

PRISON OFFICERS'
ASSOCIATION

PRISON OFFICER

December 2014

Merry Christmas from the IPS



DIGNITY AT WORK

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ATTENTION ALL MEMBERS

I am now inviting submissions to be included in the March newsletter

CLOSING DATE FOR THESE
SUBMISSIONS WILL BE FRIDAY
27th FEBRUARY 2015

It is also intended to include a Buy and Sell section in this newsletter. Any member who wishes to utilise this section please send submission by Friday 27th February 2015.

**ALL SUBMISSIONS FOR THE
SEPTEMBER NEWSLETTER MUST
BE SENT BY EMAIL TO
admin@poa.ie**





Colleagues,

May I take this opportunity to wish **all members** and their families a Merry Christmas and a Happy New Year. At this time of year our thoughts and prayers are with all who have lost loved ones during the year and in particular to the family and friends of Billy Collins Cork, John Allman Arbour Hill and Sean Barry Mountjoy. May they rest in peace.

In this magazine you will find the main IR sections which are Developments on Pay and Related Matters, Report from the National Executive Council and Departmental Council. Also included are the Retirement Function, Branch News, Cycle against Suicide, IPSSLA, Service Provider Adverts, Crossword/Sudoku page and a Historical Article supplied by Brendan Doorhey. I would to thank Brendan for his regular contributions to the Prison Officer Magazine.

Haddington Road Agreement/Public Service Agreement

I would like to take this opportunity to inform **all members** that there has been a major sea change to industrial relations in the Prison Service from mid-2014. A number of decisions have been made in recent times by the Irish Prison Service without respecting the input of the Prison Officers Association. In doing this they have clearly demonstrated their intention to depart from the joint approach that had seen your views and opinions advanced on an equal footing with that of the employer. This removal of good will from the employment relationship, which had been in operation since the commencement of the Croke Park Agreement, will radically impact on the working lives of prison officers and their families. It is now clear that the management of the IPS are intent on a confrontational method of industrial relations which deliberately excludes your union from legitimately putting forward your opinions and concerns in any meaningful way. This was their choice not ours.

As you all know there was an emergency meeting of the National Executive Council held on Friday 7th November



2014 where it was decided to respond to **their** withdrawal of goodwill with **our** withdrawal of goodwill.

The National Executive Council have asked me to express their sincere thanks for the huge demonstration of solidarity and support shown by you the membership to the challenges presented to us so far. I would also like to thank all the local Branch

Committees who played such a pivotal role over the past few weeks. I must however stress that the attitude shown to Prison Officers and its representatives remains and shows no sign of abating but it is only through our own hard fought unity that we can prevail.

1915 Edition of the Prison Officer Magazine

In this magazine you will find pages from the 1915 Edition of the Prison Officer Magazine. The roots of the POA can be traced back to the launch in 1910 of the underground magazine, 'Prison Officers' Magazine', under the editorship of Fred Ludlow, the magazine was otherwise known as the 'Red-Un' after the colour of its cover. After the editorship was taken over by E.R. Ramsey in 1915 (pages included in this magazine) a more radical tone was adopted, this led in 1916 to the formation of the Prison Officers' Federation. I would like to thank Mark Breen for this contribution as the Editorial Board will be considering articles of a historical nature that may be of interest to members in future publications.

Public Sector Magazine

The Prison Officers Association are the Overall Winners of the Public Sector Magazine Award 2014 for their Contribution to the Prison Service on behalf of the State. It's ironic that in these present times with the outlook for the economy and subsequent knock on effect for Members going forward the next section in this editorial outlined the Irish Prison Service's stance of exclusion of the Prison Officers' Association on issues that affect the Membership. Please see Prison Officers' Association President Mr. Stephen Delaney's interview with the Public Sector Magazine.

Retirements

This year again has seen a decline in the number of members retiring from the Irish Prison Service. It is important that those members who retire are honoured by the Prison Officers' Association and the retirement function this year was held in the Mont Clare Hotel on the 2nd December 2014. Those who attended the retirement function have their photographs displayed in this magazine. Thirty years is a long time in the difficult job we do and this retirement function is the Prison Officers' Association way of paying tribute to those men and women who have given so much to provide a service for the Irish people.

General Council Staff Panel

On the 12th and 13th November 2014 National Officers attended a number of workshops of the General Council Staff Panel which included presentations by Ms. Esther Lynch ICTU on the Workplace Relations Bill 2014 and Mr. Francis Watters Senior Lecturer in Law Dundalk Institute of Technology on the Protected Disclosures Act 2014. Contained in this magazine you will find both presentations which may be of interest to members.

POA Website

I would like to thank ALL Members who access our website, traffic has certainly increased and this is a vital vehicle for the dissemination of information. To date over 1,000 Members have signed up for email access and I would like this to increase. I encourage more Members to sign up by emailing admin@poa.ie to access important information that you may not be aware of.

Conclusion

I take this opportunity to thank you the member for reading this magazine. It is vital that information both Industrial Relations and Local News is disseminated to members to ensure an accurate account of how the Prison Officers' Association carries out its business. There are some difficult times ahead of us as an organisation so I ask that members attend meetings, check notice boards, sign up for emails and check the POA Website. I would also like to thank Shirley, Bernadette, Teresa and Tom for all their assistance during the year. Their work is invaluable for the running of our organisation.

Paul Purcell, Editor





Dear Members

I would like to take this opportunity to wish you, your families and all your loved ones a very Happy Christmas this year. For those of you who are working over the festive period I wish you well and hope you get the time to have some festive cheer.

The last twelve months have been very demanding and busy time for the Union and its Representatives. It is for this reason I would like to express my sincere gratitude for the



PRESIDENT'S GREETING

massive support and solidarity you, the membership have shown towards the Union particularly in recent times. We have shown that it is not about personalities, individual groups, or individuals, it is about a group of workers who are prepared to stand together in order to protect our conditions which we hold so dear. I ask for your continued support as I have no doubt that we will again face such challenges again early in the new year.

As I approach the end of my term of office as President I would like to thank you, the National Executive Council, and your Local Branch Representatives for the commitment

and support you have given my colleagues and I over the number of years. We faced very difficult and testing times but we came through it together and now we must be equally strong for the challenge of recovery.

Finally, at Christmas we must not forget our colleagues, Sean Barry, John Allman, and Billy Collins who passed away during the year. To anybody who has suffered bereavement during the past twelve months, you are in our prayers at this time.

Merry Christmas
Stephen Delaney, President

GENERAL SECRETARY'S GREETING

Dear Members

It's Christmas time again and on behalf of my colleagues on the National Executive Council and on my own behalf, I am delighted to convey Christmas Greetings by wishing each member, their families and loved ones a Merry Christmas and a Happy New Year. I would also like to take this opportunity to thank all the members for your continuing support to the Prison Officers' Association during the year.

Dating back to the start of 2009 and the introduction of the Public Service Pension levy followed by the 2010 direct pay cuts the past few years have proven extremely difficult for all Public Sector workers, including grades represented by the Prison Officers Association. We have also now witnessed in our own workplace a major sea change to industrial relations from mid-2014. A number of unilateral decisions made in recent times by the employer have



clearly demonstrated their intention to depart from the joint approach that had seen your views and opinions advanced on an equal footing. Is it now the case that there are signs of growth in the Irish economy that industrial relations in the Prison Service will revert to being conducted in the confrontational ways we witnessed in the past which did little by way of producing anything for anyone.

On the pay front Income recovery across the workforce will be key trade union goals for 2015. It is expected that discussions between representatives of the Government and the ICTU Public Services Committee will commence next year. This in all probability will be the first practical step in what is likely to be a challenging journey in the gradual re-winding of pay cuts that have been imposed by successive Governments.

On a happier note the Union had again great pleasure in honouring a number of our members at the Prison Officers' Association's annual retirement function held on Tuesday 2nd December 2014. The retirement function was again a very successful occasion and to those members who

retired during the year and their families, I wish them good health and an enjoyable retirement. It's well deserved.

At this special time of year, our thoughts, prayers and best wishes are with those members who are currently ill and I am sure we all remember those friends, relatives and colleagues who have passed away during the year. Sadly since last Christmas three members passed away and I am sure we are all thinking of the families of Billy Collins, John Allman and Sean Barry at this time of the year.

Christmas is a special time of year for all, especially the family. For many of our members' families, their loved ones will be at work in the Prison Service on behalf of the State over the Christmas period. To all those members who will be on duty, I wish you and your families well over the Christmas period.

John Clinton, General Secretary

The Prison Officers Association: OVERALL WINNERS 2014 Public Sector Magazine Award for their Contribution to the Prison Service on behalf of the State

Interview with Mr. Stephen Delaney, President, Prison Officers' Association

The Prison Officers' Association was founded in 1947 and represents over 3,250 Prison Staff around the country in each prison including PSEC (Prison Service Escort Corps). The Association represents all Staff up to and including the rank of Deputy Governor and we are well positioned to represent and protect the interests of our members with the valued assistance of our Local Representatives who are based in each location.

The policies of the Association are determined by our Annual Delegate Conference every year which are driven and implemented by the National Executive Council who convene once a month. The daily affairs of the Association are administered by eight National Officers, of which four are full time Officials of the Association.

The Prison Officers' Association is essentially what its members want it to be – a strong, respected and progressive union – with a sense of fairness applying to all of its 3,250 members. In recent years after some challenging times on the industrial relations front we have developed significant skills in putting forward creative solutions on issues which have contributed to a more stable environment for our members. Where possible we always try to engage for the purpose of influencing the agenda rather than having the agenda imposed on us as workers.

In 2005 the Prison Officers Association was the first organization within the Civil Service to introduce an annualized hour's agreement for the purpose of protecting our members' earnings, which is still in operation today.

With our affiliation to the Irish Congress of Trade Unions, and membership of the Public Services Committee, we have taken a strong and public position on important issues such as pay which directly affects our members within our prisons. Stephen explains that, "Despite the fact that we managed to maintain our premium payments under the terms of Haddington Road, the reality is, that the financial crisis has had a massive impact on our members and their families where members have taken a 15% reduction in pay "and when this is combined with the redundancy of a partner for example, some families are experiencing immense financial stress.

Stephen says that "Civil and Public Service workers such as Prison Officers must be rewarded for the hardship many of them have experienced for their contribution in restoring the economy of our country. At our Annual Delegate Conference last May we were the first union to highlight the 1 billion euro savings to the Government in the course of present pay agreements and we urged the then

Minister to restore Prison Officers pay to 2008 levels as a matter of urgency. This fundamental issue will remain top of our agenda in the coming months" said Stephen.

For the future, Stephen states, "It is vital that the Minister and all the Officials of the Prison Service recognize that in terms of funding and recruitment it is essential that the Prison Service is supported sufficiently. The Financial Emergency Measures in the Public Interest should be discarded for the long term prospects of the Prison Service. Politicians see no votes in prisons but they should realize that without investment in our Prison Service; we will all pay a much higher societal price in the short and long term. You can only generate so much by way of efficiencies before you destroy the very fabric of the service we are supposedly developing".

Stephen also outlines "unfortunately today, the threat of violence and accusations of mistreatment for Prison Officers is part of the normal working day. We as the representative body will endeavor to pursue all reasonable measures to create and protect a relatively safe working environment for our members".

It was for this reason why it was necessary for the Union to serve strike notice on the Irish Prison Service because despite protracted discussions Prison Management

were unable to implement sufficient measures to protect the Health and Safety of Staff both at Mountjoy and Cloverhill Prison. Consequently two one hour work stoppages took place in Cloverhill Prison on the 18th and 19th of September with the proposed action for Mountjoy withdrawn due to a facilitated proposal which was drafted with the assistance of the Labour Relations Commission. Presently we are engaged with Senior Management at the LRC for the purpose of finding a resolution to the Cloverhill dispute.

On the international front, our involvement and our relationship outside of Ireland continues to evolve within our affiliation to EUROFEDOP and INFEDOP both well established and respected Public Service Bodies within the European Community. Our General Secretary, Mr. John Clinton currently holds the position of Vice President of Eurofeop and he is also the President of the Justice Trades Council at CESI (European Confederation of Independent Trade Unions). We have also developed good relations, interacting regularly with fellow Prison Officer Bodies in Northern Ireland, Scotland and the UK, where we travelled to support English Prison Officers in their high profile campaign for the right to strike.

Stephen states "As an organization, everything we do is designed to protect our pay, our conditions of service and our members in the workplace. Going forward, Stephen says "the restoration of our pay and the implementation of a Complaint Procedures which is fair to all stakeholders are a priority for the Association".

He says "To achieve our objectives effective communication with our members is essential. We try to

provide easy access to full and part time Officials and we promote a culture of openness and transparency which we aspire to be key features of the organization"

This Administration has invested heavily in upgrading our communications system which also includes our website (www.poa.ie). We have also developed training programs for our Local Representatives and we will continue to provide financial resources for the provision of accredited training for

the purpose of upskilling our local representatives on the ground floor.

There is no doubt that Stephen Delaney and the Association he represents has an exceptional commitment to their work - as recognized by the Public Sector Magazine Awards Panel. Stephen concludes, "I take this opportunity to accept this award on behalf of all our members who work so hard and make such a vital contribution to our society."



Listed below are the full and part time Officials of the Prison Officers' Association.

John Clinton	<i>General Secretary</i>
Jim Mitchell	<i>Deputy General Secretary</i>
Gabriel Keaveny	<i>Assistant General Secretary</i>
Karl Dalton	<i>Assistant General Secretary</i>
Stephen Delaney	<i>President</i>
Declan Mullally	<i>Vice President</i>
Paul Purcell	<i>Information Officer</i>
Tom Delaney	<i>General Treasurer</i>

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Developments on Pay and Related Matters July 2014 – December 2014

NEC Meeting 3rd September 2014

The Haddington Road Agreement:

There were two meetings of the Prison Service Sectoral group held since the last National Executive Council meeting which was held on Wednesday 11th June 2014. These meetings were held on Thursday 26th June 2014 and on Monday 19th May 2014 at the IPS Dublin. The agenda for the Prison Service Sectoral group meetings and other documentation issued at the meetings was included in the executive file.

Engagement with the Irish Prison Service and with the Sectoral Chair has continued on a bilateral basis therefore there were numerous meetings/ engagements on the on-going Transformation Process/HRA that took place as follows:

- Friday 13th June 2014, Limerick PSEC (Task review)
- Monday 16th June 2014, IPS Headquarters Longford (Transformation issues)
- Wednesday 18th June 2014, Cloverhill Prison (Sigma One Presentation)
- Wednesday 25th June 2014, IPSTC (Canine Unit issues)
- Friday 27th June 2014, IPS Headquarters Longford (Transformation issues Canine Unit)
- Thursday 3rd July 2014, IPS Headquarters Longford (Transformation Matters)
- Friday 4th July 2014, IPS Headquarters Longford (Nursing issues)
- Monday 7th July 2014, IPS

Headquarters Longford (Transformation issues and the crisis in the Prisons)

- Tuesday 8th July 2014, IPS Dublin (Bi lateral meeting with Sectoral Chair)
- Wednesday 9th July 2014, IPSTC (Meeting with New Governor)
- Friday 11th July 2014, IPS Headquarters Longford (OSG Implementation)
- Monday 14th July 2014, IPS Longford (Transformation meeting with Prison Operations)
- Tuesday 15th July 2014, IPS Headquarters Longford (OSG Transformation)
- Wednesday 16th July 2014, IPS Dublin (Bilateral meeting)
- Thursday 17th July 2014, Cloverhill Prisons (Transformation meeting)
- Wednesday 23rd July 2014, Portlaoise Prison (Transformation meeting)
- Friday 25th July 2014, IPS Dublin (Bilateral meeting)
- Tuesday 29th July 2014, IPS Headquarters Longford (Transformation meeting)
- Thursday 31st July 2014, IPS Dublin (OSG Implementation meeting)
- Wednesday 6th August 2014, IPS Headquarters Longford (Transformation meeting)
- Thursday 7th August 2014, PSEC Cloverhill (Task Review Issues)
- Friday 8th August 2014, IPS Dublin (National Monitoring and Review)
- Tuesday 12th August 2014, Northern Ireland (PECCS)

- Thursday 14th August 2014, St Patrick's Institution (Administration Review)
- Monday 18th August 2014, IPS Headquarters Longford (Meeting re operation of Canine Unit)
- Tuesday 19th August 2014, IPS Dublin (Bilateral meeting re staffing crisis with M McLoone)
- Wednesday 20th August 2014, IPS Longford (Transformation meeting)
- Thursday 21st August 2014, Portlaoise Prison (Transformation issues)
- Monday 25th August 2014, Loughan House (Administration Review)
- Thursday 28th August 2014, Midlands Prison (Home Kennelling Review)

The National Executive Council was briefed on these meetings.

PASO Rates of Pay: The PASO 3 grades recently received a pay rise in accordance with the Haddington Road Agreement. Correspondence was circulated amongst these grades around the branches on this matter. A further clarification was given at the meeting.

PMDS: The application of appeal arrangements under PMDS are to go before the Civil Service Arbitration Board. The substance of the disagreement between the staff side and the official side was outlined at the meeting.

RPO Pay: The issue of the Rent Allowance not increasing to reflect the reinstatement of the 10% under the HRA for RPOs who moved to

first point of the Prison Officers Scale was raised with the official side by the Union. The response we received on this matter dated Wednesday 23rd July 2014 was issued in the executive file.

Rent Allowance: There was a Labour Court hearing held on Wednesday 30th July 2014 regarding a dispute concerning the non-payment of 'rent allowance' to three newly recruited firefighters. Documentation regarding the outcome of this hearing is contained in the executive file and a full briefing regarding the up to date position in relation to the rent allowance for new entrants was given at the meeting.

NEC Meeting 22nd October 2014

The Haddington Road Agreement: There was a meeting held between the Sectoral Chair of the Prison Sector Mr M McLoone and the Prison Officers Association on Thursday 11th September 2014 at POA Headquarters regarding the Sanction given by the National Executive Council on Wednesday 3rd September 2014 for Industrial Action to commence at the Cloverhill and Mountjoy Branches.

There was one meeting of the Prison Service Sectoral group held since the last National Executive Council meeting which was held on Wednesday 3rd September 2014. This meeting was held on Monday 15th September 2014 at the IPS Dublin. The agenda for the Prison Service Sectoral group meeting and other documentation issued at the meeting was included in the executive file.

Engagement with the Irish Prison Service was suspended following notification of intent to take

industrial action at the Cloverhill and Mountjoy Branches. However following a meeting with the Director General and intervention from the Labour Relations Commission there was re-engagement therefore there were numerous meetings/engagements on the on-going Transformation Process/HRA that took place as follows:

- Thursday, 4th September 2014, IPS Dublin (Transformation meeting - National Monitoring and Review)
- Friday 12th September 2014, Department of Justice (Meeting with the Director General)
- Tuesday 16th September 2014, Labour Relations Commission (Mountjoy & Cloverhill Disputes)
- Wednesday 17th September 2014, Labour Relations Commission (Cloverhill Dispute)
- Monday 22nd September Labour Relations Commission (Mountjoy)
- Thursday 25th September 2014, Labour Relations Commission (Mountjoy Dispute and St. Patrick's C Unit)
- Friday 26th September 2014, IPS Headquarters Longford (Nursing Issues)
- Monday 29th September Labour Relations Commission (Cloverhill)
- Tuesday 30th September, Portlaoise (Search Procedures)
- Tuesday 30th September, Midlands (Transformation Implementation)
- Wednesday 01st October, Labour Relations Commission (Cloverhill)
- Friday 3rd October 2014, Beladd House (Transformation - National Monitoring and Review)
- Monday 6th October 2014,

PSEC (Branch Meeting Update)

- Monday 6th October 2014, Labour Relations Commission (Cloverhill Dispute)
- Tuesday 7th October 2014, POA Longford (Canine Rosters)
- Wednesday 8th October 2014, IPS Headquarters Longford (Healthcare Report)
- Friday 10th October 2014, IPS Dublin (Meeting with Director General & Meeting re Transformation Issues)
- Monday 13th October 2014, Labour Relations Commission (Update on Mountjoy Issues)
- Tuesday 14th October 2014, IPS Headquarters Longford (Loughan House & DNA Sampling)
- Thursday 16th October 2014, Midlands Prison (Transformation Implementation)
- Monday 20th October 2014, IPS Headquarters Longford (VDP, Forced transfers and St. Patrick's C Base)

The National Executive Council was briefed on these meetings.

Premium Payments: The methodology for paying premium payments has been the subject of a Claim at the Justice Departmental Council following a unilateral decision by the IPS to change from the one off end of year Annual premium payment. This matter has now been concluded satisfactorily.

The revised method for premium payments paid in lieu of annual leave in accordance with the provisions of the Organisation of the Working Time Act 1997 agreed in December 2006 will now be paid again at the end of the year as a once off Annual payment.

NEC Meeting 2nd&3rd December 2014

There was a meeting of the ICTU Public Services Committee held on Wednesday 26th November 2014 at ICTU Headquarters. Matters discussed at the ICTU Public Services Committee meeting were Sick leave, Changes in FEMPI Legislation, Money owed due to Pension Levy change, Grace Period, Pensionability of discontinued allowances, Travel and Subsistence and the post Haddington Road situation. The Agenda for the ICTU Public Services Committee meeting was issued in the executive file.

The Haddington Road Agreement:

There was one meeting of the Prison Service Sectoral group held since the last scheduled meeting of the National Executive Council. The Prison Service Sectoral group meeting was held on Monday 17th November 2014, at the IPS Dublin. The agenda for the Prison Service Sectoral group meeting and other documentation issued at the meeting was included in the executive file. There were a number of meetings/engagements on the on-going Transformation Process/HRA that took place as follows:

- Thursday 23rd October 2014, Labour Relations Commission (Cloverhill and Mountjoy Prisons)
- Thursday 23rd October 2014, POA Headquarters Dublin (Bilateral engagement under Sector Chair)
- Wednesday 29th October 2014, IPS Headquarters Longford (Assistant Governor Work & Training)
- Monday 3rd November 2014, Labour Relations Commission (Midlands Prison - staffing issues)
- Monday 10th November 2014,

Labour Relations Commission (Midlands Prison - staffing issues)

- Tuesday 11th November 2014, Labour Relations Commission (Midlands Prison - staffing issues)
- Thursday 13th November Labour Relations Commission (Midlands Prison - staffing issues)
- Wednesday 19th November 2014, Labour Relations Commission (Re unilateral IPS decisions)
- Tuesday 25th November 2014, IPS Dublin (Transformation issues and the Trades Report)
- Wednesday 26th November 2014, PSEC Headquarters (Bilateral engagement re rosters)

The National Executive Council was briefed on these meetings.

