



## IPRT Board of Directors & Subcommittees

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Interested in getting more involved with the IPRT? We rely upon the generosity of members and volunteers to help keep the organisation vital and effective. The Board is currently developing a number of subcommittees to assist us in advancing our work on various issues. At present, we are seeking volunteer members for our Mental Health Subcommittee and our Legislative Subcommittee. Anyone with time and expertise in these areas is encouraged to contact the office for more information.

## Join the IPRT

The Irish Penal Reform Trust is a human rights based advocacy organisation which campaigns for the creation of a more rational and humane prison system, which would include the increase of community sanctions and the national implementation of Restorative Justice Programmes.

### Join us!

IPRT members receive a one-year subscription to Penal Reform News, reduced rates for IPRT events and can vote at our Annual General Meeting.

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## NEWSFLASH: FREE- dom of Information?

Ever thought about seeking to access government records under the *Freedom of Information Act 1997*? Well, as we recently discovered, if you do you may find that there's nothing "free" about it.

On July 29th, IPRT submitted a Freedom of Information request to the Department of Justice, Equality, and Law Reform to obtain correspondence – letters, minutes of meetings, internal memos, etc. – relating to the closure of Shanganagh Castle. This request was made following the broad concerns raised by our organisation and many others about the Government's decision last year to close Shanganagh, the only open facility in the state for housing youth offenders.

In a written response, the FOI office has informed us that the "estimated total cost" for providing this information would be **€1,157.40!** Pursuant to the Act, the IPRT has been asked to provide a deposit of **€450** before the work of retrieving the information will begin. It seems that there's very little "free" about "freedom of information".

We're being flip, of course, but this incident does illustrate a much larger and more serious issue of public concern. The imposition of exorbitant fees such as these means that public access to government information becomes so restricted as to – in cases such as this – be non-existent. The information sought by the IPRT is not unusual for an organisation with our brief. Indeed, it is not unlike that which might be sought by other NGOs, academics or researchers working on juvenile justice or prison issues.

While the IPRT has successfully used the FOI in the past to obtain information without cost, this incident does raise concerns about the state's ability to severely limit public oversight and accountability, while maintaining the pretext of providing a freedom of information service.

However, we should all be comforted by the fact that – for our convenience – the FOI office does accept bank draft, money orders, postal orders, and personal cheques.

The IPRT will be pursuing this issue.



## 7th Annual IPRT Conference to address Juvenile Justice

The IPRT's 7th Annual Conference – *Juvenile Justice in Ireland: Critical Perspectives, Human Rights & Good Practice* – will be held on November 1st in the Marino Institute for Education in Glasnevin, Dublin.

(Faculty of Law, University College Cork), Fr. Peter McVerry, Linda Moore (Northern Ireland Human Rights Commission) and Dr. Paul O'Mahony (criminologist, Trinity College Dublin).

We are pleased to have as our keynote speaker Mr. Rob Allen. Rob is the Director of Rethinking Crime and Punishment in London and is a member of the Youth Justice Board for England and Wales.

The conference will also feature a series of issue-focussed workshops by the Children's Rights Alliance and others where participants may break up into smaller groups to do work on key issues.

We will also hold a panel discussion on juvenile justice in Ireland featuring prominent Irish experts Dr. Ursula Kilkelly

For more information on the conference, please call the IPRT at (01) 668-0072 or check our website [www.penal-reform.ie](http://www.penal-reform.ie).

## New IPRT Reports

*To Be or Not to Be in Observation Cells* is a discussion paper on the replacement of padded cells by new 'safety observation cells'.

Following advocacy by the IPRT and others, Minister Mc Dowell made a commitment last November to abolish padded cells. In a letter to the IPRT, the Minister stated that padded cells would be replaced by safety observation cells specifically for the mentally ill. *To Be or not to Be* assesses whether this new regime adequately meets the needs of prisoners with mental health issues, and if it truly succeeds in addressing the human rights concerns raised by the use of padded cells.

Among its findings, the report concludes that the new system is unfortunately not as positive as we had hoped. While there is certainly a genuine desire to improve upon the previous situation, the report finds that unless considerably more resources – both staff and medical / paramedical services – are put into the prison system, the awful possibility exists that the new observation cells will inevitably be a but cleaner version of

what existed before. The report is available in full on our website [www.penal-reform.ie](http://www.penal-reform.ie)

Upcoming IPRT reports include *The Case for Mental Health Courts*, which will examine the advantages of diversion schemes for people with mental health problems who come into conflict with the law, and advocates for their implementation in Ireland.

