



IPRT Submission in Advance of the Examination of Ireland's combined sixth and seventh periodic reports under CEDAW

January 2017

Submitting Stakeholder: Irish Penal Reform Trust

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 are working towards progressive reform of the penal system based on evidence-led policies and on a commitment to combating social injustice.

IPRT publishes a wide range of policy positions and research documents; we campaign vigorously across a wide range of penal policy issues; and we have established IPRT as the leading independent voice in public debate on the Irish penal system.

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Introduction

Under Article 2(g) of the *Convention on the Elimination of Discrimination against Women (CEDAW)*, States should ‘repeal all national penal provisions which constitute discrimination against women.’¹ In this submission, IPRT wishes to raise issues for women in prison in Ireland that amount to discrimination as defined by CEDAW, including:²

- **Disproportionate number of female prison committals for non-violent offences**
- **Lack of gender-specific alternatives to custody**
- **Women’s prisons being the most overcrowded in the State**
- **No open prison for women** (Currently, there are only two custodial options which are both medium security prisons: the Dóchas Centre, Dublin and the female wing of Limerick Prison.)

IPRT’s overarching recommendations are:

1. The State should ensure that Ireland is fully in compliance with the *Convention on the Elimination of Discrimination against Women (CEDAW)* and the *United Nations Rules for the Treatment of Female Offenders (Bangkok Rules)*.

2. The State should implement fully the *Strategic Review Group on Penal Policy*³ recommendations on female offenders and the Probation Service and Irish Prison Service (2014) *Joint Strategy for Women who offend*.

In 1999, at Ireland’s last examination under CEDAW, the Committee highlighted its concerns about women on the margins of Irish society. Women engaged with the criminal justice system are often characterised by poverty, social disadvantage, limited access to education and higher levels of unemployment.⁴ These women are more likely to have experienced trauma, childhood sexual abuse, domestic and sexual abuse, poor mental health, addiction issues and homelessness.⁵ Given the complex needs of female offenders, their caring commitments and the likelihood of their offences to be non-violent, prison represents an ineffective response and often has a detrimental impact on their families.⁶

¹ CEDAW <http://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf> (18/01/17)

² Ibid. Art. 1

³ *Implementation of Penal Policy Review Group Recommendations* (June 2016) http://www.justice.ie/en/JELR/2nd_Report_of_the_Implementation_Oversight_Group_to_the_Minister_for_Justice_and_Equality.pdf/Files/2nd_Report_of_the_Implementation_Oversight_Group_to_the_Minister_for_Justice_and_Equality.pdf (13/01/17)

⁴ Carmody, P. & M. McElroy (1996) *A study of Irish female prisoners*, The Stationery Office, Dublin.

⁵ Kennedy et al., (2005) *Mental health in Irish prisoners: psychiatric morbidity in sentenced, remanded and newly committed prisoners*, National Forensic Mental Health Service, Dublin. O’Mahoney, P. (2008) *Key Issues for drugs policy in Irish prisons*, Drug Policy Action Group, Dublin. Maycock P. & S. Sheridan (2012) *Women’s ‘Journeys’ into Homelessness: Key Findings from a Biographical Study of Homeless Women in Ireland*, Trinity College Dublin. IPRT (2012) *The Vicious Circle of Social Exclusion and Crime: Ireland’s Disproportionate Punishment of the Poor*.

⁶ IPRT, *Position Paper Women in the Criminal Justice System: Towards a Non-Custodial Approach*, November 2013, http://www.iprt.ie/files/IPRT_Position_Paper_on_Women_in_the_Criminal_Justice_System.pdf.

In 2014, the Irish Prison Service and the Probation Service acknowledged that the lower risk presented by women has resulted in provision of ‘generic offender based services to women offenders, designed for men in the first instance’⁷ and committed to ‘develop and implement a gender-informed approach to working with women offenders in custody and the community, based on evidence and best practice’⁸ which IPRT welcomed.

