

Thornton Hall locked in to gulag-type thinking

By Kevin Warner

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Imprisoned by the past: despite claims of "international best practice", Thornton Hall might be better off learning from Nordic open prisons. Photograph: Hans Neleman

OPINION: A prison service expert believes that the Department of Justice is blinkered. Its plans will create a cruel, crowded and costly jail

MINISTER FOR Justice Alan Shatter has announced a review of the previous government's plans to build a mega-prison for 2,200 at Thornton Hall. Hopefully, the review group will question not just what to do with the costly site, but some of the policy assumptions underpinning the project. What is the level at which Ireland has been imprisoning its people? What is the size of our prisons? What kind of regimes should we have in them? And why on earth do we opt so much for closed institutions when open prisons are more beneficial and economical?

Denmark built a new prison recently, in their terms a high-security one, at East Jutland. Last year, the Norwegians opened a new closed prison at Halden, south of Oslo. These prisons hold 228 and 252 respectively, in decent single-cell accommodation, and in each prisoners spend most of the day in a range of purposeful activities.

Those now charged with re-examining the Thornton project should take a serious look northwards. A principle in the construction of East Jutland required "scattered low buildings

toning down the institutional impression”; an architect for Halden says they aimed to make it “as much like the outside world as possible”.

It is a fact of life that states need to imprison at least some of their citizens. Like surgery, prisons are necessary in some circumstances. However, also like surgery, they represent radical and damaging interventions into people’s lives and should only be used when absolutely necessary. Every effort should be made to mitigate institutionalisation and other side-effects. Research and experience make clear that institutions which “minimise the detrimental effects of imprisonment” have greater success in reintegrating men and women into society, and lower recidivism rates.

I spent 30 years in the Department of Justice and Irish Prison Service as the person responsible nationally for education in the prison system. Recently, I also undertook PhD research into penal policy in Nordic countries, as I had become concerned at the punitive and destructive direction of policy in Ireland.

The Thornton plans represented an excessive and costly culmination of this “punitive turn”, and I was seeking better models. Early in the planning process, I suggested the prison service explore how Nordic countries had designed new prisons. I was even able to refer to particular projects and offer contacts with people involved in progressive plans such as East Jutland and Halden.

My suggestions and offers were ignored. The Irish authorities looked only to the United States and Britain for guidance – the two countries most associated with backward developments. Yet, the Department of Justice now claims it looked at “international best practice” in formulating plans for Thornton.

In reality, the Thornton project is dangerously misguided and envisages an unacceptable lowering of standards. The most fundamental error lies in the assumption the enormous rise in incarceration over the past 15 years, when our prison population more than doubled to 4,600, is both desirable and unavoidable.

The number we hold in prison is very much a political choice. Up to the mid-1990s, Ireland imprisoned people at a low rate, similar to Nordic countries, reflecting a view imprisonment should be “a measure of last resort”. However, we then adopted the “get-tough-on-crime” rhetoric of the US and UK, with politicians and administrators arguing (against all evidence) “prison works”.

Moreover, regime standards deteriorated as prisons became overcrowded. The Whitaker report stipulation that prisoners should have single cells was abandoned, lock-up times became greater, and access to services like education and training more difficult. Sanitary arrangements are now degrading for most, and dangerously unhygienic for many. Present conditions facilitate the growth of drug abuse, bullying and violence.

A further crucial mistake the prison service made relates to the size of its prisons. In no Nordic country is any prison larger than 400 prisoners. Mountjoy has 700 now, with Wheatfield recently matching this level, and the Midlands is set to cap them both when a new “300 space” block is finished.

Prof Andrew Coyle, a very experienced prison governor and now director of the International Prison Studies Centre at King's College, London, stresses that, beyond a capacity of 300, prisons become difficult to manage and problems multiply. The idea that there are "economies of scale" is an illusion. In Ireland, in particular, a "one-size-fits-all" approach to security means many prisoners are subjected to far more restrictions than is necessary and this adds greatly to costs.