Mental health courts are relatively new programmes operating primarily in United States. They are designed to be problem-solving, rather than adversarial, courts that seek to divert people with mental health issues away from prison and towards appropriate medical and social services. The IPRT believes that mental health courts would be a welcome addition to our criminal justice system, and would be a positive mechanism to alleviate the warehousing of people with mental health problems within the prison system. Issues highlighted in the report will include the positive impact of this non-adversarial system in reducing re-offending and the financial viability of these programmes within existing judicial resources.

### In this Issue:

- 7th Annual IPRT Conference to address Juvenile Justice
- New IPRT Reports
- IPRT Welcomes Inspector of Prisons Report
- "Private" Prisons Inspector?
- Prison Privatisation Plans Condemned: *Leading Figures in Criminology, Law and Human Rights Challenge the Government on Private Prisons*
- The Cost of Incarceration in Ireland in 2001
- IPRT Welcomes New Executive Director
- NEWSFLASH: FREE-dom of Information?
- IPRT Board of Directors
- Join the IPRT



## IPRT Welcomes Inspector of Prisons Report

In July, the *First Annual Report of the Inspector of Prisons and Places of Detention* was published. In addition, the Inspector also released individual reports on the conditions at Mountjoy/Dóchas, Cloverhill, Limerick and Portlaoise Prisons.

Prepared by Justice Dermot Kinlen, the Report reinforces much of the work and perspectives of the IPRT by highlighting problems about which we have been campaigning for years.

Concerns identified by Justice Kinlen include:

- **'Far too many people are sent to prison.'** The high cost of running the prison service, and 'how little of the budget reaches prisoners' needs.' Justice Kinlen expressed particular concern at the high prison officer to prisoner ratio, noting that Ireland has a higher ratio than any other country in the world.
- **The 'very poor' condition** of the buildings of Mountjoy, Portlaoise and Limerick Prisons. The Report recommends that these institutions be closed.
- **Inadequate provision of mental health care, and the incarceration of people with mental health problems.** According to the Report 'The prison has become a dumping ground for many of the psychiatrically ill among us.' Justice Kinlen recommends that provision of mental health services for prisoners become the responsibility of the Department of Health and Children.

- **The impact of poverty on ex-prisoners,** and its contribution to re-offending. The Report identifies homelessness among former prisoners as a 'major problem'. It also questions the practice of discharging people from prison with little or no money. The Inspector rightly asks 'If a person is released on a Friday night primarily to convenience the Courts and the Prison Service with about at most €60.00 in his/her pocket and cannot get the dole for two weeks, will he/she not revert to crime?'

- **Racism in Irish prisons.** According to Justice Kinlen, 'There is undoubtedly racism in the Irish Prison System but a lot of the management and staff are not fully aware of it'.

- **Inadequacy of current programming for sex offenders.**

Lack of access to methadone in all prisons in the state. The Report recommends the expansion of these programmes into all prisons affected by drug use.

The IPRT welcomes Justice Kinlen's report, and will draw upon its many findings to support our ongoing efforts to promote change within the Irish prison system. We look forward to subsequent reports, and hope that future documents will include comprehensive data on prison conditions across the state.

The Report can be accessed at [www.justice.ie](http://www.justice.ie).

## "Private" Prisons Inspector?

On page 50 of the *First Annual Inspector of Prisons Report* is a small section on the issue of private prisons – a piece that managed to slip through without garnering any media attention. Commentary on this issue seems a bit out of place in the report of the Irish Prisons Inspector, given that there are no private prisons in the state to inspect. Yet knowing the commitment of the Progressive Democrats to privatising public services, it definitely caught our eye.

The *Report* paints a rather rosy image of private prisons, noting "competition [from private prisons] in England has resulted in the streamlining of the Prison Service". No evidence is cited to support this statement, which is made without reference to the significant body of international research disputing the claims that private prisons save public money. The *Report* further notes that the "Inspector...intends to look at this aspect of the matter."

At the time the *Report* was published, we were more than a little surprised to find the Irish Prisons Inspector looking into private prisons. Private prisons do not exist in Ireland, and the Irish Government had certainly made no public announcement of an interest in privatisation at the time the Report was completed. This led us at the time to wonder whether Justice Kinlen had heard something we hadn't?

Over the last month, our instincts on this have been proved correct. Numerous media reports have quoted both Minister Michael McDowell and Prison Director Sean Aylward as stating that privatisation is under consideration. Just how long has privatisation been under discussion within the Government and the Prison Service, and based upon what evidence? These questions remain to be answered.