PMDS: On the 30th October last the Civil Service circulated its Personnel Officers that the calibration element of PMDS is not being rolled out to all grades in 2015. The external review element will not be made available also. These decisions were made unilaterally without consultation with the staff side. A full briefing on this matter was given at the meeting.

PORTLAOISE ENVIRONMENTAL ALLOWANCE

The Arbitration Board hearing regarding the Official Sides Claim for a review of the Portlaoise Environmental Allowance submitted through the Justice Departmental Council in February 2010 was held on Wednesday 12th November 2014. During the course of the hearing the Irish Prison Service put forward a new document relating to their Statement of Claim which was not previously forwarded to the Staff Side. Due to this fact the Arbitration

Board agreed that the Staff Side be afforded an opportunity to forward on our observations to the Arbitration Board regarding the aforementioned document.

The Chairman of the Arbitration Board also requested specific information from the Irish Prison Service at the conclusion of the hearing in relation to the Border Duty Allowance (Payable in the PDF) plus specific information regarding Prison Officers pay. The Union has forwarded correspondence to the Secretary of the Arbitration Board requesting specific information and outlining that we will be in a position to respond in full on receipt of the information requested.

SUMMARY DOCUMENT ON THE PUBLIC SERVICE STABILITY AGREEMENT 2013 – 2016 (THE HADDINGTON ROAD AGREEMENT INCLUDING THE FULL CONTENT OF APPENDIX 1 THE IRISH PRISON SERVICE SECTORAL AGREEMENT)

There are nine Appendices to this Agreement outlining the different Collective Agreements in the different Sectors across the Public Service. Appendix 1 of the Haddington Road Agreement sets out the Irish Prison Service Collective Agreement as follows:

The Irish Prison Service must secure savings of €12.42 million attributable to measures agreed as an extension to the *Public Service Agreement 2010 2014*. These measures must ensure the maintenance of the Prison Service on a safe and secure basis within the constraints outlined in Chapter 4.1 of that Agreement.

To build on the progress already made, both in the Proposal for Organisational Change (PFOC) and the *Public Service Agreement*, and to achieve greater efficiencies and modernisation it will be necessary to examine the organisational, structural and operational arrangements

of the IPS, and implement such changes as are necessary so that prisons can operate in the most effective (including cost effective) and efficient manner.

The changes to be implemented **MAY** include:

- Changes to the proportion of staff to be assigned to each of the current bands of Additional Hours so that ten per cent of prison staff who use additional hours be assigned to the zero hours band (Band 0); ten per cent be assigned to the 112 hours band (Band 1); ten per cent be assigned to the 240 hours band (Band 2); and seventy per cent be assigned to the 360 hours band (Band 3). The reduction in hours usage will be removed from the AH budget.
- The rationalisation and consolidation of grades such that the grade of Chief Trades Officer 1 (Regional Manager) is terminated and the duties attached are subsumed within the existing management structure of the Building Services Division.
- The rationalisation and consolidation of grades such that the grade of Industrial Supervisor is terminated and the duties attached are subsumed within the revised supervisory structure of the prison work training regime.
- The introduction of a centralised detailing model such that the rostering and detailing of staff in all parts of the IPS is done remotely, and the requirement for specialist detailing staff in each prison and ancillary service of the IPS is reduced as far as possible.
- The alignment of Annual Leave of all grades in the Prison Service with the provisions of the relevant Circulars.
- A reduction in the expenditure

on agency and locum healthcare staff, consequent on the staffing of this area in accordance with the agreed report on the task review.

- A reduction in the expenditure on trades contract staff and other maintenance contract services, consequent on the staffing of this area in accordance with the agreed report on the task review.
- The introduction of an automatic key and radio disbursement facility.
- The removal of all acting up allowances, with all vacancies arising to be filled through use of existing resources, including relief panels in line with the IPS internal competition procedure. Details of these arrangements are to be agreed between the parties.
- The pursuance of efficiencies across the Justice sector, including specifically video linking for court appearances, the introduction of electronic warrants, the closure of prison main gates after certain times, resolution of issues regarding Production Orders and Special Criminal Court warrants, and issues around the escorting of prisoners.
- The progression of Prison Administration and Support Officer (PASO) grade staff to other grades within the Prison Service as part of their career path options, details of which to be arranged between the parties.
- Develop/explore potential for one committal prison for Dublin.
- Review operation of St. Patrick's Institution to sex offender/protection.
- Review senior management attendance at weekends.
- Review of the grade structures of the Irish Prison Service with a

view to achieving a reduction in supervisory grades.

- Extending PASO grades, for example, Medical Filing/Booked visits/Central Detail/Healthcare target of 50 over period of Agreement.
- Pursuance of reform measures – eliminate grace periods/full implementation of campus structures to include unitary staffing.

The savings generated by the implementation of these measures will be aggregated and included towards the achievement of the savings target set for the IPS. In the event that the necessary level of savings outlined above cannot be clearly identified by the end of this process it may be necessary to introduce changes to ensure the required level of savings is delivered. In the event that such proposals are tabled by either side any issues arising will be considered by the Parties for early resolution. Where agreement cannot be reached at this level the dispute resolution mechanism set out in the main civil service document will apply.

Nothing in this Agreement will be taken to imply anything beyond the terms of the Agreement.

This is the exact same Collective Agreement between the Prison Officers Association and the Irish Prison Service as was contained at Appendix 2 of the LRC Proposals for a Public Service Agreement 2013 – 2016 (Extension of the Croke Park Agreement) issued on 25th February 2013, which was accepted by the membership in the National Ballot counted by the Returning Officer on Tuesday 16th April 2013. Furthermore the improvements contained within the Haddington Road Agreement in respect of the Reinstatement of Pay to members earning pensionable pay over €65,000 will apply to POA members.

SUMMARY OF THE EFFECTS OF THE HADDINGTON ROAD AGREEMENT SPECIFIC TO MEMBERS OF THE POA ARE AS FOLLOWS:

- Extra working hours – Non applicable due to our Additional Hours Contracts
- Twilight Payments 6.00pm – 8.00pm – Remains unchanged
- Night Duty Allowance – Remains unchanged
- Saturday Allowance – Remains unchanged
- Sunday Allowance – Remains unchanged
- Bank Holiday Allowance – Remains unchanged
- Good Friday Allowance – Abolished as this is not a Public Holiday
- The 10% pay cut introduced on RPOs will be rectified and reintegrated into their pay scales during their career – discussions to take place on implementation of ending this two-tier structure.

SUMMARY OF THE EFFECTS OF THE PAY AND PRODUCTIVITY MEASURES MATTERS APPLICABLE TO ALL PUBLIC SERVANTS CONTAINED WITHIN THE HADDINGTON ROAD AGREEMENT, ARE AS FOLLOWS:

Higher Pay (Additional Hours payments not included)

- For those with salaries of €5,000 and greater including allowances in the nature of pay, their total remuneration is reduced by 5.5% subject to not falling below €5,000 (To be Reinstated)
- Earnings including allowances in the nature of pay between €30,000 and €150,000 will be reduced by 8% (To be Reinstated)

Restoration of Pay

- Persons on salaries above

€5,000 inclusive of allowance in the nature of pay to the max of Principal Officer higher scale or equivalent across the Public Service, subject to the reduction in pay will be restored to the pay rate that they would have had, but for the pay reduction, within a maximum of 18 months of the end of this three year Agreement. This restoration will be in two equal phases, the first after 9 months and the second 9 months later

Increments

- Public servants who earn less than €35,000 a year will receive their next increment when it falls due and then wait 15 months rather than 12 before any following increment is paid. (3 month increment freeze)
- Public servants who earn between €35,000 and €5,000 will receive their next increment when it falls due, then wait 15 months rather than 12 before any following increment is paid, and then 15 months rather than 12 before any further increment is paid. (Two 3 month increment freezes)
- Where an employee's salary (inclusive of allowances in the nature of pay) surpasses €35,000 during the Agreement, a second incremental freeze of three months will apply, in accordance with the arrangements for those on salaries between €35,000 and €5,000, inclusive of allowances in the nature of pay outlined above.
- Public servants who earn between €35,000 and €5,000 a year, and who are now at the top of their scale, will forfeit six days leave, or the pay equivalent over the lifetime of the agreement (ie, before the end of 2016).

Pension levy

Legislation will be introduced to exempt more earnings from the Pension levy. This will be done by halving the 'pension levy' rate of 5% on earnings between €15,000 and €20,000.

Redeployment

The limit remains at 45 kilometers. The proposals would introduce some changes to procedures for the redeployment of staff in the civil service and non-commercial semi-state bodies, and for cross-sectoral redeployments. Appeals procedures would remain in place but individuals who refuse an assignment to "a comparable role in the public service" would be subject to normal disciplinary procedures.

Allowances

There is no significant change to the existing situation regarding allowances. The proposals commit unions and management to continue to cooperate with the Government's allowances review. It says the parties should take account of a recent Labour Court Recommendation on the issue with a view to reaching agreement on compensation in situations where pensionable allowances are eliminated in future.

Outsourcing, agency workers and consultancy costs

The proposals reaffirm the principles and procedures on outsourcing set out in the original Croke Park agreement. The proposals would establish a national procurement office to ensure compliance with the terms of the agreement. Should it be required, there will be a joint review of the outsourcing element of the original Croke Park agreement. The proposal notes union concerns about the use and cost of external consultants and says "it is expected that savings in consultancy contracts will be a key element of this programme."

RETIREMENT NIGHT 2014

This year again has seen a decline in the number of members retiring from the Irish Prison Service. It is important that those members who retire are honoured by the Prison Officers' Association and the retirement function this year was held in the Mont Clare Hotel on the 2nd December 2014. A number of retirees complimented the Prison Officers' Association for this recognition as the POA are one of the few unions that honour their members in this way.

All guests were honoured with a token of our appreciation for their long and dedicated service. The National Executive Council wishes all those who retired a long and healthy retirement. The following is a list of Members who have retired in 2014.

Portlaoise	Lar Hogan	Limerick	Gerard Ryan	Midlands	Pat Walshe
Portlaoise	Alan Williams	Limerick	Angela Danaher Howard	Midlands	Ann Marie Walsh
Portlaoise	Liam Campion	Limerick	Tony Carroll	Midlands	James Telford
Portlaoise	Thomas Mullen	Limerick	Sheila Cahill		
		Limerick	Michael Kane	Arbour Hill	Michael McFadden
Dochas	Eithne Mulhern			Arbour Hill	Robert Marian Wise
		IPS College	Thomas Fox		
Mountjoy	Mary Murphy			Cloverhill	Enda O Donovan
		Wheatfield	Helen Geraldine Lyons	Cloverhill	Bernie Celia Kilbane
Cork	John Aher	Wheatfield	William O Keffe	OSG Cloverhill	Hugh Gerard
Cork	James O Connell				
Cork	Noel McDonagh	Shelton Abbey	James Toner	St Patricks	Martin Kavanagh
Cork	William Coughlan	Shelton Abbey	Mark Curran		
Cork	Noel O Connor			Training Unit	John Finn
Cork	Anthony O Sullivan	Castlerea OSG	Peter Burchill		
Cork	Daniel O Keffe	Castlerea	Hughie Guihen	St Patricks	Peter Cary
OSG Cork	Thomas Power	Castlerea	Martin Jordan		



RETIREMENTS



President Stephen Delaney welcoming retirees



RETIREMENTS



General Secretary John Clinton addressing retirees





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The committee would like to wish all the staff in Arbour Hill. Prison Staff, Welfare, Psychology, Chaplain and Teachers a very Happy Christmas and best wishes for 2015 indeed we would like to extend these wishes to all in other Prisons around the country.

The Dundalk Races. A great night was had by all with plenty of winners good craic and good company. The biggest talking point was by Eugene O'Connor was it a hill or not a hill; the car rolled up the hill; Damien was a believer Eugene wants to bring a beach ball next year ????

Loved Ones

To all who have lost loved ones our prayers and thoughts are with you at this time of year. A special mention to our friend John Allman R.I.P.

Miscellaneous

Tommy O'Garas and the Millillium bars, thanks to Tommy Martin Alex and Rita for all your help throughout the year and the same to Larry Declan and Sherlie for your service during the year.

Special thanks to all in the Credit Union, Medical Aid, Local and National P.O.A. Thank you all for all the hard work you do and sometimes you don't receive the thanks you deserve.

As we go to print on the 28th we are holding a Memorial in

Arbour Hill for John Allman. His family will be unvailing a plaque in his memory it will probably be a happy and sad day .Thanks to Governor Dowling D/Governor Hughes Fr Enright Noel Donnelly Paddy Fitzpatrick and Tony O'Connor for helping to make this day a memorable day for John's family and Friends. Gone but not forgotten. R.I.P.

Trust Fund and Social Club Christmas draws.The draws take place in Tommys on the 4th December at 9.anyone who wants to join for next years draws give your pay number to Noel Cosgrove asap.

Congratulations to Ursula Hayden and John Brennan again for their achievements throughout the year. Thanks to Tony O'Connor, Liam O'Reilly, Paul Doyle and all the prisoners in the kitchen for all the delights you supplied to the Social Club during the year.To all other staff who helped us out a big thank you van Driver, detail, office staff etc.

Congratulations to all staff in all Prisons on sticking together recently to show just how much our good will means to running all the Prisons.This is a service we have been providing for years with no recognition.

To all staff who have to work over the Christmas period be safe and don't think we are not thinking of you as we are off having a pint???

To all in I.P.S. Happy Christmas and best wishes for 2015. Have a Blast and see you all in 2015. Arbour Hill Sports and Social Club.
Noel Cosgrove

Colleagues,

Let me begin by wishing you and yours a very happy and safe Xmas especially to those staff who find themselves due on over the holiday period.

I would also like to extend the Branches sympathy to all staff who lost loved ones this year, Xmas can prove a difficult time for some in this regard and our thoughts and prayers are with you at this time.

On a happier note I would like to congratulate those staff that welcomed a new baby into their life this year I hope all is well with the new arrivals.

To those staff that have left Cloverhill this year to pastures new all the best in your new endeavours and indeed to the staff mainly from Mountjoy who have recently joined us we extend a warm welcome to you all.

This year to date has proven to be a very challenging one for the staff in Cloverhill especially in light of our ongoing difficulties with regard to the health and safety concerns we are experiencing, took us to the LRC where upon a resolution wasn't forthcoming on

time and resulted in us all taking industrial action which took us out onto the street in two one hour stoppages.



Left to right Enda Donovan, Alan Holbrook Branch Chairperson Cloverhill, Hughie Gerrard at the Retirement Function



Cloverhill Prison Officer PJ Byrne with the Chairman of the local POA Branch Alan Holbrook after receiving a donation raised from staff who had to provide emergency cover in the jail during the most recent industrial dispute. The donation was giving to Officer PJ Byrne to help with the ongoing care of his daughter.

I hope in the New Year to bring some good news on the industrial relations front as the rumblings in the air is that the powers that be are now in a position to look favourably on returning some of what has been taken from our income over the last number of years lets hope so.

MERRY XMAS AND A HAPPY NEW YEAR

ALAN HOLBROOK, CLOVERHILL CHAIRPERSON POA

Dublin Intermediate Inter-Firms Championship final, 29th September 2014

CLOVERHILL PRISON 2-18 AER LINGUS 2-10

Team: G. Rooney, R.Conefry, J. Flynn, J.Brennan, T. Brennan, D. Ward(0-2), B.Power, A.Kelly(0-3), C. Delaney(0-1), P. Connolly(0-1), C. Burns(0-6), D.Carlos(0-2), C.Harney, S.Reagan(2-2), B.Fitzpatrick(0-1).

Replacements: D. Buggle, G.Keogh, L.McEvoy, D.Byrne, F.Bannon.

St. Mary's GAA Club, Saggart played host to this eagerly anticipated encounter and it certainly lived up to expectation. Both clubs had clashed three weeks prior to this fixture in a preliminary round, with an understaffed Cloverhill side narrowly losing out. This defeat had a positive effect as a new-look Cloverhill side were destined to make amends.

Transformation has caused concerns in most Prisons but Cloverhill benefited from the addition of PASO grade footballer's such as former Carlow County star John Brennan and David Byrne from Celebridge.

The opening half saw an explosive Cloverhill race to an early lead with Adrian Kelly and Cathal Burns picking off scores. Aer Lingus first response was a goal which highlighted some slight complacency in defence and the fly-boys enjoying a brief spell of dominance and procession. Captain Donal Ward rallied his charges, inspiring the fight back and leading his side to a slender 1-9 to 1-7 half time lead.



Half time brought about two substitutions and a recap of original game plan which helped kick-start Cloverhill again. Phil Connelly and Barry Fitzpatrick rolled back the years with vintage scores from play. Possession was employed well with Des Carlos standing out with a strong second-half contribution. The introduction of David Byrne solidified the Cloverhill side as he linked well with Laois duo Adrian Kelly and Conor Delaney to turn possession into scores.

Cloverhill will now pursue a Leinster title and hopefully challenge in the All Ireland series. Great credit is due to my colleagues Cathal Burns and Padraic Carty for there continued support and vision for Cloverhill GAA Club since its formation in 2005.

Yours in Sport, Ronan Moran



UNION NEWS

As once again we arrive at the end of another year I would like to take this opportunity to wish all the members and their families a very Happy Christmas and a Prosperous New Year. 2014 has not been an easy year for those of us at The Midlands as we continue to struggle with staff shortages, post cuts and dangerous manning levels but as ever the dedicated and professional staff have kept the chin up and got on with it.

Throughout the year we have had numerous meetings with the Transformation team in an attempt to address what we considered to be chronic and dangerous manning levels and to try to get the Midlands to the agreed Transformation numbers. These meetings proved fruitless in the main. In October a proposal was carried at a branch meeting to ballot the members on Industrial Action. Almost immediately we were invited to the Labour Relations Commission in an attempt to address the issues in the Midlands. At the first engagement we received a formal request to defer our ballot pending the outcome of the discussions. A number of engagements took place over the following two weeks which culminated in a document being agreed by both sides. This document went a long way to addressing the concerns of the local Branch Committee and was unanimously accepted by the membership at a branch meeting in November. The local Branch Committee would like to take this opportunity to thank the members for their patience and continued support during this

process. We will continue to work on your behalf to ensure that all that was contained in the LRC document is implemented in a timely manner.

November also saw a directive issued by the National Executive Council (NEC) regarding a withdrawal of goodwill brought about by a number of unilateral decisions taken by the Irish Prison Service. This directive was in place for approximately 10 days and was rigidly adhered to by **ALL Members** at The Midlands. This withdrawal of goodwill proved most successful in the prisons across the country and resulted in another very positive document from a POA perspective issuing from the Labour Relations Commission. It also proved to be a uniting issue for all members and proved that we are a force to be reckoned with when we stand together. The membership should take great pride in what has been achieved by their unity.

As Chairperson I would like to take this opportunity to thank the members of the Local Branch Committee for their help and support throughout 2014 and to welcome the new members onto the committee. I look forward to working with you all in 2015.

CONDOLENCES

Our deepest sympathy is expressed on behalf of all our members in the Midlands to all our colleagues who have lost loved ones over the past year. To all of the bereaved families, our thoughts and prayers are with you all at this most difficult time. May they rest in peace.

RETIREMENTS

To all those who have left us may we wish you a long happy and healthy retirement and may you draw your pension for at least as long as you have paid into it.

ARRIVALS AND DEPARTURES

To those who have left us we would like to wish you the best of luck and to those that have joined the ranks of the Midlands (and there have been a few more than anticipated) may we wish you a Cead mile failte and hope you are happy and safe here.

CONGRATULATIONS

We would like to take this opportunity to congratulate those members who have recently got engaged, married or divorced and to those who have recently had additions to the families.

MIDLANDS SOCIAL CLUB

As 2014 comes to a close we would like to wish all our members a Happy Christmas and prosperous New Year. We would like to thank everyone for their continuing support during the year. The committee are busy planning for the New Year and have already booked some new and exciting events. Keep an eye on the club notice board and Lotus Notes for details. New members are always welcome.

CHARITY FIGHT NIGHT

We are planning to run a charity white collar boxing night in conjunction with Portlaoise social club in June. Anyone who fancies themselves as the next Willie 'Big Bang' Casey or Katie Taylor please give your name to any of the Midlands or Portlaoise committees. This promises to be a great night with local charities benefitting and some old scores being settled. Laois football great, well **FORMER** great, Bruno McCormack is already in training after being challenged by Shane Mezza Mitchell.

THE COMMITTEE

RESERVATION CUP

On a glorious September morning the greatest rivalry in golf took place in Portlaoise Golf Club. The mighty Laois team captained by Damien "does my bum look big in this" Cullinan aimed to defend their title against the mediocre Rest of the World team captained by Eugene "I'm friends with everybody" Mohan.

With the teams picked and evenly balanced (in weight only)

the morning foursomes were played. Kevin "when I was in Portlaoise" Ryan was *thrash talking* (pun intended) but was soundly beaten by Ben "teetotal" Row and Fergus "the tan is real" Dunphy.

There were a few late call-ups as replacements and some proved to be less of an addition than those they replaced but thanks for the effort Christy "I'm the best coach ever" Smith and Steve "I'm fitter than Fehan" Crowley.

Laois stormed into a huge lead in the foursomes after inspiring words from the captain. "Lads, don't let that Ginger beat me". After refuelling on soup, sandwiches and other "Energy Drinks" the singles began. The Rest of the World dug deep and started to turn the tide. The absence of Noel "I'm a county dual player" Rowe proved to be pivotal. In the end the Rest of the world came through for their captain and took the victory. Both captains gave rousing speeches at the post match function and then handed over the captaincy's to Laois' Vinny "I'll do it right" O'Reilly and "ROW" Alan "Don't make me mad" Hogan. Well done to Declan Condon on a great event and let's do it all again next year.

The Christmas scramble takes place on Friday 19th December at Portlaoise Golf Club. All are welcome. Please contact Tony Dalton for details.

'TOM BYRNE ANNUAL CHARITY CYCLE'

The officers of the Midlands prison take part in a charity cycle from Portlaoise to Kilkenny each year with a different charity benefitting from their efforts annually. The original cycle started up in The Curragh prison and when it closed the cycle carried on through the leadership of Maurice Purcell and our late colleague Tom Byrne. Tom was a great supporter of the cycle and took part every year whether driving, cycling or collecting. The organising committee decided to name the cycle in Tom's honour and the 'Tom Byrne charity cycle' was born. Tom's wife Rita and daughters Becky and Laura travel with the group and are avid fundraisers for the charities each year.