In addition, the prevalence of gangs and other rivalries among prisoners has led to severe segregation in all but the smallest prisons. This also adds to costs, but its most serious implication is that services and activities available to prisoners are often radically curtailed. A larger number of much smaller prisons would avoid such problems and costs. Thornton has been planned in a way that is oblivious to this reality.

In Irish prisons now, prisoners are lucky to be out of their cells for seven hours a day, although the Whitaker report said the minimum should be 12.

In East Jutland prison, prisoners are out of their cells for 14.5 hours, and have a full day of work, education or drug treatment. They also manage their own living arrangements in terms of shopping (via a mini-market within the prison), cooking, washing, etc. The regime is similar at Halden, with an out-of-cell time of 12 hours. Even the low Irish norm of seven hours is unlikely to be achieved in Thornton Hall, given the staffing ratio is set to be drastically reduced, and the demands for widespread segregation in a very large institution are likely to accentuate the high lock-up time. In other ways also, Thornton will undermine further what Whitaker called "basic living conditions". The stipulation that prisoners should be kept in single cells is a fundamental standard in Whitaker and the European Prison Rules. It applies almost without exception in Danish and Norwegian prisons. Doubling-up in cells was very rare at the time Whitaker reported (1985). It applied to 28 per cent of prisoners in 1994, and rose from 59 to 62 per cent in the course of 2010. Some 1,400 cells are planned for Thornton, but the prison service envisages 2,200 being held. This would require 1,600 prisoners (over 72 per cent) being doubled-up.

Another recent pattern in Irish prisons has been to add accommodation blocks to prisons without adding the requisite services and other regime facilities. The Inspector of Prisons has criticised this approach severely. There are grounds for suspecting that such under-provision is already a feature in the Thornton Hall plans.

The Council of Europe's recent Committee for the Prevention of [Torture] report on Irish prisons expressed serious suspicions that services like education and training were planned for a 1,400 population, but not expanded to cater for 2,200. The prison service's formal response does nothing to allay that suspicion.

So, before a brick is laid, a substandard and impoverished regime is in prospect for Thornton Hall. And that is before factoring in the impact of segregation and other diseconomies of scale, arising from its size.

A warehousing approach is also evident from the plans I have seen. These show a very high building-to-open-space ratio, in great contrast to the high level of open space in both East Jutland and Halden. The prison service spin speaks of Thornton as a campus. Gulag would seem a more appropriate term.

There remains the question of what to do with the 150-acre site on the Dublin/Meath border that the State acquired at exorbitant cost. And what to do with the Mountjoy complex, now that Michael McDowell's aspirations for property speculation there have turned to dust. On the second question, the review group would do well to look at the imaginative but abandoned plans for the restructuring of Mountjoy that were drawn up by Office of Public Works architects, in conjunction with a multidisciplinary group led by John Lonergan. Lonergan's recent book outlines this story very well.

It is tempting to suggest that the Thornton farmland be returned to its previous usage. The prison service intention for the next stage, constructing a gigantic perimeter prison wall, seems unwise and likely to incur great additional cost. However, some use could be made of the place for prison purposes if three separate open prisons were developed there. These would not require a surrounding wall. These three open prisons could be for, at a maximum, 200 adult men, 100 women and 100 youngsters aged 18-21. This last would replace an excellent open juvenile facility at Shanganagh Castle that was shamefully discarded by McDowell.

Norway and Finland hold about 35 per cent of their prison populations in open prisons. In Denmark, the figure is nearly 40 per cent. In Ireland it is now 5 per cent. The profile of the prison populations is much the same in all our countries. Prison management and staff in our prisons can vouch for the fact that many prisoners, even some currently in high-security prisons, are eminently suitable to serve their sentences in open prisons.

Moreover, Nordic countries find that holding someone in an open prison costs half what it costs to hold them in a closed prison.