IPRT believes that the Irish State should be fully compliant with the *UN Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (Bangkok Rules)*, the principle aims of which are to reduce women’s imprisonment and address their specific needs.⁹ Informed by international best practice standards, the Inspector of Prisons¹⁰ (IoP) (2011) developed a *Women Prisoners Supplement*, stating that women ‘warrant treatment different to that of male prisoners’¹¹:

“Treating women prisoners the same as men is not tantamount to achieving equality of gender. Indeed, “the concept of equality means much more than treating all persons in the same way. Equal treatment of persons in unequal situations will operate to perpetuate rather than eradicate justice.”¹²”

In addition to the two overarching recommendations above, IPRT wishes to draw the Committee’s attention to the following issues relating to women and the prison system in Ireland:

1. High Number of Female Committals
2. Prison Conditions & Regimes
3. Healthcare Services
4. Specific Vulnerable Groups
5. Post-Release Supports

Methodology

IPRT has relied on findings from its report *Women in the Criminal Justice System*,¹³ IoP reports,¹⁴ Prison Visiting Committee¹⁵ (VC) reports and the final report of the Strategic Review of Penal Policy¹⁶ In 2015, IPRT consulted with women in the Dóchas Centre with quotes from that consultation and other interviews with women taken from various IPRT reports.¹⁷

⁷Joint Probation Service & Irish Prison Service Strategy 2014-2016: *An Effective Response to Women who Offend*, p.7 http://www.irishprisons.ie/images/pdf/women_strat_2014.pdf (22/12/16)

⁸ Ibid, p. 8.

⁹UNODC *Bangkok Rules* https://www.unodc.org/documents/justice-and-prison-reform/Bangkok_Rules_ENG_22032015.pdf (17/01/17)

¹⁰ The IoP undertakes regular inspections of prisons and remit is defined under S31 of Prisons Act 2007 <http://www.irishstatutebook.ie/eli/2007/act/10/section/31/enacted/en/html#sec31> (18/01/17)

¹¹ IoP (2011) *Women Prisoners Supplement*, <http://www.inspectorofprisons.gov.ie/en/IOP/Pages/standards> (18/01/17)

¹² IoP cites Office of the High Commissioner for Human Rights, “Fact Sheet No. 22- Discrimination against Women: The Convention and the Committee”, Geneva, undated as accessed at <http://www.ohchr.org/Documents/Publications/FactSheet22en.pdf>

¹³ IPRT, *Position Paper Women in the Criminal Justice System: Towards a Non-Custodial Approach*, Nov 2013

¹⁴ Published IoP reports <http://www.inspectorofprisons.gov.ie/en/IOP/Pages/Publications> (18/01/17)

¹⁵ Visiting Committees visit prisons regularly and can hear complaints made by prisoners, with annual reports published: <http://www.justice.ie/en/JELR/Pages/Prison-Visiting-Committee-Annual-Reports-2015> (18/01/17)

¹⁶ *Strategic Review of Penal Policy* (2014)

<http://www.justice.ie/en/JELR/Strategic%20Review%20of%20Penal%20Policy.pdf/Files/Strategic%20Review%20of%20Penal%20Policy.pdf> (18/01/17)

¹⁷ All IPRT publications available here www.iprt.ie/publications (18/01/17)

Issue 1: High Number of Female Committals to Prison

There has been a significant increase in the number of women committed to prison. In 2015, there were 3,411 female committals¹⁸ compared to 155 female committals in 1999.¹⁹ The rate of female prison committals has risen more rapidly than for males since 2011.²⁰ The high number of female committals are attributed to the following factors:

(a.) Overuse of Remand

The Strategic Review Group on Penal Policy found a *'higher use of remand in the case of females (18.9%) in 2013 compared to males (14%)'*.²¹ On 31 October 2016, the number of women in custody on remand as a percentage of the total female population in custody was 24%, compared to males at 15%.²²

Proportionately, women are more likely to be placed on remand for committing non-violent offences. Committal on remand is often used to provide stability in a chaotic lifestyle, or provide access to services to which the woman would not otherwise have access to.²³

(b.) Committals for Non-Payment of Court Ordered Fines

In recent years, the number of women committed for failure to pay court-ordered fines has been increasing dramatically. In 2015, 80% of female committals were for failure to pay court-ordered fines.²⁴ Although IPRT welcomed the implementation of the *Fines (Payment and Recovery) Act 2014*²⁵ in January 2016, IPRT is concerned that provisions for payment by instalment only covers fines over 100 euro, and therefore those from a low financial threshold may not be able to avail of its provisions.