The 2014 cycle raised funds for 'The Susie Long Hospice Foundation' in Kilkenny city. The charity was set up in 2007 to provide the highest quality end of life care for patients and their families through the establishment of a ten bed hospice in Kilkenny. The organising committee decided in 2014 to raise funds for charities in counties represented by officers who work in the Midlands prison , Kilkenny was the first county chosen and the fact that there was no hospice in Kilkenny made 'The Susie Long Foundation' a very deserving cause for the team.

Almost 30 people took part in the 2014 cycle our biggest number to date and we were met outside Kilkenny castle on arrival by Tommy Roche from 'The Susie Long Foundation' .He thanked everyone for their efforts and said he was delighted that we had chosen them as our beneficiaries. The group have raised over 6000euro for the charity from payroll deductions and sponsorship cards and also a cake sale organised by Tom's daughter Becky at her workplace where she raised over 1400euro.

A thank you has to be said to the staff that sign over their cash year in year out and the governor for sorting us out with the transportation, the tuckshop and kitchen for supplying us with fodder and hydration for the day, and of course the officers and PASO's and Tom's family and friends who take part in the cycle and make it all possible..

B.Byran

ST PETERS GAA CLUB

St Peters Portlaoise 4-07

Accenture Dublin 2-06

On a bitterly cold night at the excellent venue of Round Towers GAA Club in Kildare town and after a gap of 22 years since their last Leinster Crown, albeit without the Midlands staff back then, St Peters were crowned Leinster Inter-Firms Senior Football Champions on Monday night 17th November 2014.

The foundations of this famous victory were set when a delegation approached the *legend* that is Keith "*Rasal*" Ryan to manage the team. After some long chats that the POA would be

proud of he agreed to take up the challenge. After careful deliberation he picked his backroom team comprising of Joe "*The Lips*" Coleman (Midlands), Seamie Smith (Portlaoise) and Con "*Hairy*" Dunne (Portlaoise).

With an array of talent to choose from including 4 former Laois greats, 1 Donegal Senior panellist, a current Offaly Inter County star and.... the rest..... Well silk purse and sow's ear comes to mind.....

Following their famous victory a clearly emotional captain Mick Jordan choked back the tears as he collected the trophy. Indeed so overcome by the emotion of the occasion was Mick that instead of his pre-prepared 5 page speech the only word he could muster was "Thanks". The magnificent effort and dedication shown by the team and mentors should not be under-estimated as they came through a very tough and keenly fought Leinster campaign to claim their title.

Great unity and team spirit were shown by the squad as they embraced Brian "*Bruno*" McCormack, Bruno finally claiming that elusive Leinster winner's medal.

So now the Big Red Machine (and his squad) march on in search of All-Ireland Glory. Details of the All-Ireland Semi Final are not available yet but we hope that all the staff will get behind this group of elite athletes in their quest to capture that elusive All-Ireland Crown.

MIDLANDS RUSTY RAMBLERS

Midlands Rusty Ramblers would like to wish everyone a very Merry Christmas and a Happy New Year. 2014 has been another great year for the Ramblers. We have had endless new challenges and adventures this year.

Our annual weekend away walk was held in May and we headed to Irelands tallest Mountain, Carrauntoohil. Of course we didn't just take the "tourist route" but instead we took on the challenge of the Coumloughra Horseshoe. 16 brave walkers took part on this walk and 9 and a half hours later all returned to the





Hotel hungry and tired. The obligatory few drinks after dinner and a good night's rest left us all proud of our achievements.

We have held one walk a month this year and our walks have included Slieve Blooms, Knockmealdowns, Galtees, Wicklow and Blackstairs Mountains. The club continues to run navigation courses for our members and this year was no exception. 8 new members have completed this course and are now ready to take an active role in the planning /organisation which makes our club such a success.

Our overnight walk/ wild camping weekend was one of our most successful events this year. The group of 15 met in Cahir and we headed for the mountains packed and ready for our night ahead. Being our first such event some were more prepared than others and at an average of 20kgs a bag we made our way up the mountain. After an hour walk we made base camp and set up our tents for the night. After a bite to eat we left all the gear behind and we went for a short walk to the summit. In another first we took a route up the Gully and all made it back to camp safe and hungry. After we cooked dinner we set up a camp fire and sat round for a few hours with the customary few drinks the group enjoys after all our walks. A good night's rest followed and after breakfast the next morning keeping to our motto of leave no trace we returned the area to its natural state and headed back to the cars.

We have been fortunate that this event was sponsored by various bodies which helped us to provide tents and cooking

equipment for all. We would like to thank the IPSSLA, Irish Prison Service Official Contribution Scheme, Mess committee and the Governor of Midlands for all their support this year. We continue to add to our group equipment in the future to help us expand our events for the club members.

Looking forward to 2015 we have big plans for the club. In May we hold our Annual Weekend Away walk and this year we have chosen Ben Nevis Scotland as our chosen destination. For all members of the club we have posted the exact details on our notice board and Facebook page. There is a huge interest in the event and our club hope to enjoy the support of past sponsors for this event too. We are scheduled to fly into Glasgow International Airport to be met by our transport and make our way to our accommodation at the Premier Inn Fort William. The next morning we embark on our walk up Ben Nevis taking the Carn Mor Dearg Arête. This will be a long route and quite strenuous in places. After the walk we plan to enjoy an evening meal before a few well deserved drinks for the night.

Day three plans to be a free day for walkers to enjoy the local area and recover from the previous day. Then that evening we will hold our AGM at the hotel before heading out to enjoy the local attractions. Day four head to the Airport late that evening and home to Ireland.

Notwithstanding that this will be one of our highlights for the year we do plan allot of other events ahead. We will hold another overnight on the hills in August and we hope to open this to any other walking groups who would like to join us. We will continue to enjoy one walk a month and we would encourage those who would like to join us, to contact us for details of our walks and join us on any of our walks ahead.

Finally we would like to repeat our Seasons Greetings to all our Members, Family and friends.

Hope you will join us on a walk in the future,

Alan O Connell, Club Secretary



Proud

According to the European Commission in its latest published report on Ireland's bailout programme, the European Commission has been heralding what it described as "important progress" in reforming the banking sector and government spending.

The Commission said it expected the economy to continue to grow this year – albeit at a 'modest' rate, given the difficulties with domestic demand – and that Ireland was also making good progress on removing restrictions on trade and competition in some sectors.

Banks are back lending, the housing market has seen an increase in sales and the demand for houses has left the market with a shortage, the economy is buoyant with the news, people are spending helping to give stability to the financial market and the mood is one of we have turned a corner.

But for Prison Officers nothing is nearer the truth, Prison Officers are still suffering financially and having to wait till next year to see if this Government will come good on their word to engage with unions on pay.

Prison Officers like other Public and Civil Servants have had to endure their fair share of pay cuts, increased deductions in their pay packets, attacks from IBEC and the media on their pay and pensions, reduced morale and decreased staffing numbers.

For a number of days in November, Prison Officers around the country had to stand together as one, in voicing their opposition to the attack on their working conditions, IPS failure to engage in industrial matters and their Union.

We stood together for our rights as workers, as Prison Officers in saying enough is enough, we demanded to be treated with respect, with dignity, with fairness and worth. We did not shrug our responsibilities, we were committed to the end and it was this commitment and our shared belief in each other that won the day.

Prison Officers have never been afraid to stand together in times of need and we should be proud of who we are, Prison Officers and members of the Prison Officers' Association.

Christmas

At this time of year, it is time to reflect on the past year and remember those who have passed away, family, friends and colleagues. But Christmas is also a time for celebration and to look forward to a new year.

PSEC Branch would like to wish all Prison Officers a very Happy Christmas and a prosperous New Year.

Condolences

To those who have lost loved ones throughout the year, our prayers and thoughts are with you at this time.

Congratulations

The baby boom is continuing in PSEC and congratulations go out to Liam Mangan, Mark O'Shaughnessy and Emily Donehey on their new arrivals.

Goodbyes and Welcome

Best wishes to Tony Harris and Jimmy Finnerty have left PSEC to go to greener pastures in IPS HQ Longford and Castlrea and welcome to the fold Adrian Sweeney, you have big shoes to fill.

Welcome Back

A big welcome back to Tommy Hogg, back from his enforced sabbatical.

Colleagues,

I would like to take this opportunity to wish all the members of the Shelton Abbey branch and their families a very happy Christmas.

To the committee members, Jimmy Parkes and Declan Jordan(yes only two) I would like to thank them for all their ongoing help with the many issues we faced over the past twelve months. To the national officers thank you all very much for all your help. It's reassuring to know that your only a phone call away.

To the two staff that retired recently, Mark Curran and Jim Toner, I hope you have a long and healthy retirement. Enjoy it lads. I would also like to welcome our two new recruits to the Shelton staff, John Dillon and Kevin Moran who feel like they have retired.....! Finally I would like to wish everybody all the best for 2015 and hopefully things can only get better.

Liam Hayden
Branch Chairperson.

Retirements/Transfers

The Staff of the Training Unit would like to pass on our best wishes to John (Prince of Mince) Finn who recently retired as a WTO. He will be missed as he always provided a good source of slagging and craic in the tea room. His culinary skills will be missed also and some of his legendary recipes involving mince will never be forgotten.

We wish him and his family many happy, healthy years of retirement and hope that he keeps in touch in the future.

We would also like to belatedly welcome WTO Jim Flanagan into the Training Unit fold. Jim has slowly become used to the hectic pace of life in the Unit and hopefully will stay with us for a few years to come.

TUGS

The Training Unit annual Christmas Golf outing was held recently in Castleknock Hotel and Golf Club. The day was a huge success again however the numbers were slightly down on recent years. Twenty hardy souls turned up for what was a fine day for golf. Any X-mas outing that doesn't involve snow, wind, rain and ice is always a good one.

It was nice to catch up with some of our retired and transferred colleagues. A small number of golfing humans made up the numbers on the day.

The teams were very evenly matched this year and the good conditions were matched by some fantastic scores. The winning team comprised of Fitzy, Willie D, Jean and Dricco and they had a score of 5 under par in the four person scramble. Some of the team were very disappointed with the play from the team captain and felt that he was carried by the other members on the day. He may

have been suffering from golf burnout after a long holiday. There was also a rumour of kissing between team members but there is no photographic proof of this so it can't actually be proved.

There were three other teams on a score of 4 under par that could only be separated on a count-back in what was the closest competition for years. P. Nolan, T. O'Reilly, B. Seymore and D. O'Connor edged out D. Hurley, Darrent, S. Mannion and the Git Hennessy into 3rd place with Kenny, Beep Beep, L. O'Callaghan and PC coming in fourth.

Fifth place went to A. Murphy, G. Murray, Phil O'Meara and the new pensioner, John Finn on an impressive 2 under par.

We look forward to doing it all again next year.

Social Night Out:

There's a Christmas Night out arranged for Friday the 19th December in town which usually provides plenty of ammunition for slagging into the New Year. Hopefully there will be a good turnout and staff should keep an eye on the notice board for a venue.

We would like to pay our condolences to all staff and their families who may have lost loved ones this year.

We would also like to wish all staff and their families a Very Merry Christmas and Happy, Prosperous and Peaceful New Year.



X-mas Golf Winners 2014

The local branch committee would like to take this opportunity to wish all members of Wheatfield Prison Officers Association a very merry Christmas and a peaceful new year .

Condolences

The branch committee would like to extend their sympathy to the relatives of our colleagues who have passed away as Christmas is a time we miss them most also anyone who lost a loved one during the last year .

Arrivals and departures

The committee would like to extend a warm welcome to all the members who have come to wheatfield and bid a fond farewell to those who have left wheatfield for pastures greener.

The committee would like to thank all members for their support in 2014 culminating in a tremendous show of support from all members regarding the attempt to take away our grace periods.

This show of strength was extremely important in forcing the issue and ultimately the success we achieved once again well done to everybody . This only confirms to me that unity is our main strength .

During the year we also had the ballot for two health and safety officers in Wheatfield and asst secretary of the committee .

We would like to thank all those who put their name forward to run in the ballot for these positions and congratulate the victors P Mc Gee successful in both the union position and health and safety and also P Lynch health and safety.

On December 17th Jim Breen is meeting with the Director General of the IPS and several Governors in Brian Stack House hoping to get the go ahead to come and speak to Staff and Prisoners in Limerick, Cork, Midlands and Portlaoise prisons. The reasons for picking these four prisons are that they are on the 2015 route of the Cycle Against Suicide. They are also on the route for "The Run"

Cycle Against Suicide is a unique event that has seen almost 10,000 cyclists participate since 2013. Over two years, participants have visited 6 communities, engaging with thousands of students, young people and locals to promote positive mental health.

The main aim of the Cycle is to break the stigma associated with the open discussion of mental health and to raise awareness of the considerable help and local supports available to anyone battling depression, self harm, at risk of suicide or who have been bereaved by suicide.

This year, the Cycle Route will include Northern Ireland, with cyclists departing Belfast on Monday, April 27th 2015 and finishing in Dublin on Sunday, May 10th 2015. Over a two week period, participants completing the entire route, will cover 1400 kilometres, visiting Malin Head and Mizen Head, and a number of new counties not covered by previous Cycle Against Suicide events.

Registration for the Cycle which is open to anyone over the age of 16, costs 40 euros for a standard entry and 20 euros for students/unwaged and participants can choose to do as many or as a few of the 28 legs as they wish. The cost of entry includes a Cycle Against Suicide jersey.

Accommodation for participating cyclists will be provided by way of a very successful Homestay programme, which sees cyclists receive a free nights accommodation, breakfast, dinner and shower facilities, bike storage and lifts to and from cycle locations from supportive home owners across the country. For those wishing to provide cyclists with this support, they can contact Cycle Against Suicide at homestay@cycleagainstsuitude.com.

Commenting on the opening of Registration for 2015, Founder of Cycle Against Suicide, Jim Breen said: "Our 2015 cycle sees us build on the success of previous events and we are hoping that

many more, will join us this year, in a bid to spread the message that **it's OK not to feel OK; and it's absolutely OK to ask for help.** We welcome participants for the entire cycle or part thereof. We are especially excited about starting in Belfast in 2015 and including Northern Ireland in our course route this year."

The 14 day Cycle from Monday, April 27th to Sunday, May 10th 2015 is the main event of the year at Cycle Against Suicide.

"THE RUN"

Being the person behind the Cycle Against Suicide isn't enough of a challenge for Jim Breen so this year he has upped his game considerably. Cycling 100km a day for 14 consecutive days isn't sufficiently tough for him so he has decided to **RUN 50km a day for 28 days** immediately preceding the cycle.

The 28 day Run is a pre-publicity event for the Cycle and covers the same 1,400 km route as the Cycle, albeit in reverse, with an average running distance of 50 km per day.

The Run will start in Dublin on Monday, March 30th 2015 and finish in Belfast on Sunday, April 26th 2015. It will create and build momentum for the Cycle Against Suicide main event which starts in Belfast on Monday, April 27th and finishes in Dublin on Sunday, May 10th 2015 (see <http://www.cycleagainstsuitude.com/your-route/>).

It is expected that up to 10,000 people will take part in Cycle Against Suicide 2015. Run Against Suicide will have two or three runners take part in the full run each day. It is planned that some high profile personalities will run the full 50 km on any given day with Jim Breen founder of Cycle Against Suicide. On a number of days, a short (3 to 5 km) Fun Run will take place at the start of the day to encourage people (particularly students) be part of the experience.

WHAT ARE THE AIMS OF THE RUN?

The main aims of the Run are:

- To promote the main Cycle Against Suicide event
- To promote the message of Cycle Against Suicide to Businesses, Voluntary Groups, Prisons and other Organisations through the hosting of afternoon/evening events during the 28 days
- To recruit volunteers and homestay

providers for the 14 days of the Cycle

- To create new, or expand existing, relationships and partnerships with schools prisons, local media and mental health organisations around the island of Ireland

WHO IS THE RUN TARGETING?

The Run is targeting the general public through our media campaign. These groups include:

- Multinational and indigenous companies located on the route,
- First responder organisations such as Fire Brigades and the Civil Defence,
- Community groups and voluntary organisations such as Men's Sheds

If you think you might be able to help and are willing to join up and give a hand please contact me in Portlaoise or any of the officers in your place of work who have taken part already. This is a great cause and following on from it we hope to see an increase in the numbers of Officers taking part in the cycle. Plans are afoot in some prisons already with regards to same so don't be left out if you want to take part in a worthy cause. Unfortunately we can see suicide from both sides, dealing with it professionally in our place of work and maybe dealing with it personally in our private lives. This could be your chance to make a difference. Together we can break the cycle of suicide in Ireland.

Christy Bannon
(Portlaoise Prison)



Report of the National Executive Council

National Executive Council Meetings July 2014 – December 2014

As Developments on Pay and Related Matters is the main item on the National Executive Councils Meetings it is a standalone section in this magazine. All others matters raised at the National Executive Council Meetings are contained in this section and full briefings were given on each issue.

NEC Meeting 3rd September 2014

LRC Advisory Service: Due to the fact that there was deterioration between the parties on a number of matters relating to the Haddington Road Agreement, the Prison Officers Association sent correspondence to the LRC Advisory Service outlining that we now believe that engagement with the Advisory Services of the Labour Relations Commission would be of immense importance.

Meeting with the Minister for Justice and Equality

The Union sent correspondence to the new Minister for Justice and Equality on 12th May 2014 requesting an opportunity to meet to discuss the many issues of mutual interest and concern. A meeting with the Minister was held on Monday 30th June 2014 and the issues discussed with the Minister included Prisoner Complaints Procedures, the recent change in approach to the implementation at National Agreements (CPA/HRA) by Local Prison Governors and IPS Officials, the Staffing crisis in a number of prisons, Recruitment to the Irish Prison Service and the Ramifications of the New Single

Public Service Pension Scheme for fast accrual grades.

Ballots for Industrial Action at the Cloverhill and Mountjoy Branches

Ballots for Industrial Action have been conducted at the Cloverhill Branch and at the Mountjoy Branch. Both Branches requested sanction to commence industrial action and completed the necessary application form to the NEC. This matter was discussed at the meeting. The NEC sanctioned Industrial Action to commence later this month and that further instructions would issue to each Branch.

Justice Departmental Council

There was a meeting of the Justice Departmental Council held on Tuesday 29th July 2014. The Agenda for this meeting and a copy of the briefing document issued at the Departmental Council were issued in the executive file.

They were also informed that the Union had forwarded a submission to the Civil Service Adjudicator in relation to a dispute regarding over a re-grading in the Irish Prison Service where agreement could not be reached. The POA submission to the Adjudicator was issued in the executive file. however we have not yet received a date for this hearing.

There was a facilitation hearing held at the LRC on Thursday 28th August 2014 in relation to the staff sides Claim for the incorporation of the Industrial Manager's Allowance into salary.

Short Notice Leave

The Short Notice Leave Scheme has been operational since June. A bilateral meeting took place on this issue on the 31st July 2014.

Press Queries on Assaults

Arising from recent press queries and media interviews on assaults on members there requires a more streamlined reporting mechanism to Headquarters.

National Officers Competitions

The NEC was informed that Positions for the two Assistant General Secretaries fall vacant with effect from January 2015 so the competition for the positions must be concluded before December. This requires amongst other things an advertisement process and the setting up of the interview board. The General Secretary and Deputy General Secretary position will then require to be filled. These matters were discussed and the NEC directed to proceed with the necessary arrangements.

Diary

The 2015 Diary is scheduled for delivery on the 18th September 2014.

Wellness Programme

The Report has issued from CPL Healthcare.

NEC Meeting

22nd October 2014

Justice Departmental Council

There was a meeting of the Justice Departmental Council held on Thursday 2nd October 2014. The Agenda for this meeting and a copy of the briefing document issued at the Departmental Council was issued in the executive file.

Adjudication Hearing

There was an Adjudication Hearing held on Wednesday 15th October 2014 on the dispute regarding the re-grading of an Assistant Governor (Work and Training) in the Irish Prison Service to the role of Assistant Governor (Discipline). The Chair of the adjudication board directed that bilateral engagement take place on the issue and a further hearing date be arranged if necessary.

Ebola Virus

On 10th October 2014 the Union wrote to the Director of Care & Rehabilitation regarding what measures are in place to deal with a possible outbreak of Ebola in the Prison Estate. The IPS issued a response on Friday 17th October 2014 and a full update was given at the meeting.

Peer Support Worker

The IPS issued a Draft Circular to the Union on Thursday 9th October 2014 for staff to apply for the position of Peer Support Workers. This is a new initiative relating to the proposed revised Critical Incident Policy. Peer Support training is recognised by the Critical Incident Stress Management (CISM) Network Ireland and is used by various organisations including the Dublin Fire Brigade and the Defence Forces. There was a meeting held with the IPS on Wednesday 15th October 2014 and the draft circular is contained in the executive file. This matter was discussed and further clarification is required from IPS on the terms and conditions relating to the position for the next NEC meeting.

Sick Leave Update

The Public Services Committee of ICTU forwarded an update on the application of the new Sick Leave arrangements. Local engagement with the IPS also took place on this issue and a full briefing was given. A further engagement with IPS on the application of the Critical Illness Protocol is scheduled with emphasis on injuries of that nature that occurred prior to the 31st March.

Assault Reporting

Arising from the last National Executive Council meeting a methodology has been developed for reporting staff assaults to Headquarters. Arising from this discussion all branch committees will be required to provide weekly returns to Headquarters on any assaults on staff that have occurred in their institution.

Health and Safety

Arising from the ballots for Industrial Action regarding the Health and Safety of staff with particular reference to Mountjoy and Cloverhill Prisons, contact was made with the IPS and the HSA. Correspondence was contained in the file and a full briefing was given at the meeting.

Control and Restraint

There was a meeting of the Control and Restraint Sub Committee held on Friday 17th October 2014. Matters discussed by the Steering Committee were outlined at the NEC meeting and an agenda of that meeting was contained in the NEC file.

Public Service Award

Recently the Prison Officers' Association were announced as the overall winners for 2014 in the Public Sector Magazine Award for their contribution to the Prison Service on behalf of the State.

Finance

Correspondence is contained in the file regarding the procedures for staff pertaining to how they process a claim through Cornmarket for the ICP.

Correspondence is also contained in the file regarding the review of the Policy between Friends First, Cornmarket and the POA.

AOB

Midlands: Regionalised detailing for HIPS – Matters relating to WTO seniority

NEC: Recent Inspector of Prisons Report.

NEC: Recent PASO Recruits and their subsequent assignments.

NEC Meeting 2nd & 3rd December 2014

Sick Leave

The NEC was informed that the Public Services Committee of ICTU addressed some outstanding sick leave matters with constituent unions at its meeting on 26th November 2014. The IPS forwarded a breakdown of the attendance statistics for Prison Staff from January to September 2014 as well as a clarification note from DPER on the application of the Critical Illness Protocol at the most recent HR meeting. These matters were discussed by the NEC at the meeting.

