

An open policy for prisons would serve us all better

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The Minister is likely to accept proposals from the Thornton Hall review group, but the document is marred by contradictions

THE REPORT of the Thornton Hall project review group published by Minister for Justice Alan Shatter assesses the accommodation needs of the whole prison system.

It advocates two new closed prisons: one for 700 prisoners at Thornton Hall in north Co Dublin and another for 500 near Kilworth in north Cork.

The Minister has indicated that he is minded to implement its proposals when capital spending decisions are made in the autumn. However, the group's report contains serious contradictions, and ignores many of the dreadful conditions across the prison system, which are now destined to be replicated.

The report begins promisingly, framing its ideas in a human rights context and asserting the principles of "normalisation, progression and rehabilitation" that are very much part of Council of Europe thinking on imprisonment. It elaborates on the European Prison Rules, although it omits their stipulation that men and women in prison should have single cells, a requirement abandoned by Irish authorities in recent years. However, this principled thinking has hardly any bearing on the final conclusions and recommendations of the report, but rather hangs around it like Christmas decorations with scarcely any impact on its final shape.

The report asserts the principle of using prison "as a last resort" and finding alternatives to custody, but does not follow through sufficiently on this idea. It ignores or glosses over many

of the factors which currently make imprisonment in Ireland degrading, inhumane and counter-productive.

The issue of slopping-out in Cork and Mountjoy prisons is acknowledged, but the fact that most prisoners elsewhere must use toilet facilities in each other's presence is not. The excessive lock-up times affecting most prisoners, the chronic lack of purposeful activity, and the costly and destructive segregation in the nine largest of our 14 prisons are not dealt with.

These conditions arise from an indifference to regime standards in the last decade or more, punitive policies which have doubled the prison population, and increasingly restrictive arrangements in all closed prisons as "care" is abandoned in deference to "custody".

Compounding these trends is the tendency to have ever bigger prisons, often adding extra wings without corresponding facilities, activity or services. We now have more than 4,500 people in 14 prisons in Ireland; in Norway, there are 3,500 in 42 centres. In the Republic we are unable to operate prisons above a capacity of 150 (the size of Arbour Hill) without resorting to segregation for reasons of safety. Smaller prisons would work much better in this and in many other ways.

At one point, the Thornton Hall report recognises that prisons with a capacity of more than 400 are problematic (though many experts would put the threshold much lower than that). Even then, the report blandly envisages a prison with over 1,000 (Midlands), and several others with approximately 700 or 800 (Thornton, Wheatfield, Castlereagh, Portlaoise).

We need smaller prisons. Locating pre-release or intermediate level prisons, which the report calls "step-down facilities", in city centre locations is also advisable. In such prisons men and women have more opportunities to manage their own lives, and often have daily release to take part in work, education or training outside. Such arrangements are very important in helping them resettle successfully. The report recognises this need, but unwisely recommends facilities be provided in inaccessible locations, at Thornton on the Dublin-Meath border and in the moorlands beyond Kilworth.

The modern-built training unit next to Mountjoy, within walking distance of O'Connell Street, is ideally located for this function, which it performs. Why move it? Likewise, the Irish Prison Service has a vacant serviced site across from Cork Prison on which it could build a similar facility, but the report dismisses use of the Cork site on the grounds that very large capacity cannot be achieved there.

The step-down facilities proposed by the review group have been incorrectly referred to as "open centres" in much of the commentary since the report's publication, but they do not constitute open imprisonment as they are within secure walls. Prisoners stay in open prisons on trust without being held in by walls as they do today in Shelton Abbey and Loughan House. Men and women held in such open facilities are less institutionalised, better prepared to rejoin the outside world, and less likely to reoffend.

Nordic countries tend to have about 35 per cent of their prisoners in open prisons, while in Ireland we have only 5 per cent. Given similar prisoner profiles, there is no reason why Ireland cannot do the same. Moreover, Nordic countries find that the cost of running open prisons is about half that of closed. In this paper in May 1st argued that since the State has the Thornton site it might best be used for three relatively small open prisons – for adult men,

young men under 21 and women. This approach, which could also apply to Kilworth, would be more cost-effective as well as more effective in terms of “normalisation, progression and rehabilitation”.

Furthermore, using Thornton and Kilworth for genuine open prisons would make enormous perimeter walls unnecessary, thus saving further millions in capital costs. Shifting from closed to open prisons, as well as reducing prison numbers through alternatives to custody, are rare examples of socially progressive policies also being economical.

The location of these prisons, of course, would make access a problem for families. Fr Peter McVerry makes the point that such locations are, however, appropriate for custodial drug treatment facilities precisely because of their remoteness. This idea should be explored, either in addition to or as part of open centres.

Such suggestions were put to the review group, but appear to have been largely ignored. The group’s proposals are essentially to continue “warehousing” policies in prisons that are too large to function properly.

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