Recent reported figures suggest that there has been a reduction of 1,000 committals being sent to prison following the commencement of the Fines Act in 2016.²⁶ However, the highest percentage of female committals continues to be for fines default.²⁷

(c.) Short Term Prison Sentences

The majority of women serve short sentences for non-violent offences.²⁸ The Irish Prison Service has recognised that female offenders tend to *'pose a low risk to society'* so custodial sentences tend to be *'disproportionately harsh'* on women and their families.²⁹

¹⁸ Irish Prison Service (2016) *Irish Prison Service Annual Report 2015*, p. 29 http://www.irishprisons.ie/wp-content/uploads/documents_pdf/12232-Irish-Prison-Service-AnnualReport2015-v7-2.pdf (22/12/16)

¹⁹ Inspector of Prisons (2013) *Interim Report on Dóchas Centre*, p.9 <http://www.justice.ie/en/JELR/Report%20on%20the%20Dochas%20Centre%20101013.pdf/Files/Report%20on%20the%20Dochas%20Centre%20101013.pdf> (22/12/16)

²⁰ *Strategic Review of Penal Policy Final Report*, p.64

²¹ *Ibid*, p.68

²² Irish Prison Service, *Daily Prisoner Populations* http://www.irishprisons.ie/wp-content/uploads/documents_pdf/31_October_2016.pdf (18/01/17)

²³ *Strategic Review Group on Penal Policy*, p. 65. (18/01/17)

²⁴ Irish Prison Service (2016) *Irish Prison Service Annual Report 2015*, p. 31 http://www.irishprisons.ie/wp-content/uploads/documents_pdf/12232-Irish-Prison-Service-AnnualReport2015-v7-2.pdf (03/01/17)

²⁵ <http://www.irishstatutebook.ie/eli/2014/act/7/enacted/en/html> (18/01/17)

²⁶ Newstalk Media Report (2016) *Jailings over Fines down by 1,000 cases* available at <http://www.newstalk.com/Jailings-over-fines-down-by-1000-cases> (20/12/16)

²⁷ Irish Examiner, *Jailing for Fines down by 1000*, 3 December 2016 <http://www.breakingnews.ie/ireland/jailing-for-fines-down-by-1000-cases-766950.html> (04/01/17)

²⁸ Irish Prison Service, *Snapshot Offence Profile 2007-2014* http://www.irishprisons.ie/wp-content/uploads/documents_pdf/snap_offence_profile_2007_2014.pdf (22/12/16)

²⁹ Irish Prison and Probation Services, *Joint Probation Service – Irish Prison Service Strategy 2014-2016: An Effective Response to Women Who Offend*, p. 2.

Table 2: Number of women and sentence periods 1990, 2005, 2012³⁰

Year	<3m	3<6m	6<12m	1<2y	2<3y	3<5y	5<10y	10+	Life	Unspecified	Total
1990	54	18	53	25	3	0	0	1	0	1	155
2005	221	80	58	23	11	7	1	1	0	0	402
2012	1,736	171	121	23	23	11	7	0	0	0	2,092

(d.) Lack of Gender-Specific Alternatives

The provision of gender-specific non-custodial alternatives on a national basis is important for women, who often have primary caregiving responsibilities. Despite the introduction of the *Criminal Justice (Community Service) Amendment Act 2011*,³¹ the number of Community Service Orders for women decreased between 2012 and 2015.³² The ‘*lack of appropriate community based programmes for female offenders impacts on the level of committals.*’³³

IPRT recommends:

- 1.1 Early interventions and diversion to therapeutic services should be available to women at the first point of contact with the criminal justice system.**
- 1.2 Gender-specific bail support services must be developed and introduced to reduce the number of women detained on remand.**
- 1.3 The 2014 Irish Prison Service/Probation Service *Joint Strategy for Women who offend*, which includes provision for gender-specific non-custodial alternatives, should be fully implemented.**