Short Notice Leave

The IPS has unilaterally discontinued the Short Notice Leave Scheme effective from the 1st of December 2014.

Staff Panel Training Course/Workshop

A workshop of the Staff Panel of the Civil Service General Council took place on the 12th and 13th November 2014 in Wexford where there were three principal presentations on the Workplace Relations Bill, Protected Disclosures Act and a NERI presentation on the Post Budget 2015. These presentations were issued in the executive file and an overview was given at the meeting.

Uniform Committee Meeting

There was a meeting of the Uniform Committee held on Thursday 27th November 2014 at the Irish Prison Service Headquarters, Longford. The documentation issued at the Uniform Committee meeting was issued in the executive file.

Control and Restraint Steering Committee Meeting

There was a meeting of the Control and Restraint Steering Committee held on Friday 17th October 2014 at the Irish Prison Service Headquarters, Longford. The documentation issued at the Control and Restraint Steering Committee meeting was issued in the executive file.

Deaths in Custody

As a result of an Inspector of Prisons report regarding deaths in custody, a new format has been formulated and new procedures introduced. Correspondence regarding this matter was issued in the executive file.

National Officers

Competitions/Forthcoming Elections

The National Executive Council directed on Wednesday 3rd September 2014, that the competition to fill the forthcoming two Assistant General Secretary Positions be concluded by December 2014. The Interview board concluded their work on Thursday 20th November 2014 and the Chairperson of the Interview Board delivered the outcome of the Competition to Prison Officers Association Headquarters on Monday 1st December 2014 for the attention of the National Executive Council. The outcome of the competition was brought to the attention of and accepted by the NEC and the Chairperson of the Interview Board will forward correspondence to all participants regarding the Interview Boards deliberations.

In accordance with Rule 29 (2) of the Prison Officers Association, the General Secretary shall, during each month of December, notify each branch Secretary of any

vacancy for the President, the Vice-President, the General Treasurer and the Information Officer which will arise in the following year. All Branch Secretaries have been notified of the forthcoming vacancies. There was a copy of the correspondence that was sent to each Branch Secretary issued in the executive file.

CCTV Matter

A new policy has been developed by the Irish Prison Service regarding the use of CCTV. Correspondence on this matter was issued in the executive file.

Members Complaint

On 23rd January 2014 Assistant General Secretary G Keaveny was appointed by the General Secretary to investigate a member's complaint. As this investigation has concluded a report on this matter was brought to the attention of the NEC under Rule 89. The parties to the complaint will be notified of decision of the National Executive Council.

Finance

There were a number of financial issues discussed at the meeting including matters arising from documentation issued from some of our service providers which they are obliged to bring to the attention of the NEC Annually.

AOB

Cloverhill: Raised the matter of **Campus working arrangements for Chief Officer 2 and above.**



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IPSSLA Report

It has been a busy year for the IPSSLA. The start of the year saw the IPSSLA stride out on its own as an independent self funding association. After years of planning we finally signed up members and started taking deductions. Our aim is to remain within our budget and invest member's money wisely in health & leisure initiatives and activities. There are over 25 affiliated clubs from across the country through which almost all prisons are represented.

On Feb 26th we launched our 5 year strategic plan. Guest speaker on the day was John Treacy Head of the Irish Sports Council. This plan gives the association some guidance for the years ahead and the committee are working hard to reach the goal set out in the plan. The IPSSLA would like to thank Caroline Myers from the Laois sports partnership for all her help with the strategic plan and throughout the year.

The IPSSLA also entered the social media with the introduction of the face book page and twitter account. Our page is going strong and we would encourage all members to visit and share events with us via these outlets. We also have a section on the IRIS page with all our latest news.

Having successfully run nutrition and training courses we would hope to run more of these in the New Year. With such an active membership we expect that any courses provided would be fully subscribed within a short period of time. We aim to promote education and training to our members through the provision of these courses.

The establishment of the members draw has proved popular amongst members with tickets for Rep of Ireland soccer matches, International rugby matches and panto tickets given out so far. Congratulations to all our winners to date. There will be more giveaways from January.

IPSSLA membership is only 1 euro per week/52 euro per year. Out of your 52 euro your affiliated club will receive 30 euro per annum in the IPSSLA annual grant scheme. If you are a member of more than one clubs this 30 euro is divided equally between them. The remaining money is then used to fund competitions and events such as the ones listed below.

If you would like to become a member of IPSSLA please ask your local rep or contact irishprisonsports@gmail.com via facebook or twitter

WPFG FAIRFAX 2015

Following on from the success of WPFG Belfast 2013 the IPSSLA is assisting members who wish to take part in WPFG 2015 in Fairfax Virginia. We have negotiated a package including flights and accommodation. This is available to members wishing to travel to

the games which take place from June 26th -6th July. With 65+ sports 12000 participants from over 70 countries taking part competing in 1600 medal events. **Are you Ready?** The group will travel together representing the IPSSLA and the Irish Prison Service and take part in the opening and closing ceremonies. If you are interested in being part of this group please contact If you check out the games website www.fairfax2015.com where a full list of all the sports are listed .To request further information or Register your interest with IPSSLA by emailing fairfax2015@irishprisons.ie. This is a fantastic opportunity to be part of one of the largest sporting events in the world.

Below is a list of some of the events held throughout the year which the IPSSLA have been involved in or supported.

Squash: Inaugural Inter Prison squash tournament was held on 8th of April in Naas health & fitness. This event was a huge success and further events are planned. Thanks to Joe Sheridan for all his hard work.

Cycle against suicide: The cycle against suicide is an annual cycle around Ireland in which cyclist can take on different stages of varying distances. This cycle aims to raise awareness and education in relation to suicide prevention. Each cycle stage finished at a school where speakers would talk to the students and all were warmly received. Prison officers from every prison in the country answered the call to come out and support this event. Every stage of this cycle had at least one if not dozens of prison officers taking part. The IPSSLA would like to thank all cyclists who gave up their valuable time to support this event and thanks was also offered to all cyclists from the organisers who acknowledged the presence of so many prison officers.

Liam Breheny European Ironman Frankfurt: Congratulations to Liam Breheny Castlerea on his completion of the Ironman Frankfurt in a time of 10 hours and 57 mins. For those of you who don't know what this entails Liam swam 2.4 miles, cycled 112miles and ran 26.2 miles. Described as the ultimate test this event is not for the faint hearted and it takes nearly a year of preparation and training. The IPSSLA are delighted to have provided equipment to Liam for his Ironman event. He can now join the elite list of Ironmen.

Rusty Ramblers: The Midlands Prison Rusty Rambler seem to be going from strength to strength. This year the IPSSLA were delighted to assist the club by providing equipment. Our funding provided a tent & storm shelters. We would like to wish them all happy hiking for 2015.

Kayaking:— IPSSLA organised a kayaking session on the river Shannon on Fri 18th April. There was a great turnout and this is hopefully something we can do again in the future.

IPS Soccer; The IPSSLA provided sponsorship for home nations tournament in May.

Midlands soccer club: The IPSSLA provided sponsorship for new goal posts

Inter Prison white collar boxing event for charity: We are proud to support this event which has been a huge success raising funds for worthy charities.

Blue Wave Dragons: The blue wave dragons had a good season which started with the club formally becoming a registered club with the Irish Dragon Boat Association and were presented with their certificated of registration at the Athy dragon boat regatta . The final regatta of the season was the Dublin international

regatta held in grand canal dock in September and the team were placed 7th out of a field 24 domestic teams and were less than 3 seconds off a podium finish. with the average over the 3 races being sub 1 minute times the future is bright for the club which is only in its second season competing and for 2015 we are already pencilled in to take part in the Athy, The Barrow ,the Dublin international regattas again as well as the world police and fire games in Fairfax USA . The club is always looking for new members and currently has members from Mountjoy, the Midlands, Castlereagh, Arbour Hill ,Limerick and Loughan House . If you want further information or wish to join the club contact your local IPSSLA rep.

***THE IPSSLA WOULD LIKE TO WISH ALL ITS MEMBERS & THEIR FAMILIES
A HAPPY AND HEALTHY CHRISTMAS AND NEW YEAR AND OFFER
SINCERE THANKS TO ALL WHO HAVE SUPPORTED AND ASSISTED THE
ASSOCIATION IN THE PAST YEAR.***

2014 Ironman Frankfurt Race report

I actually didn't hear the starting gun. The noise of the helicopter hovering overhead combined with my heartbeat drowned it out, it was only the sudden churning of the water into a white froth as 3000 people started swimming that told me to go. 219kms of swimming, 4982kms of biking and 954kms of running had come down to this and for the first 10 seconds everything appeared to be happening in slow motion until someone just swam straight over me, that's when it started. The punches, kicks and attempts to drown one and other as everyone scrambles for clear water were insane. I had come up with a cunning plan to avoid the worst of it by going to the outside of the start line, but it appears the vast majority of athletes had the same idea (it was only afterwards when my brother showed me the video he shot of the start that I realised that I had started in the most crowded part of the start line and the area that was supposed to be the crowded area was relatively quiet).

I fought the waves of anxiety that kept welling up as I tried to control my breathing and find clear water. I would begin to find my rhythm and some space when someone would just appear out of nowhere and swim straight over you pushing you under water as they shot off in the complete wrong direction. I stopped once to get my bearings and was instantly overwhelmed by the chasing pack, so despite having dark thoughts and thinking about stopping the fear of the pursing hords kept me going. The turn at the first buoy was chaos again but after that the strangest thing happened, I started to find my stroke rhythm, my breathing slowed, my heart rate calmed and space began to appear around me. I exited the water after the first 1.9km in 41mins and I was feeling great as I started in to the second loop. This time the difference was amazing, I felt stronger with every stroke and started passing people left right and centre, in fact I don't remember one person going by me in the second loop. I exited the water after doing the

second 1.9km in 33mins giving me a total of 1:14.

Bike

The one constant piece of advice I had heard from previous Ironmen was not to get swept up in the start of the bike with all the adrenaline and crowds. I was buzzing from the swim as we headed into Frankfurt and it was a real effort not to start pushing on the bike. My target heart rate for the bike was 125bpm and it took a little while for it to settle down. I had what I thought was a decent bike which cost €700 when I bought it 3 years ago and seeing as my car cost me €600 it was a big investment. I can however, say without fear of contradiction that my bike was the cheapest dung heap that completed the race. I would estimate the average cost of a bike was €500-€700 including the wheels, I felt like I had rolled up to the start of the Gold Cup on a pack mule. The roads where all closed and the surfaces where like snooker tables. I was feeling super on the bike and focused on getting as much nutrition as possible into myself and I also felt the temperature climbing so I knew my fluid intake would be vital. The crowds lining the route really amazed me. Whole families and villages camped out beside the road with barbeques going and stereos blazing hard core German techno music, I made a real effort to soak up the whole atmosphere and remind myself of what I was taking part in. The crowd on the last climb was well over 20,000 and it felt like I was in the Tour de France as the crowds parted just in front of you.

Watching the huge German über bikers blast by was a sight to behold as they powered along on the straights and I couldn't help but thinking they would be under pressure on the run. A slight drafting indiscretion on the bike resulted in a 6 minute time penalty so as I headed out for the second 90km bike loop I was still on target for getting into the run transition at 2pm. The wind was starting to pick up and I began to get a real sense of the heat

whenever I slowed for a climb, it was becoming very hot. During the last 20km on the bike my feet began to suffer from the heat and I kept shifting them around looking for a bit of relief, however short lived. The memories of the climbs at Bad Vilbel and racing through the streets of downtown Frankfurt at 50kph will remain with me for a long time. Off the bike in 5:36.

Run

The heat really hit me when I got off the bike; it was well over 30 degrees and topped out at 38 degrees. I borrowed some sunscreen off a lad in the transition tent and I would be thankful all day that I did. I was feeling great as I headed off and again the crowds were amazing, thousands of people lined the route which was 4 laps of the Main river. I spotted my support crew straight away and this boosted me even more. My brother, wife and eldest son had come over and they had been there all day, which began with a 4am breakfast start. The first 10k went well as I guzzled down water and energy gels but I was beginning to dread the sickly sweet taste of those gels despite them keeping me going, I was taking one every 20mins and needed to in order to finish. I also started to take a salt satchel at the aid stations as well as soaking my head with sponges. I began to suffer at the end of the second

lap and that's when I was at my lowest. I developed the worst side stitch I ever had and started to feel really sorry for myself, this rollercoaster pattern continued for the rest of the race as I went from high to low and back up again. I did however get a sadistic kick every time I passed a big über cyclists hobbling along after blowing up after the bike. When I got the 4th armband which signalled 2.5km to go I finally realised I was going to finish and got my 14th wind to carry me to the finish. The feeling as I ran through the huge crowds of the finishing chute was beyond words and I managed to pick out my family through all the faces. Run over in 3:47. Total 10:57:26

Aftermath

The scene in the athletes garden afterwards resembled a scene from M.A.S.H., people on stretchers being loaded into ambulances, people passed out with drips in their arms. I jumped into one of the ice baths they had set up and then grabbed a complementary beer as well as my finisher's t-shirt. A quick shower followed by a massage and I waddled out to meet the crew. A well deserved dinner and then a few pints finished off the day.

IPS Athletics News

The IPS athletics finished off a great year by winning the European Cross Country championships in Sweden at the start of October. As mentioned in an earlier report we finished with the same points as Sweden, winning out on a count back.

Dublin Marathon. Once again prison staff were well represented at this years Dublin marathon. Just a few names to mention,

Anthony O'Brien now being coached by the great Martin (Gebrselassie) Carroll completed a perfect run to finish well up among the top runners, Finbar O'Dwyer continued his amazing string of good runs despite cramping early in the race, finishing

well inside the 3 hour mark. Others to perform were Shane McCarthy who never fails to deliver over his favourite distance and Tommy Buggle despite a reoccurring injury also managed to complete the distance. Denis Dineen proved his worth as he improved on last years time and may be one to watch as he returns to take on the challenge in Cork on the June weekend. Another Cork man Brian Cotter kept the flag flying for the Lee Siders and completed the year on a high with a well deserved marathon medal for his efforts. The ladies team of Aimee Carey and Claire Foyle continued on their intense training regime on their return from international duties to complete this years Dublin marathon



Munster Masters Cross Country

30-11-2014

*Eddie Byrne, Don Keohane, Finbarr
Harrington, Mick Dooley and Seamus
Cahill*

in 4hours 19minutes crossing the line together. Congratulations and Well done to all staff that took part in this years event. Ursula Byrne focused her attention to Cross country and excelled in the Leinster masters championships with an amazing 12th place finish overall winning her category here helping her club to Bronze medals. Ursula also scored on the Meath team that took Silver just behind a strong Dublin selection.

At the Mahers Sports 6k the IPS continued their good run of results by winning 2 team prizes along with 3 individual results also. Seamus Cahill taking runner up spot in the men's over 50, Don Keohane winning the over 45 section and Finbar O Dwyer third over 40. Team winners were Eddie Byrne, Donal Murphy and Anthony O'Brien. Jason Hennessey continued to improve in his times and has attended all but a few inter firm events this year.

The Munster Masters Cross country were held this year in Watergrasshill in Cork, it was great to see many staff taking part with their respective clubs and indeed some friendly banter on the day. Ironically both Don and Finbar were stride for stride on the line as they battled for their clubs, others to take part were Eddie Byrne, Seamus Cahill and Mick Dooley. Also there on the day was Finbar Harrington who was coach to a very successful Bandon team.

The IPS athletics will hold a number of events throughout the year in 2015. The annual IPS 5k trail race will take place on June 23rd in the Phoenix park and the Cork IPS 5k road race will be on July 8th in Cork City. There will also be an inter prisons race in Portlaoise later in the year. Full details of these events will be posted well in advance.

We wish to take this opportunity to thank the Prison Officers Magazine for their continued coverage of our events throughout the year and to wish all in sport every success in their respective activities over Christmas and into the new year.

Mick Dooley IPS Athletics.



Aimee Carey and Claire Foyle on a training run prior to Dublin Marathon.



Ursula Byrne accepts her prize from the prisons director at the Swedish Cross Country.



Mahers Sports 6k :

Back: Don Keohane, Jason Hennessey, Mick Dooley, Tom O'Neill, Finbarr O'Dwyer and Donal Murphy.

Front: Eddie Byrne, Anthony O'Brien and Seamus Cahill.



HSE 4 mile race

Paul Le Roque, Eddie Byrne and David Levy.



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Contact Details

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Claims at the Justice Departmental Council, May 2014 – December 2014

The Administrative Council on behalf of the Union have utilised in full the mechanisms available through the Conciliation and Arbitration Scheme, in particular the Justice Departmental Council. There were three meetings of the Justice Departmental Council Staff Panel and three meetings of the Justice Departmental Council held since this year's Annual Delegate Conference. These Justice Departmental Council meetings were held as follows:

- Thursday 5th June 2014,
- Tuesday 29th July 2014,
- Thursday 2nd October 2014

The National Executive Council was briefed regarding the outcome of each of the aforementioned Justice Departmental Council meetings. The Agendas from these meetings and a copy of the briefing documents issued throughout the year at the Justice Departmental Council were issued in the executive files.

Items/Claims Raised on the Agenda by the Official Side

1. *Information Items:* Transforming Public Services, Performance Management and Development System, Partnership, the Immigration Control Pilot Project at Dublin Airport, Merger of the Irish Human Rights Commission and the Equality Authority and Work Placements Schemes (JobBridge)

Items/Claims Raised on the Agenda by the Staff Side

CPSU/IMPACT

2. Claim which seeks to have the Flexi-Time System that is

available to members in the Civil Service made available to members throughout the Probation Service (New Claim).

3. Query on the financial implications for FGE/IMPACT Grades arising from the introduction of the Department of Justice Mobility Policy (69/2014).

POA Claims

4. Claim for the incorporation of the Industrial Manager's Allowance into salary.
5. Claim for the application of incremental progression on promotion following a period of acting in a higher capacity in the substantive new grade
6. Claim for the commencement of recruitment at RPO level into the Irish Prison Service (New Claim).
7. Claim for the reinstatement of the revised method of calculating and paying premium payments, paid in respect of Annual Leave. The revised method referred to was introduced in December 2006, as a result of a claim brought to Justice Departmental Council by the Staff Side seeking the statutory entitlement for grades represented by the Prison Officers' Association in respect of premium payments paid in lieu of annual leave in accordance with the provisions of the Organisation of the Working Time Act 1997

Departmental Council
10 a.m.

29th July 2014

Department of Justice and
Equality
51 St. Stephen's Green

Agenda

All Unions

1. Information Items
 - a. Transforming Public Services
 - b. Performance Management and Development System
 - c. Partnership
 - d. Immigration Control Pilot Project at Dublin Airport
 - e. Merger of the Irish Human Rights Commission and the Equality Authority.
 - f. Update on Charities Regulatory Authority
 - g. Work Placements Scheme (JobBridge)

POA

1. Claim for the incorporation of the Industrial Manager's Allowance into salary.
2. Claim for the application of incremental progression on promotion following a period of acting in a higher capacity in the substantive new grade
3. Claim for the commencement of recruitment at RPO level into the Irish Prison Service.

CPSU

4. Claim which seeks to have the Flexi-Time System that is available to members in the Civil Service made available to members throughout the Probation Service.

Departmental Council
10 a.m.
2nd October 2014
Department of Justice and
Equality
51 St. Stephen's Green

Agenda

All Unions

1. Information Items
 - a. Transforming Public Services
 - b. Performance Management and Development System
 - c. Partnership
 - d. Immigration Control Pilot Project at Dublin Airport
 - e. Merger of the Irish Human Rights Commission and the Equality Authority.
 - f. Update on Charities

Regulatory Authority
g. Work Placements Scheme (JobBridge)

CPSU

1. Claim which seeks to have the Flexi-Time System that is available to members in the Civil Service made available to members throughout the Probation Service.

POA

3. Claim for the application of incremental progression on promotion following a period of acting in a higher capacity in the substantive new grade
4. Claim for the commencement of recruitment at RPO level into the Irish Prison Service.

5. Claim for the payment of the appropriate allowance to former Clerical Staff who were reassigned to ACO TLO positions under the terms of the PSA (**New Claim**)
6. Claim for the payment of the appropriate allowance to former Clerical Staff who were reassigned to ACO Training posts in the Irish Prison Service Training College under the terms of the PSA (**New Claim**)
7. Claim for the payment of the appropriate allowance to a former Clerk 1 who was reassigned to Chief Officer Training in the Irish Prison Service Training College under the terms of the PSA (**New Claim**)



Irish Prison Officers Golf Association

30th Close Golf Championship At Tullamore Golf Club



Thursday 4th June 2015



Shotgun Start At 9:30 am — Fees €35

Gents 18 Hole Stroke GUI Handicap — Ladies 18 Hole Stableford

A Gala Presentation Night is planned and details of same will be announced in Jan 2015

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CROSS BORDER UNITY

Friday the 7th of November 2014 is a day that will long go down in the annals of Irish Prison Service history. This was the day that a delegation of officers from the Irish Prison Service travelled to Millisle in Northern Ireland to join their colleagues in the Northern Irish Prison Service to remember fallen officers of the NIPS.

The annual remembrance service which takes place at the NIPS college in Millisle has over recent years been attended by the Director General and Gov Barclay and A/Gov Woods, but this year an invitation was extended to a guard of honour from the IPS to join in the remembrance service and on the eventful day in question 15 uniformed staff from various Guards of Honour throughout the prison service led by C/O Malachy Kelly (**the most senior uniformed officer in the service**) joined the Director

General Mr Michael Donnellan, Gov Colm Barclay and A/Gov Fergus Woods in representing the Irish Prison Service.

Following an early start and a 3 hour drive the delegation arrived at Millisle to a warm welcome from the staff of Millisle and following a quick change into uniform the group were put through there paces by the Parade drill instructor Eamon Hannah.

Just before the official ceremony got underway the group were presented with commemorative shamrock poppy badges by the Director General to mark the occasion.

The ceremony took place at the front of the College overlooking the coast on a beautiful sunny morning attended by a large crowd which include both the Northern Ireland Minister of Justice David Ford and Head of the NIPS Ms Sue McAlister whom both inspected



MILLISLE VISIT



the Guard of Honour. The moving ceremony allowed various groups to lay wreaths at the memorial to fallen officers including a wreath laid by the Director General.

Following the service presentations were made to the Head of the NIPS Ms Sue McAllister by IPS Director General Michael Donnellan and also to Lady Sylvia Hermon MP for South Down by Governor Barclay.

