

A final and most sincere thanks to the Irish Human Rights and Equality Commission (IHREC) for making this work possible.

**For more on IPRT's work, visit [www.iprt.ie](http://www.iprt.ie).**



IPRT staff team (L-R): Ashling Tobin, Michelle Byrne, Tara Hanlon, Pamela Drumgoole and Saoirse Brady.