Issue 2: Prison Conditions & Regimes

In recent years, Ireland’s two women’s prisons have consistently been the most overcrowded in the State.³⁴ The IoP cited overcrowding in the female prisons as the biggest concern and deemed the situation ‘*unacceptable*’, while the Dóchas VC has expressed concern that ‘*this pattern of regular overcrowding will continue and consequently the unacceptable knock-on effects resurface.*’³⁵ The Irish Prison Service has acknowledged that both prisons run over capacity:

*“While there are currently 133 spaces for female prisoners, both female prisons regularly run above capacity with an average female population of 152 in custody in 2012.”*³⁶

The IoP has recommended that the maximum number of women accommodated in the prison system should not exceed 129.³⁷

³⁰ Source: Inspector of Prisons, *Interim Report on the Dóchas Centre*, Chapter 2 at para 2.9

³¹ <http://www.irishstatutebook.ie/eli/2011/act/24/enacted/en/html> (18/01/17)

³² *Probation Service Annual Report, 2014 & Probation Service Annual Report, 2015*

<http://www.probation.ie/EN/PB/en/WebPages/WP16000121> (18/01/17)

³³ *Strategic Review on Penal Policy* (2014), p.69

³⁴ Inspector of Prisons (2013) *Interim Report on the Dóchas Centre*, p.14 and *Dóchas Visiting Committee Report 2015*, p. 7 <http://www.justice.ie/en/JELR/Pages/Prison-Visiting-Committee-Annual-Reports-2015> (22/12/16)

³⁵ Inspector of Prisons Judge Michael O’Reilly, *Interim Report on the Dóchas Centre*, Dublin, 2013. *Dóchas Visiting Committee Annual Report*, Dublin, 2015.

³⁶ Irish Prison Service and Probation Service, *Joint Strategy: An Effective Response to Women Who Offend*, 2014, p. 2.

³⁷ *Interim Report on the Dóchas Centre by the Inspector of Prisons* (2013), p.8

While occupancy of the prisons fluctuates, on 1st July 2016 the Dóchas Centre was operating at 115% capacity, while the female wing of Limerick Prison operated at 146% of its capacity.³⁸ On 1st September 2016, the Dóchas Centre operated at 109% capacity and Limerick female prison operated at 138% capacity.³⁹ Latest figures show the Dóchas Centre is operating below capacity at 98% while the female wing of Limerick prison is 129%.⁴⁰

The IoP has highlighted the negative effects of overcrowding, including women doubled-up in cells and services and regimes not being adequate.⁴¹ The VC highlighted that women had access only to basic education courses, and such access was further limited due to staff shortages. Currently, 30% of women in the Dóchas Centre are in shared cells⁴² using the toilet in the presence of others. The link between overcrowding and the lack of gender-specific alternatives to prison was highlighted in the *Strategic Review of Penal Policy*:

'... women's prisons are now the most overcrowded in the State...the Review Group are concerned at the under use of alternative community programmes for women.'

Furthermore, Ireland has no open prison for the small number of women serving longer sentences, including life sentences. The Dóchas VC has described this as discriminatory against women:

'the complete absence of gender appropriate open/step down facilities or community based open conditions for female offenders emphatically represents the unequal treatment of a needy cohort of detained persons, viz women.'

One of the key recommendations made by the Strategic Penal Policy Review Group was that an open prison for women should be considered; a timeline was set for Quarter 2 of 2017, however IPRT is unaware of any progress made.⁴³

IPRT recommends:

- 2.1 Irish State must develop gender-specific alternatives to prison, which would alleviate overcrowding and provide a more effective response to women who offend.**
- 2.2 Staff shortages must be addressed so that women in prison have regular access to education and other activities.**
- 2.3 Women in prison should have access to all levels of education, including third-level as outlined under Article 10 of CEDAW.**
- 2.4 The State should provide an open prison for women.**

³⁸ Irish Prison Service, *Daily Prison Population*, 1st July 2017

<http://www.irishprisons.ie/index.php/information-centre/statistics-information/2015-daily-prisoner-population/2017-prison-populations/> (12/01/17)

³⁹ Irish Prison Service, *Daily Prison Population*, 1st September 2016.