The reception on the day given to those whom attended on behalf of the IPS will live long in the memory off all. The warmth and genuine appreciation shown towards us by our colleagues in the NIPS was truly exceptional.

It is hoped that this visit will be the first of many.

Andy Byrne, Cloverhill GoH



CROSS BORDER UNITY

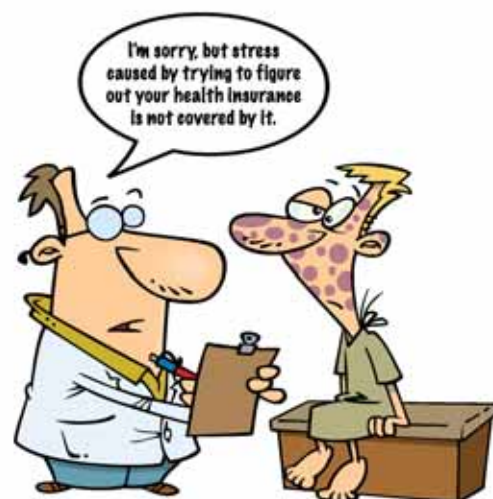




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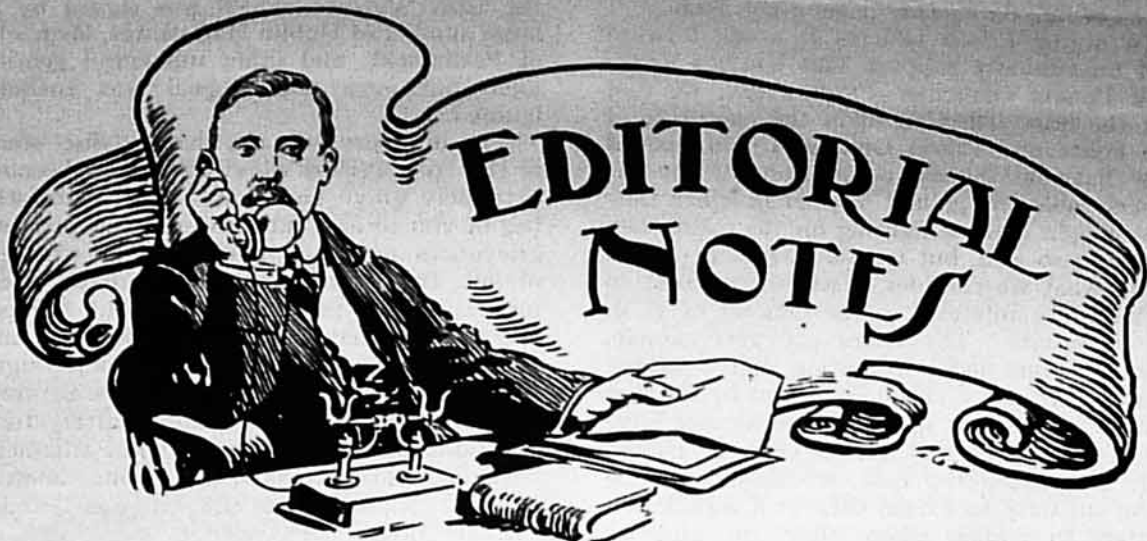


THE Prison Officers' Magazine.

Vol. V. No. 5.

MAY, 1915.

Price 6d.



FEDERATION— FULL STEAM AHEAD!

THE attention of the Prison Service is earnestly directed to the able and lucid article appearing in this issue under the above heading, from the pen of Mr. E. R. Ramsay. For some time past we have been working together in a close study of this important question of federation, the results of which we now have pleasure in placing before our subscribers.

In the first place it will be remembered that some two or three years ago your Editor canvassed the Prison Service with regard to federation, when he received about two thousand signatures declaring in favour of it. He then started the United Kingdom Prison Officers' Federation, but little progress was made, for the simple reason that he had no backing or influence behind him; he stood alone. Then the Police and Prison Officers' Union was inaugurated, and we thought that such a combination would prove effective and give us that influence and support which we had previously lacked. We circularised the Prison Service on the matter, and did everything that was humanly possible to urge Prison Officers to join, but Prison Officers did not join beyond a comparative few, and the thing became practically a dead letter. Prison Officers generally have never favoured association with the Police in a Union, and we have been constantly urged by our friends of the Prison Service to form a Federation for them exclusively. Hitherto, we have not felt justified in dealing with the project, because we still stood alone,

and knew that we could not succeed without the right kind of support. At last, however, we have got the backing we have so long desired. With the hour has come the man, and that man is E. R. RAMSAY.

No writer in the "P.O.M." has ever aroused so much attention in the Prison Service as Mr. Ramsay. His valuable and practical articles on various subjects have met with universal approbation, and we may here say that he has spent many years in the Prison Service, making a close and careful study of all its intricate problems and perplexities, and he is now willing to devote himself, with his vast store of practical knowledge, together with his great abilities, to the uplifting of the rank and file of the Prison Service. Mr. Ramsay has consented to act as Joint Secretary, with your Editor, of the Federation, which it is proposed to carry on under its original title of THE UNITED KINGDOM PRISON OFFICERS' FEDERATION.

Apart from Mr. Ramsay's unique knowledge of the Prison Service and its requirements, he is thoroughly in touch with the principles of Trade Unionism, and possesses an extensive personal influence and acquaintance with Labour M.P.'s and Labour leaders, and his chief work as Joint Secretary will be to obtain Parliamentary representation and support of our Federation—a matter of the most vital importance.

We have been particularly fortunate in securing the services of that prominent Bristol Labour leader, Alderman Frank Sheppard, M.A., J.P., who contested Bristol East at the General Election, 1910, against the Right Hon.

IRELAND.

ARMAGH.

Reading some time ago of the treatment of some of the Mountjoy Officers, *re* severe attacks of influenza, "Honour where honour is due." Should they have been on the Staff, such would not have been the case. The Surgeon of this Prison is kindness itself. Speaking from experience, and seeing how these Officers were treated, we have nothing to keep our little home from being a happy one. We are to be envied, having such a splendid Governor and Surgeon at this Prison.

HAPPY HOME.

BELFAST.

Six weeks prior to the outbreak of hostilities, our Assistant Hospital Warder, Willie Simpson, R.N.R., put to sea for his annual training. Since then we have

the occasion. We all loved dear, gentle, unassuming Miss Harney, and some of her old friends feel the parting very keenly. She took with her to Waterford the best wishes of everyone she met in Belfast, and some substantiated their feelings for her with very useful presents, which included:—Miss M. Gill, silver cruet; Miss O'Malley, vases; Miss Housson, table centre; Miss Clarson, silver butter-dish; Miss Shiel, tea cosy; Miss Gallagher, house linen; besides a great many others too numerous to mention. The proceedings terminated with "Auld lang syne," all joining in heartily in wishing Miss Harney every success and prosperity.

CASTLEBAR.

Our Staff was reduced on the 13th April by the transfer of Warder F. Cassidy to Sligo Prison. We wish him luck in his new sphere of duty. His transfer will be much felt by this Staff, for it not only means the loss of an efficient Officer and a good comrade, but



SERGEANT SEALEY, R.F.A. (WORMWOOD SCRUBS)

regularly heard from our Jolly Tar, but never had the pleasure of seeing him, until the 9th April, and after his long and weary vigil on the North Sea he is looking in the pink, and is as high-spirited as of yore. We regret his stay in Belfast was of such short duration. Like all good sons his parents were uppermost in his mind when he came ashore, so he went to the beautiful West and spent the major portion of his leave amongst his kith and kin. However, he returned to Belfast, and his last word before boarding a Fleetwood boat was: "Don't forget to tell 'So-and-So' to send the 'Red 'Un' early each month. I do anxiously await its arrival." So, God speed and a safe return is the sincere wish of the entire Staff.

DAN-NA-MACE.

FEMALE.

A very pleasant evening was spent here on the 20th April, the eve of the departure of Miss Harney, who has since joined the noble band of martyrs. Miss M. Gill made the presentation in her simple, unaffected way, on behalf of the Staff, of a very beautiful afternoon tea service. All present were deeply moved, and only for the hilarious humour of our ever jolly companion, Kathleen Gallagher, who always comes to our rescue with her lively witticisms, it would be a more sombre affair than would be appropriate for

it naturally means more work for the remainder. This practice of transferring Officers and failing to replace them is becoming rather common latterly in the Irish Service, and it is one that certainly does not recommend itself to those who feel the extra strain.

The box calf boots have arrived, and are indeed a great improvement on the old style, and well worthy of the praise they have received on all sides. We must not forget to thank the Editor of the "P.O.M." for the favour, as it is through him and the pages of the "Red 'Un'" we can get our grievances redressed. We hope our agitation for increase of salary will be equally successful. It was rather disappointing to many that the beginning of the financial year brought no extra pay in its train. However, we won't lose heart, and we hope for great things by-and-by.

Subscribers to the "P.O.M." here greatly sympathise with the Editor in the great trouble he has recently met with. We trust he will soon be about again, as we couldn't well spare him.

So much has been said and written of Michael O'Leary, V.C., and the brave deed that won him this much coveted distinction, that we think the following poem in his praise will be acceptable to readers of the

"Red 'Un." We may add that we have on our staff a member of the clan in the person of Warden J. O'Leary, who is naturally proud of the fact that he first saw the light in the same district as the valiant Michael.

O'LEARY.

The Grenadiers of Germany are stalwart men and strong,
The Grenadiers of Germany come charging in a throng,
They have trampled Belgium down,
They have razed and sacked each town,
Till at Cuinchey they met with Mike O'Leary.

Those Grenadiers at Cuinchey had held the trenches well,
In spite of blade or bullet, in spite of shot or shell,
And there it seemed they'd stay,
And there they'd be to-day
If it weren't for a hero called O'Leary.

Said French unto his aide-de-camp, "I see this work is vain,
I shall not ask those gallant lads to charge the trench again.
They have earned just rewards,
But call up the Irish Guards,
And be sure and tell the Colonel bring O'Leary."

The Irish Guards are marching now into the firing line,
And "God Save Ireland" drowns in sound "The Watch upon the Rhine."
A brief command, a cheer,
Sure no one thought of fear,
And first into the fight was Mike O'Leary.

Aye, swift as hare that speeds and swerves on Inchigeela's hills,
And stronger than the torrents that Gougane Barra fills,
He rushed into the fray,
For blood will tell they say,
And blood and breed and brawn were with O'Leary.

Now face to face at last he meets the wily German foe.
They're five to one, what matter. Soon the five are lying low.
Five more are further on;
Soon three of them are gone
To where they'll scarcely ever meet O'Leary.

Two prisoners he captured, a gun, a trench or two;
He's greeted with an Irish cheer of triumph loud and true.
The Colonel takes his hand,
"I'll promote you where you stand.
The forlorn hope was won by you, O'Leary."

Said French: "I never doubted you; you're one of the old breed.
I'll see that you shall get the Cross for this, the bravest deed
That ever man has done
Since history begun,
And I'm glad I come from Ireland now, O'Leary."

His deed is told in every tongue of every sect and race;
In every language save the Huns' it holds a treasured place.
And Ireland cheers her son
For the golden glory won,
When the barricades went down before O'Leary.
"JUSTIN."—*Constabulary Gazette.*

MARYBOROUGH.

We are still looking forward for a change in the detail of duty, the Sunday's rest in particular. All our appeals and modest suggestions are up to the dresent ignored. Surely the powers that be cannot

hold out much longer, seeing that our appeals are just, and our suggestions feasible. Of course, somebody will be displeased. For instance, the "week-end" Chief Warden; but then, is it prudent and safe to keep 99 per cent. of the Staff in a state of discontent to satisfy an insignificant minority, recent happenings to wit? The sensational bolt from custody over the farm wall provides the answer. The 18th March, 1915, is a day to be remembered by our responsible authorities. This question of duty detail needs the light of day only, and the roster to be made out by a Chief Warden. That done, we are perfectly satisfied. The Chief Warders, Clerks, and week-end Store Clerks will naturally feel upset over the change, but they will, I am sure, readily understand that such "jobs" are not of the Board's making, that they were manufactured to suit the requirements of our immediate authorities. Again I wish to draw the attention of our Governor to this vexed question. Let plenty of Officers be kept on duty on Sundays, to ensure that proper discipline be maintained, but let none be roaming about—I should say hiding. "Enough and no waste" ought to be the motto.

"JACK."

"Combat," speaking for the minority, hailed with delight his severance from the mediæval days, and very naturally, for every Officer will admit that cast-iron methods are not likely to further contentment and efficiency. Now, as one speaking on behalf of the majority, I think that we—the majority—are about to be cast back again into the sublime light of the mediæval ages. I wonder if "Combat" is to blame. One thing, "Mr. Combat" will no doubt admit, is the rather sudden return to rigid discipline by one of our Chief Warders. Hitherto he was an Officer who winked at trivial breaches of discipline; to-day we find him in an entirely different role, but the scope of his activities appears to be confined to a limited number. If we are to have discipline, let's hope that this Officer will set a noble example, and I make no doubt that he will have the co-operation of the vast majority of the Staff.

A word of warning to our esteemed Deputy Governor, who has gained the goodwill of all Officers since his advent amongst us. When out for that knowledge of our peculiar Service, which can only be acquired by practical experience, examine minutely the qualifications and sincerity of your tutors, and bear in mind that the spirit of friendly rivalry is not yet dead.

Congratulations to Warders McGough and Herlihy on the births of a son and daughter respectively. Mothers and babes are doing well.

Will any kind reader give some information as to "Combat's" whereabouts? We have not heard from him for some time, and we are naturally anxious about his welfare.

Wedding bells again are ringing near "my little grey home in the West." Good old Dick, you will undoubtedly take with you into your new life the best of good wishes from all those who know you. We shall give you an occasional look in at Pleasant Place.

A day or two after last month's "P.O.M." arrived here, the Chief Warden read an order at the breakfast parade. As the major portion of the Staff were absent through some cause or other, as usual, I take this opportunity of informing them that the sum total of the said order was the withdrawal of that old and long-established privilege, to wit: the exchange of Sunday and weekday evening duty. So far it has not appeared in the Governor's order book, but then that does not matter. The Chief Warden read it aloud, and punctuated it with some inaudible remarks concerning the Staff or Magazine, I don't know which—perhaps both. He was apparently in a funny

mood. "I don't think." Facts are stubborn things, and when a person is awkwardly confronted with them, due allowance must be made for any heat rising. We hope that when the storm blows over, this very necessary privilege will be restored, and we shall be deeply grateful.

"Dido."

I am pleased to see so many correspondents writing in April issue in condemnation of "Combat's" production. He has no doubt accomplished a great work for the welfare of the Magazine here. More supporters and more correspondents are the outcome of his efforts.

"ON THE WATCH."

It would be well if some slight change was made for the better in the style and fit of our uniform. Every Officer, or at least the vast majority in the Service, would certainly wish to have a neat and well-fitting uniform, but I firmly believe if the Service was searched from one end to the other, such an one would not be found. Why cannot we have our uniform to fit like those worn by the military and R.I.C.? It is certainly humiliating to an Officer who wishes to appear smart and neat to have to wear a badly-cut and ill-fitting suit of uniform. A vast improvement in appearance could be rendered by the abolition of the straps at either side of the jacket for supporting the waist-belt, and replace them with hooks. A small collar-badge of some approved design be supplied similar to those worn by the English Service. These two small items would certainly be a vast improvement in the appearance of our uniforms. More attention should certainly be paid to give us a better fit. Why not make the jackets to fit neatly round the waists, instead of bagging and folding beneath the belt? Why not cut the trousers in the modern style? Would it not look far smarter than the narrow above and wide below style? These are small matters, and would cause no extra pecuniary outlay, and would add a great deal to the Officers' appearance.

"THIMBLE."

No change as I write regarding the much discussed Sunday duty, notwithstanding how explicitly this matter has been brought under notice in several back numbers of "P.O.M." Under the circumstances one naturally begins to think: "Have we anybody in authority who is interested in us, or to whom we have a right to appeal for justice, or are we to be forever placed at the mercy of those who are responsible for this injustice which we have through these pages tried to bring under notice?" I will not in the present issue again dwell at length on this matter; it will be sufficient to refer our Chairman to recent issues of Magazine, especially April number, the advent of which was the cause of grave irritation to some of our superiors here. Evidently the shoe pinches. Nevertheless, every word therein was simple truth, and nothing more, and a grievance which we are certainly not going to submit to.

"JUSTICE."

It is with extreme regret I have to continue my old campaign, *re* Sunday duty at this Prison. As to how we are faring now, I must say that it's going from bad to worse, and in my humble opinion this grievance is almost at its worst now, except the responsible person can find a way to keep us on the seven days of every week. Before this Officer ascended to his present role, or at least, when he filled it *pro tem*, he frequently spoke of what could be done if he only had the reins in his own hands, and, when he did get it, made improvements beyond a doubt, but for whom may I ask? Well, as your correspondent pointed out in April issue, for the upper ten, and that at the expense of the already downtrodden Warder. He made provisions, first of all, that himself and the other two would not do any two successive Sundays on, by appointing (by whose authority I don't know) an ordinary Warder to act as Chief every Saturday and

Sunday. Now, this ordinary Warder is off every second Sunday all day, and, when on, can go away at 2 p.m., day done. The two Clerk Warders and Farm Steward off every Sunday also. The Civil Service Clerks, by the appointing of ordinary Warders to fill their positions on Saturday evenings, can have every second Saturday off without fail. Those men who only do eight hours a day, with no Sunday duty, to get off at the expense of the poor Warder, who has to do twelve hours, and that for seven days a week.

It's ridiculous in the extreme, when properly weighed up, to even think that one man can hoodwink all other superiors, and varnish over those acts so that no flaw can be seen by them in the duty detail. I am well aware that he has the support of the intelligence department, for they are the party that is making the profits, whilst we are doing the sweated labour. Compare the pay, hours, work, etc., of those parties and us Warders, and it's enough to drive one mad. When they have been the lucky ones of the Service, let them have a little consideration, and not be aiding and abetting in such an outrageous mood. Outrageous, I call it, for the number of convicts has decreased by 40 per cent. The agitation by us naturally must increase, seeing, as we do, the way for improving the Sunday leave more open. Yet we find this one being holding fast and endeavouring with all his might to make posts, to make jobs, in order to keep more and more on duty. It's a long road that has no turning. The turning point of this one is near at hand, and when he is not willing to turn himself, it rests with us, the aggrieved, to do all in our power to turn him. So now, readers of this journal, let's put our shoulder to the wheel; a long, strong pull, and a pull all together, will surely bring him to his knees. Although the morning after the arrival of the April issue of the "P.O.M.," he gave way to his indignation, and thus expressed himself, after two orders being announced on the 9.30 a.m. parade: "A few of the intelligent men can make out the duty now." I must say only for the real intelligence is at the making out of the duties here, the superiors could not be blinded by the reasons given for keeping the men on. I wonder, is the working of the whole show ever gone into at all? Is it left solely in this man's hands? I am inclined to believe there is no one to bother as long as things run smoothly in *our time* (which can't be long now) that this man is left to victimise any poor subordinate as he chooses. Can any reader inform me why it is that we at this Prison cannot get the nine-hour day? Is there no consideration at all for the Staff at this Prison? We were told by our present Chairman that we are the picked men of the Service. Well, what are we picked for? Is it as a punishment we are kept here ten hours daily whilst in the Local Service nine hours complete their day? Then again, in the Local their Sunday leave is far before ours. Now, if our Chairman has any little consideration left for us, would he kindly enquire here as to the general working of this establishment? Let him see the posts that are being filled, and surely he'll see his way to abolish half of them. The Warders are tripping over one another those Sundays, as there is no such thing as getting off after doing one in now. It must be at least two in for one off.

The box-calf boots were issued according to time, on April 1st. More luck to you, old snob, that thinks of home Staff first. They are all that is desired in appearance, fit, etc., etc.

Half of April has come and gone, and yet no sign of the summer issue of clothes, due April 1st. It is to be hoped that the summer months won't be allowed to pass without them being issued. Don't delay us three-and-a-half months, as was the case with last winter's issue, due October 1st, 1914, given out January 15th, 1915. Come down a peg to the Ordinary "screw," throw in your lot with us workers, support the "Red

'Un,' and do not borrow it for a read of what you term a "rag"; it only costs three-halfpence a week.

One proof of the esteem held for us by the General Prisons Board was shown on March 18th. A convict got over the farm wall; on it being made known among the Staff, all were too anxious to take chase after him. Bicycles galore turned out, no sparing of "Shanks' mare," over ditches, dykes, and drains in pursuit of this felon. In a few minutes the country for miles around was scouted. The felon was captured by Warder M. Butler, who happened to take chase through the Asylum grounds, over two very high walls, jumped a nice sized river, and faced this man without fear, succeeded in bringing him a captive, and not a single word of thanks from any superior. This is encouragement with a vengeance to us!

Oh, the consternation here when last month's Magazine (God bless it!) was read! Why, even the very slaveys were consulted about it, and I understand the local contributors were styled anything but gentlemen. "Poor consolation."

Have you, Mr. Editor, or any of your readers seen a picture entitled "Outraged Dignity"? Well, I have seen a model for one on parade here, with cheap sneers on his lips about the "intelligent fellows." I presume he meant the contributors to the Magazine, who are pleading for justice. Well, he may prune his feathers, as I am afraid they will be ruffled for him again if those reasonable demands of ours are not granted, and in case they may be lost sight of, the most important is every second Sunday off duty, and if every Warder here is made to do his share, and the present penalising of a portion of the Staff given over by our immediate authorities, the case will be met easily. For my own part, I'll write "Finis" if I see that concession granted. If not, such "intelligence" as lies at my command will be used in agitation in the "Red 'Un" and elsewhere until such time as I have my share of the Sundays as well as a select few here.

Who says "Combat" is dead? I say not; he is only "sleeping"—a troubled one I grant you. He has some very bad forms of nightmare—coal-mines blown up, and killing the contented portion of this Staff, being always on his mind. Anyone prescribing an antidote for this dire malady may go into the office, even though he has no business there.

Still the old complaint—Sunday duty,—and if the opinion of a certain superior holds good, it will have to go on, as one of your correspondents expressed, "for ever." This autocrat, expressing himself to one of his lip sympathisers, said: "They'll never get it if I can help it," meaning the Sunday leisure as demanded through the Magazine. Well, I'll go so far as to say they'll have to get it if I can help it, ably supported by the Magazine. And let me remind the superiors that this great calamity that has overtaken Europe will one day end, and that an account will be required of them of their stewardship. They will not be so able to gloss over their petty tyrannical acts with evasive answers as now. There is a dangerous spirit brewing in Maryborough Prison at present; where it will end I don't know, and as far as I can grasp the situation, it is as follows. The powers that be fully recognise the just claims made (especially of late) by correspondents, and have expressed their willingness to bring about some of the reforms that have been suggested ere those things were pointed out in the Magazine. But immediately on their appearance, all their good intentions vanished, and they threw down the challenge to the correspondents and the Magazine. "We know you are making just and reasonable demands, but because you dare ask them through that hated 'Red Rag,' we absolutely refuse to grant them, and we defy you to get them through it." Now for the correspondents' idea of the challenge.

