

OPENING STATEMENT

Dear Cathaoirlaeach and Members of the Oireachtas Committee,

On behalf of the Prison Officers' Association, I would like to thank you for the opportunity to address this committee on the General Scheme of the Irish Prison Service Bill 2023.

My name is Karl Dalton, I am the General Secretary of the Prison Officers' Association. I have been involved in the POA since 1999 as Branch Chair of Cloverhill Branch and have attended meetings of our National Executive Council from 1999 to date. In 2007 I was elected Vice-President, 2011 Assistant General Secretary and in 2022, I was appointed General Secretary.

I am accompanied by my colleague Gabriel Keaveny, Deputy General Secretary who is currently the longest serving Official of the POA. Gabriel started representing staff in St. Patrick's Institution in 1995. He was elected President in 2002, General Treasurer in 2007, appointed Assistant General Secretary in 2010 and Deputy General Secretary in 2022.

Due to the nature and composition of the Bill, we obtained detailed legal advice on its contents. Our submission is based primarily on those advices.

As outlined in our original cover note, our submission was presented subject to us seeking a meeting with the Department of Justice to clarify a number of issues including the matter of the status of our members as Civil Servants and the impact of the General Scheme of the Irish Prison Service Bill on their status. A date for this meeting has yet to be confirmed. We respectfully request that the committee allow us to submit any additional issues should the need arise following this engagement.

In our submission we raised a number of concerns such as:

A. Assurances regarding our members' Civil Service status going forward.

The IPS have outlined via Justice that the Scheme has no effect on the Civil Service status or terms and conditions of staff, other than that they will become Civil Servants of the Government rather than officers of the Minister.

Apart from the typographical errors in the bill outlined in our submission, the main issue is the impact of becoming Civil Servants of the Government rather than Civil Servants of the Minister. Clarity is required as to whether this change can impact on a range of existing collective agreements for our members and on the methodology for reaching such agreements going forward. (Ref – The Conciliation & Arbitration Scheme)

B. Delegation of functions to the Director General (including the power to dismiss)

Under this section there are two main issues arising:

In the first instance this Bill gives the Director General wide-ranging powers in relation to the appointment of staff under the Bill and fixing the terms and conditions of employment of such staff, their grades and the numbers of staff in each grade. This is a significant move away from the process in place at present and presents grave concerns for our membership.

During the Financial Emergency the parties entered an agreement which resulted in significant staff reductions and the introduction of massive workplace reform. Part of this process was to examine staff to management ratios. In recent times the IPS have (in our opinion) disproportionately increased management grades to frontline Officers. In particular, there has been a 35% increase in IPS HQ Longford staffing.

Secondly in the wider Civil Service the power to dismiss rests with the Secretary General of the relevant department. Currently there is opposition from the staff side to any proposal to further dilute this power.

Therefore, we require clarification as to the specific functions that the Director General can delegate to subordinate members of staff, and will the Director General have the ability to delegate the power to suspend/dismiss staff?

C. Any other matters that may impact upon your Members.

Again, the main issue for our members is clarity in regard to their current status versus the new status. For example, what will be the impact for our members in placing the Code of Ethics on a statutory basis. The Prison Service currently has a code of ethics for staff however this provision will put the code on a statutory basis.

Yours sincerely

On behalf of the Prison Officers' Association

A handwritten signature in black ink, appearing to read 'Karl Dalton', enclosed in a thin black rectangular border.

Karl Dalton
General Secretary