The IPRT will be monitoring this issue closely. See page 3 for more developments on this issue.

# Prison Privatisation Plans Condemned: *Leading Figures in Criminology, Law and Human Rights Challenge the Government on Private Prisons*

Plans by the Fianna Fail/PD government to privatise Irish prisons have come under sharp criticism from a group of prominent academics, barristers and human rights advocates.

In an open letter to Justice Minister Michael McDowell on September 24th, the group – which includes many of Ireland's leading figures in criminology, penology, law and human rights – challenges claims that private prisons are economical or innovative, citing instead international experience that "reveals privatisation to be a costly failure, with private prison companies being subsidised by taxpayers." The signatories call upon Minister McDowell to publicly state his opposition to prison privatisation and to commit to a process of truly effective criminal justice and penal reform.

"The incarceration of Irish people for the profit of corporations is a foul notion that strikes at the very heart of the type of society we wish to build for ourselves and our children," said Ivana Bacik, law lecturer at Trinity College. "Yes, the prison system is in desperate need of reform. But privatisation represents a copper-fastening of the mistakes of the past, rather than a recipe for a better future. If implemented, the Government will be trading one bad policy for another."

"If the Government is truly concerned about the high cost of incarceration, they must look to address the root causes of crime, and reduce the number of people sent to prison," said Dr Paul O'Mahony, criminologist from Trinity College. "Crime reduction must be the goal of responsible government. The private sector does not and cannot share this goal, as corporations that imprison people for profit can only maximise that profit when prisons are full to capacity. If the Government privatises Irish prisons, they will be putting corporate interest before public interest."

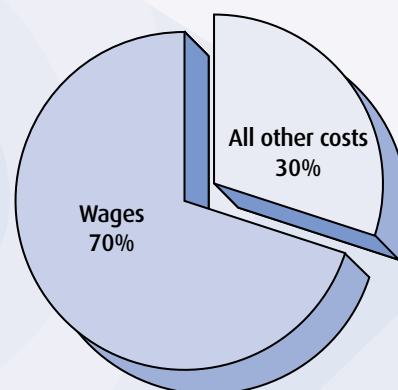
"While reform of the prison system is long overdue, it must be based upon sound international evidence and best practice, not the failed and simplistic ideological imperatives that have driven prison privatisation in other parts of the world," said Rick Lines, Executive Director of the Irish Penal Reform Trust. "The Government is attempting to manufacture a crisis in the prison service in order to force through an unpopular measure disguised as a 'solution'. Let us be clear that privatisation is no solution."

To see a copy of the Open Letter to Michael McDowell, and to access other information on private prisons, please access our website [www.penal-reform.ie](http://www.penal-reform.ie)

## The Cost of Incarceration in Ireland in 2001

Figures recently obtained by the IPRT from the Department of Justice, Equality, and Law Reform reveal the cost of running the Irish Prison Service in 2001.

Total cost of running the Irish Prisons Service:	£209,462,000	(€266,016,740)
Total wage bill for the Irish Prison Service:	£146,527,000	(€186,089,290)
How much of this total wage bill was overtime?	£ 43,561,000	(€55,322,470)
Cost of incarcerating a person for 1 year:	£62,217	(€79,015)
Total cost of educational service for prisoners:	£910,000	(€1,177,700)
Total cost of medical services for prisoners:	£2,604,000	(€3,307,080)
Total cost of the Probation and Welfare Service:	£22,634,000	(€ 28,745,180)
Total capital expenditure programmes:	£26,026,000	(€33,053,020)
Total maintenance cost (excl. wages):	£7,199,000	(€9,142,730)



## IPRT Welcomes New Executive Director

The IPRT is pleased to announce the appointment of our new Executive Director, Mr. Rick Lines.

Rick has been working professionally in prisoners' rights advocacy and policy for the last 10 years, with a specific expertise on HIV/AIDS and drug use issues. Originally from Canada, he has been involved with the IPRT since moving to Ireland three years ago.

Rick has published and spoken extensively on prison health

reform, including authoring the IPRT's 2002 report *A Call for Action: HIV/AIDS and Hepatitis C in Irish Prisons*. He brings to the organisation significant international experience in prisoners' rights advocacy, having worked on prison health initiatives with NGOs and prison officials in more than 10 countries in North America, Western Europe, Eastern Europe and the former Soviet Union.

We look forward to working together with Rick in our ongoing efforts.