⁴⁰ Irish Prison Service, *Daily Prison Population*, 17th January 2017.

⁴¹ Inspector of Prisons Judge Michael O'Reilly, *Interim Report*, Dublin, 2013, p.9; Dóchas Visiting Committee, *2015 Dóchas Visiting Committee Annual Report*, Dublin, 2015.

⁴² Irish Prison Service (2016) *Census of Cell Occupancy* http://www.irishprisons.ie/wp-content/uploads/documents_pdf/October2016_incell.pdf (22/12/16)

⁴³ *Implementation of Penal Policy Review Group Recommendations*, p.12

Issue 3: Healthcare Services

There is a higher prevalence of mental health issues among female prisoners than male prisoners.⁴⁴ Many female prisoners struggle with mental health issues:

*'I've seen people go off their head inside prison, they've had so much time to think. What they've done, what's happening outside...I've seen women that have put ropes around their necks. Travelling women, for the same reasons. Dead. All that time, so much time to think.'*⁴⁵

In 2014, the VC criticised the use of imprisonment where alternative treatment would have been more appropriate:

*'These women [requiring treatment] are sent to the Dóchas Centre from the courts when non-custodial, medical or therapeutic intervention could deal with their needs more appropriately and effectively.'*⁴⁶

Due to the disproportionate level of poor healthcare among vulnerable populations, the prison population arguably needs not only equivalent but better access to physical and mental healthcare services than in the community. A study (2014) found that the two female prisons ranked 'very high' in risk of HIV, Hepatitis C and drug use.⁴⁷ A recent Irish study found that an estimated 85% of women prisoners had addiction issues.⁴⁸ The same study identifies gaps in treatment services for women detained on remand, as well as women offenders with children. The study highlights the absence of a psychologist and specialist addiction nurses in the Dóchas resulting in a waiting list for addiction services.

IPRT recommends:

- 3.1 Women with mental health and addiction needs should be diverted away from the criminal justice system towards specialist treatment, including referral by specialist mental health and drug courts.**
- 3.2 Healthcare in Irish prisons should be equivalent to that in the community as a minimum, and include a fully resourced healthcare staff**
- 3.3 IPRT supports the position of Irish Human Rights and Equality Commission that the current legal position in Ireland regarding abortion puts barriers which impede a woman's right to bodily autonomy, but also has a disproportionate impact on women from lower socio-economic backgrounds especially women whose ability to travel may be circumscribed due to their status, including female prisoners.**

⁴⁴ Kennedy et al., (2005) *Mental health in Irish prisoners: psychiatric morbidity in sentenced, remanded and newly committed prisoners*, National Forensic Mental Health Service, Dublin.

⁴⁵ IPRT (2014) *Travellers in the Irish Prison System*, p. 28. <http://www.iprt.ie/contents/2624> (18/01/17)

⁴⁶ Dóchas Visiting Committee, *Annual Report*, 2014.

⁴⁷ NACDA & UCD (2014) 'Study on the Prevalence of Drug Use including intravenous drug use, and blood borne viruses among the Irish Prisoner Population' <http://www.paveepoint.ie/wp-content/uploads/2014/05/Full-Drug-use-among-Irish-prisoner-population.pdf> (09/01/17)

⁴⁸ *Review of Drug and Alcohol Treatment Services for Adult Offenders in the Prison and Community*, p.74 http://www.justice.ie/en/JELR/PS_IPS_Probation_Review_of_treatment_for_offenders.pdf/Files/PS_IPS_Probation_Review_of_treatment_for_offenders.pdf

Issue 4: Specific Vulnerable Groups

a. Traveller Women

The All-Ireland Traveller Health Study found that the risk of imprisonment for Traveller women was 18 to 22 times higher than that of the general population.⁴⁹ Although Travellers account for 0.6% of the overall population in the Republic of Ireland, it has been estimated that they constitute 22% of the female prison population.⁵⁰ Female Travellers who offend and use drugs suffer from particular stigma within Traveller culture.⁵¹