(I'll have the Editor speak for his paper).—We certainly accept that challenge, and though some cheap sneers could be made relative to our intelligence, I am proud to say that that intelligence raises us beyond that spirit of revenge which broke out through those who should be our models for intelligence, as well as all other virtues. And furthermore, let me assure them that their object may be to make disloyal servants of us. Again I say our intelligence comes to our aid, and we will not grasp at that bait. Such might be grasped by those dull-witted dupes of theirs who are going around looking for information to impart for a smile or nod from a superior, and a guarantee of an easy post. I might say that the sooner the authorities realise that there is plenty of intelligence and determination behind those demands, the better for all.

Our persistent agitation carried on in the "P.O.M." for the redress of domestic grievances proves beyond doubt that the authorities here are not of a very benevolent disposition, and, moreover, they have begun to reply to our appeals for justice by a retaliation characteristic of the inborn spirit, with which some of those gentlemen are imbued. We have had an example of a stupid and blundering policy last month, when one of our *hard-worked* superiors tried to acerbate us on parade. The bogey of "frightfulness" which he has thrown to us as a challenge will be accepted in a becoming spirit. That an authority should rush round the Prison and act like a demoniac, because we legally ask for a fair share of Sundays off duty, is a matter unheard of in any sphere of employment save that within the precincts of our Irish Prisons. Those spasmodic outbursts of aggression, whether they emanate from an internal complaint, or from the effects of our progressive demands, could be easily arrested if the spirit of passive resistance on the part of the responsible authority here was transformed to a spirit of active progression. Take the Sunday detail of duty for example—a veritable grievance which requires immediate remedying. Through petty spite it is going from bad to worse, and I say, shame on the authority who acquiesces to a violation of the Sabbath, by penning his signature underneath the Sunday detail of duty without first ascertaining if a surplus of Officers is detailed for unnecessary posts. We do not attribute any blame to the General Prisons Board regarding this matter. I and my colleagues feel proud to serve under such a Board. We are certain it is their sincere wish to treat their subordinates with justice, not as machines, as some of those who now forget they were at one time ordinary Warders treat us, and I would like the Board to take into consideration the fact that in this Prison there is in disguise a machine for the manufacture of "insubordination bombs," more up-to-date, and therefore more dangerous, than the one which was in use some few years past. On this machine-gun we must concentrate our forces, and while constitutionally fighting domestic grievances, let not illegality step in as an ally of oppressiveness.

"A REAL COMBAT."

MOUNTJOY.

Our motto: AGITATE, EDUCATE, ORGANISE.

Mr. Ramsay states in his "Prison Chat" that things are not running smoothly at Preston and Mountjoy Prisons. We hope Preston is more fortunate than Mountjoy, for no appeal seems to act upon the authorities in the latter Prison, and nothing for the benefit of the subordinate Staff appears to be done. Our authorities appear to care little for our welfare, and are apparently set dead against reform. One of our Temporary Night Guards was recently unavailable for night guard, and the Staff had, during his absence, to perform night duty in turn, and were not (as they should be) allowed off duty the following day, but had instead to perform ten hours' duty on the day on

which they came off guard. We now ask the Prisons Board: are they aware of this injustice inflicted upon unfortunate and poorly-paid subordinates, and, if so, do they approve of it? We are determined this shall be brought under the notice of some of our sympathetic Members of Parliament.

We again have to ask: Why is it no copy of the duty detail is available for the perusal of the Staff? We know, only too well, that evening and other duties are not evenly and fairly detailed, and are led to believe that this is the cause of failing to have the detail available for inspection. Oh, for a moment of the Governorship of Major Owen-Lewis!

Our senior Chief Warder, on a recent date, in referring (on parade) to the neglect of certain Officers in failing to make their report as to giving over charge of boilers, stated (with sarcasm): "If you have time to write other reports, you must find time to make this report." We now ask this Chief Warder: What are the other reports he alluded to, and are these the reports which are broiling him so much?

Trade Warder J. Lyons has joined our Staff on temporary duty from Tullamore Prison. We were all pleased to meet him again, and see him looking so well. He is one of our own training. We are sure he will be much impressed by the generous treatment he receives here from the hands of our authorities. We notice he has to take his turn of Sunday duty, which is hardly fair to him, considering this is the only Prison in Ireland in which Trade Warders are asked to perform Sunday duty when on temporary duty at particular work. This is another sample of the model and modern Mountjoy.

Our old comrade, Warder R. Monteith, who has been with us on temporary duty since the 12th October last, has been removed from us, not back to his old station (Dundalk), but to Londonderry Prison, on the 7th April. We had hoped Richard would have been left permanently here.

Mountjoy Staff is becoming more and more depleted for several months past. Hitherto we could not complain much, but recently our number in custody has increased considerably, and is likely to increase more in the near future. We have seven Officers serving our country in different units, some in the firing line, and other preparing to go, or instructing in drill. This number, together with so many other Officers removed from here lately, none of whom have been replaced, has left our number of Officers very small. In fact, a thinning out process has been going on for the past nine months, consequently those of us here at present have extra duties to perform.

Regarding our oft-repeated grievance *re* Sunday duty, we regret that the "powers that be" have not seen fit to adopt our modest suggestion of January number, viz., to grant us at least one Sunday's leave in three, though it must be plain to any authority that this concession could easily be granted at any time in this Prison. But, as we have shown again and again in the past, every subterfuge and trick possible is resorted to by those responsible for the duty roster, in order to keep the greatest number of Officers possible on Sunday duty. For instance, as we stated in the "P.O.M." as early as August last the improvement effected by Major Owen-Lewis during his governorship here in having all prisoners including cleaners sent to exercise, and leaving only one Officer in the Prison during exercise, has been thrown to the winds. Now several cleaners are to be found in the Prison during that time, these prisoners being entirely deprived of open-air exercise. One Officer is to be found in A Division, one in B Division, one in D Division, and one in the Reception. The ostensible duty of the

latter Officer is to prepare clothing for laundry on Monday. This work could quite easily be done on Saturday afternoon or Monday forenoon. In fact, as we have pointed out time after time, for any one of these Officers, except one, no possible necessity exists. The old tyrannous system is, however, very tenacious of life, and in no Prison is it giving a stronger dying kick than in this so-called model establishment at Mountjoy, simply because some of the men placed over us here are relics of that old barbarous system, and cannot, or will not, adopt modern ideas. Seeing, then, as we do, every endeavour is made to render life unnecessarily irksome for unfortunate subordinates, and every possible obstacle placed in the path of reform, our path is plain, viz., to continue this campaign with renewed vigour in this and every other possible manner, until the citadel is reduced and compelled to surrender, and, judging by the means we propose to adopt in future, we may prognosticate that the end of this particular part of the campaign is in sight, and victory a certainty.

Having said so much *re* full Sunday's leave, we again refer to the fact that previous to the revision of the time-table the Officers for afternoon leave on Sundays were allowed off duty at 12.15 p.m., as soon as exercise was over. Since the change, however, when due for afternoon leave we are only granted three hours' leave, viz., from 2 p.m. We again ask the Board if it was the intention to increase the number of hours' duty on Sundays, whilst reducing them on week-days, or is this yet another sample of the liberal ideas of our immediate authorities?

Another vital question refers to our Saturday half-holiday, which is, that although all prisoners are locked up at noon on that day, yet the Officers entitled to be off duty are kept on until 1 p.m., which is quite contrary to Treasury Order on the matter, and deprives the Officer of one hour's leave. Under present conditions we do not get a half-holiday only three-and-a-half hours. We appeal to the Chairman to see that we are granted what we are justly entitled to, viz., four-and-a-half hours, which constituted a half-day.

Notwithstanding the fact that four Members of Parliament have within the past few months voiced our grievance in the House of Commons, and a public press campaign carried on regarding our meagre pay, the only answer we have received up to the present has been a circular from our "Excelsior" Prisons Board warning us to make ample provisions for our wives and families in case we should die in harness. We must congratulate the Board on their foresight and business acumen in this matter, and for having foreseen, with the continued high prices of foodstuffs, and the miserable pay of Irish Warders, men with families are very likely to die, not, however, stricken down with apoplexy or over-indulgence in food or drink, but slowly from emaciation for lack of means to purchase the ordinary necessities of life.

Referring to the summer issue of boots, which is now due, we understand that instead of being supplied with the new box-calf, the shoemaking department at this Prison is being swept, and a collection made of all the rejected refuse, together with the boots of dead and dismissed men of the past twenty years, for re-issue to us. Why the Officers of this model prison are thus penalised, whilst all other Officers throughout the Service receive what they never received before—a perfect fit and finish of box-calf—is hard to say. But we can console ourselves that the advantage in some respects is ours. If we lack grace, we have plenty of grease. Truly the ways of the Irish Prisons Service are past finding out.

Mr. Gourelay, Foreman of Works, has returned from Maryborough Prison, and we are glad to say he is looking the best.

We are glad to see Warder Wynne has returned to duty, after undergoing an operation in Richmond Hospital for the removal of varicose veins. Rumour has it he will soon be leaving us for the R.I.C. Depot, Phoenix Park. We wish him good luck.

Acting Chief Warder Langton, temporarily here from Cork Prison, has been promoted to the rank of Class II. Chief Warder, and returned to Cork on the 10th April.

BIRTHS.

March 25th, the wife of Warder J. J. Sheridan, a son.

March 25th, the wife of Warder E. Gannon, a son.

April 2nd, the wife of Warder J. Walsh, a daughter.

OBSERVER.

FEMALE.

The readers of the Magazine at this Prison were delighted to read the appeal to Female Officers in last issue. It is only too true that superior Female Officials are invariably antagonistic to the "P.O.M.," and, that being so, in several instances Assistant Matrons do not become subscribers, being so timorous of their authorities, and, for the want of a little self-will and independence, do not become supporters of the "P.O.M." lest it might displease those officials placed immediately over them.

We are wanting to know if this is the large Prison in the United Kingdom with the three superior Female Officers referred to in the appeal? It seems to fit the description so well.

We have various minor, but yet galling grievances, at this Prison, which it is intended will be fully dealt with at a later date. Meanwhile we wish to know why it is duty cannot be better arranged for Sunday mornings, so that Matron due for leave may be spared the necessity of coming on duty for any period, no matter how short, on those mornings?

We are all well pleased with the new arrangements with regard to the mess, but we wish to know why it is members of the mess could not make this arrangement themselves, without asking permission from our superiors? We consider it should be sufficient to have mess accounts checked the end of each month, without being dominated over in what we might say is a private affair of the mess. We ought not to surrender our freedom to an old and out-of-date system, but rather to practise a little more kindness and forbearing, and, as our Editor would say, act up to the best traditions of gentle womanhood.

SCOTLAND.

ABERDEEN.

There is nothing of importance in this Prison to report, only that we are still waiting for that 3/- War Bonus. However, we hope ere these lines appear in print this increase on our wages will have become an accomplished fact.

BIRTH.—On the 18th March, 1915, the wife of Warder G. Thompson, of a daughter.

EDINBURGH.

The Staff here who have served with the Rev. Mr. Campbell, M.A., late Assistant Chaplain at this Prison, have heard with the greatest satisfaction of the appointment of this gentleman to a church in Fraserburgh, a feeling I am sure that will be shared by all

Officers transferred from here who may read these notes. During his stay with us he endeared himself to all, Officers and prisoners alike. His visits were keenly looked forward to by the prisoners, who liked the manly, sensible manner in which he spoke to them. He initiated and carried on a choir practice weekly, and to such a state of perfection did he bring them, that visiting clergymen and lecturers invariably commented on the excellence of the singing. It was also commented on in the Yearly Blue Book. With the departure of Mr. Campbell, I am sorry to say this practice ceased, with the result it is now an ordeal to listen to the singing at most times. Mr. Campbell has had a stiff battle to fight in making his way to the front, and all honour to him for overcoming all obstacles, worldly and human. The good wishes of all the Staff go with Mr. Campbell in his new sphere of duties, where I am sure he will be as much thought of as he was here.



ALEX FORBES (ABERDEEN).

Warder Bennett, prisoner of war, still manages to get a note through to his wife. He is still in training for the light-weights.

An interesting article appears in a Border paper in connection with the family of Mrs. Bennett, which shows that she has five brothers, two brothers-in-law, and nine cousins and her husband serving their country, and all are either at the Front or on Imperial Service. This is a good record.

We are getting occasional letters from Warder Pierce. He is enjoying good health, and slogging away.

We have also had indirect news from "Fluffy" Brown. He is in good health, and working at tremendous pressure sending up ammunition, etc., to the firing line. More power to his arm.

(Continued on p. 201.)

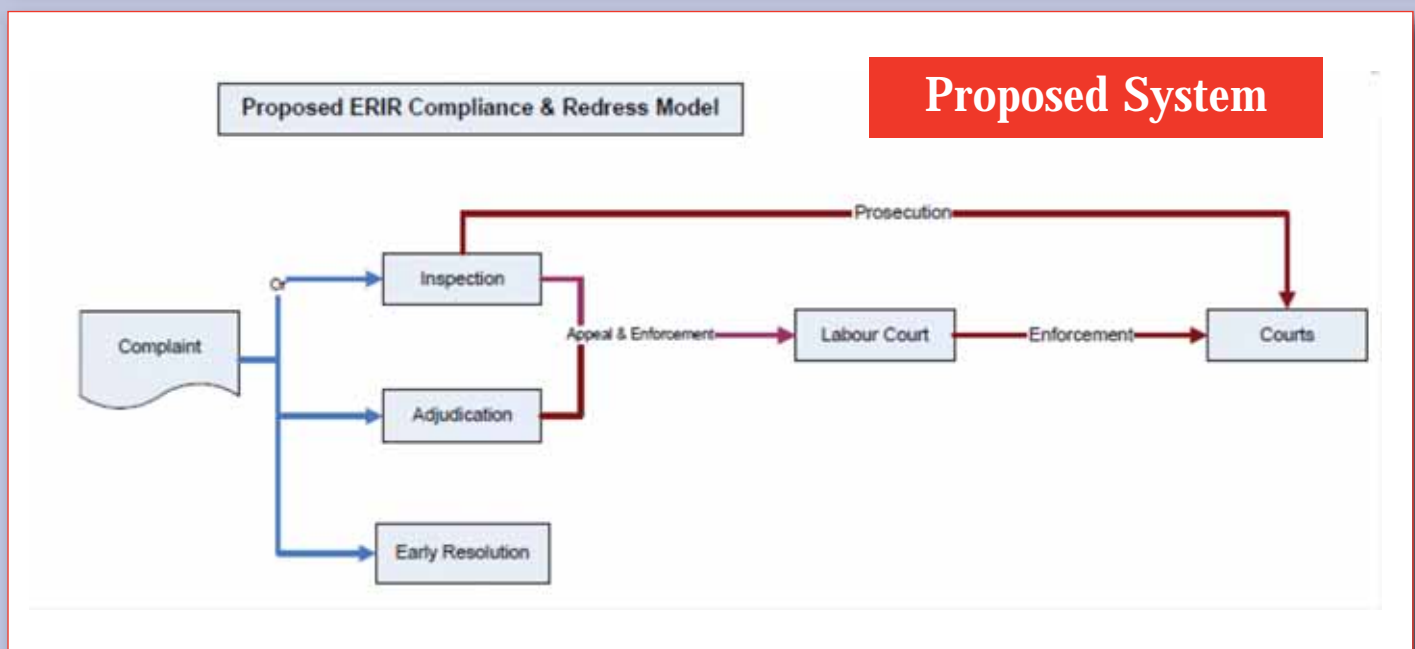
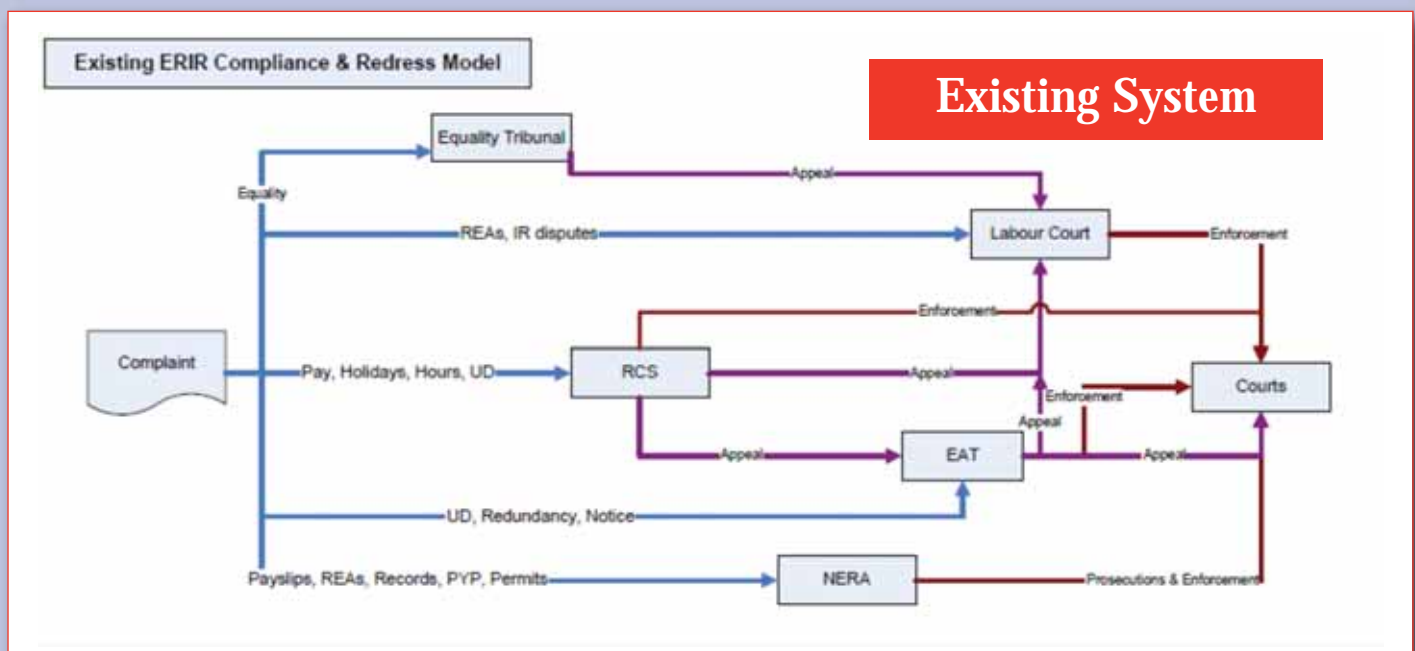
Workplace Relations Bill 2014

Esther Lynch
Legislation and Legal Affairs Officer ICTU

Rationale for Reform

The proposal is to streamline the existing mechanisms and establish a simpler structure while ensuring that the best practice of the existing employment dispute

resolution mechanisms is maintained and mainstreamed within the new integrated structures, systems and processes.” (DJEI, October 2011)



No Change to Substance of Employment Rights

- The Bill does not propose any change to workers' substantive employment rights
- The Bill deals exclusively with structural and procedural matters. (BUT...)

Conciliation, Mediation of individual & collective IR Disputes

The existing functions and resources of the LRC currently applied to the resolution of industrial relations disputes will continue, but under the aegis of the Workplace Relations Commission

Structure of Bill

- Part 1: Preliminary & General
- Part 2: Workplace Relations Commission
- Part 3: Enforcement
- Part 4: Complaints & Disputes
- Part 5: Dissolution of Labour Relations Commission
- Part 6: Dissolution of Employment Appeals Tribunal
- Part 7: Miscellaneous
- Schedules 1-6

Schedules

- Schedule 1: Employment Enactments
- Schedule 2: Enactments Repealed
- Schedule 3: Workplace Relations Commission
- Schedule 4: Matters in respect of which a Compliance Notice may be served
- Schedule 5: Provisions/enactments to which new resolution/mediation and adjudication procedures apply
- Schedule 6: Amendments

Workplace Relations Commission

- Sections 8-24 & Schedule 3
- A body corporate comprising a chairperson & 8 ordinary members, appointed by the Minister:

- 2 representing interests of employers
- 2 representing interests of employees
- 1 representing an organisation engaged in promotion of equality
- 3 with experience and expertise in relation to workplace relations, resolution of disputes in the workplace, employment law or equality law
- appointed for staggered terms
- eligible for re-appointment but aggregate term not to exceed 6 years
- Board will have statutory responsibility for preparation of Strategy Statement & Work Programme of WRC

Director General of the WRC

- To be appointed following open competition conducted by Public Appointments Service
- [Other than in the case of 1st appointee]
- Initial appointment for 5 year term; may be re-appointed but aggregate term not to exceed 10 years
- Complaints/dispute referred to DG & then delegated by him/her as appropriate for resolution/mediation or adjudication

Enforcement

Inspection:

- Restatement of powers of inspectors
- New tools: Compliance Notice (Schedule 4); Fixed Payment Notice (section 35)
- Power to share information with public contracting authorities (but contracting authorities can make limited use)
- Inspections pursuant to direction of the Labour Court

Compliance Notice

- May be served on an employer where inspector is satisfied that employer has contravened a scheduled provision
- Notice will set out what the employer must do/or refrain from doing in order to achieve compliance

- Employer may appeal notice to Labour Court within 42 days
- Employer may appeal a decision of the Labour Court affirming the compliance notice to the Circuit Court within 42 days
- Failure to comply with compliance notice will be an offence
- Service of compliance notice does not prevent employees pursuing individual complaints

Fixed Payment Notice

- May be given to employer where inspector is satisfied the employer has committed a scheduled offence;
- 42 days to pay amount specified in notice (Max €2,000.00);
- No prosecution in respect of the relevant alleged offence can be instituted within 42 day period;
- No prosecution if payment made on foot of notice

Complaints & Disputes

- Complaints/disputes referred to Director General
- Director General may then refer the matter for Early Resolution, Mediation or Adjudication
- Either party may opt out of resolution and/or mediation
- 'Agreement' from resolution/mediation = binding & enforceable (but through expensive court action)

Adjudication

WRC Adjudication Officer



Labour Court
Full 'de novo' Appeal



High Court
Appeal on a Point of Law

Referral of complaints for Adjudication

- Standard 6 month limitation period
- May be extended for up to a further 6 months where

complainant demonstrates reasonable cause for failure to present within initial limitation period

- Adjudication of complaints at first instance 'otherwise than in public'
- Complaint deemed by adjudication officer to be frivolous or vexatious may be dismissed at any time
- Adjudication officer's decision to dismiss may be appealed to Labour Court within 42 days

Adjudication Officers

- Full-time cohort to include existing Rights Commissioners & Equality Officers
- External Panel to be appointed by Minister following open competition run by Public Appointments Service
- External Panel to comprise a diverse mix of individuals with industrial relations, human resources or legal backgrounds
- A comprehensive accredited training programme

Disposal of Complaints by Written Submission only

- If Director General is of the view that a complaint/dispute can be dealt with by means of written submissions, he/she can so inform the parties of his intention to deal with the matter without holding a hearing.
- Either party may object within 42 days.
- Similar provision applies to Labour Court appeals.

