

Negative, miserly, punitive

*The proposed changes to gratuity payments to prisoners is contrary to Council of Europe's rules and lets down those who want to avail of educational, training or counselling services, writes **Kevin Warner***

[This article appeared in *The Irish Examiner* on 31 July 2012]

THERE has been much misleading 'spin' around several recent initiatives in the prison system.

This applies, in particular, to the announcement by the Irish Prison Service that it is to introduce a range of 'gratuity' payments for those held in prison, supposedly to reward good behaviour while punishing those who are disruptive or refuse to engage with rehabilitative services.

In reality, what the prison service proposes is to significantly cut, for all prisoners, what is already a very meagre payment. But it is more punitive towards some rather than others.

At present, all prisoners receive a daily gratuity of €2.35 (€16.45 per week). This is meant to cover the purchase of personal items like soap or toothpaste, and whatever else those in prison choose to buy from prison shops, such as sweets, cigarettes, batteries for radios, or newspapers. It is already a pathetically low payment, considerably lower, for example, than the allowance of €19.10 judged barely sufficient and paid to asylum seekers housed in direct provision centres.

A very high number of men and women in prison do not have any other means, and so are left in very straightened circumstances. As prison governors and others working in the system know, this results in their families feeling great pressure to supplement the gratuity by lodging money with the prison on behalf of their son, brother or partner.

Many families can ill afford to make such payments, especially when they may have a further financial burden to carry in travelling long distances to make prison visits. For such families, the financial pressure is about to be worsened considerably.

The present daily allowance of €2.35 is to be cut for everyone, to either an 'enhanced' rate of €2.20, or a 'standard' rate of €1.70, or a 'reduced' rate of €0.95. In addition, prison authorities will also now deduct a further 15% from these rates towards the cost of television in cells and phone calls. What a person in prison gets at present will be cut by 28% on average. The prison service expect to save close to €500,000 per annum through these cuts.

I worked for many years as national co-ordinator of prison education. At one point, over 10 years ago, I was a member of a Department of Justice working group set up to look at prisoners' gratuities. I was very struck at that time by the vivid accounts, given by the two governors on the working group, of the poverty experienced by many in prison, the pressure experienced by their families and the dismal circumstances under which many leave prison. Thousands walk out of prison gates carrying their few belongings in black plastic bags, broken in spirit, and stony broke.

The reason why I, as head of prison education, and a representative of the Work and Training Sector, were on this working group was because senior Department of Justice management were very mindful of a requirement in the European Prison Rules that different activities in prison (such as education, work or treatment) should have the same status and level of payment. The thinking behind this rule is that whatever activity, or combination of activities, are chosen, they should be the ones that meet the needs of the person in prison.

They should be the ones that help that person cope with imprisonment, develop skills and aptitudes, and prepare as well as possible for resettlement in the community.

The new regime breaches the Council of Europe's European Prison Rules in introducing differential payments as

between those engaged in work in prison, who are to get €1 a day extra, and those in education or treatment. The philosophy of rehabilitation and reintegration has been replaced by the philosophy of the workhouse. One wonders also what is to be paid to those confined to their cells for 23 hours a day, supposedly for their own 'protection'.

The director general of the Irish Prison Service has said: "We want to encourage prisoners to join the programmes, the education, the supports, take the drug counselling so we can create a safer society."

So, why pay more to those who work in cleaning or maintenance?

I would also strongly contest the suggestion in this statement that men and women in prison need financial pressure to egg them into education, training or counselling.

Over the years, I have found an enormous demand among prisoners for such services, and money had nothing to do with this.

The new arrangements raise further fundamental questions. The image conveyed is that adequate services and activities are there, readily available. This sadly is not the case, especially in the larger prisons.

Hundreds of prisoners are locked in cells for over 20 hours, even as many as 23 hours, each day. They can have no meaningful involvement in programmes. Moreover, the access of the average prisoner to services such as education and training can also be very limited, due to lock-up times of close to 17 hours a day, and due to the severe segregation now affecting all the larger prisons. Recently, over 80 prison officer posts in work-training were vacant. And the funding for some of the most successful prison education programmes (such as the Open University) has been drastically cut in the last few years.

It is to the credit of this government that, when they came into office, they reversed some of the most severe cuts affecting the poorest, such as restoring the minimum wage and exempting the lowest paid from the universal social charge. They have also held the line on basic welfare rates.

However, the decision to severely reduce prisoners' gratuity represents a failure to maintain this policy of shielding the poorest. It also suggests a negative, miserly and punitive way of thinking about those of our citizens held in prison.

** Dr Kevin Warner was national co-ordinator of prison education from 1979 to 2009, when he retired. He contributed to the recent policy paper of the Jesuit Centre for Faith and Justice, **The Irish Prison System: Vision, Values, Reality** (available on www.jcfj.ie).*