IPRT recommends:

4.1 Specific services must be designed to meet the needs of Traveller women, who are over-represented in the prison system.

b. Pregnant Women & Mothers with Young Children

The separation of a child from their imprisoned parent can have negative impact on the life outcomes of the child.⁵² The decision to detain mothers who have infants has been criticised by the Dóchas VC, which in 2015 remained 'very concerned':

*'We would like to reiterate that the imprisonment of mothers and young babies is never ideal and that non-custodial and community sentences should be developed more progressively.'*⁵³

Under Article 30(1) of the *African Charter on the Rights and Welfare of the Child*, special treatment of expectant mothers and mothers of young children, including non-custodial alternatives, should be a primary consideration when sentencing.⁵⁴ The CEDAW Convention identifies that *'the interest of the children is the primordial consideration in all cases'*.⁵⁵

In exceptional cases where pregnant women require imprisonment, the lack of a Mother and Baby Unit at Limerick Prison presents a concern, potentially resulting in imprisonment of a woman far from her family. The lack of a Mother and Baby Unit outside of Dublin places Ireland in contravention of the Bangkok Rules.

Visitation can be geographically arduous and costly for families. Both prisoners and family members find visitation stressful due to high noise levels, as well as a lack of physical contact.⁵⁶ Quality contact between mothers and their children should be facilitated including the introduction of a subsidy scheme to financially support visits to prison.⁵⁷

IPRT recommends:

4.2 Alternatives to custody specific to the needs of mothers should be developed and introduced, to avoid unnecessary imprisonment and minimise impact on children.

4.3 The State should introduce a subsidy scheme to financially support family visits to prison.

⁴⁹ *All Ireland Traveller Health Study*, 2010. Summary available here, https://www.ucd.ie/t4cms/AITHS_SUMMARY.pdf (18/01/17)

⁵⁰ IPRT (2014) *Travellers in the Irish Prison System*, p. 8.

⁵¹ Ibid.

⁵² IPRT, *Picking Up the Pieces: The Rights and Needs of Children and Families Affected by Imprisonment*, Dublin.

⁵³ Dóchas Visiting Committee, *Annual Report*, 2015. Dóchas Visiting Committee, *Annual Report*, 2014.

⁵⁴ <http://pages.au.int/acerwc/documents/african-charter-rights-and-welfare-child-acrwc> (18/01/17)

⁵⁵ CEDAW Convention, Article 5 (b).

⁵⁶ IPRT, *Picking Up the Pieces*, p. 21; O'Malley & Devaney, *Maintaining the Mother-Child Relationship*, pp. 1-11

⁵⁷ Dóchas Visiting Committee Annual Report 2015, p. 5

4.4 A Mother and Baby Unit should be established at Limerick Prison.

c. LGBT Women

LGBT women are vulnerable to potential victimisation. While the Irish Prison Service has pledged to develop a new policy for LGBT prisoners taking account of IPRT's 2016 report⁵⁸, IPRT would like to restate the disadvantage faced by LGBT women in the prison system.

IPRT recommends:

4.5 Irish Prison Service develop a policy on the placement and treatment of LGBT prisoners that takes IPRT recommendations into account.

d. Sex Workers

Sex workers remain a 'hidden population' due to the lack of data on prisoners formerly engaged/engaged in sex work. International research suggests that prisoners involved in sex work have specific healthcare and housing needs. These women often struggle to engage with prison services due to the stigma attached to sex work.⁵⁹

IPRT recommends:

4.6 Counselling must be made available in prisons for women with experience of abuse, and outreach links should be developed between prisons and charities working with sex workers.

e. Older Women

Older female prisoners struggle with gendered age-related health issues, such as mammograms, cervical screenings, and the menopause.⁶⁰ Older females face numerous barriers in accessing employment and supports upon release.⁶¹ The recidivism rate for women aged 51+ increased by 9% in 2015 from 2014, highlighting the importance of post-release supports for this cohort.⁶²

IPRT recommends:

4.7 Gender-specific health care needs of older female prisoners must be met.

Issue 5: Post-Release Supports

Recidivism rates demonstrate that 36.9% of women released from prison re-offend within 12 months, rising to 46.2% within three years.⁶³ Female offenders in Ireland are 4.6 times more likely than males to experience difficulties with accommodation.⁶⁴ As stated in 2. above, there is no step-down facility

⁵⁸ http://www.iprt.ie/files/IPRT_Out_on_the_Inside_2016_EMBARGO_TO_1030_Feb_02_2016.pdf (19/01/17)

⁵⁹ Ahearne, G. (2016) 'Paying the Price: Sex Workers in Prison and the Reality of Stigma', *Prison Service Journal*, pp. 24-30.