Appeal to Labour Court

- Standard period within which appeal should be brought: i.e. 42 days from the date of the decision
- Labour Court may take evidence on oath; may require attendance of any person at hearing of appeal and/or order production of documents in that person's possession or control
- Labour Court appeals to be heard in public
- Labour Court may refer a question of law arising in proceedings before it to the High Court

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- Labour Court appeals to be heard in public
- Labour Court may refer a question of law arising in proceedings before it to the High Court

Certain Functions of the Labour Court performable by Chairman/Deputy Sitting alone

- The Minister may by Order prescribe certain functions of the Labour Court which may be performed by the Chairman or a Deputy Chairman sitting alone

Equal Status Complaints

- First instance complaints to WRC (other than those currently referred to District Court)
- Appeal to Circuit Court
- No change to time limits/process

Striking out of cases not pursued

- A complaint/appeal that has not been pursued by the complainant/appellant for a period of 1 year or more may be struck out by the Director General/Labour Court on notice

Enforcement of decisions of adjudication officer & Labour Court

- New enforcement provision
- Via District Court

- Analogy with process provided in Enforcement of Court Orders Act 1940

Summary of Key Provisions

Bill provides for:

1. the establishment of the Workplace Relations Commission (WRC);
2. the transfer of all of the current functions of the Labour Relations Commission to the new WR Commission;
3. an increase in the number of deputy chairmen of the Labour Court to equal the number of divisions (increased to 4);
4. the dissolution of the Labour Relations Commission & the Employment Appeals Tribunal;
5. the transfer of the functions of the Director of the Equality Tribunal to the Director General of the WRC;
6. the transfer of the functions of the Rights Commissioners & the first instance functions of the EAT to adjudication officers of the WRC;
7. the early resolution, mediation & adjudication of disputes/complaints under employment & equality (including equal status) legislation;
8. enhanced enforcement of employment rights award;
9. the transfer of the EAT's appellate functions to the Labour Court;
10. standardised statement of the powers of inspectors under employment & equality legislation;
11. standardisation of time limits and other procedural matters across suite of employment rights/employment equality legislation.

Next Steps

Congress is seeking key amendments

- Definition of Worker (access to WRC)
- No Fees;
- Right to be represented by union at all stages;
- Enforcement of Mediated Settlements;
- Remove cap;
- Ensure unions can refer cases;

Protected Disclosures Act 2014 Presentation 12th November 2014

Francis Watters . Senior Lecturer in Law, Dundalk Institute of Technology

The 'Guerin' Report 6th May 2014

- 'In any organization whose members face the significant daily challenges and pressures that must be borne by those whose duty it is to ensure the security of the State and the safety of Its citizens, a critical voice is in danger of being heard as a contrary voice. The paradigm of the whistleblower is an unattractive one.
- The whistle-blower, like the referee from whom he gets his name, is seen as someone who is not on the team.
- The challenge of accommodating and learning from legitimate criticism is always going to be a difficult one, especially in a disciplined force.' [page 329, Conclusions and Recommendations, Chapter 20]

'Whistleblowing' – A definition?

- The term 'whistleblower' is a convenient shorthand way of describing a person who discloses information regarding concerns about some form of wrongdoing or misconduct that comes to the attention of others either inside or outside their organisation.
- *There is no common legal definition of what constitutes 'whistleblowing'*
- However some key characteristics can be identified

Key characteristics common to whistleblowing

- i) the disclosure of wrongdoings is connected to the workplace;
 - ii) a public interest dimension, e.g. the reporting of criminal offences, unethical practices, etc., rather than a personal grievance; and,
 - iii) the reporting of wrongdoings through designated channels and/or to designated persons.
- However, insofar as definitional differences exist the most significant common thread running through the definitions is that an institutional or

employment connection is in fact crucial to the position of a whistleblower.

- Two reasons are advanced in support of this position:-
- Firstly because of their role in employment within an organisation whistleblowers have information which may tend to show wrongdoing that would not be available to a person outside of the workplace;
- Secondly, because of their employment status and the risk of sanctions from, for example, breaching the duty of confidentiality owed to an employer, employees who whistleblow require specific legal protections in order to encourage them to come forward.

Background to Whistleblowing Protection Legislation in Ireland

- The Whistleblowers Protection Bill, 1999 was introduced in the Dáil as a Private Members Bill on 24th March 1999. In June 1999 the Government agreed to accept the Bill, in principle.
- However the Government decided on 7 March 2006 to address the issue of "whistleblowing" on a **sectoral basis** and to include, where appropriate, "whistleblowing" provisions in all future draft legislation.

Sectoral Whistleblowing Protections in Ireland

- In overall terms these provisions demonstrate certain broad similarities in their approach to whistleblowing but there are also important differences.
- Examples of 'sectoral legislation' which contain whistleblowing provisions:
- Protections for Persons Reporting Child Abuse Act 1998 (No. 49 of 1998)

- Competition Act 2002 (No. 14 of 2002)
- Health Act 2004 (No. 42 of 2004)
- Inland Fisheries Act 2010 (No. 10 of 2010)
- Protection of Employees (Temporary Agency Work) Act 2012 (No. 13 of 2012)
- The Central Bank (Supervision and Enforcement) Act 2013 (This is an example of 'mandatory reporting')

Main similarities between the sectoral provisions are:

- A differentiation between "persons" and "employees";
- A separate provision for immunity against civil liability for "persons" who report breaches of the legislation in question;
- A distinct set of protections for persons described as "employee" who make disclosures under the legislation in question; the protections include a prohibition on employers from penalising employees and the provision of redress, through the industrial relations machinery for employees who suffer such penalisation;
- In some, but not all, cases a specific reference is made to a person who suffers dismissal as a consequence of having communicated one of the wrongdoings listed as having recourse to the Unfair Dismissals Acts.

The main differences and related issues

- The lack of consistency between the various statutes in terms of the nature and content of reports that attract protection.
- The extent to which criminal offences are created.
- Most, but not all, of the sectoral statutes provide for the criminalisation of employees who

deliberately make false or misleading reports

- While some of the more recent statutes also provide for the criminalisation of employers who breach the prohibition on penalisation of employees.

Programme for Government Commitment

- The Programme for Government makes a clear commitment to the introduction of “whistleblower” protection legislation.
- The Government initially intended for there to be a referendum on the issue of ‘whistleblower protection’ in October 2011 at the same time as a referendum on reducing judges’ pay, a referendum on providing the Oireachtas with powers to conduct investigations, and the Presidential election. This proposal was abandoned as a result of a decision by the Attorney General, Máire Whelan, in July 2011, to refuse to approve the wording of the referendum.
- The Minister for Public Expenditure and Reform subsequently reiterated the commitment on a number of occasions in undertaking to introduce ‘overarching legislation’ which would provide protection for workers in all sectors.
- The Government approved the drafting of the Protected Disclosures Bill at its meeting of 21st February 2012.

International Context

A number of authoritative international bodies have made recommendations and set out guiding principles for legislators when considering the introduction of whistleblowing legislation. In overall terms, whistleblowing legislation should:-

- relate to employment-based relationships;
- apply across all sectors of the economy adopting an overarching as opposed to sectoral approach;
- encompass a broad range of possible wrongdoing;
- provide robust and comprehensive protections for whistleblowers;
- make provision for “good faith”

reporting where good faith is defined as an honest belief;

‘whistleblowing legislation should’: continued

- provide protection from any form of discriminatory or retaliatory personnel action for having reported wrongdoing in the workplace;
- provide adequate redress for workers who report wrongdoing;
- adopt a broad approach to the definition of workers covered by the legislation;
- impose the burden of proof on employers rather than on worker;
- protect as much as possible the whistleblower’s identity;
- create sufficient and appropriate reporting channels; and not seek to sanction misguided reporting.

Final Report of the Mahon Tribunal

- The report noted that there is no pan-sectoral protection for whistleblowers in Ireland and that protection for those who blow the whistle on corrupt transactions is an important element in ensuring their detection and sanctioning. It further noted that:
- *“Corruption is frequently an offence committed by wealthy and/or powerful members of the Community and those reporting it may well fear the consequences of doing so for their own careers and employment prospects. Whistleblower protection may help alleviate those fears, thus facilitating the reporting of corruption offences.” (para.7.45).*
- The Tribunal went on to urge the government to reconsider its approach to whistleblower protection and to bring in a general law protecting all whistleblowers at the earliest opportunity. (para.7.51 – page 2661).

Legislative Option chosen

- Introduce overarching legislation for “workers” (retaining the protections in sectoral legislation if they extend beyond what is provided in the Protected Disclosures Bill)
- The approach adopted in the Act is therefore to amend each relevant sectoral provision so that any

disclosure falling within the meaning of the Protected Disclosures Act will be dealt with under the Act. The effect is to provide a discloser with all of the (generally stronger) protections available in the Act whilst at the same time ensuring that in the unlikely event that his/her disclosure does not fall within the meaning of overarching Protected Disclosures Act the protections of the sectoral provisions will continue to be available.

Protected Disclosures Act 2014

- **Published on 1st July 2013**
- Passed all stages in the Dail and Seanad on 1st July 2014
- Signed by the President on 8th July 2014
- Commenced on 15th July 2014, S.I. 327/2014
- ‘An Act to make provision for and in connection with the protection of persons from the taking of action against them in respect of the making of certain disclosures in the public interest and for connected purposes’
- S.I. No. 339/2014 - Protected Disclosures Act 2014 (Section 7(2)) Order 2014, ‘Prescribed Persons’

Overall legislative approach of the Act

- The Act is intended to provide a robust statutory framework within which workers can make certain disclosures in the public interest about concerns regarding potential wrongdoing in the workplace, in the knowledge that significant employment and other protections are available if the workers are penalised by their employer or suffer any detriment for making the disclosures. The Act sets out a non-exhaustive list of examples of penalisation; the reliefs available to combat offset penalisation include immunity from prosecution and compensation.

Specific Objectives of the 2014 Act

- Insofar as possible, and consistent with international precedent and best practice guidance, to encourage the making of disclosures by workers relating to wrongdoing which comes to their attention in the workplace

by ensuring the protection of such workers against reprisals from their employer;

- To provide for such protection for all sectors of the economy on a uniform basis;
- To adopt a wide definition of “worker” so as to ensure that as many individuals as possible who interact with the workplace have access to the protections to be made available;

Specific Legislative Objectives continued

- To promote an approach in which the vast majority of disclosures are made to the employer in the first instance whilst at the same time providing for a “stepped” disclosure regime in which a number of distinct disclosure channels are available to a worker where, having regard to the circumstances, disclosure to the employer is neither possible nor appropriate;
- To make certain that the protections available under the legislation will still be available to a worker even if the alleged wrongdoing to which the disclosure relates cannot be sustained, providing the disclosure conformed to the requirements included in the legislation.
- To remove any risk of potential criminalisation of a worker when he or she is considering making a protected disclosure;

Specific Legislative Objectives continued

- To ensure that the legislation becomes a vehicle for the disclosure of matters that are in the public interest rather than to replace existing HR and IR mechanisms and procedures for dealing with personal grievances in the workplace;
- To safeguard workers who make a disclosures in the public interest from being subject to occupational determinant and to provide immunity against civil liability in such circumstances;
- To make available certain remedies providing redress for workers who suffer detriment as a consequence of having made a protected disclosure;
- To ensure that employees who are

dismissed from their employment following the making of a protected disclosure are entitled to the protections of the Unfair Dismissals Acts, regardless of the length of their service;

Specific Legislative Objectives continued

- To bring workers who make disclosures under the sectoral acts within the ambit and protections of the overarching legislation so as to provide a uniform standard of protection for all workers who make such disclosures;
- To design a protected disclosure regime under which the regulatory burden placed on responsible employers is minimised
- To make special arrangements for the disclosure of information which, although of public interest, could have an adverse effect on law enforcement or which relates to security, intelligence, defence and international relations matters.
- To provide clarity in the law in relation to protected disclosures.

Key Provisions

- “Workers”: The safeguards are extended, in line with international best practice, to “workers”. “Workers” are widely defined, to include employees, contractors, temporary workers, former employees, apprentices, trainees, certain individuals on work experience, agency workers, members of An Garda Síochána and the Defence Forces and civil servants. It includes individuals in both the public and private sectors.

Section 3 (2) Interpretation

- For the purposes of this Act—
- (a) a person who holds or has held office under, or in the
- service of, the State, including—
 - (i) as a member of the Garda Síochána,
 - (ii) as a member of the Permanent Defence Force (within
- the meaning of the Defence Act 1954) or the
- Reserve Defence Force (within the meaning of that

- Act), or
- (iii) otherwise as a civil servant (within the meaning of the 25 Civil Service Regulation Act 1956),
- shall be deemed to be a worker;

Protected Disclosures

- A worker may make a protected disclosure of “relevant information”. Information is relevant if, in the reasonable belief of the worker, it tends to show one or more “relevant wrongdoings”, and it came to the attention of the worker in connection with the worker’s employment. The protection remains available if the information disclosed, on examination, does not reveal wrongdoing. However deliberate false reporting will fail the “reasonable belief” test and is not protected.

“relevant wrongdoings”

- ‘Relevant wrongdoing’ is broadly defined. It includes circumstances such as where :
- An offence has been, is being or is likely to be committed,
- A person has failed, is failing or is likely to fail to comply with any legal obligation, other than one arising under the worker’s contract of employment or other contract whereby the worker undertakes to do or perform personally any work or services,
- A miscarriage of justice has occurred, is occurring or is likely to occur,
- The health or safety of any individual has been, is being or is likely to be endangered,
- The environment has been, is being or is likely to be damaged,
- An unlawful or otherwise improper use of funds or resources of a public body, or of other public money, has occurred, is occurring or is likely to occur,
- An act or omission, by or on behalf of a public body, which is oppressive, discriminatory or grossly negligent or constitutes gross mismanagement, or
- Information tending to show any matter falling within any of the preceding paragraphs has been, is being or is likely to be concealed or destroyed.

- But it does not include all 'wrongdoing'

What is not 'relevant wrongdoing'?

- Care should be exercised as not all wrongdoing may carry the protection of the legislation. Examples could include breaches of internal controls, policies or procedures of the employer, including breaches of their Code of Ethics, where these do not come within the definitions above. In these cases, protection may be available directly from the employer's Whistleblowing Policy, but not under legislation.
- What is not 'relevant wrongdoing'?
- A matter is not regarded as relevant wrongdoing if :
 - It is the function of the worker or the worker's employer to detect, investigate or prosecute the matter and the matter does not consist of, or involve an act or omission on the part of the employer.

Is motivation for making a disclosure a factor?

- The motivation for making a disclosure is irrelevant in determining whether or not it is a protected disclosure. So, even though an employee does not enjoy a good working relationship with a superior or colleague, it does not debar that employee from making a disclosure of wrongdoing against that individual, provided there is information which tends to show that relevant wrongdoing has occurred.
- Malicious or malevolent disclosures do not, however, qualify for protection and may result in legal action being taken against the perpetrator.
- Where an issue arises in proceedings as to whether a disclosure is a protected disclosure or not, it is presumed, until the contrary is proved, that it is.

'Wrong Information'

Workers are likely to be entitled to protection in circumstances where they wrongly believe particular information is true and even where the matter to which the information relates would not amount in law to an offence.

UK Court of Appeal decision of Babula v Waltham Forest College [2007]

- In this case the worker resigned from his employment as a lecturer following his disclosure to the college, the Metropolitan Police, the CIA and the FBI that a previous lecturer was inciting racial hatred.
- The court held that the worker was entitled to protection under the UK whistleblowers legislation as it would not be reasonable to expect workers to have sufficient knowledge of criminal law to enable them to decide if particular facts which they reasonably believe to be true could, as a matter of law, constitute a criminal offence.
- (be aware that the a "qualifying disclosure" in the UK legislation is not the same as 'relevant information' regarding a relevant wrongdoing)

Questionable actions by a 'Worker' aimed at establishing or confirming the reasonableness of their belief.

- The UK case of Bolton School v Evans [CA Nov 2006] illustrates this point well. The case involved a teacher, Mr. Evans, who deliberately hacked into his school's computer system to test and demonstrate its inadequacy. After the hacking, the school disciplined Mr. Evans for his unlawful interference with the computer system but Mr. Evans alleged the disciplinary action was to penalise him for whistleblowing. The Employment Appeals Tribunal and on appeal the Court of Appeal held however that the whole course of the worker's conduct is not regarded as an act of disclosure and Mr. Evans was disciplined for his irresponsible actions and not his disclosure about the failings in the IT security systems. Therefore although the legislation will protect the worker who reasonably believes that something is wrong, it does not protect the actions of a worker directed at establishing or confirming the reasonableness of that belief. What happened was not a disclosure.

Do the protections only cover disclosures made after the passing of the legislation?

- A disclosure made before the date of the passing of the legislation may still be a protected disclosure provided that penalisation, detriment or negative consequences for making the disclosure are suffered by the worker subsequent to the enactment of the legislation.

Geographical 'scope' of the legislation

- In order for a wrongdoing to fall within the ambit of the legislation it is immaterial whether the relevant wrongdoing occurred, occurs or would occur in the State or elsewhere.
- Therefore, for example, a worker in Ireland can disclose information of an allegation of corruption that is occurring in the United Kingdom as long as it came to the attention of the worker in connection with his employment. It is also immaterial whether the law applying to the relevant wrongdoing is that of the State or that of any other country or territory.

Stepped Disclosure Framework Sections 6-10

- The Act seeks to incentivise internal reporting, however a "stepped" approach is provided for where disclosure to the employer is neither appropriate nor possible.
- Disclosure to an employer or responsible person
- Disclosure to a nominated third party
- Disclosure to a prescribed person
- Disclosure to a Minister
- Disclosure to a legal advisor (or trade union official)
- Disclosure in other cases

Alternative 1: Disclosure to an employer or responsible person:

- The Bill aims to encourage that the vast majority of disclosures are made in the first instance to the employer or another responsible person. It is appropriate to disclose to a responsible person where the worker reasonably believes that this person has legal responsibility for the relevant wrongdoing.

- A disclosure will be treated as a disclosure to an employer where it is done in accordance with a procedure authorised by the employer, such as an internal disclosure or whistleblowing procedure.

Alternative 2 - Disclosure to a Nominated Third Party

- A worker is regarded as having made a protected disclosure if he or she does so to a nominated third party in accordance with a procedure authorised by the employer. This outsourcing alternative provides employers with a mechanism to make it easier for workers to raise concerns, and provides for the possibility of independent guidance, intermediation, feedback and case management by third party professionals.

'Burden of proof' for Alternatives 1 and 2

- There is virtually no hurdle to be met in Alternative 1 or 2 disclosures. All that is necessary is that a worker must reasonably believe that the information disclosed tends to show relevant wrongdoing.

Alternative 3: Disclosure to a prescribed person

- A worker may make a protected disclosure to a prescribed person. The Minister for Public Expenditure and Reform may by order and by reference to defined criteria prescribe certain appropriate persons to be recipients of disclosures of relevant wrongdoings. The Minister has prescribed a list of 72 public bodies to whom protected disclosures can be made relating to specific issues.
- The worker must reasonably believe that the wrongdoing falls within the description of matters to which the person is prescribed and that the information disclosed and any allegations contained in it are substantially true.

Protected disclosures relating to the Garda Síochána

- Where a disclosure relating to the Garda Síochána is disclosed to the Ombudsman Commission as a prescribed person under section 7 of

the Protected Disclosures Act 2014 in respect of disclosures so relating, it may, if it appears to it desirable in the public interest to do so, investigate the disclosure, even if the worker (within the meaning of that Act) making the disclosure is a member of the Garda Síochána.

Alternative 4: Disclosure to a 'Sponsoring' Minister

- A protected disclosure may be made by a worker from a public body to a Minister exercising any function relating to the public body. This is an alternative to 1-3 above and is only available to a 'Public worker'.
- The act contains a very broad definition of a 'public body', e.g. a Department of State, a local authority, an Institute of Higher Education
- The hurdle for Alternative 4 disclosures is also quite low. For protection to apply, a public body worker must firstly have a reasonable belief that the information disclosed tends to show relevant wrongdoing and, secondly, the worker must ensure that the disclosure is made to the Minister responsible for the area - and not just to any Minister.

Alternative 5: Disclosure to a legal advisor

- A protected disclosure may be made by a worker in the course of obtaining legal advice from a barrister, solicitor or trade union official.
- "trade union official" means an official of a trade union licensed under the Trade Union Acts 1871 to 1990;
- Note that the act uses the phrase "Trade Union Official" and not Trade Union Member
- Again, the hurdle to be met in Alternative 5 disclosures is low. The worker must merely have a reasonable belief that information disclosed tends to show relevant wrongdoing.

Section 10 Alternative 6: Disclosure in other cases:

- A worker may make a protected disclosure in other circumstances if

the worker reasonably believes that the information disclosed and any allegation contained in it are substantially true. The disclosure must not be made for personal gain. This excludes any reward payable under or by virtue of any enactment. In all the circumstances of the case, it must be reasonable for the worker to make the disclosure.

One or more of the following conditions must also be satisfied:

- At the time the worker makes the disclosure, the worker reasonably believes that he or she will be subjected to penalisation by the employer if a disclosure is made in circumstances other than to a legal adviser, i.e. 'Alternatives 1-4 above;
- Where no relevant person is prescribed in relation to the relevant wrongdoing, the worker reasonably believes that it is likely that evidence relating to the relevant wrongdoing will be concealed or destroyed if the worker makes a disclosure to an employer or responsible person;
- The worker has previously made a disclosure of substantially the same information other than to a legal adviser;
- the relevant wrongdoing is of an exceptionally serious nature.