⁶⁰ IPRT, *'In Here Time Stands Still'*, 2016, p. 4.

⁶¹ Ibid, p. 18.

⁶² CSO, *Prison Recidivism Study: 2010 Cohort*, 9 Nov 2016, <http://www.cso.ie/en/releasesandpublications/er/prir/prisonrecidivism2010cohort>

⁶³ Irish Prison Service Recidivism 2011 -2013 cited in *Joint Probation Strategy-Irish Prison Service Strategy 2014-2016 An Effective Response to Women who Offend*, p.7

⁶⁴ Kelly, J. & J. Brogue (2014) Gender Differences in Criminogenic Needs among Irish Offenders, *Irish Probation Journal*, p.97

or open prison for women in Ireland. The particular vulnerability of women on release has been highlighted by the IoP who stated that no woman should leave prison homeless.⁶⁵ Many women struggle post-release:

'People that's homeless getting sent out to the streets. The hostels or one night bed options is not suitable for people coming off, or trying to stay off drugs. If they are on the streets they will end up back to the same lifestyle and back in prison'.⁶⁶

Existing post-release services are concentrated in urban areas, making access to services difficult for women living in rural areas.⁶⁷

Of three female prisoners to die in the care of the Irish Prison Service from 2012-2016, two died of overdoses while on Temporary Release.⁶⁸ The State has an obligation to address the issue of homelessness and ensure that women leaving prison have suitable, long-term accommodation.⁶⁹

IPRT recommends:

5.1 A multi-agency approach to structured pre-release planning and tailored post-release supports for women leaving prison, including vulnerable categories of women, is needed.

5.2 The State should ensure that all women leaving prison custody have access to safe and secure housing on release, including supported housing where required.

Conclusion:

Based on the evidence presented here to the Committee on the situation of Irish women in prisons in Ireland, and in order to address discrimination against women in detention, **IPRT's overarching recommendations to the Irish State are:**

1. The State should ensure that Ireland is fully in compliance with the *Convention on the Elimination of Discrimination against Women (CEDAW)* and the *United Nations Rules for the Treatment of Female Offenders (Bangkok Rules)*.

2. The State should implement fully the *Strategic Review Group on Penal Policy*⁷⁰ recommendations on female offenders and the Probation Service and Irish Prison Service (2014) *Joint Strategy for Women who offend*.

[http://www.probation.ie/EN/PB/0/D3C5802560B143EC8025802F003224C2/\\$File/IPJ2014pages87to102.pdf](http://www.probation.ie/EN/PB/0/D3C5802560B143EC8025802F003224C2/$File/IPJ2014pages87to102.pdf) (04/01/17)

⁶⁵ Inspector of Prisons (2013) *Interim Report on the Dóchas Centre*, p.10; *Dóchas Visiting Committee Annual Report* (2015), p.7

⁶⁶ IPRT (2010) *'It's like stepping on a landmine...'* *Reintegration of Prisoners in Ireland*.

⁶⁷ Ibid.

⁶⁸ Inspector of Prisons, *Report into the circumstances surrounding the Death of Prisoner B on 28 March 2015*, and, *Report into the circumstances surrounding the Death of Prisoner A on 15 January 2014* <http://inspectorofprisons.gov.ie/en/IOP/Pages/DeathInCustodyReports> (18/01/17)

⁶⁹ Inspector of Prisons (2013) *Interim Report on the Dóchas Centre*, p.13

⁷⁰ *Implementation of Penal Policy Review Group Recommendations* (June 2016)