'Was reasonable in all of the circumstances'

- The Act also sets out certain criteria which may be considered in determining whether it was reasonable in all of the circumstances of the case for the disclosure to be made. Depending on the circumstances, these include:
- the identity of the recipient of the disclosure;
- the seriousness of the relevant wrongdoing;
- whether the wrongdoing is continuing or likely to occur again;
- any breach of confidentiality;
- in respect of a previous disclosure, any previous action taken or which might reasonably be expected to have been taken by the recipient of the disclosure, and

- whether a worker complied with any procedures authorised by an employer when making a disclosure to that employer or another responsible person.

‘Alternative 6’

- Clearly, the ‘hurdle’ for a worker to qualify for protection under Alternative 6 is quite high, particularly if the employer has a robust, transparent and well-articulated process for disclosure, investigation and follow up of concerns about wrongdoing.
- If a worker fails to comply with their employer’s protected disclosures’ procedure that sets out the elements of the Protected Disclosures Act 2014 this will be taken into consideration during protected disclosure proceedings. In the UK, in the case of *Jeffrey v London Borough of Merton* [4th April 2003] where the claimant made his initial disclosure on the internet and not via the respondent’s disclosure procedure the Employment Tribunal held that the disclosure was not a protected disclosure.
- This case indicates that a tribunal will require an explanation by a worker as to why a disclosure was not made via the employer’s established disclosures procedure.

Protected Disclosures Act 2014. PART 4 ‘SPECIAL CASES’

- Section 17. Law enforcement, etc.
- Section 18. Security, defence, international relations and intelligence
- Section 19. Amendments of Garda Síochána Act 2005
- Section 20. Amendment of Ombudsman (Defence Forces) Act 2004

Restrictions on disclosure of certain information

- Part 4 of the act provides for certain restrictions on the disclosure of information where disclosure may prejudice effective law enforcement or public safety or security systems. This includes the security of a relevant institution.

- There are also restrictions in the area of security, defence, international relations and intelligence with the requirement in certain circumstances for the disclosure to be made to the Office of Disclosures Recipient established under the Act (intended to be a serving or retired High Court judge).

Where the disclosure relates to the security of a ‘relevant institution’

- It should be made to:
- The employer
- A prescribed person or
- A legal adviser (Trade union official)
- In certain circumstance where the above do not apply the disclosure may be made to a member of the Dail

‘Relevant Institution’

“relevant institution” means—

- a place to which the Prisons Acts 1826 to 2007 apply,
- a military prison or detention barrack within the meaning in each case of the Defence Act 1954,
- St. Patrick’s Institution,
- a children detention school within the meaning of section 3 of the Children Act 2001, or
- a remand centre designated under section 88 of the Children Act 2001;

Section 17 Law Enforcement

- The Act provides special procedures for a protected disclosure of information concerning law enforcement by a member of the Garda Síochána and others in order to maintain the integrity of law enforcement activities carried out by the force. The section also deals with disclosures relating to the security of certain systems of communication and the security of prisons.
- Disclosures under this section must be made to either the worker’s employer (or other responsible person), a prescribed person, or to a legal advisor. Disclosures of taxpayer information must be made to the Comptroller and Auditor General. Disclosures can only be made outside of these recipients if it is made to a member of Dáil Éireann or Seanad

Éireann and that a disclosure of substantially the same relevant information was made to a prescribed person; a reasonable period of time for taking action in relation to that disclosure has passed; and, the worker reasonably believes that the prescribed person has taken no action or if action has been taken, the worker reasonable believes that it is inadequate.

The Gerry Ryan Disclosure to the members of PAC

- Is this a ‘protected disclosure’?
- In forwarding the information to the members of PAC, Mr Ryan cited the Protected Disclosures Act 2013.
- The information may well be a ‘protected disclosure’.
- To be a ‘protected disclosure’ it would appear to need to comply with Section 10 and or Section 17
- If it is a ‘protected disclosure’ then the question arises as to what does the PAC do with the information?
- Can the PAC ‘deal’ with the disclosure?
- It would appear that the answer is ‘NO’ as the act only provides for disclosure to a ‘Member of the Oireachtas’
- It appears that the PAC has received conflicting legal opinion as to whether the ‘disclosure’ by Mr. Ryan falls within the act.

Disclosure to a member of Dáil Éireann or Seanad Éireann under Section 17

The following conditions must be met:

- that the person by whom the disclosure was made has made a disclosure of substantially the same relevant information to a prescribed Person,
- that a reasonable period for taking action in relation to that disclosure has passed, and
- that, having notified the Prescribed Person in relation to the relevant information, the person by whom that disclosure was made reasonably believes that no action has been taken in relation to that disclosure or that any action so taken was inadequate.

Section 17 (6): What does an Oireachtas Member do with a 'protected disclosure'?

Procedures established by Standing Orders of Dáil Éireann or Seanad Éireann may regulate how members of Dáil Éireann or Seanad Éireann are to deal with relevant information disclosed to them under subsection (2)(c) or (4)(b) of Section 17. (no such procedures have been established to date)

Special procedures applying to Public Bodies generally

- Public bodies will be required to establish and maintain procedures for dealing with protected disclosures made by workers who are or were employed by the public body. There is no point in having a 'protected disclosure' regime unless there is a mechanism in place to deal with such disclosures.
- (At the time of delivery there does not appear to be any procedure in place regarding protected disclosures within public bodies, although it is understood that the relevant department may be awaiting the outcome of the LRC discussions on the topic of an appropriate code of practice for the private sector)
- The Minister will issue guidance on how this should be approached which the public bodies must have regard to. This guidance may include additional protection for workers in public bodies who report concerns about breaches of Codes of Conduct such as Professional Codes or Professional Standards, even though these are not covered under the Protected Disclosures Act. It may also cover other individuals involved with public bodies - such as volunteers - as well as workers.
- Every Public Body is required to prepare and publish an annual report by the following 30th June, in a form that does not enable the identification of the persons involved, containing details of the number of protected disclosures made, the action taken in response and such other information as the Minister may specify.

Where the disclosure relates to the security of a 'relevant institution'

- It should be made to:
- The employer
- A prescribed person or
- A legal adviser (Trade union official)
- In certain circumstance where the above do not apply the disclosure may be made to a member of the Dail or Seanad

'Relevant Institution'

"relevant institution" means—

- (a) a place to which the Prisons Acts 1826 to 2007 apply,
- (b) a military prison or detention barrack within the meaning in each case of the Defence Act 1954,
- (c) St. Patrick's Institution,
- (d) a children detention school within the meaning of section 3 of the Children Act 2001, or
- (e) a remand centre designated under section 88 of the Children Act 2001;

Protections for 'the Worker'

- The Unfair Dismissals Act 1977 is amended to facilitate the new disclosure regime. Under that Act as intended to be amended by the Act the worker will have the following protection:
- Protection from penalisation;
- Compensation of up to a maximum of five years' remuneration could be awarded in the case of an unfair dismissal for having made a protected disclosure;
- Limitations relating to the length of service that usually apply in the case of Unfair Dismissals would be set aside in the case of protected disclosures;
- An employee who lodges a claim for unfair dismissal, on the basis that they were dismissed by their employer for having made a protected disclosure, may apply for interim relief before the Circuit Court due to the fact that there is likely to be a substantial delay between lodging a claim and the unfair dismissal's hearing taking place.

'Interim Relief'

- The legislation provides for 'Interim Relief' to address a situation where there may be a lengthy delay from the time of a dismissal of a worker for making a protected disclosure and the subsequent unfair dismissal hearing. (Currently up to two years) The interim relief, is in effect is an injunction to restrain or prevent dismissal, pending the hearing of their unfair dismissal claim. The application must be made within 21 days immediately following the date of dismissal or such longer period as the Court may allow.
- Where, on hearing an application for interim relief, it appears that it is likely that there are substantial grounds for contending that dismissal results wholly or mainly from the employee having made a protected disclosure, if the employer is willing to reinstate or re-engage the employee, the Court will make an order to that effect.
- Where it is re-engagement the Court must ask the employee whether he or she is willing to accept the position on those terms and conditions. If the employee is not willing to accept the position on those terms and conditions and the Court is of the view that the refusal is reasonable, the Court will make an order for the continuation of the employee's contract of employment. If not, the Court will make no order.
- If the employer fails to attend in Court, or states an unwillingness either to reinstate or to re-engage the employee, the Court must make an order for the continuation of the employee's contract of employment pending trial.

What is 'penalisation'?

- 'Penalisation' means any act or omission that affects a worker to the worker's detriment and includes:
- Suspension, lay-off or dismissal,
- Demotion or loss of opportunity for promotion,
- Transfer of duties, change of location of place of work, reduction in wages or change in working hours,
- The imposition or administering of any discipline, reprimand or other

penalty (including a financial penalty),

- Unfair treatment,
- Coercion, intimidation or harassment,
- Discrimination, disadvantage or unfair treatment,
- Injury, damage or loss, and
- Threat of reprisal experienced by the whistleblower or their family at the hands of an employer or any third-party.

Other Protection

- If a person causes detriment to another person because that other person or a third person made a protected disclosure, the person to whom the detriment is caused has a right of action in tort against the person by whom the detriment is caused; 'detriment' is defined to include coercion, intimidation, harassment, discrimination, disadvantage or adverse treatment in relation to employment (or prospective employment), injury, damage or loss, and threat of reprisal;
- 'Whistleblowers' will benefit from civil immunity save in respect of defamation but will have qualified privilege under the Defamation Act 2009;
- In a prosecution of a person for any offence prohibiting or restricting the disclosure of information it is a defence for the person to show that, at the time of the alleged offence, the disclosure was, or was reasonably believed by the person to be, a protected disclosure;

Protection of the identity of the 'whistleblower'

- A person to whom a protected disclosure is made, and any person to whom a protected disclosure is referred in the performance of that person's duties, must take all reasonable steps to avoid disclosing to another person any information that might identify the worker who made the protected disclosure. The worker has a right of action in respect of any loss suffered as a result of non-compliance here. However, the restriction does not apply where

there is a reasonable belief that the worker does not object to the disclosure of this information. This is also the case where there is a reasonable belief that disclosure is necessary for the effective investigation of the relevant wrongdoing concerned, the prevention of serious risk to the security of the State, public health, public safety or the environment, the prevention of crime or prosecution of a criminal offence, or is otherwise necessary in the public interest or is required by law

Members of the Defence Forces and An Garda Síochána

- Certain categories of worker are excluded from the protective process under the Unfair Dismissals Act. These include members of the Defence Forces and An Garda Síochána. Instead, the Garda Síochána Act 2005 would be amended to require the Minister for Justice to make regulations governing procedures for the making of protected disclosures and the securing of redress by members of An Garda Síochána following a protected disclosure. The Ombudsman (Defence Forces) Act 2004 would be amended to provide for the consideration by the Ombudsman for the Defence Forces of complaints made by members of the Defence Forces in relation to penalisation following the making of a protected disclosure.

Other 'Protective' Provisions

- No contracting out: The Act expressly states that any provision in an agreement is void in so far as it purports to exclude the application of the Bill or an action for breach of contract in respect of anything done in consequence of the making of a protected disclosure.
- Amendments to other legislation: The Act makes amendments to various pieces of primary and secondary legislation to take into account the protection afforded by the Act. (principally employment legislation)
- No limit to existing immunities: The Act does not limit any existing

privileges, immunities or defences, statutory or otherwise.

Issues arising from the above

- Mandatory Reporting and Protected Disclosures
- Volunteers, relevance of 'sectoral' legislation
- Relationship of an existing grievance policy and an internal whistleblowing policy
- Content and structure of an internal whistleblowing policy
- Need for staff training
- Keeping the reporting worker apprised of the progress and outcome of the investigation, if any

Issues, continued

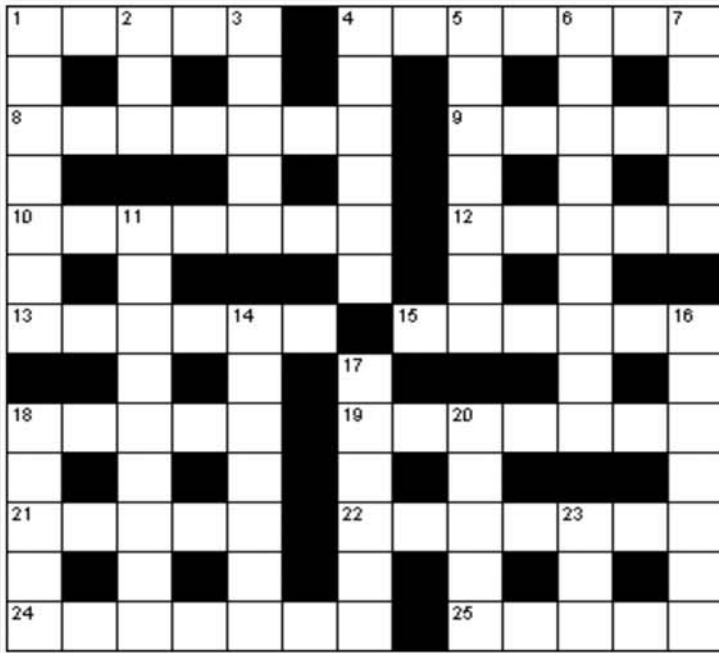
- Protecting the identity of the whistleblower
- Who decides if the disclosure is a protected disclosure, ultimately a question of law to be determined by an adjudicating body
- To be submitted in writing?
- Anonymous disclosures
- Data Protection Acts and Freedom of Information Acts

Content and structure of an internal whistleblowing policy

An internal whistleblowing policy should:

1. Provide an alternative reporting line
2. 'Support' the reporting worker
3. Commitment to appropriately investigate
4. Protect the identity of the worker, certainly at preliminary stage
5. Detail role of disciplinary proceedings in event of 'retaliation' or abusive /false allegations
6. Clear reporting channel

BRAIN EXERCISES



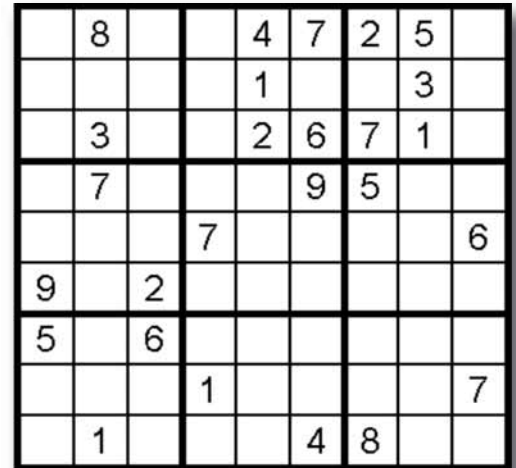
PLEASE SEND COMPLETED CROSSWORD ENTRIES TO
The Editor,
Prison Officer Magazine,
18, Merrion Square,
Dublin 2.
5 prizes of €25 will be awarded to winning entries.

ACROSS

1. Danger (5)
4. Percussion instrument (7)
8. Deliberated (7)
9. Molten rock (5)
10. Marine mollusks (7)
12. Similar (5)
13. Martial art (4,2)

DOWN

15. Rigorous (6)
18. Assumed name (5)
19. Accumulated (7)
21. Similar to a giraffe (5)
22. Dizziness (7)
24. Perpetual (7)
25. Book of maps (5)



PLEASE SEND COMPLETED SUDOKU ENTRIES TO
The Editor
Prison Officer Magazine,
18, Merrion Square, Dublin 2.
5 prizes of €25 will be awarded to the winning entries.

DOWN

1. Security device (7)
2. Bone (3)
3. Supply (5)
4. Plain (6)
5. Fortification (7)
6. Enlarges (9)
7. Astound (5)
11. Consortium (9)

DOWN

14. Mode (7)
16. Irksome (7)
17. Wonder (6)
18. Repent (5)
20. Artery (5)
23. Unwell (3)

Winners Crossword:

Ann Whitty	Portlaoise	€25
Linda Rogan	Castlerea	€25
Ivan Lynch	Portlaoise	€25
Sean Cullen	Portlaoise	€25
John Duffy	Portlaoise	€25

Winners Sudoku:

Martina Morrissey	Portlaoise	€25
Jarlath McCarthy	Cork	€25
Matt O'Neill	Cork	€25
David Creighton	Castlerea	€25
Paul Kennedy	Cloverhill	€25

MARCH NEWSLETTER

Submissions are invited for the following sections in the March Newsletter:

Letters to Editor • Book Review • Buy and Sell

All submissions to be sent by email to admin@poa.ie by Friday 27th February 2015

PITY A POOR PRISON GOVERNOR MAJOR WILLIAM ROBERT BARROWS

William was born on the 14th May 1893. He was the son of Captain William Barrows who was appointed Deputy Governor of Portlaoise Prison in November 1902 and Governor of Portlaoise in January 1906. He was transferred to Crumlin Road, Belfast in July 1913.

William was educated at C.B.S. Portlaoise and Portlaoise Royal School, Enniskillen. He joined the Queen's Westminster Regiment of the British Army in August 1914 and was wounded in France.

He was appointed Deputy Governor of Portlaoise in June 1920 and Governor of Dundalk in May 1921. He was transferred to Waterford in November 1921 and returned to Dundalk in January 1922.

The Irish Civil War commenced at the end of June 1922 and was caused when a section of the I.R.A. – known as “Irregulars” – opposed to the Treaty and the partition of Ireland - started a guerrilla war against the Irish Free State Government. When captured they were interned. At the height of the Civil War (November/December 1922) more than 3,700 men and almost 40 women were interned.

Attempts to escape and rescue attempts were common and I give brief details of three successful rescues from Dundalk Prison in July 1922.

At 9.45 p.m. on the 1st July 1922 armed Irregulars arrived at the Main Gate and rang the bell. Gate Officer Murphy unlocked the gate without looking through the grille. He was forced to bring them to the Circle Gate. They held the few staff on duty at gun point and the Supervising Officer was forced to hand over the cell keys. They located the cells of three Irregulars, on remand for shooting with intent to murder, unlocked them and left, locking the staff inside the Circle Gate. When Governor Barrows returned after 10.00 p.m. he was surprised to find the Main Gate open and went to the Circle Gate,

finding the keys on the floor and released the staff.

At 7.35 p.m. on the 3rd July 1922 another successful rescue was carried out almost identical to the rescue on the 1st July. Gate bell rang and Gate Officer William Horner, looked out and saw a small boy with two parcels. He unlocked the gate and immediately two armed men appeared – they had been hiding behind a pillar. He was forced to bring them to the Circle Gate. The Irregulars forced the staff to unlock the “Twelve Belfast Prisoners” serving 14 days and to take them to the Reception to be dressed. They then left. Six of the escaped prisoners were quickly re-captured. Governor Barrows then requested that an armed military guard be located at the Prison and this was granted.

At 7.20 a.m. on the 27th July 1922 the Irregulars were lined up and ready to go to the Exercise Yard. Two military sentries were in the yard, two more at the Main Gate and one officer and 26 soldiers resting in the Prison Hospital. A Principal Officer (A.C.O.) and three officers were to supervise the exercise. A loud explosion took place outside the boundary wall and shots were fired. The Irregulars rushed the check gate and headed for a large hole caused by the explosion. Frank Aiken and 104 Irregulars escaped. Officers prevented 31 others from escaping by locking the check gate and using their batons.

(Frank Aiken 1898 - 1983 was Commandant of the 4th Northern Division of the I.R.A. 1921/1922. He was Chief of Staff of the I.R.A. 1923. He was Fianna Fail T.D. for Louth 1923 – 1973. He was Minister for Defence, Minister for Finance, Minister for External Affairs and Tanaiste in various Fianna Fail Governments).

Governor Barrows was not happy but much worse was to follow on the 14th August 1922.

This is his report to the General Prisons Board.

Dundalk Prison
18th August 1922.

I beg to report that on Monday morning the 14th inst. Mr. Brophy came to my house and informed me that the Prison had been captured and the military guard and staff were prisoners. He had been allowed out to secure my attendance in the Prison. I at once went to the Prison and interviewed a man called Daly who had previously been a prisoner and who appeared to be in charge. He took me into the Governor's Office, drew his revolver and informed me that I would have to give instructions to the staff to continue their duties as usual or that he would take certain action. I declined to take any such action. He then said that the staff and myself would be made prisoners which we were in so far as we were not allowed out of the Prison. I called all the available staff together and informed them of what had transpired at the interview, pointing out that we were servants of the Provisional Government and could not undertake any duties for the Irregulars; but, that every man would have to decide for himself, as I would give no order for them to carry out their duties under the Irregulars. The staff unanimously decided that they would not carry on under the Irregulars in spite of the various threats that were used.

Some time later on Daly again came to me and said he had reported my action to "Comdt. Gen. Aiken" (his superior officer) who had decided that he would, in the circumstances, dispense with the services of the staff generally and that if the Storekeeper, Cook and Chief Clerk would help to arrange about food and cooking he would allow the rest of the staff to go free. As an alternative, if this were refused he would imprison the whole lot who could then be compelled to cook and arrange for the distribution of food. Otherwise neither they nor the military prisoners would get any. I then asked, if I might see the senior officer of the

National Troops (who were prisoners). This was acceded to and I put my case before him (Comdt. McGonnell), who agreed with me that it would be the best course to allow the three officers referred to, to carry on. This I arranged. I then informed the rest of the staff

that they would have to evacuate the Prison and make the best they could for themselves, and to write to the Prison's Board informing them of their address.

About 1.00 p.m. Daly informed me that Aiken wanted all the private cash of the prisoners handed over and that he would give a receipt for it. This was done. I then had about £50 over in cash. This I was able to get out of the Prison on Tuesday unknown to the Irregulars. I was also able to get the cash book and most of the vouchers away.

The Prison was evacuated by the Irregulars about 6.00 p.m. on Wednesday, the 16th instant, and about 9.00 p.m. the National Troops arrived. They are still in occupation of the whole of the Prison, but I am not sure how long they intend to remain. I do not think beyond a day or so. I am unable to ascertain what damage has been done to the Prison, but I do not think there is much except some of the cell doors have been sprung again and various keys are missing. Also a quantity of clothing and stores commandeered. This, I think, is the best account of the incidents I can give at present as since Tuesday evening until this morning armed Irregulars have been looking for me. They have been to my private house twice to know where I was, each time producing revolvers, and have inquired at various other houses for me. I have consequently been sleeping at other places.

W. Barrows, Governor.

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Dundalk was reduced to the status of a minor prison in August 1926 with a Chief Officer in charge. It was closed on the 1st May 1931 and has been used as a Garda Station since 1945.

Governor Barrows was transferred to Galway Prison in June 1926; to Clonmel Borstal in July 1927 and to Portlaoise in September 1937. He retired in June 1958 and died on the 22nd May 1965. He holds a unique record of being Governor of five different prisons during his 38 years in the Prison Service.

B. Doorhey

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Merry Christmas

Look what
Prison
Officers
found in
their
stocking
this
Christmas

